

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, JUNE 6, 2016
5:00 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. PLEDGE OF ALLEGIANCE LED BY MAYOR DAVID PLYLER**
- A. 3. INVOCATION BY MAYOR DAVID PLYLER**
- A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 16, 2016**

Public Hearing

- B. 1. PUBLIC HEARING**
Final Statement/Action Plan for Program Year 2016 Community Development Block Grant
- B. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5951**
Extending the Corporate Limits of Said City so as to Annex a 0.777 Acre Tract of Land on Sistrunk Street, Adjacent to the Sherman City Limits and in the City of Sherman's Extra Territorial Jurisdiction; Providing for a Municipal Service Plan
- B. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5952**
Closing and Abandoning a Portion of the Sara Swamy Drive Right-of-Way lying at the Southwest Corner of Block One (1) of the Heritage Park Addition Phase One, at the Intersection of the East Right-of-Way Line of Mathis Drive with the Original North Right-of-Way Line of said Heritage Park Drive, also being the Southwest Corner of Lot 1A of the Replat of Lot 1, Block 1 of Heritage Park Addition as shown by Plat of Record in Volume 21, Page 16; Said Property to be Maintained as a Utility Easement; Conveying the Interest in said Right-of-Way to the Abutting and Adjacent Property Owners, Pyramid Estates, LLC and Gavlie Properties, LLC
- B. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5953**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow an Army Surplus Store in a C-1 (Retail Business) District/O-1.1 (F.M. Highway 1417) Overlay District at 2115 South F.M. 1417 (Heritage Parkway), being Lot 3, Block 1, Community USA Addition (Community Storage USA, LTD, Owner; James W. Caudle, Representative; and Kent Sanders, Proposed Tenant); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

- B. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5954**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Two-Family Patio Homes in an R-1 (One Family Residential) District/O-1.2 (Sam Rayburn) Overlay District at 317-415 North Woods Street, 308-420 North Sam Rayburn Freeway, and 703-721 West Pecan Street, being the Proposed Lots 1-19, Block 6R of the Replat of Block 6, Exstein's Maple Addition (Sapphire Group, LLC, Owners; Kyle Boothe, Representative; and Underwood Drafting and Surveying, Surveyor); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00
- B. 6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5955**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties Within the C-1 (Retail Business) District at 308-420 North Sam Rayburn Freeway and 703-713 West Pecan Street, being 1.969 acres in the J.B. McAnair Survey, Abstract No. 763 and Part of Block 6, Exstein's Maple Addition (Sapphire Group, LLC, Owners; Kyle Boothe, Representative; and Underwood Drafting and Surveying, Surveyor)

Close Public Hearing and Consider Adoption of Ordinances

- B. 7. ADOPTION OF ORDINANCES**
Consider Adoption of Ordinance Numbers: 5951, 5952, 5953, 5954 and 5955
- B. 8. CONSENT AGENDA**
Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Resolutions

- C. 1. RESOLUTION NO. 6087**
Supporting the Goal of Chickatay Inc: U.S. Aviation Group to Secure, Perform and Administer the United States Air Force Initial Flight Training Contract FA3002-15-R-IFT at North Texas Regional Airport - Perrin Field in Grayson County, Texas
- C. 2. RESOLUTION NO. 6088**
Approving and Authorizing Publication of Notice of Intention to Issue Certificates of Obligation
- C. 3. RESOLUTION NO. 6089**
Authorizing the Purchase of Outdoor Warning Sirens from Federal Signal Corporation through Shipman Communications
- C. 4. * RESOLUTION NO. 6090**
Authorizing Execution of an Interlocal Agreement between the City of Sherman, the City of Denison, and Grayson County for Grant Funding to be Awarded by the U.S. Department of Justice under the 2016 Justice Assistance Grant Program – CFDA #16.738

- C. 5. *** RESOLUTION NO. 6091**
Authorizing Submission of a Joint Grant Application with the City of Denison and Grayson County for, and the Acceptance of, a Grant Awarded under the 2016 Justice Assistance Grant Program – CFDA #16.738
- C. 6. *** RESOLUTION NO. 6092**
Authorizing Publication of the Proposed Final Statement/Action Plan for the Community Development Block Grant for Program Year 2016; Authorizing Submission of the Block Grant Application; Authorizing Execution of Certain Assurances of Compliance in Connection with the Administration and Conduct of the Community Development Program for Program Year 2016
- C. 7. *** RESOLUTION NO. 6093**
Authorizing Execution of an Agreement with Angel Jaramillo and Martha Lopez for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1019 East Lake Street

Requests to Advertise

- D. 1. **REQUEST TO ADVERTISE**
Sale of City-Owned Surplus Real Property

Change Orders

- E. 1. *** CHANGE ORDER NO. 1**
The Erosion Protection for Hunt Street Project; East Valley Golf, LTD. dba Revegetation Services; \$3,022.00 decrease

Other Business

- F. 1. **OTHER BUSINESS**
Consider the Abatement of Substandard Structures at the Following Locations:
- 1323 East Cherry (East Side Addn, Block 2, Lot Pt 2), Livia Ricketts Douglas, Owner
 - 817 East Lamar (Chaffins 1st Addn, Block 11, Lot 9 & 10), Marshall D. Fulmer, Owner
 - 905 South Willow (Elliotts W Addn, Block 20, Lot 3 & 4, 50x140, Acres .1607), Elvira Ravelo, Owner
 - 1818 South Montgomery [Southside Addn (Replt Blk19), Block 19, Lot 5], Donald Elmo Lankford Estate, Owner
 - 518 South Vaden (Hazelwood & Vaden Addn, Block 5, Lot 10), Martin Gomez, Owner
 - 1525 North Shannon (Shannon R E 1st Addn, Block 3, Lot Pt 1), Cecil R. Crockett, Owner
 - 209 East College (G-0763 McAnair J B, 42 x 170.5), Leobardo Ramirez, Owner

F. 2. OTHER BUSINESS

Replat Approval of Block 6 of Exstein's Maple Addition, being 3.897 acres in the J.B. McAnair Survey, Abstract No. 763 and being all of Block 6, Exstein's Maple Addition; Sapphire Group, LLC, Owners; Kyle Boothe, Representative; and Underwood Drafting and Surveying, Surveyor (317-415 North Woods, 308-420 North Sam Rayburn Freeway, and 703-721 West Pecan)

F. 3. * OTHER BUSINESS

Final Plat Approval of Bob Allen Addition, being 7.96 acres in the J.B. McAnair Survey, Abstract No. 763; Trinity Baptist Church and Grayson Baptist Association, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (2515, 2605, 2613 and 2627 Loy Lake Road)

F. 4. OTHER BUSINESS

Consider Scheduling a Joint Meeting of the City Council and the Sherman Independent School District Board of Trustees for 11:30 a.m. on Thursday, June 23, 2016, for a Strategic Planning Session

F. 5. * OTHER BUSINESS

Consider Request of the United Way of Grayson County to Temporarily Close Certain Streets for the "United Way Hustle for Health" on Saturday, August 13, 2016

F. 6. * OTHER BUSINESS

Consider Calling a Special Meeting of the City Council for Tuesday, July 5, 2016, due to Conflict with a Federal Holiday

G. CITIZEN REQUESTS

H. MEDIA QUESTIONS

Consider Board/Commission Appointments

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

(a) Civil Service Commission (1)

J. COUNCIL COMMENTS

Executive Session

K. 1. EXECUTIVE SESSION

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

Section 551.087 Deliberation Regarding Economic Development Negotiations:

- (a) Deliberate Regarding Commercial or Financial Information that the City has Received from a Business Prospect and Deliberate any Offers or Incentives to the Business Prospect

The Council reconvenes into General Session

L. 1. OPEN MEETING

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

M. 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 June 3, 2016 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 3rd day of June, 2016
City of Sherman, Texas

City Clerk

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

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

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

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

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

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

Mayor

David Plyler

Deputy Mayor

Jason Sofey

Council Members

Kevin Couch, Council-At-Large, PL #1

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

Lawrence Davis, Council – District #1

Terrence R. Steele, Council – District #2

Tom Watt, Council – District #3

Tammy Johnson, Council – District #4



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. A. 4.

Meeting Date: 06/06/2016

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 16, 2016

Attachments

May 16, 2016

Fallon Bridge Erosion Project - Before and After Photos

Police Department Public Service Announcements

May 16, 2016

**MEMBERS PRESENT: MAYOR DAVID PLYLER.
COUNCIL MEMBERS COUCH, DAVIS, STEELE, WATT.**

CALL TO ORDER

CALL TO ORDER

APPROVE MINUTES

PROCLAMATION

"POLICE WEEK" – MAY 15-21, 2016

**POLICE WEEK
(MAY 15-21, 2016)**

Chief Henry thanked the City Council for the respect given the officers and for the recognition of the ultimate sacrifice made by the police officers and their families, in the Sherman community.

Robby Hefton, City Manager, confirmed that the expected service time for the K-9 officer is between six and eight years.

Chief Henry introduced Police Officers in attendance at the meeting. They were Assistant Chief Stephen Dean, Lieutenant Jason Jeffcoat, Officer Austin Ross, Officer Drew Dutton, Officer Jamie Bunetto, Officer Nathan Hendrickson, Sergeant Samuel Boyle, Assistant Chief Bob Fair, Sergeant D.M. Hampton, and Corporal Stevens and Gunner.

Mayor Plyler said, on behalf of the citizens, they appreciate what the officers do every day, putting on that bulletproof vest, and he said the Council and the Mayor “have your back.” He thanked them for everything they do.

PUBLIC HEARING

CONDUCT THE SECOND PUBLIC HEARING CONCERNING THE ANNEXATION OF A 0.777 ACRE TRACT OF LAND ON SISTRUNK STREET, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN’S EXTRA TERRITORIAL JURISDICTION

ANNEXATION
4798 SISTRUNK ST.

Mayor Plyler introduced the second public hearing on the proposed annexation of a 0.777 acre tract of land on Sistrunk Street.

No citizens appeared before the City Council to discuss the annexation of a 0.777 acre tract of land on Sistrunk Street.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 5949 and called for a public hearing:

ORD 5949
ATMOS RATE
REVIEW

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION, REGARDING THE COMPANY’S 2016 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; DECLARING AN EFFECTIVE DATE; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

Brandon Shelby, City Attorney, said that the Rate Review Mechanism is a way that cities can challenge a rate by the utility company. In March 2016, ATMOS made a filing by requesting \$35.4 million in additional revenues. The Steering Committee entered negotiations to reduce that proposed rate.

The settlement reduces the amount by \$5.5 million, which would amount to about \$1.26 per month or a 2.4% increase

COUNCIL MINUTES – MAY 16, 2016

for a residence and about \$3.81 per month or a 1.4% increase for a commercial property.

No citizens appeared before the City Council to discuss Ordinance No. 5949.

Mayor Plyler introduced Ordinance No. 5950 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AUTOMOBILE SALES IN A C-1 (RETAIL BUSINESS) DISTRICT AT 917 NORTH TRAVIS STREET, BEING 0.58 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 (STEVEN JORDAN, OWNER; DEBBIE HUDNALL, REPRESENTATIVE; AND SARTIN AND ASSOCIATES, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

ORD 5950
SUP FOR
AUTO SALES
(917 N. TRAVIS)

Scott Shadden, Director of Development Services, said this is located at the service station between Kam Korner and the old Lee School. The owner would like to open a car lot.

Mr. Shadden said the Planning and Zoning Commission approved the request on the condition that there is no outside parking or storage of dismantled vehicles.

No citizens appeared before the City Council to discuss Ordinance No. 5950.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5949

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION, REGARDING THE COMPANY'S 2016 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; DECLARING AN EFFECTIVE DATE; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

ORD 5949
ATMOS RATE
REVIEW

Ordinance 5950

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF

ORD 5950
SUP FOR

SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AUTOMOBILE SALES IN A C-1 (RETAIL BUSINESS) DISTRICT AT 917 NORTH TRAVIS STREET, BEING 0.58 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 (STEVEN JORDAN, OWNER; DEBBIE HUDNALL, REPRESENTATIVE; AND SARTIN AND ASSOCIATES, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

AUTO SALES
(917 N. TRAVIS)

ACTION TAKEN.

Motion by Council Member Steele to adopt Ordinance Nos. 5949 and 5950, as presented. Second by Council Member Davis.

VOTING AYE: Couch, Davis, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6080 – RENEWING GUIDELINES AND CRITERIA FOR THE CITY OF SHERMAN'S INDUSTRIAL AND COMMERCIAL TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT/REDEVELOPMENT IN CERTAIN AREAS OF THE CITY

RES 6080
INDUSTRIAL &
COMMERCIAL
TAX ABATEMENT
PROGRAM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RENEWING GUIDELINES AND CRITERIA FOR THE CITY OF SHERMAN'S INDUSTRIAL AND COMMERCIAL TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT/REDEVELOPMENT IN CERTAIN AREAS OF THE CITY.

Mr. Hefton said the City is required by law to bring back the Tax Abatement Program Ordinance every two years for consideration and adoption by the Council. Originally the program included only industrial abatements.

The staff is proposing to add "commercial" to the designation to reflect the intention that the program be used for both commercial and industrial purposes.

There has also been some clarification regarding ineligible projects and reference to those types of projects has been removed to clarify the intent of the program.

ACTION TAKEN.

Motion by Council Member Watt to approve Resolution No. 6080, as presented. Second by Council Member Steele.

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

RESOLUTION NO. 6081 – AWARDING A BID TO AND
AUTHORIZING EXECUTION OF A CONTRACT WITH
VESSELS CONSTRUCTION, A DIVISION OF VESCOR, INC.,
FOR THE LOY LAKE ROAD RECONSTRUCTION PROJECT
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SHERMAN, TEXAS, AWARDING A BID TO AND
AUTHORIZING EXECUTION OF A CONTRACT WITH
VESSELS CONSTRUCTION, A DIVISION OF VESCOR, INC.,
FOR THE LOY LAKE ROAD RECONSTRUCTION PROJECT.

RES 6081
LOY LAKE ROAD
RECONSTRUCTION

Clay Barnett, Director of Public Works and Engineering, said this project deals with the reconstruction of Loy Lake Road, between US Hwy 82 and Sara Swamy Drive. The City has been working with their franchise and utility partners to have their box relocated.

The City is proposing to award the contract for construction. One bid was received, but it was \$300,000 under the engineer's estimate, and is from a local contractor that the City has worked with before. He said the staff feels comfortable that the contractor has the skills necessary to complete the job.

Council Member Watt asked about the headway being made on the relocation of the utilities. Mr. Barnett said Verizon is being responsive, but has been "bought out" by Frontier. The City is currently working with Oncor and CableOne.

Mr. Hefton said the project should start in June 2016 and take about nine months to complete. The plan is to work until the holiday shopping season, then halt construction. Construction would begin again after the holiday and finish during the first quarter of 2017.

Council Member Steele clarified that construction would start on one side of the roadway, probably the east, with traffic moved over as far as possible. After that side is complete, traffic would be moved back and the other side would be completed.

Mr. Barnett said it is anticipated that during construction, there would still be two-way traffic on the road. He said there would be some days that the roadway is shut down for the transition.

Council Member Watt asked when the cul-de-sac portion of the project will be completed. Mr. Barnett said it would be constructed during the process, probably when the northbound lane is constructed.

ACTION TAKEN.

Motion by Council Member Davis to approve Resolution

No. 6081, as presented. Second by Council Member Steele.

VOTING AYE: Couch, Davis, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6082 – AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR THE ENGINEERING DESIGN OF THE WASHINGTON STREET/TAYLOR STREET PROJECT

**RES 6082
WASHINGTON ST &
TAYLOR ST
PROJECTS**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR THE ENGINEERING DESIGN OF THE WASHINGTON STREET/TAYLOR STREET PROJECT.

Mr. Barnett said this project is the design for Taylor Street, from the tie-in, just west of Grant Street, extending the street to the other side of FM 1417. This will include complete engineering documents for this portion.

There will be preliminary engineering documents for the remainder of the project to SH 289, that will allow the City to acquire the needed right-of-way for the remainder of the project.

Mr. Barnett added that there will be a round-about at the intersection with Taylor Street.

ACTION TAKEN.

Motion by Council Member Watt to approve Resolution No. 6082, as presented. Second by Council Member Davis.

VOTING AYE: Couch, Davis, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6083 – AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF DENISON FOR AN ENGINEERING ANALYSIS AND REPORT FOR HYDROLOGIC AND HYDRAULIC MODELING OF THE ELLSWORTH BRANCH AND TRIBUTARY 1 TO THE ELLSWORTH BRANCH

**RES 6083
SHERMAN/DENISON
AGREEMENT FOR
ENGINEERING SVCS
FOR ELLSWORTH
BRANCH**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF DENISON FOR AN ENGINEERING ANALYSIS AND REPORT FOR HYDROLOGIC AND HYDRAULIC MODELING OF THE ELLSWORTH BRANCH AND TRIBUTARY 1 TO THE ELLSWORTH BRANCH.

Mr. Barnett said the Ellsworth Brach drains a large portion of the northeast part of Sherman. It starts at the highpoint on

Loy Lake Road, adjacent to Sam's Club and goes up beyond FM 691 to Iron Ore Creek in Denison. The project is in cooperation with the City of Denison and will include the engineering study. Cost of the project is split between Sherman and Denison, with Sherman's part funded up to \$30,000. The money is budgeted in the Capital Improvement Project Fund.

The main purpose is so that, as that quadrant is developed in the future, the City can plan the drainage infrastructure to accommodate the increases in runoff due to the development.

ACTION TAKEN.

Motion by Council Member Steele to approve Resolution No. 6083, as presented. Second by Council Member Davis.

VOTING AYE: Couch, Davis, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6084 – APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC FOR CONSTRUCTION OF THE SEARS LIFT STATION RELIEF SEWER

**RES 6084
SEARS LIFT STATION
RELIEF SEWER**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC FOR CONSTRUCTION OF THE SEARS LIFT STATION RELIEF SEWER.

Mark Gibson, Director of Utilities, said the proposed CIP project is to construct the relief sewer from the existing Sears Lift Station on Texoma Parkway to a new Lift Station at FM 691 and US Hwy 75. This new Lift Station will allow for the elimination of the Sears Lift Station that is currently in operation.

The project was originally bid in August 2015, but only one bid was received and it was extremely high at \$1.3 million. The City rejected the bid and rebid the project in April 2016. The current bid was for \$927,912, a savings of \$372,000 over the original bid. Mr. Gibson said Lynn Vessels Construction, that bid the project, was an excellent contractor.

Mayor Plyler verified that photographs that the Council had been shown earlier of a Lift Station that was underwater, is the Sears Lift Station that will be eliminated. Mr. Gibson said upstream development is so intense that it causes frequent flooding at the Lift Station.

ACTION TAKEN.

Motion by Council Member Couch to approve Resolution

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No. 6084, as presented. Second by Council Member Davis.

VOTING AYE: Couch, Davis, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6085 – AUTHORIZING EXECUTION OF A DEVELOPER’S AGREEMENT WITH ZAKIAH US, LLC % GEES, INC. FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN PEBBLEBROOK SOUTH PHASE II, AN 8.6-ACRE SUBDIVISION SOUTH OF PARK STREET ALONG SOUTHRIDGE LANE IN THE CITY OF SHERMAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPER’S AGREEMENT WITH ZAKIAH US, LLC % GEES, INC. FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN PEBBLEBROOK SOUTH PHASE II, AN 8.6-ACRE SUBDIVISION SOUTH OF PARK STREET ALONG SOUTHRIDGE LANE IN THE CITY OF SHERMAN.

RES 6085
DEVELOPER’S
AGREEMENT FOR
PEBBLEBROOK
SOUTH, PHASE II

Mr. Barnett said the City of Sherman continues to see growth and this Developer’s Agreement is for an additional 45 lots, south of Park Street, and is a continuation of Pebblebrook Subdivision. Peggy’s Cove and Southridge Lane will be continued into the new area, with a new east-west street tied in.

Mr. Barnett said the developer does have plans to add another 50 lots, depending on the sales for these lots.

ACTION TAKEN.

Motion by Council Member Watt to approve Resolution No. 6085, as presented. Second by Council Member Steele.

VOTING AYE: Couch, Davis, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6086 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH HERIBERTO GARCIA FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 2026 SOUTH MONTGOMERY STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH HERIBERTO GARCIA FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 2026 SOUTH MONTGOMERY STREET.
CONSENT AGENDA.

RES 6086
RESIDENTIAL TAX
ABATEMENT
(2026 S.
MONTGOMERY)

**CHANGE ORDER NO. 1
THE EROSION PROTECTION FOR FALLON BRIDGE AND
KESSLER BOULEVARD PROJECT; ARK CONTRACTING
SERVICES, LLC; \$179,073.84 INCREASE**

Mr. Barnett explained that last year, a portion of Kessler

CHANGE ORDER
FALLON BRIDGE
EROSION PROTECTION
& KESSLER BLVD
PROJECT

Boulevard, near Woods Street failed due to intense rain. Ark Contracting Services was hired for the project and began work. As they progressed, they found that sometime, probably in the 1950's, a lot of fill was placed in the area that did not show up on the original Geotechnical Reports. This fill increased the scope of the project, such as the height of the Gabions and other structural issues.

Mr. Barnett presented before and after photographs of the Fallon Drive Bridge Project. The bridge originally had major erosion. The finished erosion control will be very similar to the type that will be used on Kessler Boulevard.

Council Member Steele asked about the life expectancy on this type of erosion repair. Mr. Barnett said the erosion repairs were designed for the life of the roadway. He added that the project went smoothly, with no issues and no changes, unlike the Kessler Boulevard project where the staff did not know about the additional fill.

ACTION TAKEN.

Motion by Council Member Steele to approve Change Order No. 1 to Ark Contracting Services, LLC, for an increase of \$179,073.84, for the Erosion Protection for Fallon Bridge and the Kessler Boulevard Project, as presented. Second by Council Member Davis.

VOTING AYE: Couch, Davis, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS

RECEIVE THE SHERMAN POLICE DEPARTMENT'S PRESENTATION ON A COOPERATIVE PUBLIC SERVICE ANNOUNCEMENT PROGRAM WITH GRAYSON COLLEGE

Otis Henry, Police Chief, said last year the Department was approached by Dr. Brandy Fair, Arts & Humanities Department Chairman and Honors College Coordinator, Grayson College, about a cooperative project to produce public service announcements with her Honors Communications Class. He said Sergeant D.M. Hampton, Police Public Information Officer, worked together on the project and he turned the presentation over to them.

Dr. Fair explained that, in the Honors Classes, the students are encouraged to go above and beyond the normal expectations for students. She said her father is Assistant Police Chief Bob Fair, so she is very familiar with the Department and their public service needs and felt this would be an opportunity for her students.

She explained the initial concept and planning of the project outlining what the students were required to do, including the "sales pitch" to their "customer," the Sherman Police Department.

**POLICE DEPT.
PUBLIC SERVICE
ANNOUNCEMENT
PROGRAM**

Sgt. Hampton explained that he met with the students as a client would, discussing some of the things that came up that might be publicized to citizens. He also encouraged the students to “branch out” and come up with other announcements. He added that the students came up with many of their own ideas.

He showed two of the announcements that could be used on social media, for dating violence and for school bus safety. He also showed two video public service announcements. The 2016 winner was for children and gun violence, and the 2015 winner encouraged parents to teach children that police officers protect them.

Dr. Fair outlined the reactions from the project including a media day to introduce the projects. She said they have received positive feedback from not only the students, but from administrators and the Police Department. Dr. Fair said the 2015 winning video has been viewed on YouTube over 6,000 times. For her students, she has seen higher overall grades, and in fact they increased from 84% to 94%.

Dr. Fair said they have also been recognized on a National level for the project. The proposal was submitted to the National Collegiate Honors Council, and they were selected to present the project at the Annual Conference in Seattle, Washington.

Dr. Fair said the project has been great for her and her students, and hopefully the Police Department is also benefiting from the project.

Mr. Hefton asked if the Police Department was still advertising at the local movie theater. Sgt. Hampton said those were actually paid advertisements for Police Department recruiting. He added that the City would need to pay to have these public service announcements played at the theater, but they have found a lot of success with Facebook.

Council Member Watt said this was a great collaboration and a great program.

Mayor Plyler said this is another example of the great things that come from having a local college such as Grayson College. He thanked Dr. Fair for her commitment and Sgt. Hampton for his work on the project.

Council Member Davis said it was a blessing to see the local Police Department connected and involved in the community. He felt there was a lot of mutual respect between the citizens, the Police Department, and the police officers. He added that was part of having a very “livable” City and a place where people want to be.

CONSIDER REQUEST OF THE 2016 NEIGHBORHOOD RECREATIONAL COMMITTEE TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE ANNUAL “JUNETEENTH CELEBRATION” ON SATURDAY, JUNE 18, 2016

**CLOSE STREETS
FOR JUNETEENTH
CELEBRATION**

Tracey Ross, President of the Neighborhood Recreational Committee, said in the past the “Juneteenth Celebration” has been held at the Martin Luther King, Jr. Park. This year they plan to move the event to the Oliver Dewey Mayor Outdoor Theater and Lucy Kidd-Key Park on the Municipal Building Grounds.

She said the event will be very diverse and they are trying to reach out to every culture. They expect the event to be bigger than in years past, and she thanked the City for getting involved. She invited everyone to attend the event, which will be held on Saturday, June 18, 2016 from 10:00 a.m. until 6:00 p.m.

Reverend Charles Brown challenged the City Council to attend the “Juneteenth Celebration” and invited all Nationalities and all Colors to come together and make this a grand event in Sherman.

Mayor Plyler attended last year and encouraged all citizens to attend, saying there would be good food, good music, warm people, and great fellowship. He also thanked the Neighborhood Recreational Committee for their hard work for the event.

ACTION TAKEN.

Motion by Council Member Steele to approve the request of the 2016 Neighborhood Recreational Committee to temporarily close certain streets for the Annual “Juneteenth Celebration” on June 18, 2016, as presented. Second by Council Member Watt.

VOTING AYE: Couch, Davis, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

FINAL PLAT APPROVAL OF DEBBIE’S ADDITION, BEING 0.58 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763; STEVEN JORDAN, OWNER; DEBBIE HUDNALL, REPRESENTATIVE; AND SARTIN AND ASSOCIATES, INC., SURVEYOR (917 NORTH TRAVIS STREET)

**APPROVE FINAL PLAT
DEBBIE’S ADDITION
(917 N. TRAVIS)**

The City Council approved the Final Plat of Debbie’s Addition, a 0.58 acre tract located at 917 North Travis Street.

An exception was granted in 1969 to allow the canopy closer than 25 feet to the front property line. The property has never been platted. 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.

FINAL PLAT APPROVAL OF JARAMILLO ADDITION, BEING 2.787 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963; ANGEL JARAMILLO AND MARTHA LOPEZ, OWNERS; AND COX LAND SURVEYING COMPANY, SURVEYOR (1021 EAST LAKE STREET)

APPROVE FINAL PLAT
JARAMILLO ADDITION
(1021 E. LAKE)

The City Council approved the Final Plat of Jaramillo Addition, a 2.787 acre tract located at 1021 East Lake Street. The owners would like to plat the property into two lots for residential development.

The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.
CONSENT AGENDA.

SPECIAL CONSIDERATION TO ORDINANCE NO. 2684, SECTION 10, SUBSECTION 10.02.005 (F)(2) TO ALLOW A JOINT ACCESS GRAVEL DRIVEWAY IN LIEU OF THE REQUIRED APPROVED HARD SURFACE PRIVATE ACCESS DRIVE IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT, BEING 10.136 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765; STEPHEN AND CARNELIA BLAZO AND CHARLES AND MOLLY TROWBRIDGE, OWNERS; AND DAVID FITE SURVEYING, SURVEYOR (4617 FARMINGTON ROAD)

ALLOW GRAVEL
DRIVEWAY IN LIEU
OF HARD SURFACE
(4617 FARMINGTON)

The City Council approved a request for special consideration to Ordinance No. 2684, to allow a joint access gravel driveway in lieu of the required approved hard surface private access drive in an R-1 (One Family Residential) District. The driveway will be located at 4617 Farmington Road, and is on a 10.136 acre tract of land.

The driveway will be shared by two property owners, and will be a crushed granite driveway as a dustless rock surface, with a concrete drive approach at Farmington Road.

The Planning and Zoning Commission recommended approval of the exception, subject to having a 4 foot to 6 foot base rock with crushed granite on top for the driveway, a 30 foot concrete drive approach, and subject to the Staff Review Letter.

CONSENT AGENDA.

CITIZENS REQUESTS
SETTING SUN ESTATES

SETTING SUN
ESTATES

Reverend Charles Brown, 4900 Navaho, said there are some irate citizens that live in Setting Sun Estates. He has previously complained about drainage issues in the addition.

He said the City came out and dug a few ditches but mud is coming from an adjacent field. Unless that field is “shut off” there will still be problems. Reverend Brown said the City cleaned the ditches and now water “puddles” in those ditches.

COUNCIL MINUTES – MAY 16, 2016

He asked Council Members to come and look at the problem. He asked that the City staff talk to the residents and explain to them why they have heard for 20 years that “you’re on the list.” Reverend Brown said they have also been promised street lights and curb and gutter for many years. There are many other projects in the City, but he said their addition is being ignored.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

SHERMAN POLICE DEPARTMENT

Council Member Couch said he appreciated the work that the Police Department does and he praised them for thinking “outside the box” with the new public service announcements.

He also recognized their recruitment efforts and for recognizing the value of Facebook in these efforts. He felt it was good for the Police Department and the Fire Department to use this method for communicating with the citizens.

SHERMAN POLICE DEPARTMENT

Council Member Watt said he appreciated the privilege and honor of reading the proclamation for “Police Week” and he challenged the citizens to think about the freedoms we enjoy and realize that the law enforcement officers across the Country stand for something and they stand for you.

ANNOUNCEMENTS

Mayor Plyler announced the following:

- The Marshall Tucker Band will kick off Hot Summer Nights on June 2, 2016 at 7:30 p.m. and he encouraged citizens to attend the free concert in Lucy Kidd-Key Park. He also encouraged citizens to take advantage of the food trucks that will be in attendance.

SHERMAN HOUSING AUTHORITY (2)

ACTION TAKEN.

Motion by Council Member Steele to reappoint Janet Roy and to appoint Harry Staff to the Sherman Housing Authority for a term from June 1, 2016 to June 1, 2018.
Second by Council Member Couch.

VOTING AYE: Couch, Davis, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

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,

MEDIA QUESTIONS

SHERMAN POLICE DEPARTMENT

SHERMAN POLICE DEPARTMENT

ANNOUNCEMENTS

SHERMAN HOUSING AUTHORITY

EXECUTIVE SESSION

VERNONS TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

- | | |
|-----------------|---|
| SECTION 551.072 | DELIBERATION REGARDING
REAL PROPERTY:
DELIBERATE THE PURCHASE,
EXCHANGE, LEASE, OR VALUE
OF REAL PROPERTY |
| SECTION 551.074 | PEROSNNEL MATTERS:
CONSIDER THE
QUALIFICATIONS,
APPOINTMENT AND REMOVAL
OF MEMBERS TO BOARDS AND
COMMISSIONS:
SHERMAN HOUSING AUTHORITY
(2) |
| SECTION 551.087 | DELIBERATE REGARDING
ECONOMIC DEVELOPMENT
NEGOTIATIONS:
DELIBERATE REGARDING
COMMERCIAL OR FINANCIAL
INFORMATION THAT THE CITY
HAS RECEIVED FROM A
BUSINESS PROSPECT AND
DELIBERATE ANY OFFERS OR
INCENTIVES TO THE BUSINESS
PROSPECT |

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 6:02 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:29 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

OPEN MEETING

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:32 p.m.

ADJOURNMENT

MAYOR

CITY CLERK

Fallon Bridge Erosion Control – Before





Fallon Bridge Erosion Control – After











Community Collaboration: How One Project Impacted Multiple Entities

Dr. Brandy Fair

Sgt. D.M. Hampton



GRAYSON
HONORS COLLEGE



INITIAL CONCEPT / PLANNING

Discussion of Course

Requirements

- PSAs and Social Media Photo
- Presentation (Sales Pitch)
- Project Reflection/Peer Evaluation

- Students met with Sgt. Hampton
 - Sherman Police Department expectations
 - Generation of Ideas

Members of the Sherman Police Department reviewed the videos/photos initially to make comments, edits, etc. which were returned to the students.

SOCIAL MEDIA PHOTOS

DATING VIOLENCE DOES HAPPEN



Brought to you by Sherman P.D. and Grayson College



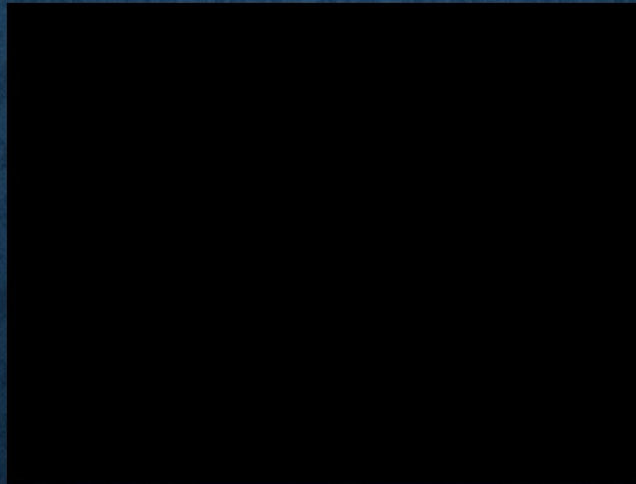
S.T.O.P.
For School Busses



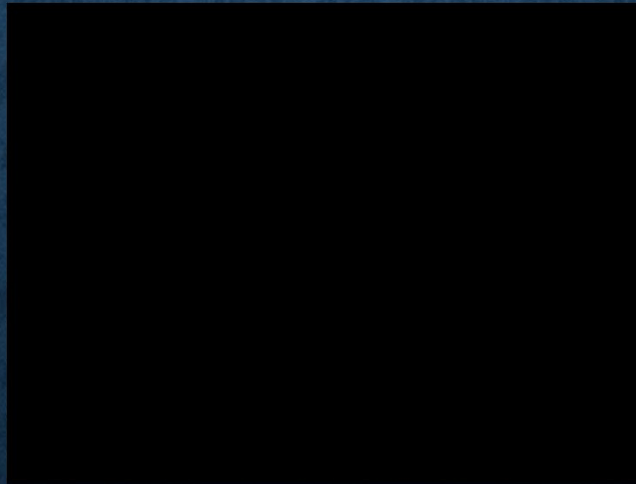
STUDENTS!
THE
ONLY
PRIORITY



PUBLIC SERVICE ANNOUNCEMENTS (PSA) 2016 WINNER



PUBLIC SERVICE ANNOUNCEMENTS (PSA) 2015 WINNER



REACTIONS

- Media coverage from both news stations and the Herald Democrat
- Positive feedback from students, administrators, and the police department
- Higher overall grades (84% to 94%)
- 2015 winning video has been viewed over 6,000 times

NATIONAL RECOGNITION



Using Service Learning to Assist those who Protect
and Serve: An Honors Group Project Making an
Impact Beyond the Campus Community

Questions?



GRAYSON
HONORS COLLEGE





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 1.

Meeting Date: 06/06/2016

Prepared By: Don Keene, Assistant City Manager

Approved By: Robby Hefton, City Manager

Caption:

PUBLIC HEARING

Final Statement/Action Plan for Program Year 2016 Community Development Block Grant

Issue:

Approval of the Program Year (PY) 2016 Community Development Block Grant Final Statement/Action Plan

Background:

Each year, the City of Sherman receives an entitlement grant (Community Development Block Grant) from the U.S. Department of Housing and Urban Development (HUD). We are required to prepare and submit an annual Action Plan, which is a description of the activities that will be undertaken during the coming year to address the needs of our low-to-moderate income citizens. This Action Plan is based on a five (5) year Consolidated Plan & Strategy developed by City staff and approved by the Sherman City Council. It serves as the City's long term planning tool to address the identified needs of affordable housing, public housing, homelessness, and other non-housing community development needs and activities within the City of Sherman.

Over the past five (5) years, the City of Sherman's history of allocations for the Community Development Block Grant is as follows:

- PY 2011 - \$293,001
- PY 2012 - \$289,254
- PY 2013 - \$311,726
- PY 2014 - \$301,322
- PY 2015 - \$317,392

Origination:

Theresa Caudle, Neighborhood Services

Financial Consideration:

The City of Sherman has been allocated \$315,681 in Community Development Block Grant funds from HUD to address our various community development needs for low-to-moderate income citizens during PY 2016.

Staff Recommendation:

The staff recommends the Sherman City Council approve the PY 2016 Community Development Block Grant Final Statement/Action Plan as submitted.

Alternatives:

The Sherman City Council may change or re-appropriate these funds/allocations as they see fit.

Attachments

Memo from Theresa Caudle, Community Development Coordinator
PY 2016 Final Statement/Action Plan



memorandum

DATE: Thursday, May 26, 2016
TO: Robby Hefton, City Manager
FROM: Theresa Caudle, CD Coordinator 
SUBJECT: PY 2016 Final Statement/Action Plan

The City of Sherman's Proposed Final Statement/Action Plan of Community Development Objectives with projected use of the funds for Program Year 2016 was published in the Herald Democrat on April 10, 2016. The required 30-day public comment period has concluded and there were no public comments received on the Proposed Statement of Objectives.

Therefore, we are now ready to proceed with submitting this to the City Council in the form of a Resolution establishing the City of Sherman's PY 2016 Final Statement/Action Plan.

I am requesting that you set this item for public hearing and present the Resolution for consideration and approval by our City Council at the next regular scheduled meeting of June 6, 2016.

During the interim, should you have any questions or desire additional information or clarification, please let me know.

**CITY OF SHERMAN, TEXAS
FINAL STATEMENT/ACTION PLAN OF
COMMUNITY DEVELOPMENT OBJECTIVES
AND PROJECTED USE OF FUNDS FOR PROGRAM YEAR 2016**

GRANT NO: B-2016-MC-48-0027

The City of Sherman has received notice from the U.S. Department of Housing and Urban Development (HUD) that its entitlement grant for the Community Development Program (CDBG) for fiscal year 2016 is \$315,681.00. These funds will be received on October 1, 2016. Activities that directly benefit low and moderate-income persons will be available citywide. Other activities which have an area benefit will only be available in areas of the city which are populated by a majority of low and moderate-income persons. The City has met citizen participation requirements.

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

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

**COMMUNITY DEVELOPMENT PROGRAM ACTION PLAN
PROGRAM YEAR 2016**

OWNER-OCCUPIED HOUSING REHABILITATION.....\$180,000

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

DEMOLITION/CLEARANCE PROGRAM.....\$46,981

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

PROGRAM ADMINISTRATION.....\$63,000

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

PUBLIC SERVICE ACTIVITIES:

Sherman Housing Authority.....\$10,000

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

Grayson County Crisis Center.....\$4,000

A program of activities that will provide emergency assistance to homeless women and children of domestic violence, who at one time, resided within the city limits of Sherman.

Grayson County Shelter, Inc.....\$4,000

A program of activities that will provide emergency assistance to homeless individuals and families, who at one time, resided within the city limits of Sherman.

Child & Family Guidance Center of Texoma.....\$4,000

A program to provide counseling services for family dysfunction, alcohol and substance abuse, domestic violence and sexual abuse for the low and moderate income Sherman residents.

Boys & Girls Club of Sherman, Inc.....	\$3,700
A program to provide scholarships for the low and moderate income Sherman youth. Scholarship funding will provide the opportunity for low/moderate income youth to participate in organized activities that would not otherwise be able to participate.	
TOTAL PROGRAM ALLOCATION.....	\$315,681

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

CITY OF SHERMAN COMMUNITY DEVELOPMENT OBJECTIVES

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

The Action Plan of Community Development Objectives and Projected Use of Funds for Program Year 2016 are available in the Community Development Office of the City of Sherman. Any citizen or agency interested in commenting on this Final Statement of Objectives is invited to submit written comments c/o Theresa Caudle, CD Coordinator, City of Sherman P. O. Box 1106 Sherman, TX 75091-1106. Written comments must be received prior to 5:00 p.m. on Monday, July 11, 2016. A summary of comments received will be made a part of the summary of citizen participation of this Plan.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 2.

Meeting Date: 06/06/2016

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5951

Extending the Corporate Limits of Said City so as to Annex a 0.777 Acre Tract of Land on Sistrunk Street, Adjacent to the Sherman City Limits and in the City of Sherman's Extra Territorial Jurisdiction; Providing for a Municipal Service Plan

Issue:

To introduce, hold a public hearing, and consider adoption of the annexation ordinance that extends the City of Sherman's corporate limits so as to annex a 0.777 acre tract of land on Sistrunk Street, north of Hilltop Drive, east of Texoma Parkway, south of Fallon Drive, adjacent to the Sherman city limits, and in the City's extra territorial jurisdiction (ETJ), in accordance with state law and the City Charter

Background:

It is the City's intention to annex specifically identified individual areas in the City's ETJ, in accordance with state law and the City Charter. At its April 4th meeting, the City Council approved the schedule for annexation of this property, which set public hearings for the May 2nd and May 6th regular Council meetings and for this June 6th regular Council meeting. The first and second public hearings were held on May 2nd and 6th as scheduled, with no public comments received.

Origination:

Property Owner Arden Tocquigny

Financial Consideration:

The additional property taxes raised from this annexation are estimated at about \$150 annually, which approximates the estimated costs associated with providing general services.

Staff Recommendation:

It is recommended that the City Council introduce, hold the public hearing, and consider adoption of the ordinance for annexation of this property.

Alternatives:

As directed by the City Council

Attachments

Ordinance No. 5951

Exhibit A - Surveyor's Field Notes

Exhibit B - Location Map

Request for Annexation

Annexation Schedule

Municipal Service Plan

ORDINANCE NO. 5951

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX A 0.777 ACRE TRACT OF LAND ON SISTRUNK STREET, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION; PROVIDING FOR A MUNICIPAL SERVICE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Chapter 43 of the Texas Local Government Code and Article X, Section 12 of the City Charter of Sherman, Texas, an incorporated City, authorizes the annexation of territory, subject to the laws of this State; and

WHEREAS, the procedures proscribed in Chapter 43 of the Texas Local Government Code, the City Charter of the City of Sherman, Texas, and any other applicable laws have been duly followed with respect to the territory described in Section 1 of this Ordinance;

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

SECTION 1. That the limits of the City of Sherman, Texas, shall be extended so as to hereinafter include within the corporate limits of said City the tracts of land, being more particularly described in Exhibit "A" and shown in Exhibit "B".

SECTION 2. That the inhabitants thereof shall hereinafter be entitled to all the rights and privileges of other citizens of the City of Sherman and they shall be bound by the acts, ordinances, resolutions, and regulations of said City.

SECTION 3. That the Service Plan for the annexed area is adopted and attached as Exhibit "A" to this Ordinance and incorporated for all purposes.

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

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

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

INTRODUCED on this the _____ day of _____, 2016.

ADOPTED on this the _____ day of _____, 2016.

EFFECTIVE DATE on this the _____ day of _____, 2016.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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



Situated in the County of Grayson, State of Texas being Lots 1, 2 and the north 60 feet of Lot 4, Block 1, Hilltop Estates Subdivision, an addition to Grayson County as recorded in Volume 662, Page 379, Deed Records, Grayson County, Texas, also being those tract of land conveyed to Arden M. Tocquigny as recorded in Volume 2567, Page 110 and Volume 1928, Page 276, Deed Records, Grayson County, Texas and being described by metes and bounds as follows:

Beginning at the northwest corner of said Lot 1, said corner also being in the south line of Tract 2 as conveyed to Southwestern Baptist Theological in Warranty Deed recorded in Volume 5467, Page 776 of said deed records;

Thence South $88^{\circ}54'28''$ East with the south line of said Tract 2 and the north line said Lot 1 and continuing with the north line of said Lot 2 a distance of 168.14 feet to the northeast corner of said Lot 2;

Thence South $01^{\circ}27'48''$ West with the east line of said Lot 2, passing its southeast corner at a distance of 138.34 feet, continuing with the east line of said Lot 4 a total distance of 198.34 feet to a point;

Thence North $88^{\circ}44'50''$ West a distance of 120.72 feet to a point in the west line of said Lot 4;

Thence North $10^{\circ}43'40''$ East with said west line a distance of 60.83 feet to a point, the common corner of Lots 1,2,3 and 4 of said Block 1;

Thence North $88^{\circ}44'50''$ West with the south line of said Lot 1, a distance of 110.64 feet to the southwest corner of said Lot 1;

Thence North $22^{\circ}37'08''$ East with the west line of said Lot 1, a distance of 148.05 feet to a point to the Point of Beginning and containing 0.777 acres of land.



Sherman

ENGINEERING DEPT.
220 W. MULBERRY
SHERMAN, TX 75090

RECEIVED
MAR 21 2016

Feb. 1, 2016

BY:

Robbie Hefton
City of Sherman
Sherman Tx. 75090

Mr. Hefton,

I request that my property at the north end of Sistrunk St. be annexed into the city of Sherman for the purpose of obtaining city water service.

The legal description of property is:

Hilltop Estate S/D

Block 1, Lot 1 & 2 & N 60' 4"

MH Label # RAD 0121218

Respectfully,

Arden Tocquigny

Arden Tocquigny
4748 Sistrunk St.

Sherman, Tx. 75090

ANNEXATION SCHEDULING PLAN

Annexation of 0.777 Acres of Land Adjacent to the City Limits on the North End of Sistrunk Street, Being More Specifically Described as: Hilltop Estate S/D, Block 1, Lots 1 & 2, & North 60 feet 4, MH Label # RAD0121218

Wednesday, April 20, 2016.....	Send written notice to property owners in the area to be annexed, public or private entities that provide services in that area, and any railroads with a right of way in the area to be annexed. The Department of Engineering Services will prepare a service plan that details the specific Municipal Services that will be provided to the area after it is annexed.
Thursday, April 21, 2016.....	Post notice on City's website, newspaper and City Hall for City Council's 1 st Public Hearing on intent to annex. Send written notice to each public school district in the area to be annexed. Send by certified mail a second written notice to any railroads with a right of way in the area to be annexed. Obtain required affidavit of publication from newspaper.
Thursday, April 28, 2016.....	Post notice of 1 st Public Hearing under the Open Meetings Act.
Monday, May 2, 2016.....	City Council's 1 st Public Hearing on intent to annex and service plan.* (Regular Council Meeting)
Thursday, May 5, 2016	Post notice on City's website, newspaper and City Hall for City Council's 2 nd Public Hearing on intent to annex. Obtain required affidavit of publication from newspaper.
Thursday, May 12, 2016.....	Post notice of 2 nd Public Hearing under the Open Meetings Act.
Monday, May 16, 2016.....	City Council's 2 nd Public Hearing on intent to annex and service plan.* (Regular Council Meeting)
Thursday, June 2, 2016.....	Post notice on City's website, newspaper and City Hall for introduction of annexation ordinance and adoption of the ordinance. Posting will also be in compliance with the Open Meetings Act.*
Monday, June 6, 2016.....	City Council Public Hearing for introduction and consideration of adoption of annexation ordinance.* (Regular Council Meeting)

* If more than twenty (20) adults who are residents of the area to be annexed protest within ten (10) days of the notice by publication, then one (1) of the public hearings must be held in the area to be annexed.

**City of Sherman
Municipal Service Plan
4798 Sistrunk St.**

INTRODUCTION:

The annexation is the site of 4798 Sistrunk St. lying adjacent to the City of Sherman existing city limits.

This annexation is a step in the process of providing for the orderly growth and development of the City, to protect the City from substandard development and to provide for the enlargement of the city limits by including developments and improvements that are logically a part of the City and receive city utilities.

MUNICIPAL SERVICES TO BE PROVIDED:

POLICE PROTECTION: Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment will be provided on the effective date of annexation.

FIRE PROTECTION: Fire protection by the present personnel and equipment of the fire fighting force will be provided on the effective date of annexation.

SOLID WASTE: The same solid waste collection and disposal service now provided within the City of Sherman will be extended to the annexed area on the effective date of annexation.

BULK WASTE PICKUP: Free monthly bulk trash and brush pickup would be available on the effective date of annexation.

STREETS AND BRIDGES: All roads shall be accepted in current as-is conditions and shall be maintained by City of Sherman. Any future streets or improvements will be developed by the standard provisions of the Developer's Ordinance with future maintenance by the City of Sherman. Street lighting will be established according to city guidelines.

PARKS: No public parks exist in the area to be annexed.

CONSTRUCTION INSPECTIONS: Building inspection activities will be available upon annexation.

ENVIRONMENTAL HEALTH AND HEALTH CODE ENFORCEMENT: Enforcement of the City's environmental health ordinances and regulations shall be provided within this area on the effective date of the annexation ordinance.

ANIMAL CONTROL: Animal control services will be provided by the City on the effective date of annexation.

PLANNING AND ZONING: The Planning and Zoning jurisdiction of the City will extend to this area on the effective date of this annexation. All areas will be annexed as an R-A on the effective date of the annexation ordinance.

CAPITAL IMPROVEMENTS:

WATER SERVICE: Upon completion of the annexation, the City of Sherman will provide water services to property.

SEWER SERVICE: All properties within the annexation area are served by individual and privately owned septic systems. Therefore, the City of Sherman will not provide sewer services to this area.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 3.

Meeting Date: 06/06/2016

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

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5952

Closing and Abandoning a Portion of the Sara Swamy Drive Right-of-Way lying at the Southwest Corner of Block One (1) of the Heritage Park Addition Phase One, at the Intersection of the East Right-of-Way Line of Mathis Drive with the Original North Right-of-Way Line of said Heritage Park Drive, also being the Southwest Corner of Lot 1A of the Replat of Lot 1, Block 1 of Heritage Park Addition as shown by Plat of Record in Volume 21, Page 16; Said Property to be Maintained as a Utility Easement; Conveying the Interest in said Right-of-Way to the Abutting and Adjacent Property Owners, Pyramid Estates, LLC and Gavlie Properties, LLC

Issue:

To consider approving the closure and abandonment of a portion of street right-of-way for sale and conveyance to Pyramid Estates, LLC and to Gavlie Properties, LLC

Background:

This Ordinance will perform the necessary administrative action to officially close and abandon the street right-of-way segment and convey it to Pyramid Estates, LLC and to Gavlie Properties, LLC. The City does not have any utilities in this right-of-way and has no plans to ever place any utilities in the right-of-way.

Origination:

Pyramid Estates, LLC

Financial Consideration:

The cost of the required survey and appraisal was covered by Pyramid Estates, LLC. There is no other financial impact to be considered.

Staff Recommendation:

It is recommended that the City Council approve the Ordinance closing and abandoning this street segment and conveying the right-of-way to Pyramid Estates, LLC and to Gavlie Properties, LLC.

Alternatives:

As may be directed by City Council

Attachments

Ordinance No. 5952

Property Description and Plat

Location Map

ORDINANCE NO. 5952

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF THE SARA SWAMY DRIVE RIGHT-OF-WAY LYING AT THE SOUTHWEST CORNER OF BLOCK ONE (1) OF THE HERITAGE PARK ADDITION PHASE ONE, AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF MATHIS DRIVE WITH THE ORIGINAL NORTH RIGHT-OF-WAY LINE OF SAID HERITAGE PARK DRIVE, ALSO BEING THE SOUTHWEST CORNER OF LOT 1A OF THE REPLAT OF LOT 1, BLOCK 1 OF HERITAGE PARK ADDITION AS SHOWN BY PLAT OF RECORD IN VOLUME 21, PAGE 16; SAID PROPERTY TO BE MAINTAINED AS A UTILITY EASEMENT; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY TO THE ABUTTING AND ADJACENT PROPERTY OWNERS, PYRAMID ESTATES, LLC AND GAVLIE PROPERTIES, LLC; 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 the hereinafter described right-of-way in the City of Sherman, Grayson County, Texas, shall be closed and abandoned, save and except the entire right-of-way shall be reserved as an easement for public and franchise utilities for the right of ingress and egress to same for purposes of operation, maintenance or removal of such utilities or until such utilities shall be abandoned and relocated:

SITUATED in the City of Sherman, Grayson County, Texas, and being a portion of land lying within the limits of a 60 foot right-of-way originally known as Heritage Park Drive on plat of Heritage Park Addition Phase One to said City of Sherman recorded in Volume 16, Pages 37 & 38, Plat Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the Southwest corner of Block 1 of said Heritage Park Addition Phase One at the intersection of the East right-of-way line of Mathis Drive with the original North right-of-way line of said Heritage Park Drive, also being the Southwest corner of Lot 1A of the Replat of Lot 1, Block 1 of Heritage Park Addition as shown by plat of record in Volume 21, Page 16, said Plat Records;

THENCE in an Easterly direction with the South line of both said Block 1 and Lot 1A along a curve to the right having a radius of 2030.00 feet, (chord bears North 89°35 '01 " East, 114.54 feet), an arc distance of 114.56 feet to a 1/2" steel rod found maintaining the Southeast corner of said Lot 1A and Southwest corner of Lot 1B of said Replat;

THENCE South 88°47'59" East continuing with said South line of Block 1 and Lot 1 B a distance of 113.53 feet to a point for corner in a concrete drive at the intersection of said North right-of-way line of Heritage Park Drive with the North right-of-way line of the relocated and renamed street now known as Sara Swamy Drive as shown on the Replat Of Lot 2, Block 2 of the Replat of Lots 1 and 2, Block 2 Heritage Park Addition Phase One recorded in Volume 18, Pages 43 & 44, said Plat Records;

THENCE in a Southwesterly direction with the North line of said relocated street along a curve to the left having a radius of 530.00 feet, (chord bears South 79°20'46" West, 217.44 feet), 30 feet Northerly from and concentric with the centerline of said Sara Swamy Drive, an arc distance of 218.99 feet to a point for the Southerly Southwest angle corner of the herein described tract;

THENCE North 56°59'49" West a distance of 16.64 feet to a point for the Westerly Southwest angle corner of the herein described tract in the extended West line of said Lot 1 A and Block 1 and East right-of-way line of Mathis Drive;

THENCE North 00°41'31" West with said extended line a distance of 32.68 feet to the **POINT-OF-BEGINNING** and containing **3,582 SQUARE FEET OF LAND.....**

SECTION 2. That it is the intent of the City Council that the right and interest in such right-of-way herein closed and vacated shall vest to the abutting property owner by appropriate conveyance of said right-of-way herein described.

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

INTRODUCED on this the _____ day of _____, 2016.

ADOPTED on this the _____ day of _____, 2016.

EFFECTIVE DATE on this _____ day of _____, 2016.

CITY OF SHERMAN, TEXAS

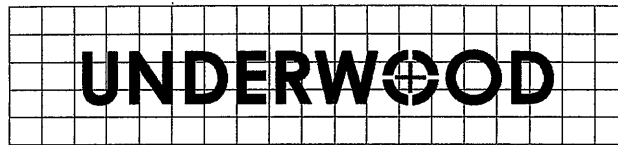
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

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



DRAFTING & SURVEYING, INC.

PROPERTY DESCRIPTION

PROPOSED RIGHT-OF-WAY ABANDONMENT

Situated in the City of Sherman, Grayson County, Texas, and being a portion of land lying within the limits of a 60 foot right-of-way originally known as Heritage Park Drive on plat of Heritage Park Addition Phase One to said City of Sherman recorded in Volume 16, Pages 37 & 38, Plat Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

***Beginning** at the Southwest corner of Block 1 of said Heritage Park Addition Phase One at the intersection of the East right-of-way line of Mathis Drive with the original North right-of-way line of said Heritage Park Drive, also being the Southwest corner of Lot 1A of the Replat Of Lot 1, Block 1 of Heritage Park Addition as shown by plat of record in Volume 21, Page 16, said Plat Records;*

***Thence** in an Easterly direction with the South line of both said Block 1 and Lot 1A along a curve to the right having a radius of 2030.00 feet, (chord bears North 89°35'01" East, 114.54 feet), an arc distance of 114.56 feet to a 1/2" steel rod found maintaining the Southeast corner of said Lot 1A and Southwest corner of Lot 1B of said Replat;*

***Thence** South 88°47'59" East continuing with said South line of Block 1 and Lot 1B a distance of 113.53 feet to a point for corner in a concrete drive at the intersection of said North right-of-way line of Heritage Park Drive with the North right-of-way line of the relocated and renamed street now known as Sara Swamy Drive as shown on the Re-Plat Of Lot 2, Block 2 Of The Replat Of Lots 1 And 2, Block 2 Heritage Park Addition Phase One recorded in Volume 18, Pages 43 & 44, said Plat Records;*

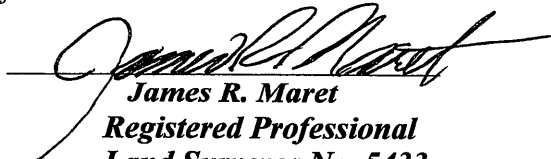
***Thence** in a Southwesterly direction with the North line of said relocated street along a curve to the left having a radius of 530.00 feet, (chord bears South 79°20'46" West, 217.44 feet), 30 feet Northerly from and concentric with the centerline of said Sara Swamy Drive, an arc distance of 218.99 feet to a point for the Southerly Southwest angle corner of the herein described tract;*

***Thence** North 56°59'49" West a distance of 16.64 feet to a point for the Westerly Southwest angle corner of the herein described tract in the extended West line of said Lot 1A and Block 1 and East right-of-way line of Mathis Drive;*

***Thence** North 00°41'31" West with said extended line a distance of 32.68 feet to the Point-of-Beginning and containing 3,582 square feet of land.....*

I, James R. Maret, Registered Professional Land Surveyor, hereby certify that the above legal description was prepared from an actual survey made on the ground and is true and correct to the best of my knowledge and belief.




James R. Maret
Registered Professional
Land Surveyor No. 5433
5-19-16

REPLAT OF
LOT 1, BLOCK 1
OF
HERITAGE PARK ADDITION

BLOCK 1

LOT 1A

LOT 1B

PLAT FOR EXHIBIT
PROPOSED ABANDONMENT
STREET RIGHT-OF-WAY
HERITAGE PARK ADDITION
PHASE ONE
SHERMAN, TEXAS

MATHIS DRIVE

CONCRETE
PARKING AREA

L=114.56'
R=2030.00'
CH: N 89°35'01" E
114.54'

ELECT.
TRANS.

VAULT

10' UTILITY EASEMENT
VOL. 3632, PG. 906
O.P.R.G.C.T.

3,582
SQ. FT.

1/2" STEEL
ROD FOUND

S 88°47'59" E 113.53'

HERITAGE PARK DRIVE
VOL. 16, PGS. 37 & 38
P.R.G.C.T.

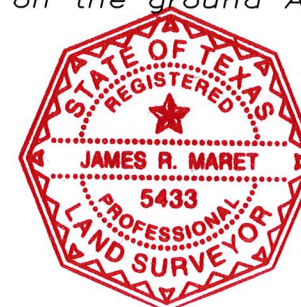
SARA SWAMY DRIVE

SCALE
1" = 30'

REPLAT OF
LOT 2, BLOCK 2
OF THE REPLAT OF
LOTS 1 AND 2, BLOCK 2
HERITAGE PARK ADDITION
PHASE ONE
VOL. 18, PGS. 43 & 44
P.R.G.C.T.

SEE DESCRIPTION
ATTACHED

I, James R. Maret, Registered Professional Land Surveyor,
hereby certify that this plat was prepared from an actual survey
performed on the ground April 26, 2016.



James R. Maret
James R. Maret
Registered Professional
Land Surveyor No. 5433
REVISED: 5-19-16

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 © 2016
Underwood Drafting & Surveying, Inc.
All rights reserved.
FIRM #10006300

~ BASIS OF BEARINGS ~
GPS OBSERVATION
TEXAS COORDINATE SYSTEM
NORTH CENTRAL ZONE
NAD 83

UNDERWOOD

DRAFTING & SURVEYING

3404 INTERURBAN ROAD

DENISON, TEXAS 75021

(903)465-2151





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 4.

Meeting Date: 06/06/2016

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5953

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow an Army Surplus Store in a C-1 (Retail Business) District/O-1.1 (F.M. Highway 1417) Overlay District at 2115 South F.M. 1417 (Heritage Parkway), being Lot 3, Block 1, Community USA Addition (Community Storage USA, LTD, Owner; James W. Caudle, Representative; and Kent Sanders, Proposed Tenant); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

Issue:

To consider the request of Community Storage USA, LTD (Owner), James W. Caudle (Representative), and Kent Sanders (Proposed Tenant) concerning the property at 2115 South F.M. 1417 (Heritage Parkway), being Lot 3, Block 1, Community USA Addition, to allow an army surplus store in a C-1 (Retail Business) District/O-1.1 (F.M. Highway 1417) Overlay District

Background:

The property is located at 2115 South F.M. 1417 (Heritage Parkway) in the Community Storage USA retail center, between Park Avenue and O.B. Groner Road. The applicant would like to open an army surplus store in the retail center at this location.

Origination:

Community Storage USA, LTD (Owners)
James W. Caudle (Representative)
Kent Sanders (Proposed Tenant)

Financial Consideration:

None

Staff Recommendation:

At the May 17, 2016 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter and having no outside displays or storage.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5953

Location Map

Zoning Map

Zoning Photo

Site Plan

Elevations

P&Z Communication

Staff Review Letter

ORDINANCE NO. 5953

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN ARMY SURPLUS STORE IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (F.M. HIGHWAY 1417) OVERLAY DISTRICT AT 2115 SOUTH F.M. 1417 (HERITAGE PARKWAY), BEING LOT 3, BLOCK 1, COMMUNITY USA ADDITION (COMMUNITY STORAGE USA, LTD, OWNER; JAMES W. CAUDLE, REPRESENTATIVE; AND KENT SANDERS, PROPOSED TENANT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, Community Storage USA, LTD (Owners), James W. Caudle (Representative), and Kent Sanders (Proposed Tenant) are granted a Specific Use Permit to allow an army surplus store in a C-1 (Retail Business) District/O-1.1 (F.M. 1417 Overlay) District at 2115 South F.M. 1417 (Heritage Parkway), and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lot 3, Block 1, Community USA Addition

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

Zoning:

1. All aspects of the C-1 (Retail Business) District, the O-1.1 (F.M. 1417 Overlay) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts is allowed.
3. All parking shall be on private property and shall not encroach into F.M. 1417 (Heritage Parkway right-of-way; a parking space is considered to be 9'x20'.
4. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
5. Shall comply with all EPA, City, Federal and State regulations for this use.
6. Violation of the conditions of the SUP will terminate the Specific Use Permit.
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Planning & Zoning Commission

9. No outside displays or storage allowed.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

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

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

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

INTRODUCED on this the _____ day of _____, 2016.

ADOPTED on this the _____ day of _____, 2016.

EFFECTIVE DATE on this the _____ day of _____, 2016.

CITY OF SHERMAN, TEXAS

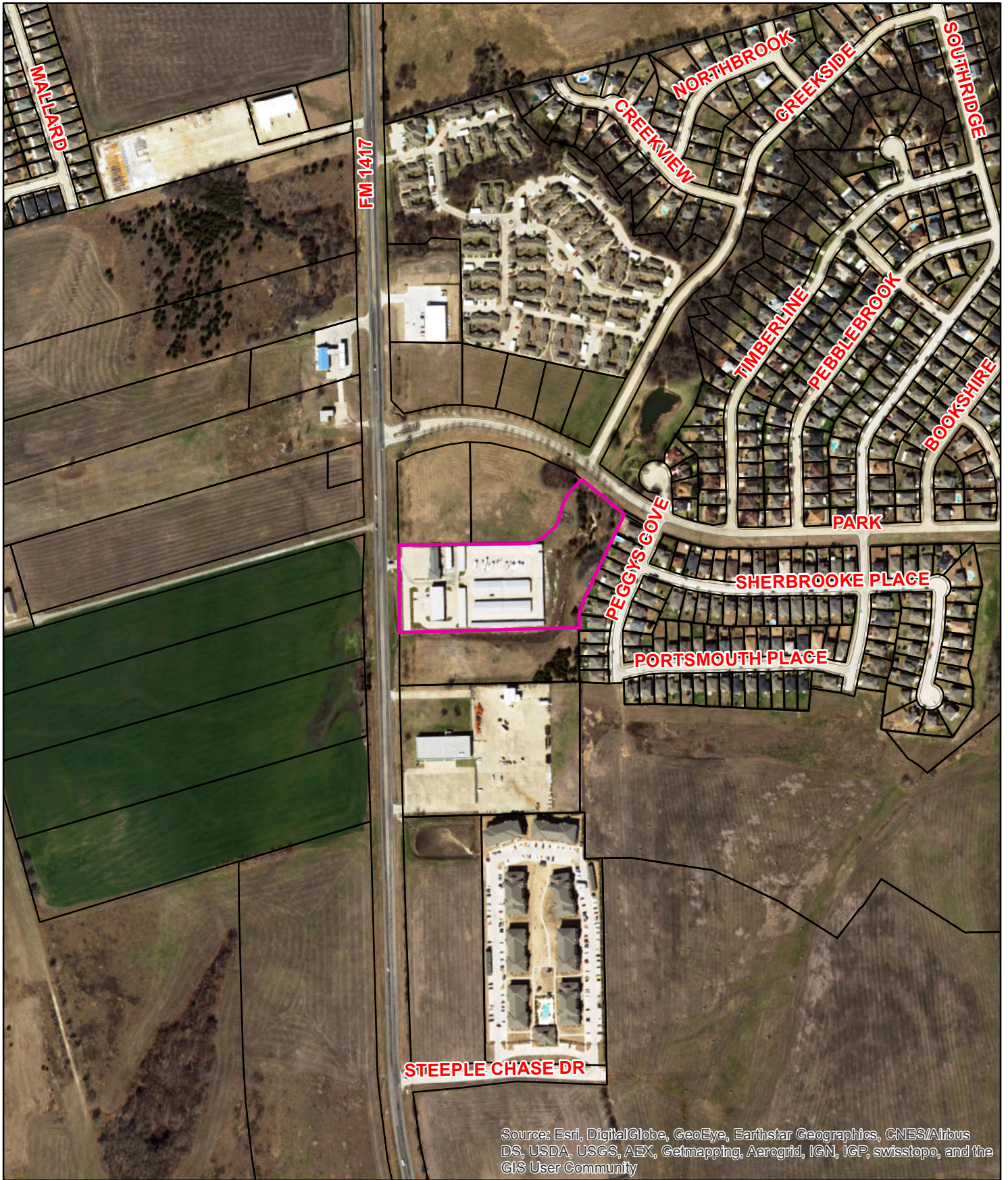
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

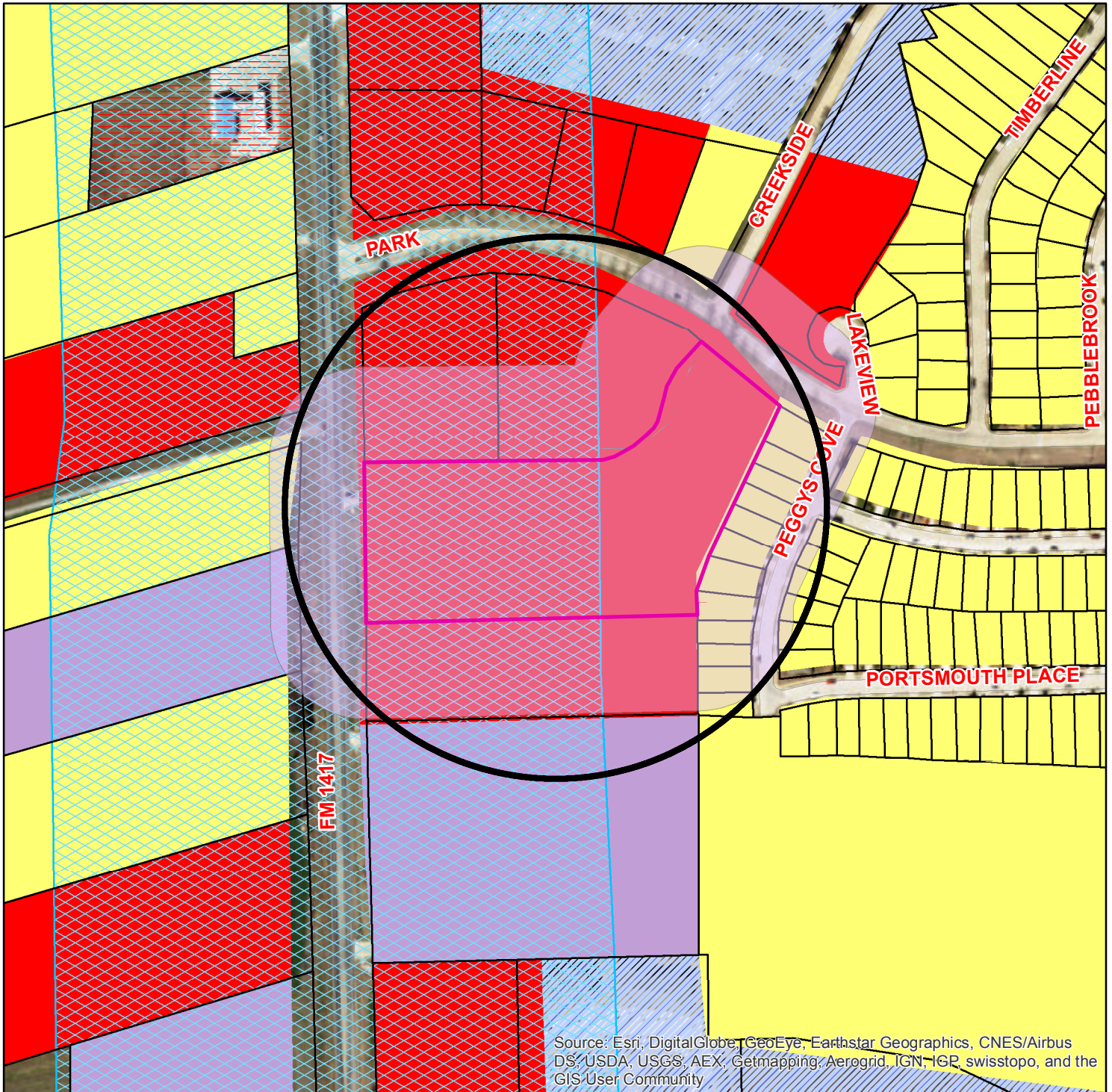


2115 South FM 1417 (Heritage Parkway)



City of Sherman, Texas
Developmental Services Department

1 in = 500 ft



Zoning - 2115 South FM 1417 (Heritage Parkway)

Legend

Transportation Corridors Overlay

HWY_NAME

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75

Special Districts Overlay

- | DISTRICT_NAME |
|-------------------------------------|
| Arts and Cultural District |
| Ballock Commercial Overlay District |
| Central Business District |
| College Park District |
| Downtown Overlay District |
| Historic Preservation District |

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- | |
|------------------------------|
| Unknown |
| BIP Ballock Industrial Park |
| C-1 Retail Business District |

- | |
|---|
| C-2 General Commercial District |
| CO Office District |
| Lakes |
| M-1 Light Manufacturing District |
| M-1.5 Medium Manufacturing District |
| M-2 Heavy Manufacturing District |
| MH Manufacturing Housing District |
| R-1 One Family Residential District |
| R-2 Multi-Family Residential District |
| R-A Single Family Agricultural District |
| SF-1 Single Family Residential District |



NOT TO SCALE

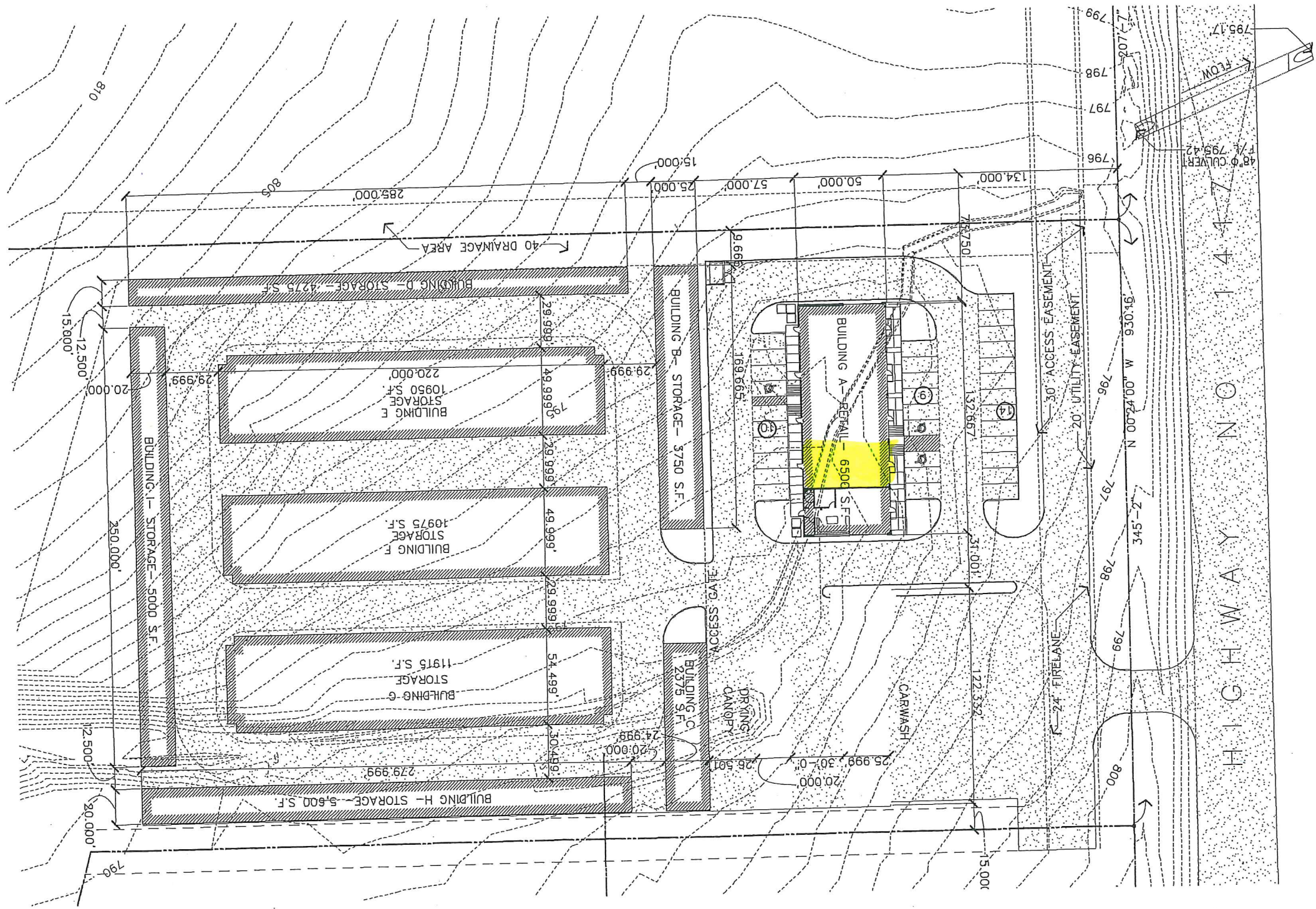
1 in = 300 ft

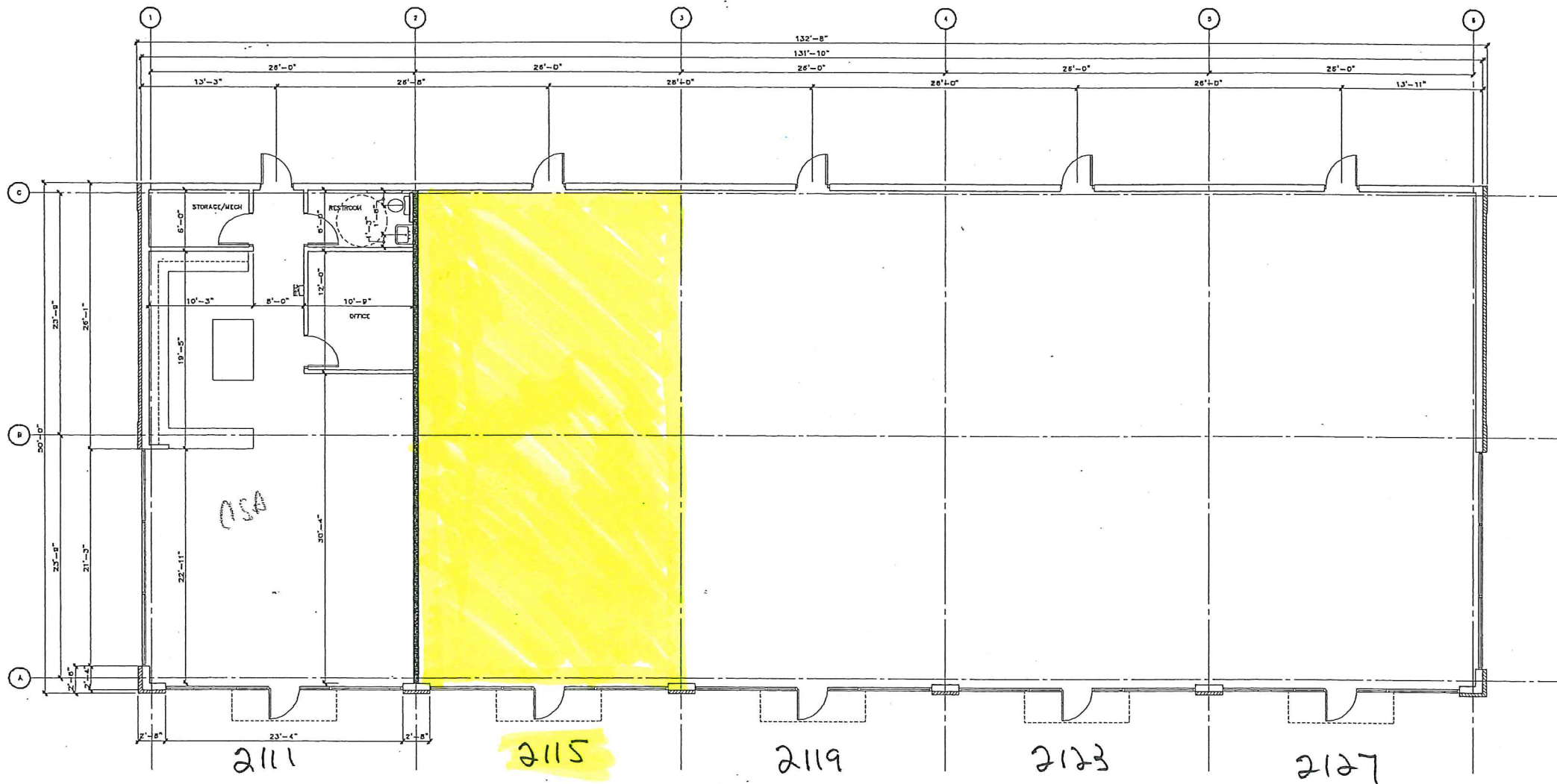
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

2115 S. F.M. 1417







Highway 1417 South
 Sherman, Texas 75092

FLOOR PLAN
 SCALE: 3/16" = 1'-0"

TATCHIO AND ASSOCIATES

ARCHITECT • P.O. Box 2062 • Sherman, Texas 75091 • (803) 786 - 8002

(803) 786 - 4348 FAX radtatchio@earthlink.net



A New Retail Facility For
 COMMUNITY STORAGE
 USA LTD.
 SHERMAN, TEXAS

DATE: 2/3/2006
 PROJECT NO.
 0524
 A-20
 SHEET NO.

2/3/2006 1:11 PM S:\0524 Community Storage USA Retail\Current Drawings\0524 FLOOR PLAN.ec





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

Agenda Item No. 8.

Meeting Date: 05/17/2016

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

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliott, Commissioner

Chris Vellotti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

Clay Mahone, Commissioner

Requested Action/Proposed Use:

2115 SOUTH FM 1417 (HERITAGE PARKWAY)

The request of Community Storage USA LTD (Owners), James W. Caudle (Representative) and Kent Sanders (Proposed Tenant) concerning the property at 2115 South FM 1417 (Heritage Parkway) being Lot 3, Block 1, Community USA Addition, as follows;

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow an army surplus store in a C-1 (Retail Business) District/O-1.1 (F.M. Highway 1417) Overlay District.

Background:

The property is located at 2115 South FM 1417 (Heritage Parkway) in the Community Storage USA retail center, between Park Avenue and O.B. Groner Road. The applicant would like to open an army surplus store in the retail center at this location.

Adjacent Zoning:

C-1 (Retail Business) District

R-1 (One Family Residential) District

Origination:

Community Storage USA LTD (Owners)

James W. Caudle (Representative)

Kent Sanders (Proposed Tenant)

Master Plan Designation:

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

Number of notices mailed:

26

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Photo

Site Plan

Elevations

Staff Review Letter

STAFF REVIEW LETTER

May 12, 2016

Community Storage USA LTD
206 W. Main St.
Durant, OK 74701

Kent Sanders
272 Quail Run Rd.
Sherman, Texas 75090

James Caudle
5713 Gleneagles Dr.
Plano, TX 75093

Dear Applicants,

The request for a Specific Use Permit and site plan to allow an army surplus store in a C-1 (Retail Business) District/O-1.1 (F.M. Highway 1417) Overlay District for the property located at 2115 South FM 1417 (Heritage Parkway) has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 17, 2016 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-1 (Retail Business) District, the O-1.1 (FM 1417 Overlay) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts is allowed.
3. All parking shall be on private property and shall not encroach into FM 1417 (Heritage Parkway) right-of-way; a parking space is considered to be 9'x20'.
4. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
5. Shall comply with all EPA, City, Federal and State regulations for this use.
6. Violation of the conditions of the SUP will terminate the Specific Use Permit.
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

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

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

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

Respectfully,



Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., City Engineer
Don Keene, Asst. City Manager

Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Dir. Of Community and Support Services



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 5.

Meeting Date: 06/06/2016

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5954

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Two-Family Patio Homes in an R-1 (One Family Residential) District/O-1.2 (Sam Rayburn) Overlay District at 317-415 North Woods Street, 308-420 North Sam Rayburn Freeway, and 703-721 West Pecan Street, being the Proposed Lots 1-19, Block 6R of the Replat of Block 6, Exstein's Maple Addition (Sapphire Group, LLC, Owners; Kyle Boothe, Representative; and Underwood Drafting and Surveying, Surveyor); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

Issue:

To consider the request of Sapphire Group, LLC (Owners), Kyle Boothe, (Representative), and Underwood Drafting and Surveying (Surveyor) concerning the property at 317-415 North Woods Street, 308-420 North Sam Rayburn Freeway, and 703-721 West Pecan Street, being part of the J.B McAnair Survey, Abstract No. 763 and being all of Block 6, Exstein's Maple Addition containing 3.897 acres, to allow two-family patio homes on the proposed Lots 1-19, Block 6R of the Replat of Block 6, Exstein's Maple Addition in an R-1 (One Family Residential) District/O-1.2 (Sam Rayburn Overlay) District

Background:

The property is located at 317-415 North Woods Street, 308-420 North Sam Rayburn Freeway, and 703-721 West Pecan Street, between Fern Street and West Pecan Street. The owners would like to replat the property into 20 lots for residential and commercial development. They are requesting a Specific Use Permit to construct nineteen (19) two-story, two-family patio homes on the lots fronting Woods Street. The two-story homes will be approximately 2,000 square feet. There will be two bedrooms per unit for a total of four bedrooms per building. Parking will be provided in the back of the homes.

Origination:

Sapphire Group, LLC (Owners)
Kyle Boothe, (Representative)
Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the May 17, 2016 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5954

Location Map

Zoning Map

Zoning Photo

Existing Sites

Site Plan

Elevations

Elevations

P&Z Communication

Staff Review Letter

ORDINANCE NO. 5954

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW TWO-FAMILY PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/O-1.2 (SAM RAYBURN) OVERLAY DISTRICT AT 317-415 NORTH WOODS STREET, 308-420 NORTH SAM RAYBURN FREEWAY, AND 703-721 WEST PECAN STREET, BEING THE PROPOSED LOTS 1-19, BLOCK 6R OF THE REPLAT OF BLOCK 6, EXSTEIN'S MAPLE ADDITION (SAPPHIRE GROUP, LLC, OWNERS; KYLE BOOTHE, REPRESENTATIVE; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, Sapphire Group, LLC (Owners), Kyle Boothe, (Representative), and Underwood Drafting and Surveying (Surveyor) are granted a Specific Use Permit to allow two-family patio homes on the proposed Lots 1-19, Block 6R of the Replat of Block 6, Exstein's Maple Addition in an R-1 (One Family Residential) District/O-1.2 (Sam Rayburn Overlay) District at 317-415 North Woods Street, 308-420 North Sam Rayburn Freeway, and 703-721 West Pecan Street, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING the proposed Lots 1-19, Block 6R of the Replat of Block 6, Exstein's Maple Addition

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

Zoning:

1. All aspects of the R-1 (One Family Residential) District, the O-1.2 (Sam Rayburn Overlay) District, the patio home ordinance, the sign ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9'x20'.
4. A cross access and parking agreement shall be recorded at the Grayson County Courthouse before a Building Permit will be issued.
5. No building shall exceed 35 feet or two stories in height.
6. Parking is permitted on paved surfaces only.
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

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

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

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

INTRODUCED on this the _____ day of _____, 2016.

ADOPTED on this the _____ day of _____, 2016.

EFFECTIVE DATE on this the _____ day of _____, 2016.

CITY OF SHERMAN, TEXAS

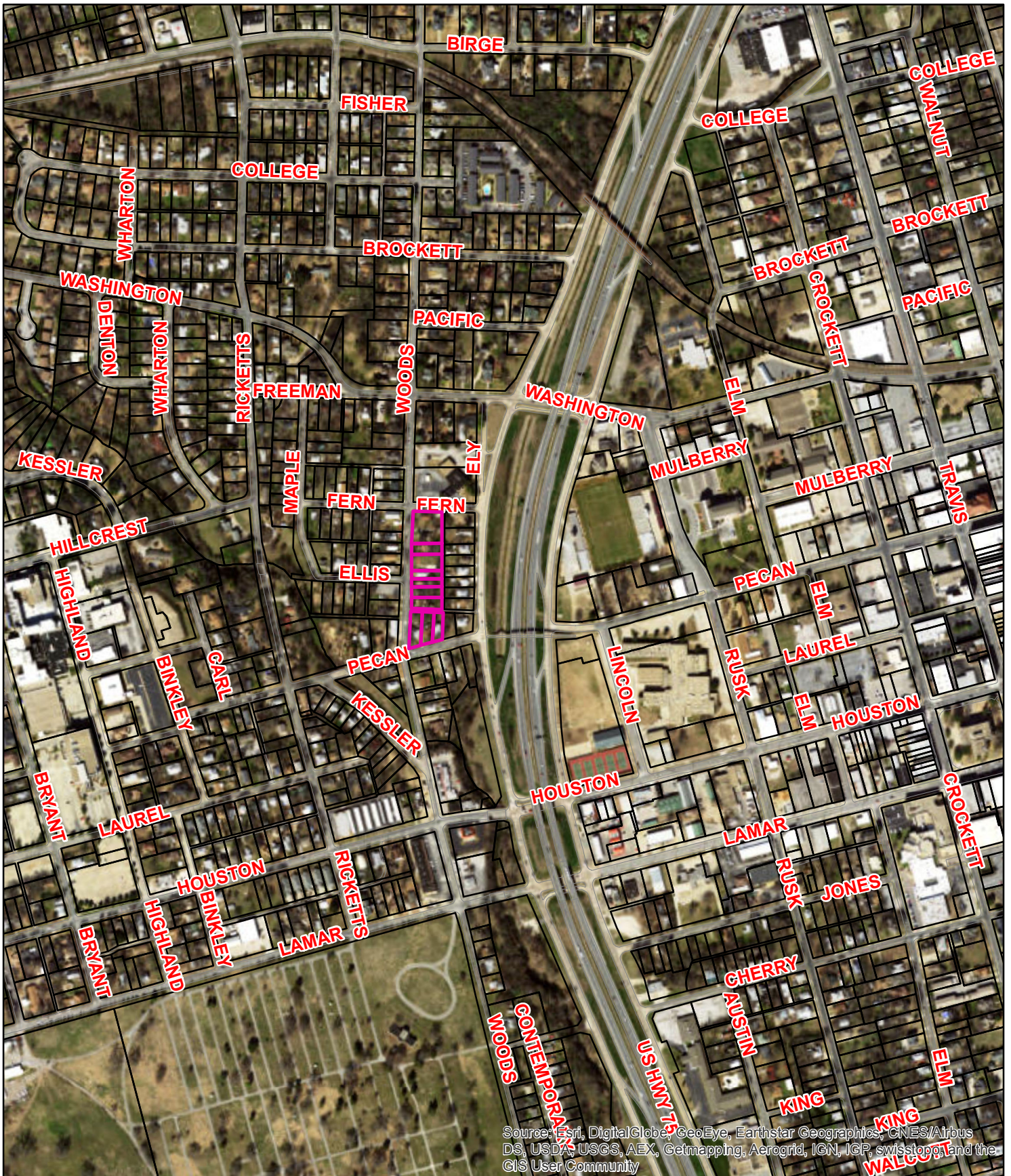
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

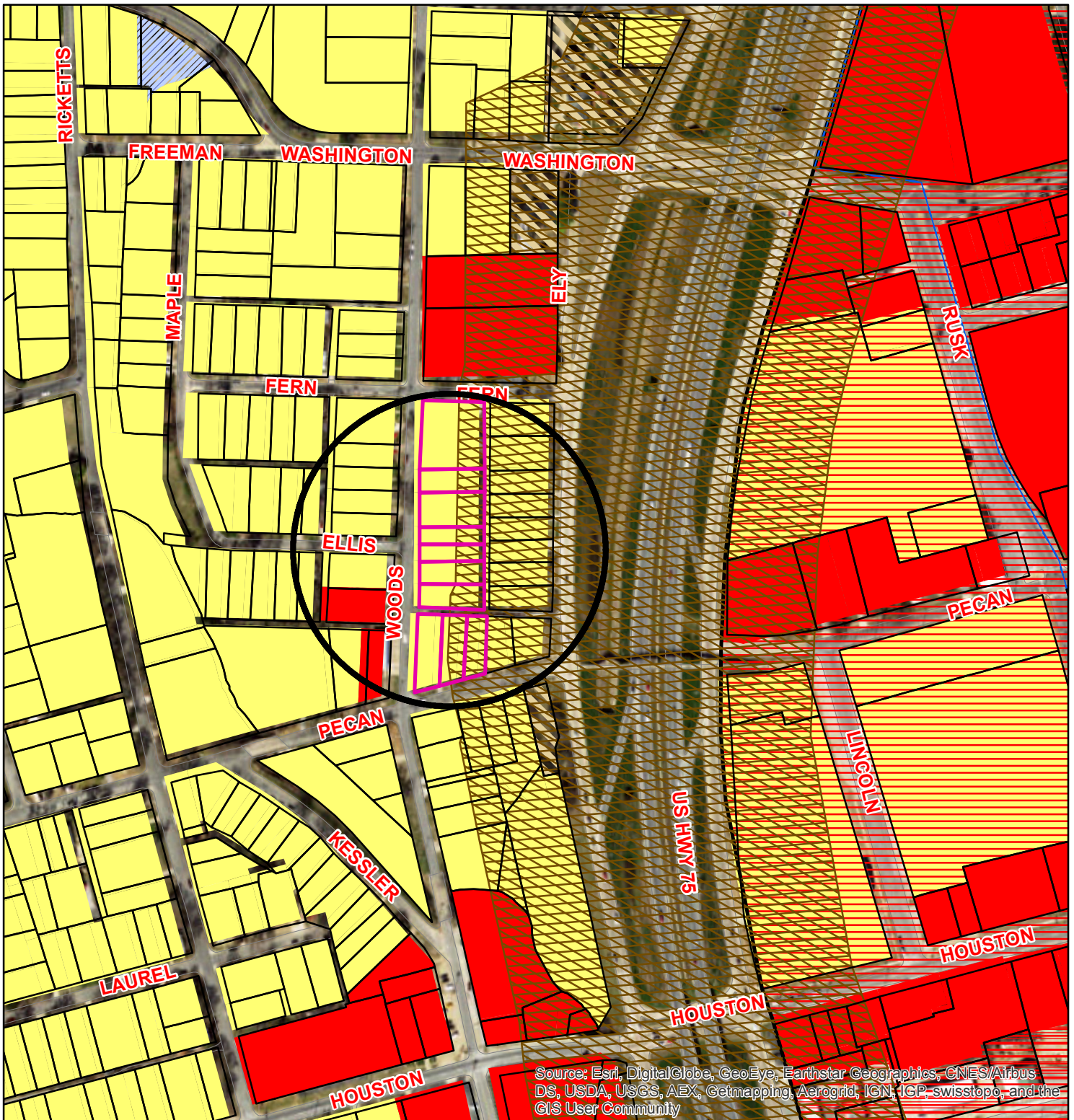


**317-415 N. Woods & 713-721 W. Pecan
SUP - Two-Family Patio Homes**



1 in = 600 ft

City of Sherman, Texas
Developmental Services Department



317-415 N. Woods & 713-721 W. Pecan SUP - Two-Family Patio Homes



City of Sherman, Texas
Developmental Services Department

Legend	
Transportation Corridors Overlay	DISTRICT_NAME
HWY_NAME	Arts and Cultural District
FM 1417	Blalock Commercial Overlay District
Sam Rayburn Freeway	Central Business District
US Hwy 82 and 75	College Park District
Special Districts Overlay	Downtown Overlay District
	Historic Preservation District
	Zoning Districts
	Representation: ShermGIS.DBO.ZoningDistrict_Rep
	Unknown
	BIP Blalock Industrial Park
	C-1 Retail Business District
	C-2 General Commercial District
	CO Office District
	Lakes
	M-1 Light Manufacturing District
	M-1.5 Medium Manufacturing District
	M-2 Heavy Manufacturing District
	MH Manufacturing Housing District
	R-1 One Family Residential District
	R-2 Multi-Family Residential District
	R-A Single Family Agricultural District
	SF-1 Single Family Residential District



NOT TO SCALE

1 in = 300 ft

317-415 N. Woods St.



703-721 W. Pecan St.



Existing Site Pictures



WOODS ST

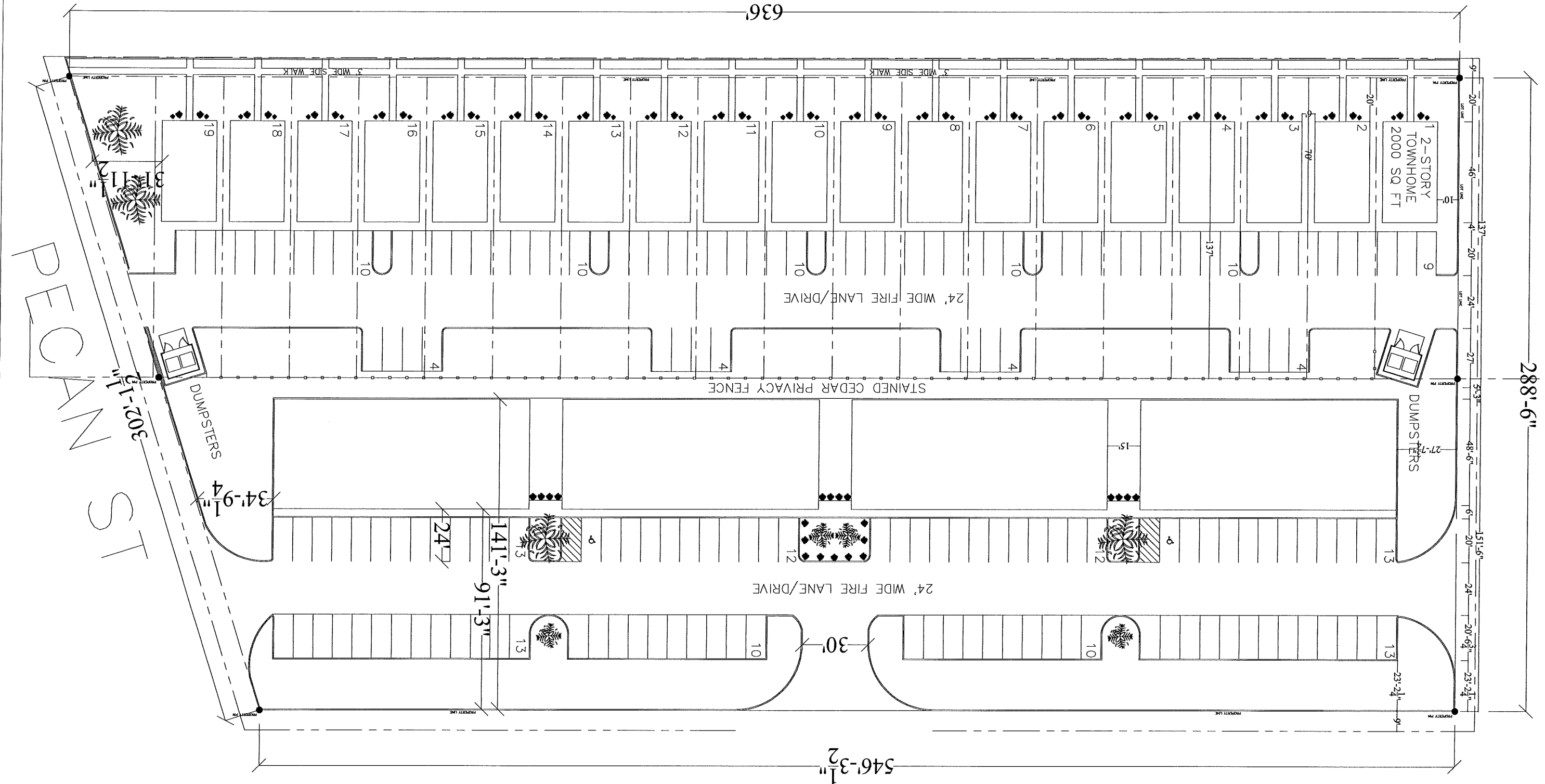
636'

FERN ST

288'-6"

SAM RAYBURN FWY

546'-3 $\frac{1}{2}$ "



PECAN ST

11'-20"

DUMPSTERS

34'-9 $\frac{1}{4}$ "

141'-3"

24'

24' WIDE FIRE LANE/DRIVE

30'

10'

13'

23'-2 $\frac{1}{4}$ "

151'-5"

48'-6"

35'-3"

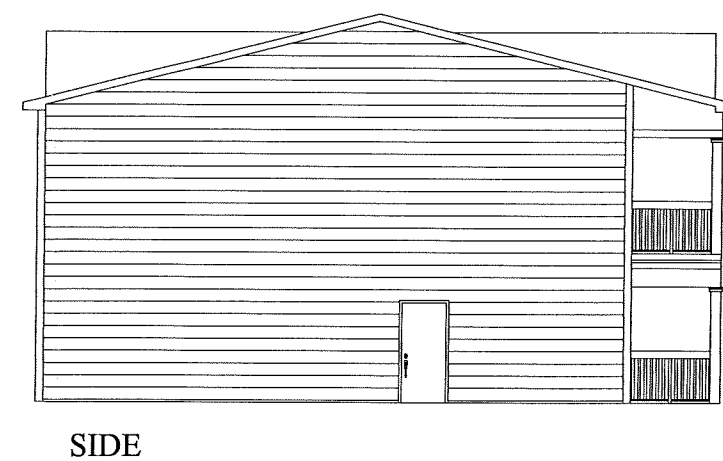
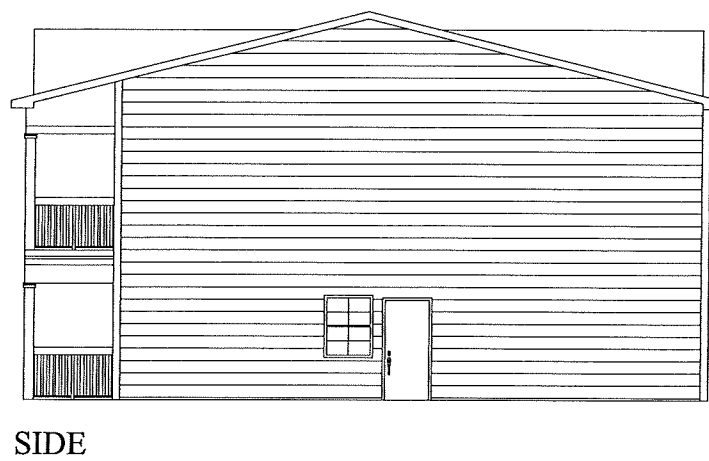
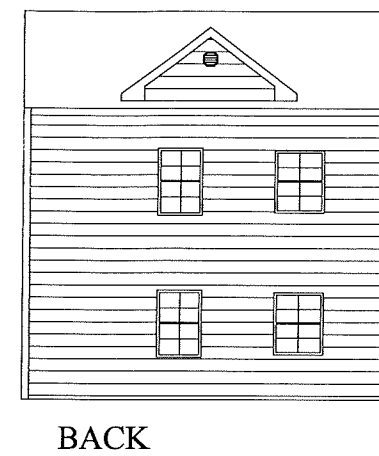
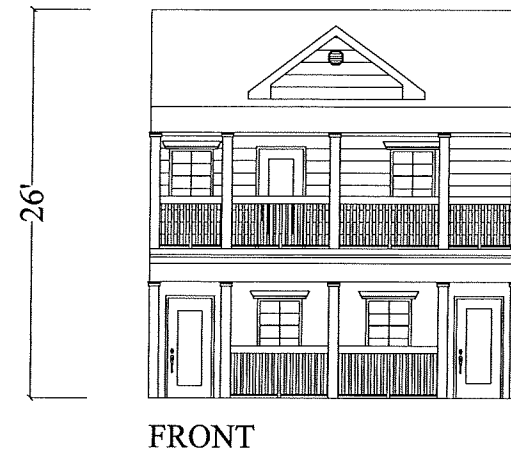
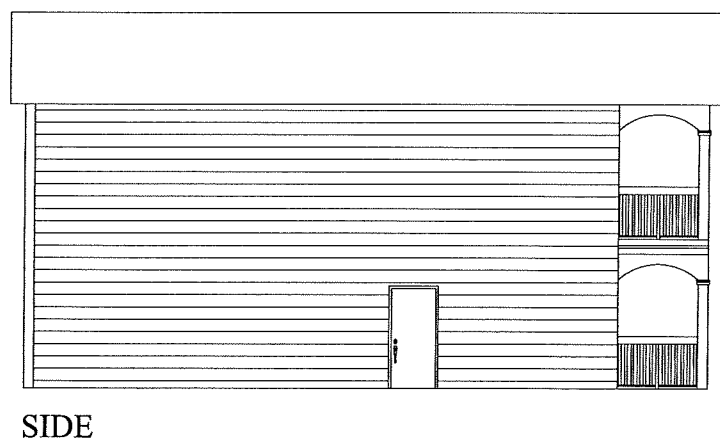
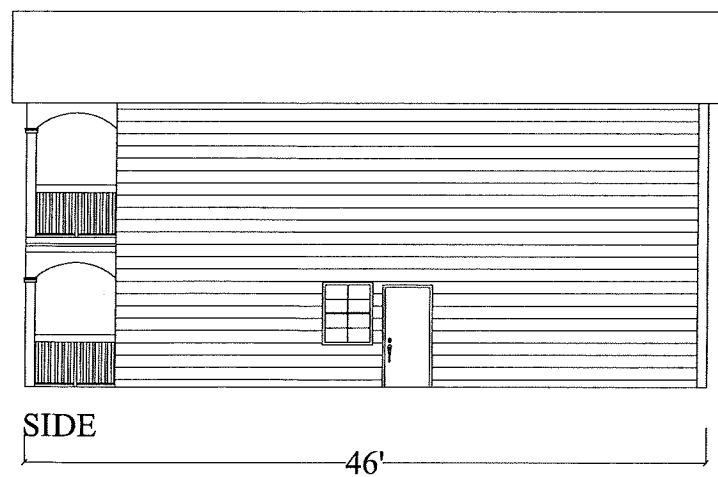
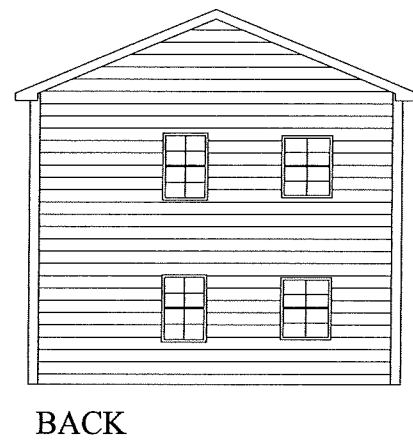
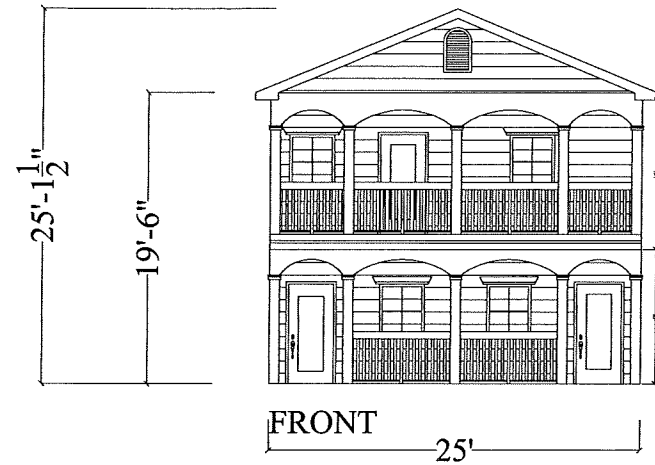
27'

24'

20'

9'







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

Agenda Item No. 10.

Meeting Date: 05/17/2016

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

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliott, Commissioner

Chris Vellotti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

Clay Mahone, Commissioner

Requested Action/Proposed Use:

**317-415 N. WOODS STREET, 308-420 N SAM RAYBURN FREEWAY & 703-721
W. PECAN STREET**

The request of Sapphire Group LLC (Owners), Kyle Boothe, (Representative) and Underwood Drafting and Surveying (Surveyor) concerning the property at 317-415 North Woods Street, 308-420 North Sam Rayburn Freeway and 703-721 West Pecan Street, being part of the J.B McAnair Survey, Abstract No. 763 and being all of Block 6, Exstein's Maple Addition containing 3.897 acres, as follows;

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow two-family patio homes on the proposed Lots 1-19, Block 6R of the Replat of Block 6, Exstein's Maple Addition in an R-1 (One Family Residential) District/O-1.2 (Sam Rayburn Overlay) District.

Board of Adjustments

- Variance under Ordinance No. 2280, Section 6.2, Subsection (1) to allow a 3' side yard setback for a two-family patio home on the proposed Lots 1-19, Block 6R of the Replat of Block 6, Exstein's Maple Addition in lieu of the required 5' with a Specific Use Permit to allow patio homes in an R-1 (One Family Residential) District/O-1.2 (Sam Rayburn Overlay) District.
- Variance under Ordinance No. 2280, Section 6.2, Subsection (1) to allow seventeen (17) lots with widths of thirty-one (31) feet in lieu of the required forty (40) feet and one corner lot with thirty-eight (38) feet in lieu of the required forty-five (45) feet in an R-1 (One Family Residential) District/O-1.2 (Sam Rayburn Overlay) District.

Planning and Zoning Commission

Replat approval of Block 6 of Exsteins Maple Addition

Background:

The property is located at 317-415 North Woods Street, 308-420 North Sam Rayburn Freeway and 703-721 West Pecan Street; it is bound by North Sam Rayburn Freeway, Pecan Street, Woods Street and Fern Street.

The owner would like to replat the property into 20 lots for residential and commercial development. The replat consist of nineteen lots along Woods Street for residential development and one lot fronting Sam Rayburn Freeway for commercial development. They are requesting a variance for the lots along Wood Street to allow (17) seventeen of the lots to be (31) thirty-one foot wide and (1) one corner lot to be (38) thirty-eight feet wide.

The owners are also requesting a Specific Use Permit to construct nineteen (19) two story, two-family patio homes on the lots fronting Woods Street. The two-story homes will be approximately 2,000 square foot. The homes will have two bedrooms per unit for a total of four bedrooms per building. Parking will be provided in the rear. They are requesting a variance for a 3' side yard setback for each of the lots.

Adjacent Zoning:

R-1 (One Family Residential) District

C-1 (Retail Business) District

Origination:

Sapphire Group LLC (Owners)

Kyle Boothe, (Representative)

Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

40

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Photo

Aerial View

Existing Sites

Replat

Site Plan

Elevations

Elevations

Staff Review Letter Replat

Staff Review Letter SUP

STAFF REVIEW LETTER

May 12, 2016

Sapphire Group LLC
4708 N. FM 1417
Sherman, TX 75092

Underwood Drafting & Surveying
3404 Interurban Rd.
Denison, TX 75021

Dear Applicants,

The request for a Specific Use Permit to allow two-family patio homes on the proposed Lots 1-19, Block 6R of the Replat of Block 6, Exstein's Maple Addition in an R-1 (One Family Residential) District/O-1.2 (Sam Rayburn Overlay) District for the property located at 317-415 North Woods Street and 703-721 West Pecan Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 17, 2016 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the R-1 (One Family Residential) District, the O-1.2 (Sam Rayburn Overlay) District, the patio home ordinance, the sign ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9'x20'.
4. A cross access and parking agreement shall be recorded at the Grayson County Courthouse before a Building Permit will be issued.
5. No building shall exceed 35 feet or two stories in height.
6. Parking is permitted on paved surfaces only.
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

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

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

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

Respectfully,



Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., City Engineer
Steve Ayers, Dir. Of Community and Support Services

Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator
Don Keene, Asst. City Manager



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 6.

Meeting Date: 06/06/2016

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5955

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties Within the C-1 (Retail Business) District at 308-420 North Sam Rayburn Freeway and 703-713 West Pecan Street, being 1.969 acres in the J.B. McAnair Survey, Abstract No. 763 and Part of Block 6, Exstein's Maple Addition (Sapphire Group, LLC, Owners; Kyle Boothe, Representative; and Underwood Drafting and Surveying, Surveyor)

Issue:

To consider the request of Sapphire Group, LLC (Owners), Kyle Boothe (Representative), and Underwood Drafting and Surveying (Surveyor) concerning the property at 308-420 North Sam Rayburn Freeway and 703-713 West Pecan Street, being 1.969 acres in the J.B. McAnair Survey, Abstract No. 763 and part of Block 6, Exstein's Maple Addition for a zone change and conceptual site plan approval from an R-1 (One Family Residential) District to a C-1 (Retail Business) District

Background:

The property is located at 308-420 North Sam Rayburn Freeway and 703-713 West Pecan Street, between Pecan and Fern Streets. The owners would like to rezone the property along North Sam Rayburn Freeway to a C-1 (Retail Business) District for commercial development. The site plan is conceptual and will require additional site plan approval before construction begins.

Origination:

Sapphire Group, LLC (Owners)
Kyle Boothe, (Representative)
Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the May 17, 2016 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the zone change be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5955

Location Map

Zoning Map

Zoning Photo

Existing Sites

Conceptual Site Plan

Conceptual Elevations

P&Z Communication

Staff Review Letter

ORDINANCE NO. 5955

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT AT 308-420 NORTH SAM RAYBURN FREEWAY AND 703-713 WEST PECAN STREET, BEING 1.969 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND PART OF BLOCK 6, EXSTEIN'S MAPLE ADDITION (SAPPHIRE GROUP, LLC, OWNERS; KYLE BOOTHE, REPRESENTATIVE; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the C-1 (Retail Business) District at 308-420 North Sam Rayburn Freeway and 703-713 West Pecan Street, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the County of Grayson, State of Texas, being a part of the J. B. McAnair Survey, Abstract No. 763, and being a part of Block 6, Exstein's Maple Addition, an addition to the City of Sherman recorded in Volume 138, Page 185, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a set 1/2" steel rod at the northeast corner of said Block 6;

THENCE South 01°20'25" West with the east line of said Block 6, a distance of 548.52 feet to a found 1/2" steel rod at the southeast corner of said Block 6;

THENCE South 74°39'47" West with the south line of said Block 6, a distance of 156.94 feet to a point;

THENCE North 01°20'25" East a distance of 592.72 feet to a point in the north line of said Block 6;

THENCE South 88°58'43" East with the north line of said Block 6, a distance of 150.35 feet to the **POINT OF BEGINNING AND CONTAINING 1.969 ACRES OF LAND.....**

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

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

SECTION 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2016.

ADOPTED on this the _____ day of _____, 2016.

EFFECTIVE DATE on this the _____ day of _____, 2016.

CITY OF SHERMAN, TEXAS

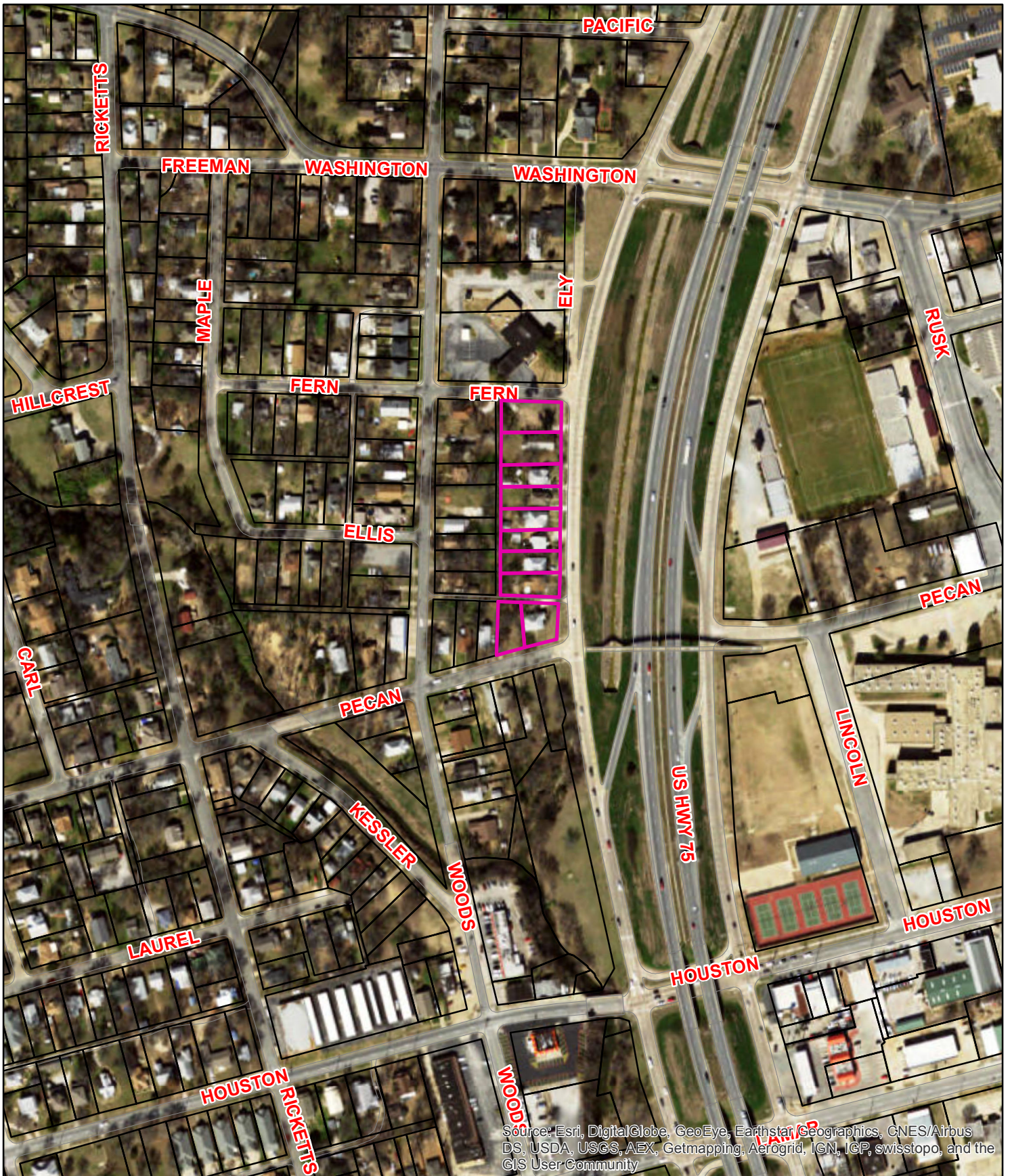
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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



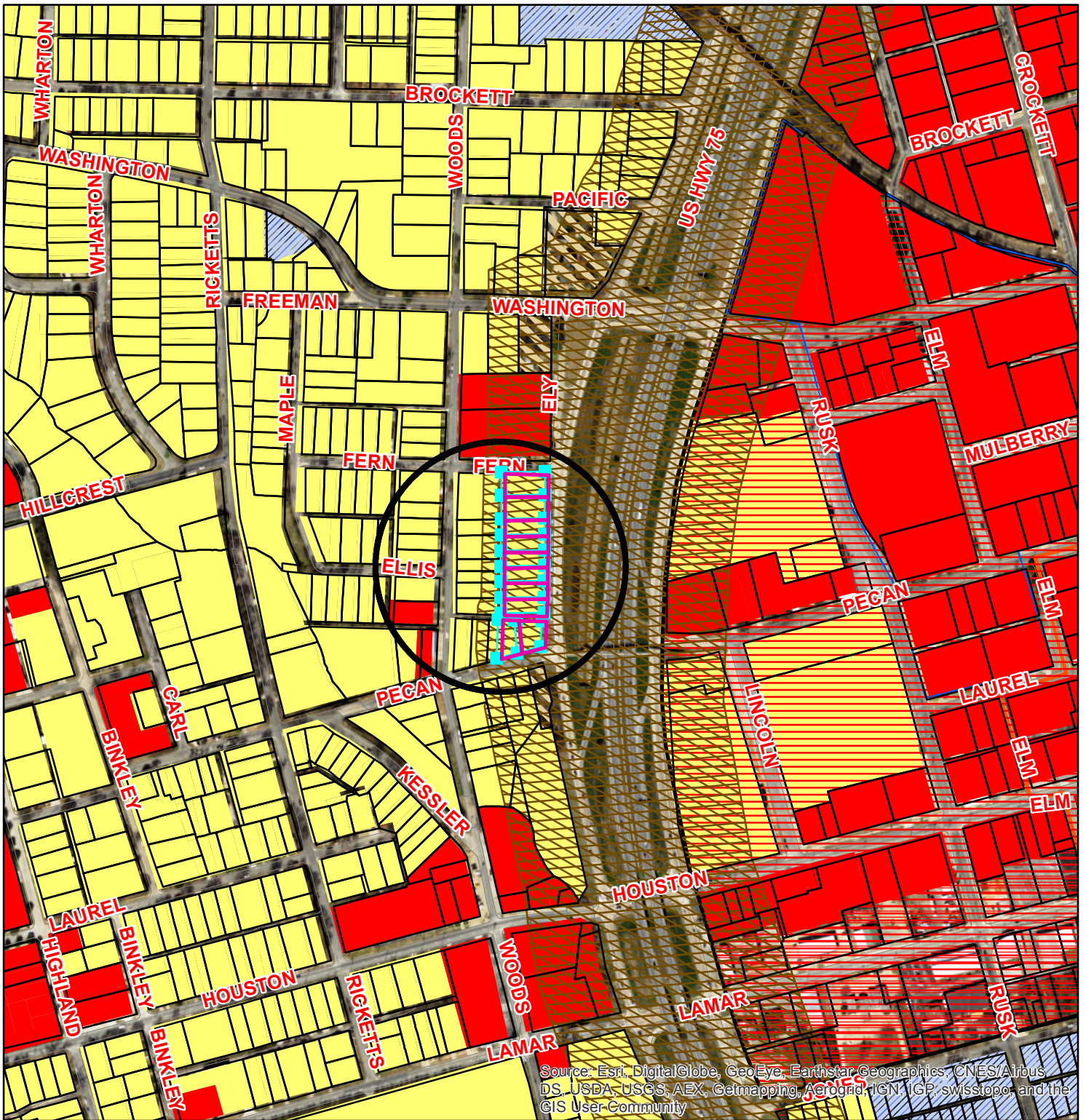
**308-420 N. Sam Rayburn &
703-713 W. Pecan**



NOT TO SCALE

1 in = 300 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 308-420 N. Sam Rayburn Freeway & 703-713 W. Pecan

Legend

Transportation Corridors Overlay

HWY_NAME

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75

Special Districts Overlay

DISTRICT_NAME

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

Zoning Districts

- Representation: SHERMIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



NOT TO SCALE

1 in = 444 ft

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

308-420 N. Sam Rayburn Fwy.



703-721 W. Pecan St.



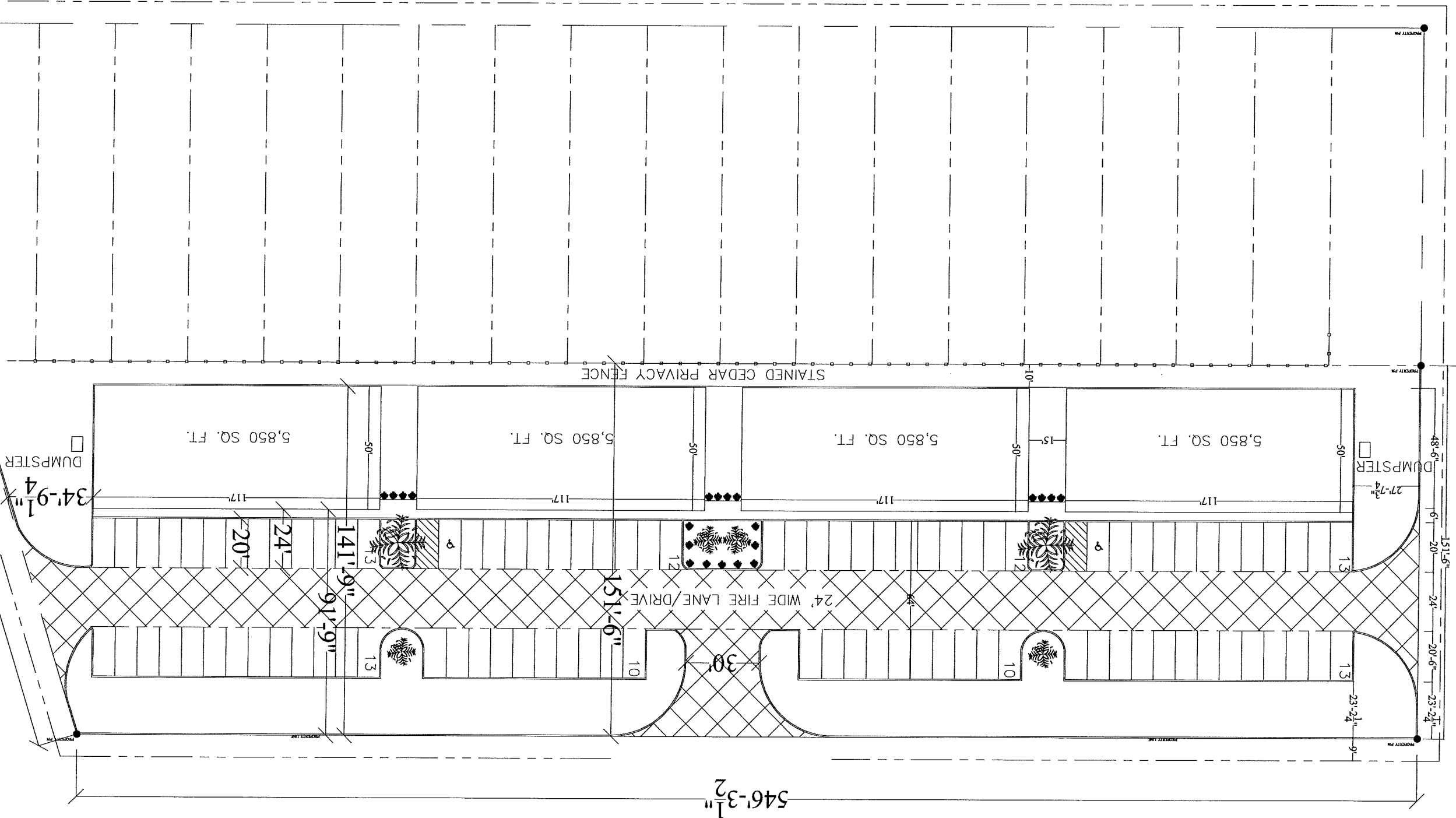
Existing Site Pictures



WOODS ST

FERN ST

288'-6"



SAM RAYBURN FWY

546'-3 1/2"

PECAN ST

61'-20 3/4"

Future View from Sam Rayburn





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

Agenda Item No. 11.

Meeting Date: 05/17/2016

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

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliott, Commissioner

Chris Vellotti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

Clay Mahone, Commissioner

Requested Action/Proposed Use:

308-420 NORTH SAM RAYBURN FREEWAY & 703-713 WEST PECAN STREET

The request of Sapphire Group LLC (Owners), Kyle Boothe, (Representative) and Underwood Drafting and Surveying (Surveyor) concerning the property at 308-420 North Sam Rayburn Freeway and 703-713 West Pecan Street, being part of the J.B McAnair Survey, Abstract No. 763 and part of Block 6, Exstein's Maple Addition containing 1.969 acres, as follows;

Planning and Zoning Commission

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

Background:

The property is located at 308-420 North Sam Rayburn Freeway and 703-713 West Pecan Street between Pecan and Fern Streets. The owner would like to rezone the property along North Sam Rayburn Freeway to a C-1 (Retail Business) District for commercial development. The site plan is conceptual and will require additional site plan approval before construction begins.

Adjacent Zoning:

R-1 (One Family Residential) District

C-1 (Retail Business) District

Origination:

Sapphire Group LLC (Owners)

Kyle Boothe, (Representative)

Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

18

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Photo

Existing Sites

Replat

Conceptual Site Plan

Conceptual Elevations

Staff Review Letter

STAFF REVIEW LETTER

May 12, 2016

Sapphire Group LLC
4708 N. FM 1417
Sherman, TX 75092

Underwood Drafting & Surveying
3404 Interurban Rd.
Denison, TX 75021

Dear Applicants,

The request for a zone change and conceptual site plan approval from an R-1 (One Family Residential) District to a C-1 (Retail Business) District for the property located at 308-420 North Sam Rayburn Freeway and 703-713 West Pecan Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 17, 2016 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-1 (Retail Business) District, the O-1.2 (Sam Rayburn Overlay) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
3. Parking is permitted on paved surfaces only; a parking space is considered to be 9'x20'.
4. The site plan is conceptual and will require additional site plan approval before construction begins.
5. Screening shall be provided and maintained abutting any residential districts.
6. Review the zoning and development ordinance for additional requirements.
7. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

8. Final site plans utility, drainage and grading plan shall be provided and approved by the City Engineering Department.

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

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

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

Respectfully,



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

CC:	Robby Hefton, City Manager	Danny Fuller, Fire Marshal
	Mark Gibson, Director of Utilities	Brandon Shelby, City Attorney
	Clint Philpott, P.E., City Engineer	Lisa Whitfield, Engineering & Development Coordinator
	Steve Ayers, Dir. Of Community and Support Services	Don Keene, Asst. City Manager



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 7.

Meeting Date: 06/06/2016

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 5951, 5952, 5953, 5954 and 5955

Issue:

B. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5951

Extending the Corporate Limits of Said City so as to Annex a 0.777 Acre Tract of Land on Sistrunk Street, Adjacent to the Sherman City Limits and in the City of Sherman's Extra Territorial Jurisdiction; Providing for a Municipal Service Plan

B. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5952

Closing and Abandoning a Portion of the Sara Swamy Drive Right-of-Way lying at the Southwest Corner of Block One (1) of the Heritage Park Addition Phase One, at the Intersection of the East Right-of-Way Line of Mathis Drive with the Original North Right-of-Way Line of said Heritage Park Drive, also being the Southwest Corner of Lot 1A of the Replat of Lot 1, Block 1 of Heritage Park Addition as shown by Plat of Record in Volume 21, Page 16; Said Property to be Maintained as a Utility Easement; Conveying the Interest in said Right-of-Way to the Abutting and Adjacent Property Owners, Pyramid Estates, LLC and Gavlie Properties, LLC

B. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5953

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow an Army Surplus Store in a C-1 (Retail Business) District/O-1.1 (F.M. Highway 1417) Overlay District at 2115 South F.M. 1417 (Heritage Parkway), being Lot 3, Block 1, Community USA Addition (Community Storage USA, LTD, Owner; James W. Caudle, Representative; and Kent Sanders, Proposed Tenant); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

B. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5954

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Two-Family Patio Homes in an R-1 (One Family Residential) District/O-1.2 (Sam Rayburn) Overlay District at 317-415 North Woods Street, 308-420 North Sam Rayburn Freeway, and 703-721 West Pecan Street, being the Proposed Lots 1-19, Block 6R of the Replat of Block 6, Exstein's Maple Addition (Sapphire Group, LLC, Owners; Kyle Boothe, Representative; and Underwood Drafting and Surveying,

Surveyor); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

B. 6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5955

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties Within the C-1 (Retail Business) District at 308-420 North Sam Rayburn Freeway and 703-713 West Pecan Street, being 1.969 acres in the J.B. McAnair Survey, Abstract No. 763 and Part of Block 6, Exstein's Maple Addition (Sapphire Group, LLC, Owners; Kyle Boothe, Representative; and Underwood Drafting and Surveying, Surveyor)



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 8.

Meeting Date: 06/06/2016

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

CONSENT AGENDA

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

Issue:

C. 4. * RESOLUTION NO. 6090

Authorizing Execution of an Interlocal Agreement between the City of Sherman, the City of Denison, and Grayson County for Grant Funding to be Awarded by the U.S. Department of Justice under the 2016 Justice Assistance Grant Program – CFDA #16.738

C. 5. * RESOLUTION NO. 6091

Authorizing Submission of a Joint Grant Application with the City of Denison and Grayson County for, and the Acceptance of, a Grant Awarded under the 2016 Justice Assistance Grant Program – CFDA #16.738

C. 6. * RESOLUTION NO. 6092

Authorizing Publication of the Proposed Final Statement/Action Plan for the Community Development Block Grant for Program Year 2016; Authorizing Submission of the Block Grant Application; Authorizing Execution of Certain Assurances of Compliance in Connection with the Administration and Conduct of the Community Development Program for Program Year 2016

C. 7. * RESOLUTION NO. 6093

Authorizing Execution of an Agreement with Angel Jaramillo and Martha Lopez for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1019 East Lake Street

E. 1. * CHANGE ORDER NO. 1

The Erosion Protection for Hunt Street Project; East Valley Golf, LTD. dba Revegetation Services; \$3,022.00 decrease

F. 3. * *OTHER BUSINESS*

Final Plat Approval of Bob Allen Addition, being 7.96 acres in the J.B. McAnair Survey, Abstract No. 763; Trinity Baptist Church and Grayson Baptist Association, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (2515, 2605, 2613 and 2627 Loy Lake Road)

F. 5. * *OTHER BUSINESS*

Consider Request of the United Way of Grayson County to Temporarily Close Certain Streets for the "United Way Hustle for Health" on Saturday, August 13, 2016

F. 6. * *OTHER BUSINESS*

Consider Calling a Special Meeting of the City Council for Tuesday, July 5, 2016, due to Conflict with a Federal Holiday



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 1.

Meeting Date: 06/06/2016

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6087

Supporting the Goal of Chickatay Inc: U.S. Aviation Group to Secure, Perform and Administer the United States Air Force Initial Flight Training Contract FA3002-15-R-IFT at North Texas Regional Airport - Perrin Field in Grayson County, Texas

Issue:

Expressing support for United States Air Force Initial Flight Training at North Texas Regional Airport - Perrin Field in Grayson County, Texas

Background:

On June 1, 2016, Grayson County Judge Bill Magers requested the City of Sherman's support for the intention of North Texas Regional Airport - Perrin Field and Chickatay Inc: U.S. Aviation Group to bid on the United State's Air Force Initial Flight Training Request for Proposal Contract FA3002-15-R-IFT, which would provide initial flight training for the United States Air Force at Perrin Field.

Origination:

Grayson County Judge Bill Magers

Financial Consideration:

There is no financial impact to approving this resolution.

Staff Recommendation:

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

Alternatives:

The Council could choose not to support this initiative.

Attachments

Resolution No. 6087

Request for Support dated June 1, 2016

RESOLUTION NO. 6087

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, SUPPORTING THE GOAL OF CHICKATAY INC: U.S. AVIATION GROUP TO SECURE, PERFORM AND ADMINISTER THE UNITED STATES AIR FORCE INITIAL FLIGHT TRAINING CONTRACT FA3002-15-R-IFT AT NORTH TEXAS REGIONAL AIRPORT - PERRIN FIELD IN GRAYSON COUNTY, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the Grayson County Regional Mobility Authority (“GCRMA”) was created pursuant to the request of Grayson County and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.1, *et seq.* (the “RMA Rules”); and

WHEREAS, the Board of Directors of the GCRMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

WHEREAS, GCRMA entered into an Interlocal Agreement with Grayson County for the operation of the North Texas Regional Airport on October 31, 2008; and

WHEREAS, the mission of the GCRMA is to empower the Grayson County Community to create an intermodal regional transportation network for North Texas - Perrin Field; and

WHEREAS, the GCRMA supports the mission of Chickatay Inc: U.S. Aviation Group to provide world class professional flight training, aviation services, and support to global customers; and

WHEREAS, Chickatay Inc: U.S. Aviation Group will bid on the United States Air Force Initial Flight Training (IFT) Request for Proposal (RFP) contract FA3002-15-R-IFT that provides initial flight training for the United States Air Force to be performed at North Texas Regional Airport - Perrin Field; and

WHEREAS, Chickatay Inc: U.S. Aviation Group currently administers the United States Air Force Introductory Flight Orientation (IFO) Program for Foreign Military Sales (FMS) Contract FA3002-11-D0010, contracted through the Air Force Security Assistance Training Squadron (AFSAT) Randolph AFB; and

WHEREAS, Chickatay Inc: U.S. Aviation Group currently administers a helicopter flight training contract for the U.S. Department of Justice, Federal Bureau of Investigation Ref #DJF-15-2200-PR-0024922 and was recently awarded a flight training contract with the Texas Department of Public Safety (Ref#405-16-B000935), and

WHEREAS, Chickatay Inc: U.S. Aviation Group has the past performance, managerial capability, financial capability, and all other required resources to successfully administer the United States Air Force Initial Flight Training (IFT) contract FA3002-15-R-IFT; and

WHEREAS, the City of Sherman understands that this flight training will significantly increase air traffic in and around North Texas Regional Airport - Perrin Field and Grayson County;

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

SECTION 1. That the findings and recitations set out in the preamble to this resolution are found to be true and correct and are hereby adopted by the Sherman City Council and made a part hereof for all purposes.

SECTION 2. That the City of Sherman supports the goal of Chickatay Inc: U.S. Aviation Group to secure, perform and administer the United States Air Force Initial Flight Training (IFT) contract FA3002-15-R-IFT at North Texas Regional Airport - Perrin Field.

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

PASSED AND APPROVED on this the ____ day of _____, 2016.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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



Bill Magers
County Judge

June 1, 2016

Dear Mayors and ED Directors,

As you know, North Texas Regional Airport-Perrin Field (NTRA) is an invaluable asset to our county. Many of you recently attended an RMA meeting regarding US Aviation's efforts to land a contract with the US Air Force. Specifically, **NTRA has been working with Chickatay Inc; / U.S. Aviation Group to bid on the United States Air Force Initial Flight Training (IFT) Request for Proposal (RFP)** contract FA FA3002-15-R-IFT that provides initial flight training for the United States Air Force. Chickatay Inc; / U.S. Aviation Group has the past performance, managerial capability, financial capability, and all other required resources to successfully administer the United States Air Force Initial Flight Training (IFT) contract FA3002-15-R-IFT.

To help win the contract, NTRA is asking for a public show of support from each city in Grayson County. **Due to the timing of the reply to the bid I need your city council/ ED Board of Directors to approve a resolution at your next council/ board meeting supporting NTRA and Chickatay Inc.** Our deadline to have all the resolutions to Chickatay, Inc is June 24, 2016.

To help assist you and your city staff with this effort, I have attached a sample resolution that you can present to your council/ board. You will see that on the second page, paragraph two there is place to insert the name of your city and ED organization. Once your council/ board has passed the resolution, please email or forward it to my assistant Julie Lollar, by responding to this email with the executed resolution attached and she will forward to the proper contact.

After reviewing, please let me know if you have any questions or need more information. I personally appreciate your attention and speedy response to this request. Thank you for your continued support and for all you do to make Grayson County a special place to call home.

Best Regards,

Bill

Bill Magers
County Judge



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 2.

Meeting Date: 06/06/2016

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6088

Approving and Authorizing Publication of Notice of Intention to Issue Certificates of Obligation

Issue:

Consider all matters incident and related to approving and authorizing publication of notice of intention to issue \$7,328,000 in certificates of obligation (COs), including the adoption of a resolution pertaining thereto.

Background:

The Council has directed staff to pursue issuing COs to fund the construction of streets and facilities projects. State law requires that certain notices be published to the public informing them of the Council's intentions to issue debt prior to adoption of an ordinance that authorizes the debt issuance. This resolution accomplishes this requirement. The COs are expected to be issued in July with funding expected to occur in August.

Origination:

City's Manager's Office and Specialized Public Finance, Inc.

Financial Consideration:

Funding for the estimated debt service of approximately \$545,000 for the COs will be provided through the City's ad valorem tax revenue, with a secondary pledge coming from the City's water and sewer revenues. Cost of advertising for the publications is expected to be about \$500.00.

Staff Recommendation:

The staff recommends approval of this resolution.

Alternatives:

The Council could choose not to issue debt and postpone the construction of the projects.

Attachments

Resolution No. 6088

RESOLUTION NO. 6088

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Sherman, Texas, has determined that certificates of obligation should be issued under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271 (the "Act"), for the purpose of paying contractual obligations to be incurred for (i) the construction of public works, to wit: (1) street improvements, including drainage, utility line relocations, bridges, sidewalks, entryways, landscaping, lighting, curbs and gutters related thereto and the acquisition of land and rights-of-way therefor, and (2) constructing, renovating, acquiring and equipping facilities for the public safety, library and parks and recreation departments, including the acquisition of land and rights-of-way therefor, and (ii) professional services rendered in relation to such projects and the financing thereof; and

WHEREAS, prior to the issuance of such certificates, the City Council is required to publish notice of its intention to issue the same in accordance with the provisions of the Act;

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

SECTION 1. That The City Clerk is hereby authorized and directed to cause notice to be published of the Council's intention to issue certificates of obligation in a principal amount not to exceed \$7,328,000 for the purpose of paying contractual obligations to be incurred for (i) the construction of public works, to wit: (1) street improvements, including drainage, utility line relocations, bridges, sidewalks, entryways, landscaping, lighting, curbs and gutters related thereto and the acquisition of land and rights-of-way therefor, and (2) constructing, renovating, acquiring and equipping facilities for the public safety, library and parks and recreation departments, including the acquisition of land and rights-of-way therefor, and (ii) professional services rendered in relation to such projects and the financing thereof, and shall be payable from ad valorem taxes and a limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2. That The City Clerk shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation.

SECTION 3. That this resolution shall be in force and effect from and after its passage on the date shown below.

SECTION 4. That it is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

PASSED AND APPROVED on this the _____ day of _____, 2016.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF SHERMAN, TEXAS, CERTIFICATES OF OBLIGATION

TAKE NOTICE that the City Council of the City of Sherman, Texas, shall convene at 5:00 P.M. on the 18th day of July, 2016, at the City Hall, 220 W. Mulberry, Sherman, Texas, and, during such meeting, the City Council will consider the passage of one or more ordinances authorizing the issuance of certificates of obligation in an amount not to exceed \$7,328,000 for the purpose of paying contractual obligations to be incurred for (i) the construction of public works, to wit: (1) street improvements, including drainage, utility line relocations, bridges, sidewalks, entryways, landscaping, lighting, curbs and gutters related thereto and the acquisition of land and rights-of-way therefor, and (2) constructing, renovating, acquiring and equipping facilities for the public safety, library and parks and recreation departments, including the acquisition of land and rights-of-way therefor, and (ii) professional services rendered in relation to such projects and the financing thereof, such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271.

Linda Ashby
City Clerk
City of Sherman, Texas



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 3.

Meeting Date: 06/06/2016

Prepared By: Danny Jones, Fire Chief

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6089

Authorizing the Purchase of Outdoor Warning Sirens from Federal Signal Corporation through Shipman Communications

Issue:

To authorize the purchase of two (2) outdoor warning sirens from Federal Signal Corporation through Shipman Communications. There are two (2) authorized Federal Signal dealers in Texas; Shipman Communications in Denison and Industrial Communications in San Antonio. The City has a maintenance contract in place with Shipman Communications for the care and maintenance work on our current outdoor warning sirens.

Background:

On April 26, 2016, a storm knocked down a utility pole and destroyed the outdoor warning siren at Fire Station 4. The replacement siren will be relocated further east to cover the Wastewater Treatment Plant and Shadow Mountain Village. A second siren will be located to the west of US Hwy 75 and north of FM Hwy 1417. Moving the destroyed siren location and adding an additional siren will improve outdoor warning siren coverage in the southern part of the City.

Origination:

Danny Jones, Fire Chief

Financial Consideration:

The cost for two (2) outdoor warning sirens is \$54,853.00. One (1) siren was allocated in the fiscal year (FY) 2015-2016 Emergency Management budget. The City has made a request for reimbursement on the insurance claim submitted to Texas Municipal League for the damage to the outdoor warning siren at Fire Station 4. The reimbursement will cover a large portion of the cost of the second siren.

Staff Recommendation:

The staff recommends the City Council authorize the purchase of two (2) outdoor warning sirens from Federal Signal Corporation through Shipman Communications.

Alternatives:

As directed by the City Council

Attachments

Resolution No. 6089

Siren Quote

Sole Source Letter

Outdoor Warning Sirens and Coverage

RESOLUTION NO. 6089

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF OUTDOOR WARNING SIRENS FROM FEDERAL SIGNAL CORPORATION THROUGH SHIPMAN COMMUNICATIONS; 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 to purchase from Federal Signal Corporation through Shipman Communications of Denison, Texas, two outdoor warning sirens at a total price of Fifty-Four Thousand Eight Hundred Fifty-Three Dollars and No Cents (\$54,853.00), in accordance with the provisions of the Shipman Communications proposal attached hereto and made a part hereof for all purposes. Any agreements related to the purchase must be approved by the City Attorney.

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

PASSED AND APPROVED on this the ____ day of _____, 2016.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

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

Quote does not include any applicable taxes or shipping.

May 25, 2016

City of Sherman
Sherman, Texas

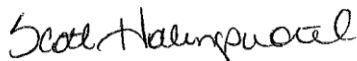
Federal Signal Corporation is the sole manufacturer of the proprietary Federal Commander Digital System and the Digital Communications Protocol, which is the foundation of Sherman's Outdoor Warning System / two-way status monitoring and control system. All new systems and existing system expansions connect to the Federal Commander System to allow for a seamless migration of your Outdoor Warning System.

Shipman Communication is the local Authorized Service Center and Federal Signal Business Alliance Member. Shipman Communications is trained on installation, service and maintenance of all Federal Signal Outdoor Warning products. Shipman can provide you with complete turnkey projects, including site locations and training on activation equipment.

Federal Signal offers the Model 2001-130 siren, which is the most successful siren sold in the world, since its introduction in 1988. Further, only Federal Signal manufactures siren controllers capable of operating with our two-way status monitoring and control system (Federal Commander Digital – SFCDWARE) software.

Federal Signal takes pride in being able to offer our customers new technology such as the Model 508-128 Siren and two-way status monitoring controls (DCFCTBDH). We are confident that Federal Signal products will provide exceptional value and the assurance of having a single point of contact for your entire system. If I can answer any additional questions, or be of service in any way, please call me at the number below.

Sincerely,



Scott Hollingsworth
Manufacturers Sales Representative
Federal Signal Corporation, Alert and Notification Systems
(800) 966-3357 x 703
shollingsworth70@gmail.com

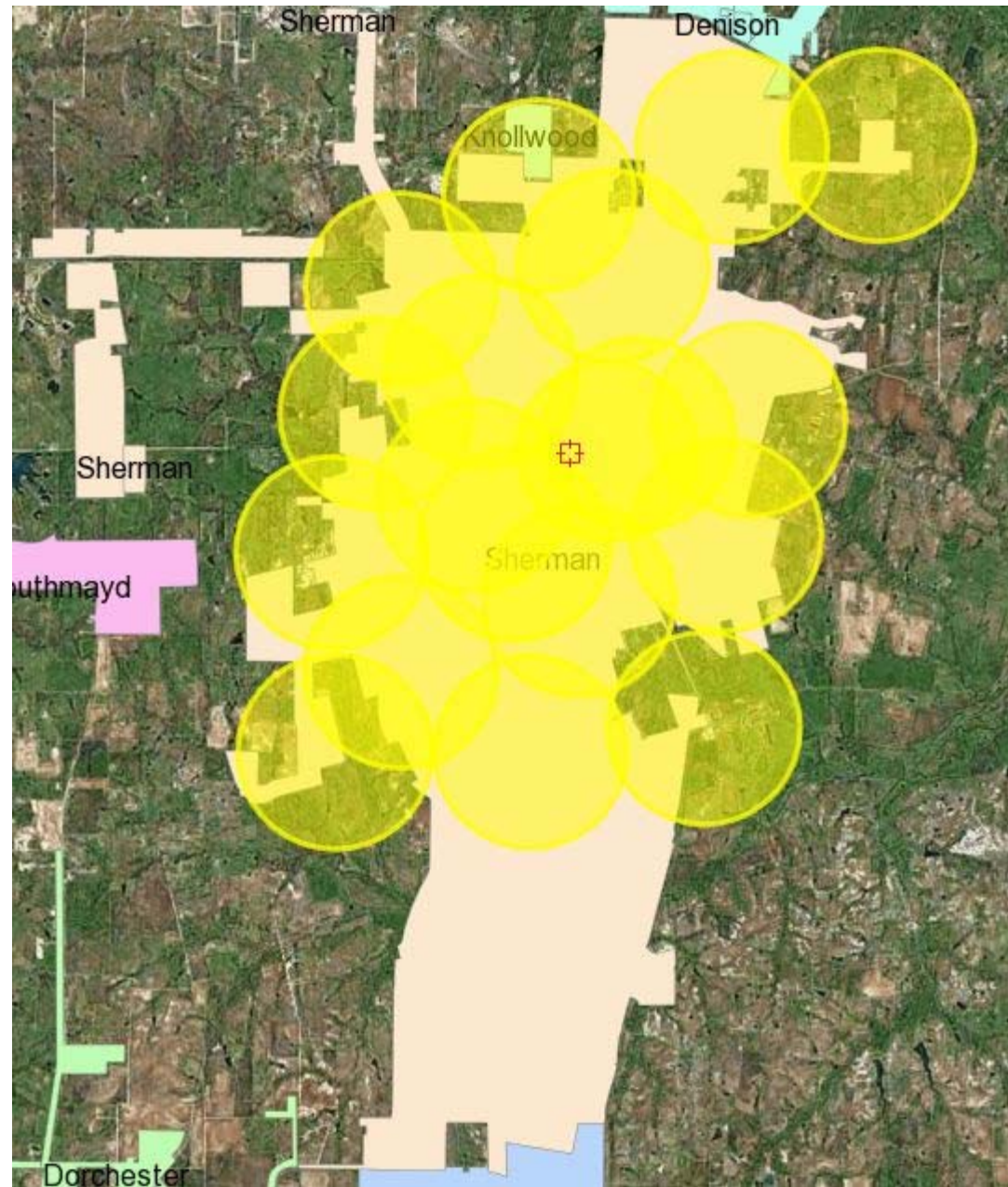
ILLUSTRATION OF COVERAGE FOR STORM DAMAGED OUTDOOR WARNING SIREN



ILLUSTRATION OF TWO REPLACEMENT OUTDOOR WARNING SIRENS – BETTER COVERAGE



ILLUSTRATION OF OUTDOOR WARNING SIREN COVERAGE WITHIN SHERMAN CITY LIMITS





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 4.

Meeting Date: 06/06/2016

Prepared By: Otis Henry, Police Chief

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6090**

Authorizing Execution of an Interlocal Agreement between the City of Sherman, the City of Denison, and Grayson County for Grant Funding to be Awarded by the U.S. Department of Justice under the 2016 Justice Assistance Grant Program – CFDA #16.738

Issue:

Approving an Interlocal Agreement (ILA) with the City of Denison and Grayson County for Justice Assistance Grant (JAG) funding

Background:

This is a companion resolution to a separate agenda item authorizing submission of an application for the 2016 JAG grant, which is also on the June 6th agenda. Execution of an ILA with the City of Denison and Grayson County is one of the required components of the joint grant application to be submitted under the U.S. Department of Justice's 2016 Justice Assistance Grant Program. The total grant award would be \$10,733.00 of which the City of Denison's portion would be \$3,204.00 towards the purchase of a patrol motorcycle; Grayson County's portion would be \$2,356.00 for the purchase of digital cameras, high visibility raincoats and a fingerprint table; and Sherman's portion would be \$5,173.00 to be used for the purchase of in-vehicle radios for the Police Department.

Origination:

Police Department

Financial Consideration:

There are no matching requirements for this grant. The City of Denison's and Grayson County's portions of the total grant would be passed through to them.

Staff Recommendation:

The staff recommends approval of this Interlocal Agreement.

Alternatives:

None recommended

Attachments

Resolution No. 6090
Interlocal Agreement

RESOLUTION NO. 6090

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN, THE CITY OF DENISON, AND GRAYSON COUNTY FOR GRANT FUNDING TO BE AWARDED BY THE U.S. DEPARTMENT OF JUSTICE UNDER THE 2016 JUSTICE ASSISTANCE GRANT PROGRAM – CFDA #16.738; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an Interlocal Agreement with the City of Denison and Grayson County for an award of a portion of a total Ten Thousand Seven Hundred Thirty-Three Dollars and No Cents (\$10,733.00) under the 2016 Justice Assistance Grant, as set forth below and in accordance with the terms and provisions of the Interlocal Agreement attached hereto and incorporated herein for all purposes:

- An award to Grayson County of Two Thousand Three Hundred Fifty-Six Dollars and No Cents (\$2,356.00) for the purchase of digital cameras, high visibility raincoats and a new fingerprint table; and
- An award to the City of Denison of Three Thousand Two Hundred Four Dollars and No Cents (\$3,204.00) for the purchase of a patrol motorcycle; and
- An award to the City of Sherman of Five Thousand One Hundred Seventy-Three Dollars and No Cents (\$5,173.00) for the purchase of in-vehicle radios for the Police Department.

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

PASSED AND APPROVED on this the ____ day of _____, 2016.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM AND
CONTENT:**

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

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

**INTERLOCAL AGREEMENT BETWEEN
THE CITY OF SHERMAN, TEXAS,
THE CITY OF DENISON, TEXAS
AND GRAYSON COUNTY, TEXAS**

2016 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD – CFDA 16.738

THIS AGREEMENT is made and entered into this the ____ day of _____, 2016, by and between the **CITY OF SHERMAN, TEXAS**, acting by and through its governing body, the City Council, hereinafter referred to as “SHERMAN”, the **CITY OF DENISON, TEXAS**, acting by and through its governing body, the City Council, hereinafter referred to as “DENISON” and the **COUNTY OF GRAYSON, TEXAS**, hereinafter referred to as “GRAYSON” of Grayson County, State of Texas;

W I T N E S S E T H:

WHEREAS, this Agreement is made under the authority of the Interlocal Cooperation Act, Sections 791.001-791.033, Texas Government Code; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, SHERMAN agrees to provide DENISON Three Thousand Two Hundred Four Dollars and No Cents (\$3,204.00) from the 2016 JAG Program award for the purchase of a patrol motorcycle; and

WHEREAS, SHERMAN agrees to provide GRAYSON Two Thousand Three Hundred Fifty-Six Dollars and No Cents (\$2,356.00) from the 2016 JAG Program award to be used for the purchase of digital cameras, high visibility raincoats and a fingerprint table; and

WHEREAS, SHERMAN, DENISON and GRAYSON believe it to be in their best interests to reallocate the 2016 JAG funds;

NOW, THEREFORE, SHERMAN, DENISON and GRAYSON agree as follows:

Section 1. SHERMAN agrees to pay DENISON a total of Three Thousand Two Hundred Four Dollars and No Cents (\$3,204.00) of 2016 JAG funds.

Section 2. DENISON agrees to use Three Thousand Two Hundred Four Dollars and No Cents (\$3,204.00) for the purchase of a patrol motorcycle.

Section 3. DENISON agrees that, in the event of loss or misuse of the 2016 JAG Program Award funds, as determined by SHERMAN, DENISON assures that the funds will be returned to SHERMAN in full for return to the U.S. Department of Justice.

Section 4. SHERMAN agrees to pay GRAYSON a total of Two Thousand Three Hundred Fifty-Six Dollars and No Cents (\$2,356.00) of 2016 JAG funds.

Section 5. GRAYSON agrees to use Two Thousand Three Hundred Fifty-Six Dollars and No Cents (\$2,356.00) for the purchase of digital cameras, high visibility raincoats and a fingerprint table.

Section 6. GRAYSON agrees that, in the event of loss or misuse of the 2016 JAG Program Award funds, as determined by SHERMAN, GRAYSON assures that the funds will be returned to SHERMAN in full for return to the U.S. Department of Justice.

Section 7. Nothing in the performance of this Agreement shall impose any liability for claims against DENISON other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 8. Nothing in the performance of this Agreement shall impose any liability for claims against GRAYSON other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 9. Nothing in the performance of this Agreement shall impose any liability for claims against SHERMAN other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 10. Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 11. The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 12. By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 13. This Agreement is authorized under and governed by the laws of the State of Texas. Venue for any action arising under this Agreement shall lie in state district court, Grayson County, Texas.

Section 14. If, by reason of Force Majeure as hereinafter defined, any party to this Agreement shall be rendered wholly or partially unable to carry out its obligations under this Agreement, then such party shall give written notice of the particulars of such Force Majeure to the other parties within a reasonable time after the occurrence thereof. The obligations of the party giving such notice, to the extent affected by such Force Majeure, shall be suspended during the continuance of the inability claimed and for no longer period, and such party shall, in good faith, exercise its best efforts to remove and overcome such inability. The term "Force Majeure" as utilized in this Agreement shall mean and refer to Acts of God; strikes, lockouts or other industrial disturbances; acts of public enemies; orders of any kind of the government of the United States, the State of Texas, or any other civil or military authority; insurrections, riots, epidemics, landslides, earthquakes, lightning, fires, hurricanes, storms, floods, washouts, or other natural disasters; arrest; restraint of government and people; civil disturbances; explosions; breakage or accidents to machinery, pipelines or canals; or other causes not necessarily within the control of the party claiming such inability.

Section 15. This Agreement is subject to all applicable federal, state and local laws, ordinances, rules and regulations, including but not limited to all provisions of SHERMAN'S Charter and Ordinances, as amended.

Section 16. The failure of any party to insist upon the performance of any term or provision of this Agreement or to exercise any right granted hereunder shall not constitute a waiver of that party's right to insist upon appropriate performance or to assert any such right on any future occasion.

Section 17. It is expressly understood and agreed that, in the execution of this agreement, no party waives, nor shall hereby be deemed to waive, any immunity or defense that would otherwise be available to it against claims arising during the exercise of governmental powers and functions.

CITY OF SHERMAN, TEXAS

CITY OF DENISON, TEXAS

BY: _____
Robby Hefton, City Manager

BY: _____
Jud Rex, City Manager

ATTEST:

BY: _____
Linda Ashby, City Clerk

APPROVED AS TO FORM:

BY: _____
Brandon S. Shelby,
Sherman City Attorney

COUNTY OF GRAYSON, TEXAS

BY: _____
Bill Magers, County Judge

ATTEST:

BY: _____
Wilma Bush, Grayson County Clerk

APPROVED AS TO FORM:

BY: _____
Craig Price,
Attorney for Grayson County

ATTEST:

BY: _____
Christine Wallentine,
City Secretary/Executive Assistant

APPROVED AS TO FORM:

BY: _____
Julie Fort,
Denison Interim City Attorney



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 5.

Meeting Date: 06/06/2016

Prepared By: Otis Henry, Police Chief

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6091**

Authorizing Submission of a Joint Grant Application with the City of Denison and Grayson County for, and the Acceptance of, a Grant Awarded under the 2016 Justice Assistance Grant Program – CFDA #16.738

Issue:

Seeking approval to submit a joint grant application with the City of Denison and Grayson County for the 2016 Justice Assistance Grant (JAG) Program and approval to accept the award

Background:

This is a companion resolution to the Interlocal Agreement with the City of Denison and Grayson County, also on the June 6th agenda. This resolution authorizes the City to apply for and accept 2016 JAG funding to be used by the Sherman Police Department. The total grant will be \$10,733.00, divided as follows: City of Sherman - \$5,173.00; City of Denison - \$3,204.00; and Grayson County - \$2,356.00. The 2016 allocations are based on current project needs for each entity.

The Sherman Police Department plans to use its portion of 2016 JAG funding towards the purchase of in-vehicle radios to be used by patrol officers. The City of Denison plans to use its portion of 2016 JAG funding towards the purchase of a patrol motorcycle. Grayson County plans to use its portion of 2016 funding towards the purchase of digital cameras, high visibility raincoats and a new fingerprint table.

Origination:

Sherman Police Department

Financial Consideration:

There are no matching requirements for this grant.

Staff Recommendation:

The staff recommends submitting the 2016 JAG application and accepting the funding if awarded.

Alternatives:

The Council could decline this grant opportunity.

Attachments

Resolution No. 6091

Grant Application

RESOLUTION NO. 6091

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING SUBMISSION OF A JOINT GRANT APPLICATION WITH THE CITY OF DENISON AND GRAYSON COUNTY FOR, AND THE ACCEPTANCE OF, A GRANT AWARDED UNDER THE 2016 JUSTICE ASSISTANCE GRANT PROGRAM – CFDA #16.738; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, seeking approval to submit a joint grant application with the City of Denison and Grayson County for an award of a portion of a total Ten Thousand Seven Hundred Thirty-Three Dollars and No Cents (\$10,733.00) under the 2016 Justice Assistance Grant, as set forth below and in accordance with the terms and provisions of the Interlocal Agreement attached hereto and incorporated herein for all purposes:

- An award to Grayson County of Two Thousand Three Hundred Fifty-Six Dollars and No Cents (\$2,356.00) for the purchase of digital cameras, high visibility raincoats and a new fingerprint table; and
- An award to the City of Denison of Three Thousand Two Hundred Four Dollars and No Cents (\$3,204.00) for the purchase of a patrol motorcycle; and
- An award to the City of Sherman of Five Thousand One Hundred Seventy-Three Dollars and No Cents (\$5,173.00) for the purchase of in-vehicle radios for the Police Department.

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

PASSED AND APPROVED on this the ____ day of _____, 2016.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM AND
CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP) [Bureau of Justice Assistance](#) (BJA) is seeking applications for funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting state, local, and tribal efforts to prevent or reduce crime and violence.

Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year (FY) 2016 Local Solicitation Applications Due: June 30, 2016

Eligibility

Eligible applicants are limited to units of local government appearing on the FY 2016 JAG Allocations List. To view this list, go to www.bja.gov/programs/jag/16jagallocations.html. For JAG Program purposes, a unit of local government is a town, township, village, parish, city, county, borough, or other general purpose political subdivision of a state; or, it may also be a federally recognized Indian tribal government that perform law enforcement functions (as determined by the Secretary of the Interior). Otherwise a unit of local government may be any law enforcement district or judicial enforcement district established under applicable state law with authority to independently establish a budget and impose taxes. In Louisiana, a unit of local government means a district attorney or parish sheriff.

Deadline

Applicants must register in the [OJP Grants Management System \(GMS\)](#) prior to submitting an application for this funding opportunity. Registration is required for all applicants, even those previously registered in GMS. Select the "Apply Online" button associated with the solicitation title. All registrations and applications are due by **due by 5:00 p.m. eastern time on June 30, 2016**.

For additional information, see [How to Apply](#) in Section [D. Application and Submission Information](#).

Contact Information

For technical assistance with submitting an application, contact the Grants Management System Support Hotline at 888-549-9901, option 3 or via email at GMS.HelpDesk@usdoj.gov. The [GMS](#) Support Hotline hours of operation are Monday – Friday from 6:00 a.m. to midnight eastern time, except federal holidays.

Applicants that experience unforeseen GMS technical issues beyond their control that prevent them from submitting their application by the deadline must email the contact identified below **within 24 hours after the application deadline** and request approval to submit their application. Additional information on reporting technical issues is found under “Experiencing Unforeseen GMS Technical Issues” in the [How to Apply](#) section.

For assistance with any other requirement of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 1-800-851-3420; via TTY at 301-240-6310 (hearing impaired only); email grants@ncjrs.gov; fax to 301-240-5830; or web chat at <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday. You may also contact your [State Policy Advisor](#).

Release date: May 16, 2016

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Edward Byrne Memorial Justice Assistance Grant (JAG) Program: FY 2016 Local Solicitation (CFDA #16.738)

A. Program Description

Overview

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C. § 3751(a)) is the primary provider of federal criminal justice funding to state and local jurisdictions. The JAG Program provides states and units of local governments with critical funding necessary to support a range of program areas including law enforcement; prosecution and court programs; prevention and education programs; corrections and community corrections; drug treatment and enforcement; crime victim and witness initiatives; and planning, evaluation, and technology improvement programs.

Program-Specific Information

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

- Law enforcement programs.
- Prosecution and court programs, including indigent defense.
- Prevention and education programs.
- Corrections, community corrections and reentry programs.
- Drug treatment and enforcement programs.
- Planning, evaluation, and technology improvement programs.
- Crime victim and witness programs (other than compensation).

Additionally, BJA reminds applicants that the JAG program allows funding for broadband deployment and adoption activities as they relate to criminal justice activities.

JAG Priority Areas

BJA recognizes that there are significant pressures on state and local criminal justice systems. In these challenging times, shared priorities and leveraged resources can make a significant impact. In light of this, it is important to make State Administering Agencies (SAAs) and local JAG recipients aware of several areas of priority that may be of help in maximizing the effectiveness of JAG funding at the state and local level. The following priorities represent key areas where BJA will be focusing nationally and encourages each state and local JAG recipient to join us in addressing these challenges as a part of our JAG partnership:

Reducing Gun Violence

Gun violence has touched nearly every state, local, and tribal government in America. BJA continues to encourage states and localities to invest valuable JAG funds in programs to combat gun violence, enforce existing firearms laws, and improve the process for ensuring that persons prohibited from purchasing or owning guns are prevented from doing so by enhancing reporting to the FBI's [National Instant Criminal Background Check System \(NICS\)](#).

While our nation has made great strides in reducing violent crime, some municipalities and regions continue to experience unacceptable levels of violent crime at rates far in excess of the national average. In 2014, as part of BJA's longstanding commitment to support effective strategies to reduce violent crime, BJA launched the [Violence Reduction Network](#) (VRN). By the end of FY 2016, 10 VRN sites, working with a broad network of federal, state, and local partners, will be implementing data-driven evidence-based strategies to reduce deeply entrenched violent crime in their communities. States and localities can support VRN sites by investing JAG funds in technology, crime analysis, training, and community-based crime reduction programs in VRN communities. For information on VRN, see www.bja.gov/Programs/VRN.html.

Body-Worn Cameras, Storage, and Policies

Law enforcement agencies across the country are equipping their officers with body-worn cameras (BWCs) to increase transparency and build community trust. The important benefits of BWCs, and the challenges in implementing BWC programs, are highlighted in several recent publications: see the Office of Justice Programs' Diagnostic Center report [Police Officer Body-Worn Cameras: Assessing the Evidence](#), and the COPS Office and Police Executive Research Forum paper, [Implementing A Body-Worn Camera Program: Recommendations and Lessons Learned](#).

JAG funding is an important potential source of funding for law enforcement agencies implementing new BWC programs or enhancing existing programs. JAG funds may be used to purchase BWCs and for costs associated with the BWC program, such as storage and policy development. Similarly, SAAs are encouraged to use either their Variable Pass-Through (VPT) or their "less than \$10,000" funding that is added into the state award to set aside funds to assist small departments in implementing BWC programs. Grantees who wish to use JAG funds to purchase BWC equipment, or to implement or enhance BWC programs, must certify that they or the law enforcement agency receiving the BWC funding have policies and procedures in place related to equipment usage, data storage, privacy, victims, access, disclosure, training, etc. A copy of the required BWC certification can be found at www.bja.gov/Funding/BodyWornCameraCert.pdf.

The BJA [BWC Toolkit](#) provides model BWC policies, resources, and best practices to assist departments in implementing BWC programs.

National Incident-Based Reporting System (NIBRS)

The FBI has formally announced its intentions to establish NIBRS as the law enforcement (LE) crime data reporting standard for the nation. The transition to NIBRS will provide a more complete and accurate picture of crime at the national, state, and local level. Once this transition is complete, the FBI will no longer collect summary data and will only accept data in the NIBRS format and JAG awards will be based on submitted NIBRS data. Transitioning all law enforcement agencies to NIBRS is the first step in gathering more comprehensive crime data. State and local JAG grantees are encouraged to use JAG funds to expedite the transition to NIBRS in their jurisdictions.

Justice System Reform and Reentry

There is growing bipartisan support for Justice Systems Reform and Reentry. A promising approach to justice systems reform is the [Justice Reinvestment Initiative](#) (JRI), a public-private partnership between BJA and the PEW Public Safety Performance Project. Currently, 30 states have used the justice reinvestment process to control spiraling incarceration costs and reinvest

in evidence-based criminal justice programs and strategies. Strategic investments of JAG funds to implement JRI legislation and policy changes in JRI states can augment federal funds and achieve greater cost savings and reinvestments in programs to promote public safety. For state-by-state information on JRI, please visit the [JRI Sites web page](#).

Over the past seven years, DOJ has partnered with state, local, and tribal agencies and national organizations to support hundreds of reentry programs across the country to provide job training, healthcare, housing, treatment, and other services to individuals returning to our communities from prisons and jails. The demand for effective reentry services remains high. More than 600,000 men and women leave our prisons every year and more than 11 million people cycle through our jails. Investments of JAG funds to support reentry efforts at the state and local level will pay dividends for returning citizens and for public safety in America. A summary of research-based reentry strategies is available on the [National Reentry Resource Center's What Works in Reentry Clearinghouse](#) along with a map identifying federally funded Second Chance Act Reentry programs at the state and local level. (See <https://csgjusticecenter.org/nrrc>).

Public Defense

Another key priority area is support for improving public defense delivery systems. To support this priority in November 2015, BJA established the Right to Counsel National Consortium (www.rtcnationalcampaign.org) to spearhead a national conversation on how to ensure the Sixth Amendment Right to Counsel for every individual. BJA continues to encourage states and SAAs to use JAG funds to ensure that no person faces the loss of liberty without first having the aid of a lawyer with the time, ability, and resources to present an effective defense. Currently, across the nation public defense reform is being supported by governors, state legislators, chief judges and local communities. Research shows that early appointment of counsel can decrease jail and prison stays and produce better outcomes for defendants and communities. Many of these successes are guided by the American Bar Association's Ten Principles of a Public Defense Delivery System, which are recommendations for government officials and other parties who are charged with improving public defense delivery systems (http://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/sclaid_def_tenprinciplesbooklet.authcheckdam.pdf).

Improving Mental Health Services

Many people with mental illness enter the criminal justice system without a diagnosis or with untreated mental illness. Screening and assessment is critical to identify and provide appropriate referrals to treatment. This is an issue that impacts numerous facets of the criminal justice system. BJA encourages states to utilize JAG funding in support of programs and policy changes aimed at identifying and treating people with severe mental illness to divert when appropriate, treat during incarceration, and engage in appropriate pre-release planning for the provision of community treatment (see [JMHCP Resources](#)). BJA provides training and technical assistance (TTA) to grantees and non-grantees (states, jurisdictions) to increase enrollment in health care plans (increase linkages to health care providers) that can increase access to treatment for improved mental health outcomes. Information can be found at www.bjatrain.org.

DOJ Universal Accreditation w/Forensic Service Providers

In 2015, the National Commission on Forensic Science (NCFS) announced recommendations on strengthening the field of forensic science. There are a number of key principles, which include promoting universal accreditation and finding ways to improve upon medical-legal

investigative processes. For additional information on these recommendations, please review the [New Accreditation Policies to Advance Forensic Science](#). The JAG program provides broad-based support to states and local jurisdictions across the nation in order to strengthen our criminal justice system, including the forensic sciences. As such, BJA encourages investments of JAG funds for programs and activities related to forensic work, including accreditation of forensic labs.

Goals, Objectives, and Deliverables

The Chief Executive Officer (CEO) of an eligible unit of local government or other officer designated by the CEO must submit the application for JAG funds. A unit of local government receiving a JAG award will be responsible for the administration of the funds including: distributing the funds; monitoring the award; submitting quarterly financial status (SF-425), performance metrics reports, and semi-annual programmatic reports; and providing ongoing oversight and assistance to any subrecipients of the funds.

Evidence-Based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policy making, program development, and program implementation in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates
- Integrating evidence into program, practice, and policy decisions within OJP and the field
- Improving the translation of evidence into practice

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. The [OJP CrimeSolutions.gov](https://www.ojp.gov/crimesolutions) website is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

1. A useful matrix of evidence-based policing programs and strategies is available through the [Center for Evidence-Based Crime Policy](https://www.georgetown.edu/center-for-evidence-based-crime-policy) at George Mason University. BJA offers a number of program models designed to effectively implement promising and evidence-based strategies through the BJA “Smart Suite” of programs including Smart Policing, Smart Supervision, Smart Pretrial, Smart Defense, Smart Prosecution, Smart Reentry and others (see <https://www.bja.gov/programs/crpe/smartsuite.htm>). BJA encourages states to use JAG funds to support these “smart on crime” strategies, including effective partnerships with universities and research partners and with non-traditional criminal justice partners.

BJA Success Stories

The [BJA Success Story web page](#) was designed to identify and highlight projects that have demonstrated success or shown promise in reducing crime and positively impacting communities. This web page will be a valuable resource for states, localities, territories, tribes,

and criminal justice professionals who seek to identify and learn about JAG and other successful BJA-funded projects linked to innovation, crime reduction, and evidence-based practices. **BJA strongly encourages the recipient to submit annual (or more frequent) success stories.**

If you have a Success Story you would like to submit, sign in to your [My BJA account](#) to access the Success Story Submission form. If you do not have a [My BJA account](#), please [register](#). Once you register, one of the available areas on your *My BJA* page will be "My Success Stories." Within this box, you will see an option to add a Success Story. Once reviewed and approved by BJA, all success stories will appear on the [BJA Success Story web page](#).

B. Federal Award Information

BJA estimates that it will make up to 1,161 local awards totaling an estimated \$86.4 million.

Awards of at least \$25,000 are four years in length, and award periods will be from October 1, 2015 through September 30, 2019. Extensions beyond this period may be made on a case-by-case basis at the discretion of BJA and must be requested via GMS no less than 30 days prior to the grant end date.

Awards of less than \$25,000 are two years in length, and award periods will be from October 1, 2015 through September 30, 2017. Extensions of up to two years can be requested for these awards via GMS no less than 30 days prior to the grant end date, and will be automatically granted upon request.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

Eligible allocations under JAG are posted annually on BJA's JAG web page: www.bja.gov/ProgramDetails.aspx?Program_ID=59.

Type of Award¹

BJA expects that it will make any award from this solicitation in the form of a grant.

JAG awards are based on a statutory formula as described below:

Once each fiscal year's overall JAG Program funding level is determined, BJA partners with the Bureau of Justice Statistics (BJS) to begin a four-step grant award calculation process which consists of:

1. Computing an initial JAG allocation for each state and territory, based on their share of violent crime and population (weighted equally).
2. Reviewing the initial JAG allocation amount to determine if the state or territory allocation is less than the minimum ("de minimus") award amount defined in the JAG legislation (0.25 percent of the total). If this is the case, the state or territory is funded at the minimum level, and the funds required for this are deducted from the overall pool of JAG

¹ See generally 31 U.S.C. §§ 6301-6305 (defines and describes various forms of federal assistance relationships, including grants and cooperative agreements [a type of grant]).

funds. Each of the remaining states receives the minimum award plus an additional amount based on their share of violent crime and population.

3. Dividing each state's final award amount (except for the territories and District of Columbia) between state and local governments at a rate of 60 and 40 percent, respectively.
4. Determining local unit of government award allocations, which are based on their proportion of the state's 3-year violent crime average. If a local eligible award amount is less than \$10,000, the funds are returned to the state to be awarded to these local units of government through the state agency. If the eligible award amount is \$10,000 or more, then the local government is eligible to apply for a JAG award directly from BJA.

Financial Management and System of Internal Controls

Award recipients and subrecipients (including any recipient or subrecipient funded in response to this solicitation that is a pass-through entity²) must, as described in the Part 200 Uniform Requirements set out at 2 C.F.R. 200.303:

- (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that the recipient (and any subrecipient) is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States and the "Internal Control Integrated Framework," issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- (b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- (c) Evaluate and monitor the recipient's (and any subrecipient's) compliance with statutes, regulations, and the terms and conditions of Federal awards.
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- (e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or the recipient (or any subrecipient) considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

In order to better understand administrative requirements and cost principles, applicants are encouraged to enroll, at no charge, in the Department of Justice Grants Financial Management Online Training available [here](#).

² For purposes of this solicitation (or program announcement), "pass-through entity" includes any entity eligible to receive funding as a recipient or subrecipient under this solicitation (or program announcement) that, if funded, may make a subaward(s) to a subrecipient(s) to carry out part of the funded program.

Budget Information

Administrative Funds – Grant recipients may use up to 10 percent of the JAG award, including up to 10 percent of any earned interest, for costs associated with administering funds. Administrative funds (when utilized) must be tracked separately and recipients must report on SF-425s those expenditures that specifically relate to each grant number and established grant period. Additionally, recipients and subrecipients are prohibited from commingling funds on a program-by-program or project-by-project basis. More specifically, administrative funds under JAG are utilized for the same purpose each year (i.e., the administration of JAG funding) and therefore not considered separate programs/projects (commingling is not occurring) when utilized across all active JAG awards.

Disparate Certification – A disparate allocation occurs when a city or municipality is allocated one-and-one-half times (150 percent) more than the county, while the county bears more than 50 percent of the costs associated with prosecution or incarceration of the municipality's Part 1 violent crimes. A disparate allocation also occurs when multiple cities or municipalities are collectively allocated four times (400 percent) more than the county, and the county bears more than 50 percent of the collective costs associated with prosecution or incarceration of each municipality's Part 1 violent crimes.

Jurisdictions certified as disparate must identify a fiscal agent that will submit a joint application for the aggregate eligible allocation to all disparate municipalities. The joint application must determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant/fiscal agent for joint funds must be completed and signed by the Authorized Representative for each participating jurisdiction. The signed MOU should be attached to the application. For a sample MOU, go to www.bja.gov/Funding/JAGMOU.pdf.

Supplanting – Supplanting is prohibited under JAG. Applicants cannot replace or supplant non-federal funds that have been appropriated for the same purpose. See the JAG FAQs on BJA's JAG web page for examples of supplanting.

Leveraging of Grant Funds – Although supplanting is prohibited, the leveraging of federal funding is encouraged. For example, a city may utilize JAG and Homeland Security Grant Program (HSGP) money to fund different portions of a fusion center project. In instances where leveraging occurs, all federal grant funds must be tracked and reported separately and may not be used to fund the same line items. Additionally, federal funds cannot be used as match for other federal awards.

Trust Fund – Units of Local Government may draw down JAG funds in advance. To do so, a trust fund must be established in which to deposit the funds. The trust fund may or may not be an interest-bearing account. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit funds. This trust fund requirement does not apply to direct JAG award recipients or subrecipients that draw down on a reimbursement basis rather than in advance.

Prohibited and Controlled Uses – The [JAG Prohibited and Controlled Expenditures Guidance](#) represents a combination of BJA-controlled items and those controlled under the [Executive Order on “Federal Support for Local Law Enforcement Equipment Acquisition”](#) that was signed on January 16, 2015. The guidance contains:

1. Table of all prohibited expenditures (strictly unallowable expenditures under JAG).
2. Table of all controlled expenditures (expenditures which require prior written approval from BJA under JAG; including UAV guidance checklist).
3. Controlled Expenditures Justification Template (must be completed and submitted for any JAG controlled expenditures request to be considered for approval by BJA).
4. Overall Controlled Expenditure/Equipment Guidance (should be reviewed in conjunction with the template prior to controlled expenditures request(s) being submitted to BJA).
5. Standards for State, Local and Tribal Law Enforcement Agencies for the Acquisition of Controlled Equipment with Federal Resources.

Additional information on JAG controlled and prohibited expenditures, along with the process for requesting prior approval from BJA to expend funds on controlled items, can be found within the [JAG FAQs](#).

Cost Sharing or Matching Requirement

This solicitation does not require a match. However, if a successful application proposes a voluntary match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit.

Pre-Agreement Cost (also known as Pre-award Cost) Approvals

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the grant award.

OJP does not typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. If approved, pre-agreement costs could be paid from grant funds consistent with a grantee’s approved budget, and under applicable cost standards. However, all such costs prior to award and prior to approval of the costs are incurred at the sole risk of an applicant. Generally, no applicant should incur project costs before submitting an application requesting federal funding for those costs. Should there be extenuating circumstances that appear to be appropriate for OJP’s consideration as pre-agreement costs, the applicant should contact the point of contact listed on the title page of this announcement for details on the requirements for submitting a written request for approval. See the section on Costs Requiring Prior Approval in the [Financial Guide](#), for more information.

Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs

OJP strongly encourages applicants that propose to use award funds for any conference-, meeting-, or training-related activity to review carefully—before submitting an application—the OJP policy and guidance on conference approval, planning, and reporting available at www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients and of some conference, meeting, and training costs for grant recipients; and (3) set cost limits, including a general prohibition of all food and beverage costs.

Costs Associated with Language Assistance (if applicable)

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the "Civil Rights Compliance" section under "Solicitation Requirements" in [OJP's Funding Resource Center](#).

Other JAG Requirements

Compliance with Applicable Federal Laws

Applicants for state and local JAG formula grants are required to certify compliance with all applicable federal laws at the time of application. In that regard, Members of Congress have asked the Department of Justice to examine whether jurisdictions with "sanctuary policies" (i.e., policies that either prevent law enforcement from releasing persons without lawful immigration status into federal custody for deportation, or that prevent state or local law enforcement from sharing certain information with Department of Homeland Security [DHS] officials), are in violation of 8 U.S.C. section 1373.

All applicants should understand that if OJP receives information that indicates that an applicant may be in violation of any applicable federal law, that applicant may be referred to the DOJ Office of Inspector General (OIG) for investigation; if the applicant is found to be in violation of an applicable federal law by the OIG, the applicant may be subject to criminal and civil penalties, in addition to relevant OJP programmatic penalties, including suspension or termination of funds, inclusion on the high risk list, repayment of funds, or suspension and debarment.

Law Enforcement Agency Training Information

Any law enforcement agency receiving direct or subawarded JAG funding must submit quarterly accountability metrics data related to training on use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public that officers have received.

Any grantees that fail to submit this data will have their grant funds frozen.

Accountability metrics reports must be submitted through BJA's PMT, available at www.bjaperformancetools.org. The accountability measures can be found at: <http://www.bjaperformancetools.org/help/jagdocs.html>.

Body-Worn Camera (BWC) purchases

Grantees who wish to use JAG funds to purchase BWC equipment, or to implement or enhance BWC programs, must certify that they or the law enforcement agency receiving the BWC funding have policies and procedures in place related to equipment usage, data storage, privacy, victims, access, disclosure, training, etc. A copy of the required BWC certification can be found at www.bja.gov/Funding/BodyWornCameraCert.pdf.

Any grantees that wish to use JAG funds for BWC-related expenses who do not have BWC policies and procedures in place will have funds withheld until a certification is submitted and approved by BJA.

The BJA [BWC Toolkit](#) provides model BWC policies, resources, and best practices to assist departments in implementing BWC programs.

Body Armor

Ballistic-resistant and stab-resistant body armor can be funded through two BJA-administered programs: the JAG Program and the Bulletproof Vest Partnership (BVP) Program. The BVP Program is designed to provide a critical resource to state and local law enforcement through the purchase of ballistic-resistant and stab-resistant body armor. A jurisdiction is able to request up to 50 percent of the cost of a vest with BVP funds. For more information on the BVP Program, including eligibility and application, refer to the [BVP web page](#).

JAG funds may also be used to purchase vests for an agency, but they may not be used to pay for that portion of the ballistic-resistant vest (50 percent) that is not covered by BVP funds. Unlike BVP, JAG funds used to purchase vests do not require a 50 percent match. Vests purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the vests have been tested and found to comply with the latest applicable National Institute of Justice (NIJ) ballistic or stab standards. In addition, vests purchased must be American-made. Information on the latest NIJ standards can be found at: www.nij.gov/topics/technology/body-armor/safety-initiative.htm.

As is the case in BVP, grantees who wish to purchase vests with JAG funds must certify that law enforcement agencies receiving vests have a written "mandatory wear" policy in effect. FAQs related to the mandatory wear policy and certifications can be found at www.bja.gov/Funding/JAGFAQ.pdf. This policy must be in place for at least all uniformed officers before any FY 2016 funding can be used by the agency for vests. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty. The certification **must** be signed by the Authorized Representative and **must** be attached to the application. If the grantee proposes to change project activities to utilize JAG funds to purchase bulletproof vests after the application period (during the project period), the grantee must submit the signed certification to BJA at that time. A mandatory wear concept and issues paper and a model policy are available by contacting the BVP Customer Support Center vests@usdoj.gov or toll free at 1-877-758-3787.

A copy of the certification related to the mandatory wear can be found at: www.bja.gov/Funding/BodyArmorMandatoryWearCert.pdf.

DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database

If JAG Program funds will be used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS, the national DNA database operated by the FBI) by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non-governmental DNA database without prior express written approval from BJA. For more information, refer to the NIJ DNA Backlog Reduction Program, available at www.nij.gov/topics/forensics/lab-operations/evidence-backlogs/Pages/backlog-reduction-program.aspx.

In addition, funds may not be used for purchase of DNA equipment and supplies when the resulting DNA profiles from such technology are not accepted for entry into CODIS.

Interoperable Communications

Grantees (including subgrantees) that are using FY 2016 JAG Program funds to support emergency communications activities (including the purchase of interoperable communications equipment and technologies such as voice-over-internet protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission (FCC) Waiver Order) should review [FY 2016 SAFECOM Guidance](#). The SAFECOM Guidance is updated annually to provide current information on emergency communications policies, eligible costs, best practices, and technical standards for state, local, tribal, and territorial grantees investing federal funds in emergency communications projects. Additionally, emergency communications projects should support the Statewide Communication Interoperability Plan (SCIP) and be coordinated with the full-time Statewide Interoperability Coordinator (SWIC) in the state of the project. As the central coordination point for their state's interoperability effort, the SWIC plays a critical role, and can serve as a valuable resource. SWICs are responsible for the implementation of the SCIP through coordination and collaboration with the emergency response community. The U.S. Department of Homeland Security Office of Emergency Communications maintains a list of SWICs for each of the 56 states and territories. Contact OEC@hq.dhs.gov. All communications equipment purchased with grant award funding should be identified during quarterly performance metrics reporting.

In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the grantee to comply with DOJ's Global Justice Information Sharing Initiative guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: www.it.ojp.gov/gsp_grantcondition. Grantees shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

C. Eligibility Information

For eligibility information, see the title page.

For additional information on cost sharing or matching requirements, see [Section B. Federal Award Information](#).

Limit on Number of Application Submissions

If an applicant submits multiple versions of the same application, BJA will review only the most recent system-validated version submitted. For more information on system-validated versions, see [How to Apply](#).

D. Application and Submission Information

What an Application Should Include

Applicants should anticipate that if they fail to submit an application that contains all of the specified elements, it may negatively affect the review of their application; and, should a decision be made to make an award, it may result in the inclusion of special conditions that

preclude the recipient from accessing or using award funds pending satisfaction of the conditions.

Applicants may combine the Budget Narrative and the Budget Detail Worksheet in one document. However, if an applicant submits only one budget document, it must contain **both** narrative and detail information. Please review the “Note on File Names and File Types” under [How to Apply](#) to be sure applications are submitted in permitted formats.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., “Program Narrative,” “JAG Budget and Budget Narrative,” “Timelines,” “Memoranda of Understanding,” “Résumés”) for all attachments. Also, OJP recommends that applicants include résumés in a single file.

Failure to submit the required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

1. Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. GMS takes information from the applicant's profile to populate the fields on this form.

Intergovernmental Review: This funding opportunity is subject to [Executive Order 12372](#). Applicants may find the names and addresses of their state's Single Point of Contact (SPOC) at the following website: www.whitehouse.gov/omb/grants_spoc/. Applicants whose state appears on the SPOC list must contact their state's SPOC to find out about, and comply with, the state's process under Executive Order 12372. In completing the SF-424, applicants whose state appears on the SPOC list are to make the appropriate selection in response to question 19 once the applicant has complied with their state's E.O. 12372 process. (Applicants whose state does not appear on the SPOC list are to make the appropriate selection in response to question 19 to indicate that the “Program is subject to E.O. 12372 but has not been selected by the State for review.”)

2. Project Abstract

Applications should include a high-quality project abstract that summarizes the proposed project in 400 words or less. Project abstracts should be:

- Written for a general public audience and submitted as a separate attachment with “Project Abstract” as part of its file name.
- Single-spaced, using a standard 12-point font (Times New Roman) with 1-inch margins
- Include applicant name, title of the project, a brief description of the problem to be addressed and the targeted area/population, project goals and objectives, a description of the project strategy, any significant partnerships, and anticipated outcomes.
- Identify up to 5 project identifiers that would be associated with proposed project activities. The list of identifiers can be found at www.bja.gov/funding/JAGIdentifiers.pdf.

As a separate attachment, the project abstract will **not** count against the page limit for the program narrative.

3. Program Narrative

Applicants must submit a program narrative that generally describes the proposed program activities for the two or four year grant period. The narrative must outline the type of programs to be funded by the JAG award and provide a brief analysis of the need for the programs. Narratives must also identify anticipated coordination efforts involving JAG and related justice funds. Certified disparate jurisdictions submitting a joint application must specify the funding distribution to each disparate unit of local government and the purposes for which the funds will be used.

A plan for collecting the data required for this solicitation's performance measures should also be included. To demonstrate program progress and success, as well as to assist the Department with fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, applicants that receive funding under this solicitation must provide data that measure the results of their work done under this solicitation. **Quarterly accountability metrics reports must be submitted through BJA's PMT, available at www.bjaperformancetools.org. The accountability measures can be found at: <http://www.bjaperformancetools.org/help/jagdocs.html>.**

BJA does not require applicants to submit performance measures data with their application. Performance measures are included as an alert that BJA will require successful applicants to submit specific data as part of their reporting requirements. For the application, applicants should indicate an understanding of these requirements and discuss how they will gather the required data, should they receive funding.

Note on Project Evaluations

Applicants that propose to use funds awarded through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements likely do not constitute "research." Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research, for the purposes of human subjects protections for OJP-funded programs, is defined as, "a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge" 28 C.F.R. § 46.102(d). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the "[Research and the Protection of Human Subjects](#)" section of the [OJP's Funding Resource Center](#). Applicants whose proposals may involve a research or statistical component also should review the "Data Privacy and Confidentiality Requirements" section on that web page.

4. Budget Detail Worksheet and Budget Narrative

Applicants must submit a budget detail worksheet and budget narrative outlining how JAG funds, including administrative funds (up to 10% of the grant award) if applicable, will be used to

support and implement the program. Please note that if an applicant submits only one budget document, it must contain **both** narrative and detail information.

a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at www.ojp.gov/funding/Apply/Resources/BudgetDetailWorksheet.pdf. Applicants that submit their budget in a different format should include the budget categories listed in the sample budget worksheet. The Budget Detail Worksheet should be broken down by year.

b. Budget Narrative

The budget narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). **This narrative should include a full description of all costs, including administrative costs (if applicable) and how funds will be allocated across the seven allowable JAG program areas** (law enforcement, prosecution, indigent defense, courts, crime prevention and education, corrections and community corrections, drug treatment and enforcement, planning, evaluation, technology improvement, and crime victim and witness initiatives).

Applicants should demonstrate in their budget narratives how they will maximize cost effectiveness of grant expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how they are relevant to the completion of the proposed project. The narrative may include tables for clarification purposes but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should be broken down by year.

For questions pertaining to budget and examples of allowable and unallowable costs, see the DOJ Grants Financial Guide at www.ojp.gov/financialguide/index.htm.

c. Non-Competitive Procurement Contracts In Excess of Simplified Acquisition Threshold

If an applicant proposes to make one or more non-competitive procurements of products or services, where the non-competitive procurement will exceed the simplified acquisition threshold (also known as the small purchase threshold), which is currently set at \$150,000, the application should address the considerations outlined in the [Financial Guide](#).

d. Pre-Agreement Costs

For information on pre-agreement costs, see “Pre-Agreement Cost Approvals” under [Section B. Federal Award Information](#).

5. Indirect Cost Rate Agreement (if applicable)

Indirect costs are allowed only under the following circumstances:

- (a) The applicant has a current, federally approved indirect cost rate; or
- (b) The applicant is eligible to use and elects to use the “de minimis” indirect cost rate described in the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.414(f).

Attach a copy of the federally approved indirect cost rate agreement to the application. Applicants that do not have an approved rate may request one through their cognizant federal agency, which will review all documentation and approve a rate for the applicant organization, or, if the applicant’s accounting system permits, costs may be allocated in the direct cost categories. For the definition of Cognizant Federal Agency, see the “Glossary of Terms” in the [Financial Guide](#). For assistance with identifying your cognizant agency, please contact the Customer Service Center at 1-800-458-0786 or at ask.ocfo@usdoj.gov. If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf.

In order to use the “de minimis” indirect rate, attach written documentation to the application that advises OJP of both the applicant’s eligibility (to use the “de minimis” rate) and its election. If the applicant elects the “de minimis” method, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. In addition, if this method is chosen then it must be used consistently for all federal awards until such time as you choose to negotiate a federally approved indirect cost rate.³

6. Tribal Authorizing Resolution (if applicable)

Tribes, tribal organizations, or third parties proposing to provide direct services or assistance to residents on tribal lands should include in their applications a resolution, a letter, affidavit, or other documentation, as appropriate, that certifies that the applicant has the legal authority from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for a grant on behalf of a tribe or multiple specific tribes, the application should include appropriate legal documentation, as described above, from all tribes that would receive services or assistance under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

Applicants unable to submit an application that includes a fully-executed (i.e., signed) copy of appropriate legal documentation, as described above, consistent with the applicable tribe’s governance structure, should, at a minimum, submit an unsigned, draft version of such legal documentation as part of its application (except for cases in which, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, BJA will make use of and access to funds contingent on receipt of the fully-executed legal documentation.

7. Applicant Disclosure of High Risk Status

Applicants that are currently designated high risk by another federal grant making agency must disclose that status. This includes any status requiring additional oversight by the federal agency due to past programmatic or financial concerns. If an applicant is designated

³ See 2 C.F.R. § 200.414(f).

high risk by another federal grant making agency, the applicant must email the following information to OJPComplianceReporting@usdoj.gov at the time of application submission:

- The federal agency that currently designated the applicant as high risk
- Date the applicant was designated high risk
- The high risk point of contact name, phone number, and email address, from that federal agency
- Reasons for the high risk status

OJP seeks this information to ensure appropriate federal oversight of any grant award. Disclosing this high risk information does not disqualify any organization from receiving an OJP award. However, additional grant oversight may be included, if necessary, in award documentation.

8. Additional Attachments

a. Review Narrative

Applicants **must** submit information documenting that the date the JAG application was made available for review by the governing body of the state, or to an organization designated by that governing body, was not less than 30 days before the application was submitted to BJA. If the 30 governing body requirement cannot be met before the application deadline, a withholding special condition will be placed on the award until the governing body requirement can be met. The attachment must also specify that an opportunity to comment was provided to citizens prior to application submission to the extent applicable law or established procedures make such opportunity available.

Below are notification language templates that can be utilized in completing this section of the application.

The (**provide name of State/Territory**) made its Fiscal Year 2015 JAG application available to the (**provide name of governing body**) for its review and comment on (**provide date**); or intends to do so on (**provide date**).

The (**provide name of State/Territory**) made its Fiscal Year 2015 JAG application available to citizens for comment prior to application submission by (**provide means of notification**); or the application has not yet been made available for public review/comment.

b. Memorandum of Understanding (if applicable)

Jurisdictions certified as disparate must identify a fiscal agent that will submit a joint application for the aggregate eligible allocation to all disparate municipalities. The joint application must determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant/fiscal agent for joint funds must be completed and signed by the Authorized Representative for each participating jurisdiction. The signed MOU must be attached to the application. For a sample MOU, go to www.bja.gov/Funding/JAGMOU.pdf.

c. Applicant Disclosure of Pending Applications

Applicants are to disclose whether they have pending applications for federally funded grants or subgrants (including cooperative agreements) that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation. The disclosure should include both direct applications for federal funding (e.g., applications to federal agencies) and indirect applications for such funding (e.g., applications to state agencies that will subaward federal funds).

OJP seeks this information to help avoid any inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Applicants that have pending applications as described above are to provide the following information about pending applications submitted within the last 12 months:

- The federal or state funding agency
- The solicitation name/project name
- The point of contact information at the applicable funding agency

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for Point of Contact at Funding Agency
DOJ/COPS	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
HHS/ Substance Abuse & Mental Health Services Administration	Drug Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Applicants should include the table as a separate attachment to their application. The file should be named "Disclosure of Pending Applications."

Applicants that do not have pending applications as described above are to include a statement to this effect in the separate attachment page (e.g., "[Applicant Name on SF-424] does not have pending applications submitted within the last 12 months for federally funded grants or subgrants (including cooperative agreements) that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation.").

d. Research and Evaluation Independence and Integrity

If a proposal involves research and/or evaluation, regardless of the proposal's other merits, in order to receive funds, the applicant must demonstrate research/evaluation independence, including appropriate safeguards to ensure research/evaluation objectivity and integrity, both in this proposal and as it may relate to the applicant's other current or prior related projects. This documentation may be included as an attachment to the application which addresses BOTH i. and ii. below.

i. For purposes of this solicitation, applicants must document research and evaluation independence and integrity by including, at a minimum, one of the following two items:

- a. A specific assurance that the applicant has reviewed its proposal to identify any research integrity issues (including all principal investigators and subrecipients) and it has concluded that the design, conduct, or reporting of research and evaluation funded by BJA grants, cooperative agreements, or contracts will not be biased by any personal or financial conflict of interest on the part of part of its staff, consultants, and/or subrecipients responsible for the research and evaluation or on the part of the applicant organization;

OR

- b. A specific listing of actual or perceived conflicts of interest that the applicant has identified in relation to this proposal. These conflicts could be either personal (related to specific staff, consultants, and/or subrecipients) or organizational (related to the applicant or any subgrantee organization). Examples of potential investigator (or other personal) conflict situations may include, but are not limited to, those in which an investigator would be in a position to evaluate a spouse's work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization could not be given a grant to evaluate a project if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), as the organization in such an instance would appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.

ii. In addition, for purposes of this solicitation applicants must address the issue of possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:

- a. If an applicant reasonably believes that no potential personal or organizational conflicts of interest exist, then the applicant should provide a brief narrative explanation of how and why it reached that conclusion. Applicants MUST also include an explanation of the specific processes and

procedures that the applicant will put in place to identify and eliminate (or, at the very least, mitigate) potential personal or financial conflicts of interest on the part of its staff, consultants, and/or subrecipients for this particular project, should that be necessary during the grant period. Documentation that may be helpful in this regard could include organizational codes of ethics/conduct or policies regarding organizational, personal, and financial conflicts of interest.

OR

- b. If the applicant has identified specific personal or organizational conflicts of interest in its proposal during this review, the applicant must propose a specific and robust mitigation plan to address conflicts noted above. At a minimum, the plan must include specific processes and procedures that the applicant will put in place to eliminate (or, at the very least, mitigate) potential personal or financial conflicts of interest on the part of its staff, consultants, and/or subrecipients for this particular project, should that be necessary during the grant period. Documentation that may be helpful in this regard could include organizational codes of ethics/conduct or policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

Considerations in assessing research and evaluation independence and integrity will include, but are not limited to, the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the organization in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

9. Financial Management and System of Internal Controls Questionnaire

In accordance with the Part 200 Uniform Requirements as set out at [2 C.F.R. 200.205](#), federal agencies must have in place a framework for evaluating the risks posed by applicants before they receive a federal award. To facilitate part of this risk evaluation, all applicants (other than an individual) are to download, complete, and submit this [form](#).

10. Disclosure of Lobbying Activities

Any applicant that expends any funds for lobbying activities is to provide the detailed information requested on the form, Disclosure of Lobbying Activities ([SF-LLL](#)).

How to Apply

Applicants must submit applications through the [Grants Management System \(GMS\)](#), which provides support for the application, award, and management of awards at OJP. Applicants **must register in GMS for each specific funding opportunity**. Although the registration and submission deadlines are the same, OJP urges applicants to **register immediately**, especially if this is their first time using the system. Find complete instructions on how to register and submit an application in GMS at www.ojp.gov/gmscbt/. Applicants that experience technical difficulties during this process should email GMS.HelpDesk@usdoj.gov or call 888-549-9901 (option 3), Monday–Friday from 6:00 a.m. to midnight, Eastern Time, except federal holidays. OJP recommends that applicants **register promptly** to prevent delays in submitting an application package by the deadline.

Note on File Types: GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.”

OJP may not make a federal award to an applicant organization until the applicant organization has complied with all applicable DUNS and SAM requirements. Individual applicants must comply with all Grants.gov requirements. If an applicant has not fully complied with the requirements by the time the federal awarding agency is ready to make a federal award, the federal awarding agency may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

All applicants should complete the following steps:

- 1. Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget (OMB) requires that all applicants (other than individuals) for federal funds include a DUNS number in their application for a new award or a supplement to an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and differentiating entities receiving Federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at www.dnb.com. A DUNS number is usually received within 1-2 business days.
- 2. Acquire registration with the System for Award Management (SAM).** SAM is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the SAM database. Applicants must **update or renew their SAM registration annually** to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete.

Information about SAM registration procedures can be accessed at www.sam.gov.
- 3. Acquire a GMS username and password.** New users must create a GMS profile by selecting the “First Time User” link under the sign-in box of the [GMS](#) home page. For more information on how to register in GMS, go to www.ojp.gov/gmscbt.
- 4. Verify the SAM (formerly CCR) registration in GMS.** OJP requests that all applicants verify their SAM registration in GMS. Once logged into GMS, click the “CCR Claim” link on the left side of the default screen. Click the submit button to verify the SAM (formerly CCR) registration.
- 5. Search for the funding opportunity on GMS.** After logging into GMS or completing the GMS profile for username and password, go to the “Funding Opportunities” link on the left side of the page. Select BJA and the **FY 16 Edward Byrne Memorial Local Justice Assistance Grant (JAG) Program**.
- 6. Register by selecting the “Apply Online” button associated with the funding opportunity title.** The search results from step 5 will display the funding opportunity title

along with the registration and application deadlines for this funding opportunity. Select the “Apply Online” button in the “Action” column to register for this funding opportunity and create an application in the system.

- 7. Follow the directions in GMS to submit an application consistent with this solicitation.** Once submitted, GMS will display a confirmation screen stating the submission was successful. **Important:** In some instances, applicants must wait for GMS approval before submitting an application. OJP urges applicants to submit the application **at least 72 hours prior** to the application due date.

Note: Duplicate Applications

If an applicant submits multiple versions of the same application, BJA will review only the most recent system-validated version submitted. See Note on “File Names and File Types” under [How to Apply](#).

Experiencing Unforeseen GMS Technical Issues

Applicants that experience unforeseen GMS technical issues beyond their control that prevent them from submitting their application by the deadline must contact the [GMS Help Desk](#) or the [SAM Help Desk](#) (Federal Service Desk) to report the technical issue and receive a tracking number. Then the applicant must email the BJA contact identified in the Contact Information section on page 2 **within 24 hours after the application deadline** and request approval to submit their application. The email must describe the technical difficulties and include a timeline of the applicant’s submission efforts, the complete grant application, the applicant’s DUNS number, and any GMS Help Desk or SAM tracking number(s). **Note: BJA does not approve requests automatically.** After the program office reviews the submission, and contacts the GMS Help Desk to validate the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the applicant failed to follow all required procedures, which resulted in an untimely application submission, OJP will deny the applicant’s request to submit their application.

The following conditions are generally insufficient to justify late submissions:

- Failure to register in SAM or GMS in sufficient time (SAM registration and renewal can take as long as 10 business days to complete)
- Failure to follow GMS instructions on how to register and apply as posted on the GMS website
- Failure to follow each instruction in the OJP solicitation
- Technical issues with the applicant’s computer or information technology environment, including firewalls, browser incompatibility, etc.

Notifications regarding known technical problems with GMS, if any, are posted at the top of the OJP funding [web page](#) at <http://ojp.gov/funding/index.htm>.

E. Application Review Information

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. BJA reviews the application to make sure that the information presented is reasonable, understandable,

measurable, and achievable, as well as consistent with the solicitation. BJA will also review applications to ensure statutory requirements have been met.

OJP reviews applications for potential awards to evaluate the risks posed by applicants before they receive an award. This review may include but is not limited to the following:

1. Financial stability and fiscal integrity
2. Quality of management systems and ability to meet the management standards prescribed in the Financial Guide
3. History of performance
4. Reports and findings from audits
5. The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on award recipients

Absent explicit statutory authorization or written delegation of authority to the contrary, the Assistant Attorney General will make all final award decisions.

F. Federal Award Administration Information

Federal Award Notices

OJP sends award notification by email through GMS to the individuals listed in the application as the point of contact and the authorizing official. The email notification includes detailed instructions on how to access and view the award documents, and how to accept the award in GMS. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date (by September 30, 2016). Recipients will be required to login; accept any outstanding assurances and certifications on the award; designate a financial point of contact; and review, sign, and accept the award. The award acceptance process involves physical signature of the award document by the authorized representative and the scanning of the fully-executed award document to OJP.

Administrative, National Policy, and other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the agency-approved project proposal and budget, the recipient must comply with award terms and conditions, and other legal requirements, including but not limited to OMB, DOJ, or other federal regulations which will be included in the award, incorporated into the award by reference, or are otherwise applicable to the award. OJP strongly encourages prospective applicants to review the information pertaining to these requirements **prior** to submitting an application. To assist applicants and recipients in accessing and reviewing this information, OJP has placed pertinent information on its [Solicitation Requirements](#) page of [OJP's Funding Resource Center](#) website.

Please note in particular the following two forms, which applicants must accept in GMS prior to the receipt of any award funds, as each details legal requirements with which applicants must provide specific assurances and certifications of compliance. Applicants may view these forms in the Apply section of [OJP's Funding Resource Center](#) and are strongly encouraged to review and consider them carefully prior to making an application for OJP grant funds.

- [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)

- [Standard Assurances](#)

Upon grant approval, OJP electronically transmits (via GMS) the award document to the prospective award recipient. In addition to other award information, the award document contains award terms and conditions that specify national policy requirements⁴ with which recipients of federal funding must comply; uniform administrative requirements, cost principles, and audit requirements; and program-specific terms and conditions required based on applicable program (statutory) authority or requirements set forth in OJP solicitations and program announcements, and other requirements which may be attached to appropriated funding. For example, certain efforts may call for special requirements, terms, or conditions relating to intellectual property, data/information-sharing or -access, or information security; or audit requirements, expenditures and milestones; or publications and/or press releases. OJP also may place additional terms and conditions on an award based on its risk assessment of the applicant, or for other reasons it determines necessary to fulfill the goals and objectives of the program.

Prospective applicants may access and review the text of mandatory conditions OJP includes in all OJP awards, as well as the text of certain other conditions, such as administrative conditions, via OJP's [Mandatory Award Terms and Conditions](#) page of [OJP's Funding Resource Center](#).

General Information about Post-Federal Award Reporting Requirements

Recipients must submit quarterly financial reports, semi-annual progress reports, final financial and progress reports, an annual audit report in accordance with the Part 200 Uniform Requirements, if applicable, and Federal Funding Accountability and Transparency Act (FFATA) reports through the FFATA Sub-award Reporting System ([FSRS](#)) as necessary. Future awards and fund drawdowns may be withheld if reports are delinquent.

Special Reporting requirements may be required by OJP depending on the statutory, legislative or administrative requirements of the recipient or the program.

G. Federal Awarding Agency Contact(s)

For Federal Awarding Agency Contact(s), see title page.

For contact information for GMS, see title page.

H. Other Information

Provide Feedback to OJP

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. Provide feedback to OJPSolicitationFeedback@usdoj.gov.

⁴ See generally 2 C.F.R. 200.300 (provides a general description of national policy requirements typically applicable to recipients of federal awards, including the Federal Funding Accountability and Transparency Act of 2006 [FFATA]).

IMPORTANT: This email is for feedback and suggestions only. Replies are **not** sent from this mailbox. If you have specific questions on any program or technical aspect of the solicitation, **you must** directly contact the appropriate number or email listed on the front of this solicitation document. These contacts are provided to help ensure that you can directly reach an individual who can address your specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your resume to ojppeerreview@lmsolas.com. The OJP Solicitation Feedback email account will not forward your resume. **Note:** Neither you nor anyone else from your organization can be a peer reviewer in a competition in which you or your organization have submitted an application.

Application Checklist
Edward Byrne Memorial Justice Assistance Grant (JAG) Program:
FY 2016 Local Solicitation

This application checklist has been created to assist in developing an application.

What an Applicant Should Do:

Prior to Registering in GMS:

- _____ Acquire a DUNS Number (see page 23)
- _____ Acquire or renew registration with SAM (see page 23)

To Register with GMS:

- _____ For new users, acquire a GMS username and password* (see page 23)
- _____ For existing users, check GMS username and password* to ensure account access (see page 23)
- _____ Verify SAM registration in GMS (see page 23)
- _____ Search for correct funding opportunity in GMS (see page 23)
- _____ Select correct funding opportunity in GMS (see page 23)
- _____ Register by selecting the “Apply Online” button associated with the funding opportunity title (see page 23)
- _____ Read OJP policy and guidance on conference approval, planning, and reporting available at [Post Award Requirements](#) (see page 11)
- _____ If experiencing technical difficulties in GMS, contact the NCJRS Response Center (see page 24)

*Password Reset Notice – GMS users are reminded that while password reset capabilities exist, this function is only associated with points of contacts designated within GMS at the time the account was established. Neither OJP nor the GMS Help Desk will initiate a password reset unless requested by the authorized official or a designated point of contact associated with an award or application.

General Requirements:

- _____ Review [Solicitation Requirements](#) web page in the OJP Funding Resource Center.

Scope Requirement:

- _____ The federal amount requested is within the allowable limit(s) of the FY 2016 JAG Allocations List as listed on BJA's [JAG web page](#)

Eligibility Requirement:

- _____ State/Territory listed as the legal name on the application corresponds with the eligible State/Territory listed on BJA's [JAG web page](#)

What an Application Should Include:

- _____ Application for Federal Assistance (SF-424) (see page 15)
- _____ Intergovernmental Review (see page 15)
- _____ Project Abstract (see page 15)
- _____ Program Narrative (see page 16)
- _____ Budget (see page 17)
- _____ Budget Narrative (see page 17)
- _____ Indirect Cost Rate Agreement (if applicable) (see page 18)
- _____ Tribal Authorizing Resolution (if applicable) (see page 18)
- _____ Applicant Disclosure of High Risk Status (If applicable see page 18)
- _____ Additional Attachments (see page 19)
 - _____ Review Narrative (see page 19)
 - _____ Applicant Disclosure of Pending Applications (see page 20)
 - _____ Research and Evaluation Independence and Integrity (see page 20)
- _____ Disclosure of Lobbying Activities (SF-LLL) (if applicable) (see page 22)
- _____ Financial Management and System of Internal Controls Questionnaire (see page 22)



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 6.

Meeting Date: 06/06/2016

Prepared By: Don Keene, Assistant City Manager

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6092**

Authorizing Publication of the Proposed Final Statement/Action Plan for the Community Development Block Grant for Program Year 2016; Authorizing Submission of the Block Grant Application; Authorizing Execution of Certain Assurances of Compliance in Connection with the Administration and Conduct of the Community Development Program for Program Year 2016

Issue:

Approval of the Program Year (PY) 2016 Community Development Block Grant Final Statement/Action Plan

Background:

Each year, the City of Sherman receives an entitlement grant (Community Development Block Grant) from the U.S. Department of Housing and Urban Development (HUD). We are required to prepare and submit an annual Action Plan, which is a description of the activities that will be undertaken during the coming year to address the needs of our low-to-moderate income citizens. This Action Plan is based on a five (5) year Consolidated Plan & Strategy developed by City staff and approved by the Sherman City Council. It serves as the City's long-term planning tool to address the identified needs of affordable housing, public housing, homelessness, and other non-housing community development needs and activities within the City of Sherman.

Over the past five (5) years, the City of Sherman's history of allocations for the Community Development Block Grant is as follows:

- PY 2011 - \$293,001
- PY 2012 - \$289,254
- PY 2013 - \$311,726
- PY 2014 - \$301,322
- PY 2015 - \$317,392

Origination:

Theresa Caudle, Neighborhood Services

Financial Consideration:

The City of Sherman has been allocated \$315,681 in Community Development Block Grant funds from HUD to address our various community development needs for low-to-moderate income citizens during PY 2016.

Staff Recommendation:

It is staff recommendation that the Sherman City Council approve the resolution to adopt the PY 2016 Community Development Block Grant Final Statement/Action Plan as submitted.

Alternatives:

The Sherman City Council may change or re-appropriate these funds/allocations as they see fit.

Attachments

Resolution No. 6092

Memo from Theresa Caudle, Community Development Coordinator

PY 2016 Final Statement/Action Plan

RESOLUTION NO. 6092

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING PUBLICATION OF THE PROPOSED FINAL STATEMENT/ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR PROGRAM YEAR 2016; AUTHORIZING SUBMISSION OF THE BLOCK GRANT APPLICATION; AUTHORIZING EXECUTION OF CERTAIN ASSURANCES OF COMPLIANCE IN CONNECTION WITH THE ADMINISTRATION AND CONDUCT OF THE COMMUNITY DEVELOPMENT PROGRAM FOR PROGRAM YEAR 2016; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, under the Housing and Community Development Act of 1974, as amended, the City of Sherman is eligible to receive an estimated \$315,681 for program year 2016, to be expended on eligible activities primarily benefiting low/moderate income families; and

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

WHEREAS, after proper notice was published in the Herald Democrat, a newspaper of general circulation in the City of Sherman, public hearings were held by said Community Development Staff to receive citizen participation and input on March 8, 2016, and April 10, 2016; and

WHEREAS, the City Council, after due consideration of the proposed Community Development Final Statement and of all matters raised at public meetings, is of the opinion that, unless public comment warrants revisions, said final statement should be submitted as the Community Development Application for the City of Sherman for the program year 2016 to the U.S. Department of Housing and Urban Development, in order to secure funding as provided herein;

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

SECTION 1. That the Community Development Final Statement, embodying those projects set forth on Attachment "A", attached hereto and made a part hereof for all purposes, is hereby approved and adopted as the Community Development Plan of the City of Sherman, Texas, for the program year 2016.

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

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

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

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

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

PASSED AND APPROVED on this the ____ day of _____, 2016.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

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



memorandum

DATE: Thursday, May 26, 2016
TO: Robby Hefton, City Manager
FROM: Theresa Caudle, CD Coordinator 
SUBJECT: PY 2016 Final Statement/Action Plan

The City of Sherman's Proposed Final Statement/Action Plan of Community Development Objectives with projected use of the funds for Program Year 2016 was published in the Herald Democrat on April 10, 2016. The required 30-day public comment period has concluded and there were no public comments received on the Proposed Statement of Objectives.

Therefore, we are now ready to proceed with submitting this to the City Council in the form of a Resolution establishing the City of Sherman's PY 2016 Final Statement/Action Plan.

I am requesting that you set this item for public hearing and present the Resolution for consideration and approval by our City Council at the next regular scheduled meeting of June 6, 2016.

During the interim, should you have any questions or desire additional information or clarification, please let me know.

**CITY OF SHERMAN, TEXAS
FINAL STATEMENT/ACTION PLAN OF
COMMUNITY DEVELOPMENT OBJECTIVES
AND PROJECTED USE OF FUNDS FOR PROGRAM YEAR 2016**

GRANT NO: B-2016-MC-48-0027

The City of Sherman has received notice from the U.S. Department of Housing and Urban Development (HUD) that its entitlement grant for the Community Development Program (CDBG) for fiscal year 2016 is \$315,681.00. These funds will be received on October 1, 2016. Activities that directly benefit low and moderate-income persons will be available citywide. Other activities which have an area benefit will only be available in areas of the city which are populated by a majority of low and moderate-income persons. The City has met citizen participation requirements.

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

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

**COMMUNITY DEVELOPMENT PROGRAM ACTION PLAN
PROGRAM YEAR 2016**

OWNER-OCCUPIED HOUSING REHABILITATION.....\$180,000

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

DEMOLITION/CLEARANCE PROGRAM.....\$46,981

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

PROGRAM ADMINISTRATION.....\$63,000

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

PUBLIC SERVICE ACTIVITIES:

Sherman Housing Authority.....\$10,000

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

Grayson County Crisis Center.....\$4,000

A program of activities that will provide emergency assistance to homeless women and children of domestic violence, who at one time, resided within the city limits of Sherman.

Grayson County Shelter, Inc.....\$4,000

A program of activities that will provide emergency assistance to homeless individuals and families, who at one time, resided within the city limits of Sherman.

Child & Family Guidance Center of Texoma.....\$4,000

A program to provide counseling services for family dysfunction, alcohol and substance abuse, domestic violence and sexual abuse for the low and moderate income Sherman residents.

Boys & Girls Club of Sherman, Inc.....	\$3,700
A program to provide scholarships for the low and moderate income Sherman youth. Scholarship funding will provide the opportunity for low/moderate income youth to participate in organized activities that would not otherwise be able to participate.	
TOTAL PROGRAM ALLOCATION.....	\$315,681

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

CITY OF SHERMAN COMMUNITY DEVELOPMENT OBJECTIVES

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

The Action Plan of Community Development Objectives and Projected Use of Funds for Program Year 2016 are available in the Community Development Office of the City of Sherman. Any citizen or agency interested in commenting on this Final Statement of Objectives is invited to submit written comments c/o Theresa Caudle, CD Coordinator, City of Sherman P. O. Box 1106 Sherman, TX 75091-1106. Written comments must be received prior to 5:00 p.m. on Monday, July 11, 2016. A summary of comments received will be made a part of the summary of citizen participation of this Plan.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 7.

Meeting Date: 06/06/2016

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6093**

Authorizing Execution of an Agreement with Angel Jaramillo and Martha Lopez for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1019 East Lake Street

Issue:

This item is to consider property tax abatement for the construction of a new single-family residence at 1019 East Lake Street.

Background:

Several years ago, the City Council began a residential tax abatement program to encourage the redevelopment of older sections of town. This application is for the construction of a new single-family residence at this location. This lot is in the current designated zone for residential tax abatement.

Origination:

Angel Jaramillo and Martha Lopez, Owners/Applicants

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 \$372.00 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. 6093

Residential Tax Abatement Agreement

Application

Warranty Deed

Building Permit

Site Plan

Location Map

Photo

Residential Reinvestment Zone Map w/1019 E Lake Street

RESOLUTION NO. 6093

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH ANGEL JARAMILLO AND MARTHA LOPEZ FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1019 EAST LAKE STREET; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to receipt of a fully-executed agreement from Angel Jaramillo and Martha Lopez 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 Angel Jaramillo and Martha Lopez 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 1019 East Lake Street, lying within the City of Sherman's Residential Tax Reinvestment Zone, in accordance with the City's policies and procedures established for this purpose.

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

PASSED AND APPROVED on this the ____ day of _____, 2016.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

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

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 **ANGEL JARAMILLO AND MARTHA LOPEZ**, hereinafter referred to as OWNER,

WITNESSETH:

WHEREAS, on the 18th day of April, 2011, the City Council of Sherman, Texas, passed Ordinance No. 5692 establishing a reinvestment zone for residential tax abatement, as authorized by Chapter 312 of the Texas Tax Code, as amended, hereinafter referred to as CODE; and

WHEREAS, the CITY has adopted a resolution (Resolution No. 5960) stating that it elects to be eligible to participate in a residential tax abatement program; and

WHEREAS, the CITY desires to create the proper economic and social environment to induce the investment of private resources in real estate construction located in incorporated areas of the CITY; and

WHEREAS, the CITY hereby finds that it may effectively encourage and assist the creation of such an environment by participating in tax abatement pursuant to the CITY; and

WHEREAS, the CITY has created a reinvestment zone within its jurisdiction to induce the investment of private resources in real estate construction located in incorporated areas of the CITY, and OWNER has agreed to construct certain real property improvements; and

WHEREAS, OWNER is prepared to comply with the provisions of the CITY'S guidelines and criteria enacted the 18th day of April, 2011;

NOW, THEREFORE, WITNESS THIS TAX ABATEMENT AGREEMENT which provides as follows:

I.

1.01 To the extent authorized by the Texas Constitution and by the Tax Code, CITY hereby agrees to exempt from City of Sherman taxation a portion of the increase in value of taxable real property of OWNER in the CITY over the same real property and its value as calculated by the Grayson Appraisal District for ad valorem property tax purposes in accordance with the following schedule. Such tax exemption shall be in effect for tax years beginning January 1, 2016, and continuing for tax years 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023,

2024 and 2025, 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 2016, sometimes referred to herein as the Base Tax Year.

SCHEDULE OF TAXES ASSESSED

<u>TAX YEAR</u>	<u>ABATEMENT</u>
2016	100%
2017	100%
2018	100%
2019	100%
2020	100%
2021	100%
2022	80%
2023	60%
2024	40%
2025	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 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024 and 2025, 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 1019 East Lake Street, Sherman, Texas, and as more particularly described by the following:

SITUATED in the County of Grayson, State of Texas, being a part of the G.B. Pilant Survey, Abstract No. 963, and being a part of the 8.17 acre tract of land conveyed by Willie E. Godwin, et al, to Mary Godwin, by deed recorded in Volume 1036, Page 285, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a steel rod found at the Northeast corner of said 8.17 acre tract, the Southeast corner of a 34.614 acre tract of land recorded in Volume 1772, Page 695, said Deed Records;

THENCE South 16 deg. 51 min. 52 sec. East with the general course of an old fence maintaining the East line of said 8.17 acre tract, a distance of 579.12 feet to a spike nail found in the center line of a public road, (known as Batsell Tap Road), the Southeast corner of said 8.17 acre tract;

THENCE South 74 deg. 26 min. 04 sec. West with the center line of said public road and the South line of said 8.17 acre tract, a distance of 209.25 feet to a spike nail, the Southeast corner of a 0.280 acre tract of land recorded in Volume 1499, Page 269, said Deed Records;

THENCE North 14 deg. 05 min. 19 sec. West with the East line of said 0.280 acre tract, a distance of 151.85 feet to a steel rod, the Northeast corner of said 0.280 acre tract;

THENCE South 74 deg. 26 min. 55 sec, West with the North line of said 0.280 acre tract, a distance of 20.11 feet to a steel rod found at the Southeast corner of a 1 acre tract of land recorded in Volume 1367, Page 425, said Deed Records;

THENCE North 14 deg. 07 min. 17 sec. West with the general course of a fence maintaining the East line of said 1 acre tract, a distance of 424.68 feet to a steel rod in the North line of said 8.17 acre tract and the South line of said 34.614 acre tract;

THENCE North 73 deg. 41 min. 20 sec. East with the North line of said 8.17 acre tract and the South line of said 34.614 acre tract, a distance of 201.63 feet to the **PLACE OF BEGINNING and CONTAINING 2.787 ACRES OF LAND.**

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

Angel Jaramillo and Martha Lopez
1115 Hazelwood St.
Sherman, Texas 75090
(214) 726-5990

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 _____, 2016.

CITY:
CITY OF SHERMAN, TEXAS

OWNER:
ANGEL JARAMILLO

BY: _____
ROBBY HEFTON
CITY MANAGER

BY: _____
ANGEL JARAMILLO

ATTEST:

**OWNER:
MARTHA LOPEZ**

BY: _____
**LINDA ASHBY
CITY CLERK**

BY: _____
MARTHA LOPEZ

**APPROVED AS TO FORM
AND CONTENT:**

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

**THE STATE OF TEXAS §
COUNTY OF GRAYSON §**

BEFORE ME, the undersigned authority, on this day personally appeared **ANGEL JARAMILLO**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein express.

GIVEN UNDER MY HAND and seal of office this ____ day of _____, 2016 A.D.

**NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS**

**THE STATE OF TEXAS §
COUNTY OF GRAYSON §**

BEFORE ME, the undersigned authority, on this day personally appeared **MARTHA LOPEZ**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein express.

GIVEN UNDER MY HAND and seal of office this ____day of _____, 2016 A.D.

**NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS**

**CITY OF SHERMAN
APPLICATION FOR RESIDENTIAL TAX ABATEMENT**

Property Owner:

Name: Angel Jaramillo AND Martha Lopez

Mailing Address: 1115 HAZELWOOD ST. SHERMAN, TX

Telephone Number: Home 903-891-0907 S- 214-726-5990

Contact (if different than owner):

Name: Martha Lopez

Mailing Address: #1

Telephone Number: _____

Property:

Physical Address: 1019 E Lake

Summary Legal Description: Lot: 2 Block: 7 Addition: JARAMILLO

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: 100-K.

Estimated Date of Start of Construction: 4-27-16

Estimated Date of Completion of Project: _____

Description of Project: new Home

Applicant(s): Angel Jaramillo

Date: 4-27-16

Martha Lopez

Date: 4-27-16



70 2012 00007889

Grayson County
Wilma Bush
Grayson County Clerk
Sherman, Texas 75090

Instrument Number: 2012-00007889

As
Recordings

Recorded On: April 25, 2012

Parties: SHERMAN LAKE STREET LLC

To JARAMILLO ANGEL ETUX

Billable Pages: 4

Number of Pages: 6

Comment: SPEC WD

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

Recordings	28.00
Total Recording:	28.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

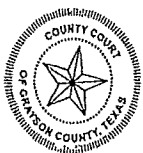
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2012-00007889
Receipt Number: 352172
Recorded Date/Time: April 25, 2012 09:34:03A
Book-Vol/Pg: BK-OR VL-5113 PG-650
User / Station: J CARYOL - Cashiering Station 2

Record and Return To:

ANGEL JARAMILLO
1115 S HAZELWOOD ST
SHERMAN TX 75090



THE STATE OF TEXAS
COUNTY OF GRAYSON
I hereby certify that this instrument was FILED in the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Grayson County, Texas.

Wilma Blackshear Bush
Wilma Blackshear Bush, Grayson County Clerk

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Special Warranty Deed

Date: April 23, 2012
Grantor: Sherman Lake Street, LLC

Grantor's Mailing Address:

469 Cedar Hills Drive
Denison, Grayson County, Texas 75020

Grantee: Angel Jaramillo and wife, Martha Lopez

Grantee's Mailing Address:

1021 E. Lake Street
Sherman, Texas 75090

Consideration:

Cash and other good and valuable consideration.

Property (including any improvements):

2.787 acres out of the G.B. Pilant Survey, Abstract No. 963, located in Grayson County, Texas, the same property as deeded from Stephen Sullivan to Sherman Lake Street, LLC, recorded in the deed records of Grayson County, VL-5107 PG-523 and more particularly described on Exhibit A that is attached hereto and made a part hereof for all purposes

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and

gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations, and other matters arising from and existing by reason of any water improvement district; and any unpaid taxes, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to 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 when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

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 except for limited warranties of title set forth in this deed.

As part of the consideration for this deed, Grantor and Grantee agree that, as between Grantor and Grantee, the risk of liability or expense for environmental problems, even if arising from events before closing, is the sole responsibility of Grantee, regardless of whether the environmental problems were known or unknown at closing. Grantee indemnifies, holds harmless, and releases Grantor from liability for any latent defects and from any liability for environmental problems affecting the property, including liability under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), the Texas Solid Waste Disposal Act, or the Texas Water Code. Grantee indemnifies, holds harmless, and releases Grantor from any liability for environmental problems affecting the property arising as the result of Grantor's own negligence or the negligence of Grantor's representatives. Grantee indemnifies, holds harmless, and releases Grantor from any liability for environmental problems affecting the property arising as the result of theories of products liability and strict liability, or under new laws or changes to existing laws enacted after the effective date that would otherwise impose on Grantor in this type of transaction new liabilities for environmental problems affecting the property.

When the context requires, singular nouns and pronouns include the plural.

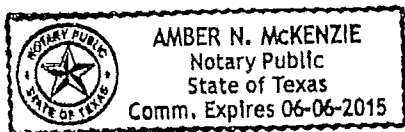
Bk Vol Ps
00007889 OR 5113 653

Sherman Lake Street, LLC
By: Stephen A. Sullivan
Title: Manager

STATE OF TEXAS)

COUNTY OF Grayson)

This instrument was acknowledged before me on April 23, 2012, by
Stephen Sullivan, as the manager of Sherman Lake
Street, LLC.



Amber McKenzie
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Angel Jaramillo
1021 E. Lake St.
Sherman, TX 75090

0060617

EXHIBIT "A"

BK Vol Pa
00007889 5113 654 DR

00007889

Situated in the County of Grayson, State of Texas, being a part of the G.B. PILAHT SURVEY, Abstract No. 963, and being a part of the 8.17 acre tract of land conveyed by Willis E. Godwin, et al, to Mary Godwin, by deed recorded in Volume 1036, Page 285, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a steel rod found at the Northeast corner of said 8.17 acre tract, the Southeast corner of a 34.614 acre tract of land recorded in Volume 1772, Page 695, said Deed Records;

THENCE South 16 deg. 51 min. 52 sec. East with the general course of an old fence maintaining the East line of said 8.17 acre tract, a distance of 579.12 feet to a spike nail found in the center line of a public road, (known as Batsell Tap Road), the Southeast corner of said 8.17 acre tract;

THENCE South 74 deg. 26 min. 04 sec. West with the center line of said public road and the South line of said 8.17 acre tract, a distance of 209.25 feet to a spike nail, the Southeast corner of a 0.280 acre tract of land recorded in Volume 1499, Page 269, said Deed Records;

THENCE North 14 deg. 05 min. 19 sec. West with the East line of said 0.280 acre tract, a distance of 151.85 feet to a steel rod, the Northeast corner of said 0.280 acre tract;

THENCE South 74 deg. 26 min. 55 sec. West with the North line of said 0.280 acre tract, a distance of 20.11 feet to a steel rod found at the Southeast corner of a 1 acre tract of land recorded in Volume 1367, Page 425, said Deed Records;

THENCE North 14 deg. 07 min. 17 sec. West with the general course of a fence maintaining the East line of said 1 acre tract, a distance of 424.68 feet to a steel rod in the North line of said 8.17 acre tract and the South line of said 34.614 acre tract;

THENCE North 73 deg. 41 min. 20 sec. East with the North line of said 8.17 acre tract and the South line of said 34.614 acre tract, a distance of 201.63 feet to the place of beginning and containing 2.787 acres of land.

JHC

Recorders Memo

Some portions of this Document may not be clearly legible.

00004971

Bk	Vol	Ps
00007889	OR 5113	655

Filed for Record in:
Grayson County

On: Apr 25, 2012 at 09:34A

As a
Recording

Document Number: 00007889

Amount: 28.00

Receipt Number -

352172

By,
JANA CARYOL

STATE OF TEXAS

COUNTY OF GRAYSON

I hereby certify that this instrument was
filed on the date and time stamped hereon by me
and was duly recorded in the volume and page
of the named records of:

Grayson County
as stamped hereon by me.

Apr 25, 2012

Wilma Bush, Grayson County Clerk
Grayson County

CITY OF SHERMAN
RESIDENTIAL BUILDING PERMIT

PERMIT #: 160709 SUBCONTRACTOR: ANGEL JARAMILLO DATE ISSUED: 4/21/2016

PROJECT ADDRESS:	1019 E LAKE ST	LOT #:	2
PARCEL ID:		BLK #:	1
SUBDIVISION:	JARAMILLO ADDN	ZONE ORD:	R-1 ONE FAMILY RESIDENTIAL
ISSUED TO:	ANGEL JARAMILLO	CONTRACTOR:	ANGEL JARAMILLO
ADDRESS:	1115 S HAZELWOOD ST	ADDRESS:	1115 S HAZELWOOD ST
CITY, ST ZIP:	SHERMAN TX 75090-8115	CITY, ST ZIP:	SHERMAN TX 75090-8115
PHONE:		PHONE:	
PROP. USE:	ONE FAMILY RESIDENTIAL	SQ FT:	3,152.00
WORK:	NEW RESIDENTIAL CONSTRUCTION	BEDROOMS:	4
VALUATION:	\$ 100,000.00	BATHROOMS:	4
OCCP TYPE:	ONE FAMILY RESIDENTIAL	STORIES:	2
CNST TYPE:	WOOD FRAME		

FEE CODE	DESCRIPTION	AMOUNT
BLD10	RESIDENTIAL STORMWATER MGMT	\$ 45.00
	TOTAL	\$ 45.00

NOTES:

NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

Angel Jaramillo
(SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT)

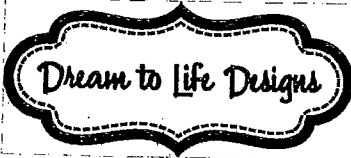
4-12-16
DATE

[Signature]
(APPROVED BY) FLOOD PLAIN ADMINISTRATOR

4/27/16
DATE

[Signature]
(APPROVED BY) BUILDING & ZONING

5/3/16
DATE



D2LDESIGNS@YAHOO.COM

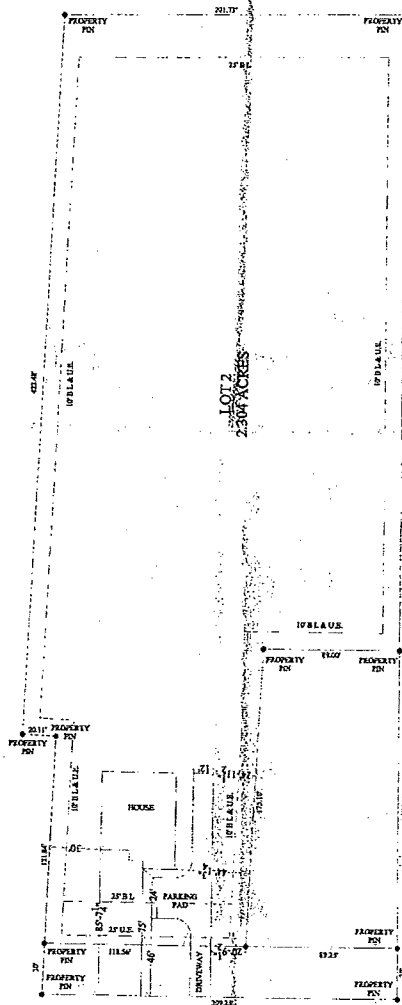
JARAMILLO

LAKB STREET
SHERMAN, TEXAS

DATE
01/27/16

SHEET
SITE

SCALE
1/32" = 1'



LAKE STREET



1019 E Lake

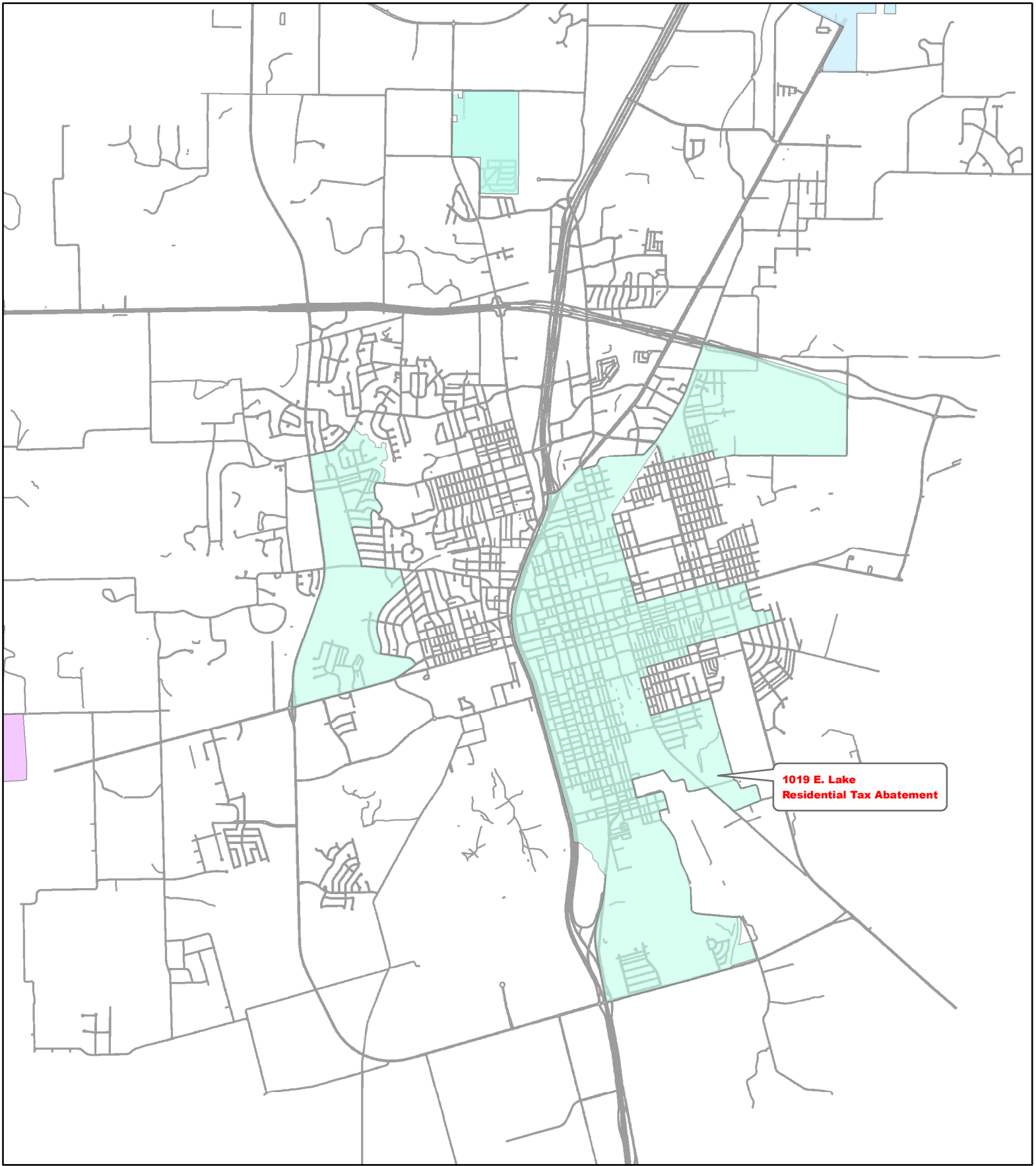


1 in = 852 ft

City of Sherman, Texas
Developmental Services Department

1019 E. Lake





1019 E. Lake Residential Tax Abatement



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE
1 inch = 5,000 feet



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 1.

Meeting Date: 06/06/2016

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

REQUEST TO ADVERTISE

Sale of City-Owned Surplus Real Property

Issue:

Seeking permission to advertise for bids for the sale of various tracts of City-owned surplus real property

Background:

Staff has identified a number of surplus tracts of real property owned by the City that are not being utilized for a public purpose. These tracts of real property are listed in Exhibit A attached hereto. Staff will determine the proper way to dispose of each individual property. Staff is seeking permission to advertise for bids on the properties; they will be sold via a competitive sealed bid process.

Origination:

City Manager's Office

Financial Consideration:

The cost of advertising is expected to amount to approximately \$200.00. The sale of the property will generate revenue for the City.

Staff Recommendation:

It is recommended that the City Council authorize the staff to advertise the project for bid.

Alternatives:

As may be directed by the City Council

Attachments

Exhibit A - Surplus Property

EXHIBIT A

SURPLUS PROPERTY

Property ID	Property Description	Property Land Description	Address
161397	Chaffins 1 st Blk 5 Lot S 26' 1-12	Comm. Land	E MULBERRY ST
166769	2 tracts 3.27 ac total	Residential	E LAKE ST
126283	Future Tanksite	Residential	WARD NEAL RD TX
126355	Future Wellsite	Residential	FM 697 TX
126032	Future Wellsite – no street frontage	Residential	FM 697 TX
164109	G Y Grays 1 st Addition Blk 1 Lot 11 (RR Frontage)	Residential	
160002	Kerr East tract Carter Add Blk 1 Lot E 35 1 & 4	Residential	PINER EVANS
164331	G-0963 PILANT G B A-G0963, ACRES 5.8, CHERRY ST PARK	Residential	
166293	Randolph Hgts Add Blk 1 Lot 12-13	Residential	S HOLLY
166323	Randolph Hgts Add Blk 15 Lot 1	Residential	S HOLLY
166305	Randolph Hgts Add Blk 5 Lot 20	Residential	STEADMAN
160267	Veal & Alfords Add Blk 1 Lot 11-12	Residential	N MUSIC STREET
157545	Well Site – Abandoned	Residential	MCGEE
121907	Future Wellsite	Residential	SPEEDWAY RD
165301	Armory Bldg 9.4 ac	Comm. Land	1400 S GRIBBLE
166887	Texas Nursery	Residential	S INWOOD ST
161687	Youth Center	Comm. Land	400 N SAM RAYBURN FRWY



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. E. 1.

Meeting Date: 06/06/2016

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

Approved By: Robby Hefton, City Manager

Caption:

*** CHANGE ORDER NO. 1**

The Erosion Protection for Hunt Street Project; East Valley Golf, LTD. dba Revegetation Services;
\$3,022.00 decrease

Issue:

To consider approval of a change order and final payment for the Erosion Protection for Hunt Street Project

Background:

Change Order No. 1 is a final reconciliatory change order to adjust the final project quantities for the Hunt Street Erosion Project. The change order covers the cost of additional concrete flume, concrete curb asphalt, and paving adjustments.

Origination:

Engineering Department

Financial Consideration:

The change order results in an \$3,022.00 decrease in the contract amount, yielding a final contract price of \$158,530.00.

Staff Recommendation:

It is recommended that Change Order No. 1 and final payment for this project be approved.

Alternatives:

As may be directed by the City Council

Attachments

Change Order No. 1

Application for Payment

Location Map

**CITY OF SHERMAN
CONTRACT CHANGE ORDER**

Contract No. 2971

Date: May 12, 2016

Change Order No. 1

Project: Erosion Protection for

Location: Sherman, Texas

Hunt Street

To: (Contractor)

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item Number	Description of Changes, Quantities Units, Unit Prices, change in completion schedule, etc.	Decrease in Contract Price	Increase in Contract Price
8	9.5 SY – 3' Concrete Flume @ \$124.00/SY		\$1,178.00
12	60 SY – Street Pavement Repair and Replacement \$142.00/SY	\$8,520.00	
13	80 LF – Street Curb Replacement @ \$54.00/LF		\$4,320.00
Total			(\$3,022.00)

The sum of \$ 3,022.00 is hereby **subtracted** from the total contract price, \$ 161,552.00 and the total adjusted contract price to date thereby is \$ 158,530.00.

The time provided for completion in the contract is **unchanged**. This document shall become an amendment to the contract, and all provisions of the contract will apply hereto.

Accepted By: _____ Date: _____

Recommended By: _____ Date: _____
Public Works Director

Approved By: _____ Date: _____
City Manager

APPLICATION AND CERTIFICATE FOR PAYMENT

To Owner: City of Sherman
220 W Mulberry Street
Sherman, TX 75090
(903) 892-4547

From: Revegetation Services
PO Box 1480
Higley, AZ 85236-1480
(480) 988-3011



Project: Erosion Protection for Hunt Street

Contract Start: 9/24/2015 **Application No.:** Five (5)

Calendar Days: 75 **Period to:** 11/30/2015

Contract Close: 12/8/2015 **Date:** 12/17/2015

Contractor's Application For Payment Change Order Summary

Number	Description	Date Approved	Time Change	Additions	Deductions
CO1			0	\$5,498.00	\$8,520.00
Totals			0	\$ 5,498.00	\$ 8,520.00

Net change by Change Orders **- \$3,022.00**

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief the work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

Contractor: Revegetation Services

Original contract sum	\$161,552.00
Net change by change orders	- \$3,022.00
Contract sum to date	\$158,530.00
Materials on Hand	\$0.00
Total Completed and stored to date	\$158,530.00
Retainage	\$0.00
Total earned less retainage	\$158,530.00
Less previous certificates of payments	\$147,685.10

Final payment due **\$10,844.90**

Balance to finish, including retainage **\$0.00**

Engineer's Certificate for Payment

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the work has progressed as indicated, the quality of the work is in accordance with the Contract Documents, and the Contractor is entitled to payment for the Amount Certified.

Amount Certified: \$ _____

This Certification is not negotiable. The Amount Certified is payable only to the contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

Engineer: _____

By: _____ **Date:** _____

REVEGETATION SERVICES**PO BOX 1480****HIGLEY, AZ 85236-1480****(480) 988-3011 Fax (480) 988-3013****ROC102875****CUSTOMER #: SHERM****INVOICE #: 9245222****INVOICE DATE: 04/26/16****BILL TO:**

CITY OF SHERMAN TEXAS
220 W MULBERRY ST
SHERMAN, TX 75091

JOB: 1978**EROSION PROTECTION HUNT STREET****SHERMAN, TX****YOUR JOB NO.:****PROJECT NO.:**

DESCRIPTION	QUANTITY	PRICE	AMOUNT
SITE RESTORATION (HYDROSEED BERMUDA)	0.5000 LS	6,144.0000 / LS	3,072.00
PREVIOUS RETENTION HELD	1.0000 LS	7,772.9000 / LS	7,772.90
SUBTOTAL:			10,844.90

FINAL BILLING
COMPLETED 4/21/16

NET DUE: \$10,844.90**Thank you for your business!**





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. F. 1.

Meeting Date: 06/06/2016

Prepared By: Don Keene, Assistant City Manager

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Consider the Abatement of Substandard Structures at the Following Locations:

- 1323 East Cherry (East Side Addn, Block 2, Lot Pt 2), Livia Ricketts Douglas, Owner
- 817 East Lamar (Chaffins 1st Addn, Block 11, Lot 9 & 10), Marshall D. Fulmer, Owner
- 905 South Willow (Elliotts W Addn, Block 20, Lot 3 & 4, 50x140, Acres .1607), Elvira Ravelo, Owner
- 1818 South Montgomery [Southside Addn (Repl't Blk19), Block 19, Lot 5], Donald Elmo Lankford Estate, Owner
- 518 South Vaden (Hazelwood & Vaden Addn, Block 5, Lot 10), Martin Gomez, Owner
- 1525 North Shannon (Shannon R E 1st Addn, Block 3, Lot Pt 1), Cecil R. Crockett, Owner
- 209 East College (G-0763 McAnair J B, 42 x 170.5), Leobardo Ramirez, Owner

Issue:

Consider the abatement of substandard structures at 1323 East Cherry, 817 East Lamar, 905 South Willow, 1818 South Montgomery, 518 South Vaden, 1525 North Shannon, and 209 East College

Background:

The City's Substandard Structure code provisions have the objective of encouraging property owner maintenance and reducing blight throughout the city. While the program has seen some success, there have been challenges with absentee ownership. In an effort to streamline the process and allow the City to more effectively manage the program, at the April 4, 2016 meeting, the City Council adopted Ordinance No. 5945 to delete the code provisions relating to a Substandard Structure Commission and to place direction for the abatement of substandard structures in the hands of the City Council.

The properties at 1323 East Cherry, 817 East Lamar, 905 South Willow, 1818 South Montgomery, 518 South Vaden, 1525 North Shannon, and 209 East College are the first substandard structures to be presented to the City Council under the revised program. It has been determined through a detailed inspection process that the above structures are dilapidated and/or unsafe and a nuisance to the neighborhood. We have followed the procedures to post, notify and publish notice of this public hearing to receive input from persons who have a legal interest in the properties.

Origination:

City Staff

Financial Consideration:**Approximate Abatement Costs**

- 1323 East Cherry: \$4,000-\$6,000
- 817 East Lamar: \$3,000-\$5,000
- 905 South Willow: \$3,000-\$5,000
- 1818 South Montgomery: \$3,000-\$5,000
- 518 South Vaden: \$2,500-\$4,500
- 1525 North Shannon: \$1,500-\$2,000
- 209 East College: \$3,000-\$5,000

Funds are available in the current budget for these demolitions

Staff Recommendation:

It is recommended that the Council direct staff to declare the structures a nuisance and unsafe and authorize staff to proceed with the demolition process.

Alternatives:

The Council could choose to allow the structures to remain.

Attachments

Ordinance No. 5945

Overall Location Map

1323 E Cherry

817 E Lamar

905 S Willow

1818 S Montgomery

518 S Vaden

1525 N Shannon

209 E College

ORDINANCE NO. 5945

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED "BUILDING REGULATIONS", AT ARTICLE 3.06, ENTITLED "HOUSING CODE", DIVISION 2, ENTITLED "DANGEROUS BUILDINGS", SECTIONS 3.06.010, 3.06.012, 3.06.014, 3.06.015, 3.06.016, 3.06.017, AND 3.06.018, AND DELETING IN ITS ENTIRETY SECTION 3.06.011; 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 3, Article 3.06, Division 2, Section 3.06.010 of the Code of Ordinances of the City of Sherman, Texas be and is hereby amended so that such section shall read as follows:

Sec. 3.06.010 Definitions

The words and phrases contained herein shall have the following meaning ascribed to them unless the context states otherwise:

~~(a) — Board. The Standard Unsafe Building Code Board of Adjustments and Appeals.~~

~~(b)~~ (a) Building. Includes, but is not limited to, any building, fence, awning, canopy, sign, shed, garage, house, tent, trailer or other structure whatsoever.

~~(c)~~ (b) Dangerous building. Any building that does not comply with the minimum standards, as defined herein.

~~(d)~~ (c) Minimum standard. The minimum standards for continued use and occupancy of a building as set forth in section 3.06.003 herein.

~~(e)~~ (d) Owner of record. Any person, agent, firm, corporation or governmental agency shown to be the owner or owners of a building in:

- (1) The real property, assumed name, or appraisal district record of the county;
- (2) The tax or utility records of the city; or
- (3) The records of the secretary of state.

(f) (e) Public nuisance.

- (1) Whatever is dangerous to human life or health; whatever renders the ground, water, air or food hazardous to human life, or health, or that is offensive to the senses; or that is or threatens to become detrimental to the public health; or
- (2) Any building that creates a hazard to health, safety, comfort or welfare is a public nuisance.

SECTION 2. That Chapter 3, Article 3.06, Division 2, Section 3.06.011 of the Code of Ordinances of the City of Sherman, Texas be and is hereby deleted in its entirety:

~~Sec. 3.06.011 Substandard structure commission~~

~~(a) — A substandard structure commission (“commission”) is hereby created and established for the express purpose of providing for the final interpretation and implementation of the provisions of this article. The commission shall consist of three (3) members and two (2) alternates who are not employees of the jurisdiction having authority and shall be appointed by the council. The composition of the board [commission] shall be architects, engineers, real property owners, or members at large from the electrical, plumbing, air conditioning, construction or housing industry.~~

~~(b) — Two (2) members of the commission shall constitute a quorum. In the application of any provisions of this code, affirmative votes of the majority present, but not less than two affirmative votes, shall be required. A board [commission] member shall not act in a case in which he has a personal interest.~~

SECTION 3. That Chapter 3, Article 3.06, Division 2, Section 3.06.012 of the Code of Ordinances of the City of Sherman, Texas be and is hereby amended so that such section shall read as follows:

Sec. 3.06.012 Abatement of substandard structures

- (a) It shall be unlawful for any owner or other person in control of a building to allow that building to be in a condition that does not conform to the minimum standards.
- (b) Any building that does not conform to the minimum standards is hereby declared to be a public nuisance and shall be subject to abatement by repair, demolition, or removal as necessary upon the issuance of an order to abate issued by the ~~commission~~ *City Council* in accordance with the procedures specified in this article.

SECTION 4. That Chapter 3, Article 3.06, Division 2, Section 3.06.014 of the Code of Ordinances of the City of Sherman, Texas be and is hereby amended so that such section shall read as follows:

Sec. 3.06.014 Inspection and notice of abatement

- (a) The city manager shall designate an appropriate official ("building official") of the city to inspect or cause to be inspected any building that he has probable cause to believe does not meet the minimum standards. If the inspecting official is unable to obtain permission to search the building from the owner or a person in control of the premises, the city shall apply for an administrative search warrant pursuant to Texas Code of Criminal Procedure section 18.05, as amended, unless an exception to the warrant requirement exists.
- (b) After completing the inspection, the inspecting official shall determine if the building is a substandard structure.
- (c) After an initial determination that a building is a substandard structure, the inspecting official will notify the owner of record of the building, by certified mail, return receipt requested, of the nature of the violation(s) of the minimum standards.
- (d) The inspecting official shall also notify the owner of record of the building, by certified mail, return receipt requested, that the building is a substandard structure and that the owner must repair, demolish, or remove the building for the good of the public health, safety and welfare.
- (e) The inspecting official shall also notify the owner of record of the building, by certified mail, return receipt requested, that if said violations have not been cured after a period of thirty (30) days the inspection official ~~will~~ *may* cause a hearing to be held ~~with the substandard structure commission before the City Council~~ in accordance with this article.
- (f) A notice shall be posted on the dangerous building as follows:

"THIS BUILDING IS A SUBSTANDARD STRUCTURE ACCORDING TO THE MINIMUM STANDARDS SET FORTH IN THE OFFICIAL CODE OF THE CITY OF SHERMAN, CHAPTER 3, ARTICLE 3.06 AND THE OWNER MUST REPAIR, DEMOLISH OR REMOVE IT.

CONTACT _____ AT _____ FURTHER INFORMATION.

DATE: _____"

SECTION 5. That Chapter 3, Article 3.06, Division 2, Section 3.06.015 of the Code of Ordinances of the City of Sherman, Texas be and is hereby amended so that such section shall read as follows:

Sec. 3.06.015 ~~Commission's~~ Order to Abate

- (a) General. Whenever the building official has inspected or caused to be inspected any structure or lot and has found and determined that such structure or lot is substandard, he may commence proceedings to cause repair, rehabilitation, or demolition of the structure or lot.

(b) Notice and administrative order to abate. The building official shall issue a notice and administrative order to abate a substandard structure or lot. The notice and administrative order shall contain:

- (1) The street address and a legal description sufficient for identification of the premises upon which the structure is located.
- (2) A statement that the building official has found the structure or lot to be substandard with a brief and concise description of the conditions found to render the structure or lot substandard under the provisions of this chapter.
- (3) A statement of the action recommended to be taken as determined by the building official as follows:
 - (A) If the building official has determined that the structure or lot must be repaired or remediated, the administrative order shall require that all required permits be secured and work physically commenced within thirty (30) days from the date of the administrative order.
 - (B) If the building official has determined that the structure must be demolished, the administrative order shall require that all required permits be secured and work physically commenced within thirty (30) days from the date of the administrative order.
- (4) A statement advising that a notice of hearing is forthcoming and a description of the hearing. The hearing shall provide the ~~commission~~ *City Council* the means to consider or determine whether a structure or lot complies with the standards set forth herein and to consider or determine whether a structure or lot must be repaired or demolished, as recommended by the building official in the notice and administrative order.
- (5) Statements advising that if the owner or owners of record are in full agreement with a demolition order, and that if the owner or owners of record are financially unable to abate such nuisance, then the owner or owners of record may grant the city written permission to abate said nuisance, and, in doing so shall grant the city a lien against the real property as described in this article.

(c) Notice of hearing. The building official shall give notice of a public hearing to all known owners; lienholders, or mortgagees for the ~~commission~~ *City Council* to consider or determine whether a structure or lot complies with this code and to consider or determine whether a structure or lot must be repaired, secured or demolished. The notice shall be mailed and posted as provided herein, and published in the official newspaper of the city on one occasion, on or before the tenth (10th) day before the date of the hearing. The notice of hearing shall contain:

- (1) The name and address of the owner of the affected property, if known;

- (2) A legal description of the property, as well as the physical address;
- (3) A description of the hearing;
- (4) The date, time, and place of the public hearing. This date shall be established not less than ten (10) days from the date of the administrative order;
- (5) A statement advising that securing the required permits and physically commencing the required action shall be considered as intent to comply with the administrative order to abate, and that the hearing shall be temporarily postponed. Should abatement halt, or not progress at a rate determined to be reasonable by the building official, the hearing shall be recalled; and
- (6) Statement that the owner; lienholder; or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with this article and the time it will take to reasonably perform the work.

(d) Service of notice and administrative order to abate and notice of hearing. The notice of the administrative order to abate, the notice of hearing and any supplemental notices or orders shall be served upon the owner; lessor, lienholder; and mortgagees of record and occupant, if different than the owner of the structure or lot. Service of these notices and orders shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice by certified mail, return receipt requested, and an optional second copy by regular mail, to each such person at his address as it appears on the county tax rolls, or as discovered by due diligence, as defined by subsections (d)(1)–(d)(6) of this section, and the notice shall be posted on the front door of each improvement situated on the affected property or as close to the front door as practical. The following of these procedures shall be prima facie evidence of notification. If a certified notice is returned as refused or unclaimed, the validity of the notice is not affected, and the notice shall be deemed delivered. The city has satisfied the requirements of this section to make a diligent effort to determine the identity and address of an owner, a lienholder, or a mortgagee if the city searches the following records:

- (1) County real property records of the county in which the building is located;
- (2) Appraisal district records of the appraisal district in which the building is located;
- (3) Records of the secretary of state;
- (4) Assumed name records of the county in which the building is located;
- (5) City tax records; and
- (6) City utility records.

(e) Filing of notice and administrative order at the county. A copy of the notice and any administrative orders, or such orders as may be issued pursuant to these provisions, shall be filed

with the county deed records in the county where the property is located. The notice must contain the name and address of the owner of the affected property if that information can be determined from a reasonable search of the instruments on file in the office of the county clerk, or upon a due diligence search as set forth herein, a legal description of the affected property, and a description of the proceeding. The filing of said notice and any said orders, is binding on subsequent grantees, lienholders, or other transferees of an interest in the property who acquire such interest after the filing of said notice or any said orders, and constitutes notice of said hearing and notice of any said orders, on any subsequent recipient of any interest in the property who acquires such interest after the filing of said notice or filing of any said orders.

(f) Meeting/public hearing. During an officially convened meeting, the ~~commission~~ *City Council* shall hold a public hearing on each case and shall hear such testimony as may be presented by any department of the city, the housing inspector, or the owner, occupant, mortgagee or any other person having an interest in such building to determine whether a building complies with the standards of this code. The owner, lienholder, or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with this code and the time it will take to perform the work. After all testimony has been received, the public hearing shall be closed and the ~~commission~~ *City Council* shall deliberate on the case in open session. ~~The commission shall make written findings of fact from the testimony offered as to whether the building complies with the standards of this code.~~

~~(1) After the meeting, if~~

~~If a building is found in violation of the standards set forth herein, the~~ *commission City Council* may order that the building be secured, repaired, removed, or demolished by the owner within a reasonable time ~~as provided herein~~. The ~~commission~~ *City Council* reserves the right to determine what is a reasonable amount of time to perform the ordered work.

~~(2) The commission shall require the owner, lienholder, or mortgagee of the building to, within thirty (30) days:~~

~~(A) Secure the building from unauthorized entry or use; or~~

~~(B) Repair, remove, or demolish the building, unless the owner, lienholder, or mortgagee establishes at the hearing that the work cannot reasonably be performed within thirty (30) days.~~

~~If the commission allows the owner, lienholder, or mortgagee more than thirty (30) days to repair, remove, or demolish the building, the commission shall establish specific schedules for the commencement and performance of the work and shall require the owner, lienholder, or mortgagee to secure the property in an approved manner from unauthorized entry while the work is being performed, as determined by the commission.~~

~~(3) The commission may not allow the owner, lienholder, or mortgagee more than ninety (90) days to repair, remove, or demolish the building or fully perform all~~

~~work required to comply with the order unless the owner, lienholder, or mortgagee:~~

- ~~(A) — Submits a detailed plan and time schedule for the work at the hearing; and~~
- ~~(B) — Establishes at the hearing that the work cannot justifiably be completed within ninety (90) days because of the scope and complexity of the work.~~

~~If the commission allows the owner, lienholder, or mortgagee more than ninety (90) days to complete any part of the work required to repair, remove, or demolish the building, the commission shall require the owner, lienholder, or mortgagee to regularly submit progress reports to the building official and to the commission to demonstrate that the owner, lienholder, or mortgagee has complied with the time schedules established, for commencement and performance of work. The order may require that the owner, lienholder, or mortgagee appear before the commission to demonstrate compliance with the time schedule.~~

(g) Post meeting procedure. The ~~secretary for the commission~~ *City Attorney* shall, within ten (10) days after the date the order is issued:

- (1) File a copy of the order in the office of the city clerk;
- (2) Publish in a newspaper of general circulation in the city a notice containing:
 - (A) The street address or legal description of the property;
 - (B) The date of the hearing;
 - (C) A brief statement indicating the results of the order; and
 - (D) Instructions stating where a complete copy of the order may be obtained; and
- (3) Shall promptly mail by certified mail, return receipt requested, and an optional second copy by regular mail, a copy of the order to the owner; any lienholder, and any mortgagee of the building, as determined by due diligence, as defined herein.

SECTION 6. That Chapter 3, Article 3.06, Division 2, Section 3.06.016 of the Code of Ordinances of the City of Sherman, Texas be and is hereby amended so that such section shall read as follows:

Sec. 3.06.016 Enforcement

- (a) Criminal.

(1) A person who violates a provision of this code, or who fails to perform an act required of him by this code, or who, fails to adhere to an order issued by the ~~commission~~ *City Council* under this code, commits a class C misdemeanor offense. A person commits a separate offense each day or portion of a day during which a violation is committed, permitted, or continued.

(2) An offense under this code is punishable by a fine of \$500.00 per day per violation.

(3) Allegation and evidence of a culpable mental state is not required for the commission of an offense under this code.

(b) Civil.

(1) The city may, in accordance with sections 54.012 et seq. of the Texas Local Government Code, as amended, bring a civil action against a person violating a provision of this code relating to dangerously damaged or deteriorated structures or improvements or for conditions caused by accumulations of trash, garbage, refuse, vegetation, or other matter that creates breeding and living places for insects and rodents.

(2) The civil action may include, but is not limited to, a suit to recover a civil penalty not to exceed \$1,000.00 for each day or portion of a day during which the violation is committed, continued, or permitted by the owner or occupant of the property, as provided below.

(3) The city, by ~~order~~ *Resolution* of the ~~commission~~ *City Council*, may assess and recover a civil penalty against a property owner, if the owner fails to take the requisite action as ordered by the ~~commission~~ *City Council*, after an administrative hearing on the matter. The civil penalty may not exceed \$1,000.00 a day for each violation if the city proves:

(A) The property owner was notified of the requirements of this code and the owner's need to comply with the requirements; and

(B) After notification, the property owner committed an act in violation of this code or failed to take an action necessary, for compliance with this code.

(4) A determination by the ~~commission~~ *City Council* which involves the establishment of an amount and duration of a civil penalty shall be final and binding and constitute prima facie evidence of the penalty in any court of competent jurisdiction in a civil suit brought by the city for final judgment in accordance with the established penalty.

(5) To enforce any civil penalty under this section, the city must file in the district clerk's office in which the municipality and property is located, a certified copy of the ~~order~~ *Resolution* of the ~~commission~~ *City Council* establishing the amount and duration of the penalty. No other proof is required for a district court to enter final judgment on the penalty.

- (c) Other available remedies. The city shall have all other available remedies at law and in equity to enforce the provisions of this article.

SECTION 7. That Chapter 3, Article 3.06, Division 2, Section 3.06.017 of the Code of Ordinances of the City of Sherman, Texas be and is hereby amended so that such section shall read as follows:

Sec. 3.06.017 Authority to secure unoccupied, unsecured, substandard, open buildings and structures

- (a) **Purpose.** The owner or person in control of an unoccupied structure shall ensure that the building is in such condition that an unauthorized person cannot enter the structure through missing or unlocked doors or windows or through other openings into the building. The city may secure unoccupied, unsecured structures, or structures occupied by persons who do not have the right of possession to the building. A lien may be filed on real property to ensure the cost of securing the structure as set forth in this article.

- (b) **Definitions.**

Unoccupied structure. Any structure or building that appears vacant or abandoned as evidenced by: no active utility accounts, absence of personalty, general conditions of neglect and any other substantiated evidence of vacancy or abandonment that may be presented by the building official.

Unsecured structure. Any structure or building that currently has no occupant with the right of possession of the building and which has missing or unlocked doors or windows, or other unsecured openings into the building through which unauthorized persons can enter. Any unoccupied, unsecured structure or building is hereby declared to be a danger to public health and safety and is hereby declared to be a public nuisance.

- (c) **City may secure.**

- (1) The building official may secure a building that:

- (A) Violates the standards of this code; and
- (B) Is an unsecured structure.

- (2) This authority is in addition to that regarding substandard structures.

- (d) **Notice.**

- (1) Before the eleventh (11th) day after the date the building is secured, the building official shall give notice to the owner of record by:
- (A) Personally serving the owner with written notice;

- (B) Sending a copy of the notice certified mail, return receipt requested, and an optional copy by regular mail, at the owner's post office or physical address;
 - (C) Publishing the notice at least twice within a ten (10) day period in the city's official newspaper if personal service cannot be obtained and the owner's post office or physical address is unknown; or
 - (D) Posting the notice on or near the front door of the building if personal service cannot be obtained or the owner's post office or physical address is unknown.
- (2) The notice must contain the following:
- (A) An identification, which is not required to be a legal description, of the building and the property on which it is located;
 - (B) A description of the violation of this code that is present at the building;
 - (C) A statement that the city will secure or has secured, as the case may be, the building; and
 - (D) A statement that the owner may request a hearing about any matter related to the city's securing of the building, and that if such a hearing is requested, it shall be held pursuant to Texas Local Government Code section 214.0011(e), as amended.
- (3) The city shall conduct a hearing before the ~~commission~~ *City Council* at which the owner may testify or present witnesses or written information about any matter relating to the city's securing of the building if within thirty (30) days after the date the city secures the building, the owner files with the ~~secretary for the commission, or the~~ city secretary, a written request for the hearing. The city shall conduct the hearing within ~~twenty (20)~~ *thirty (30)* days after the date the request is filed.

SECTION 8. That Chapter 3, Article 3.06, Division 2, Section 3.06.018 of the Code of Ordinances of the City of Sherman, Texas be and is hereby amended so that such section shall read as follows:

Sec. 3.06.018 Appeals

Any owner, lienholder or mortgagee of record of a property jointly or severally aggrieved by an order ~~of the commission~~ under this article shall be entitled to judicial review of said order pursuant to Texas Local Government Code section 214.0012, as amended.

SECTION 9. 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 10. That the provisions of this ordinance are servable 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 11. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 12. 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 4th day of April, 2016.

ADOPTED on this the 4th day of April, 2016.

EFFECTIVE DATE on this the 4th day of April, 2016.

CITY OF SHERMAN, TEXAS

BY: 

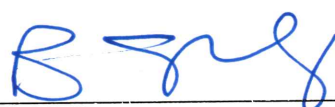
DAVID PLYLER, MAYOR

ATTEST:

BY: 

LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: 

**BRANDON S SHELBY,
CITY ATTORNEY**

CHAPTER 3

BUILDING REGULATIONS

ARTICLE 3.06 - HOUSING CODE

Division 2. Dangerous Buildings

Sec. 3.06.010 Definitions

The words and phrases contained herein shall have the following meaning ascribed to them unless the context states otherwise:

~~(a) — Board. The Standard Unsafe Building Code Board of Adjustments and Appeals.~~

~~(b)~~ (a) Building. Includes, but is not limited to, any building, fence, awning, canopy, sign, shed, garage, house, tent, trailer or other structure whatsoever.

~~(c)~~ (b) Dangerous building. Any building that does not comply with the minimum standards, as defined herein.

~~(d)~~ (c) Minimum standard. The minimum standards for continued use and occupancy of a building as set forth in section 3.06.003 herein.

~~(e)~~ (d) Owner of record. Any person, agent, firm, corporation or governmental agency shown to be the owner or owners of a building in:

- (1) The real property, assumed name, or appraisal district record of the county;
- (2) The tax or utility records of the city; or
- (3) The records of the secretary of state.

~~(f)~~ (e) Public nuisance.

- (1) Whatever is dangerous to human life or health; whatever renders the ground, water, air or food hazardous to human life, or health, or that is offensive to the senses; or that is or threatens to become detrimental to the public health; or
- (2) Any building that creates a hazard to health, safety, comfort or welfare is a public nuisance.

(Ordinance 5508 adopted 1/7/08)

~~Sec. 3.06.011 — Substandard structure commission~~

~~(a) — A substandard structure commission (“commission”) is hereby created and established for the express purpose of providing for the final interpretation and implementation of the provisions of this~~

article. The commission shall consist of three (3) members and two (2) alternates who are not employees of the jurisdiction having authority and shall be appointed by the council. The composition of the board [commission] shall be architects, engineers, real property owners, or members at-large from the electrical, plumbing, air-conditioning, construction or housing industry.

(b) Two (2) members of the commission shall constitute a quorum. In the application of any provisions of this code, affirmative votes of the majority present, but not less than two affirmative votes, shall be required. A board [commission] member shall not act in a case in which he has a personal interest.

Sec. 3.06.012 Abatement of substandard structures

(a) It shall be unlawful for any owner or other person in control of a building to allow that building to be in a condition that does not conform to the minimum standards.

(b) Any building that does not conform to the minimum standards is hereby declared to be a public nuisance and shall be subject to abatement by repair, demolition, or removal as necessary upon the issuance of an order to abate issued by the **commission City Council** in accordance with the procedures specified in this article.

Sec. 3.06.013 Minimum standards

A building is considered not to meet the minimum standards of the city regardless of its date of construction, under any of the following conditions:

(1) Any building that is dilapidated, substandard, or unfit for human habitation and a hazard to public health, safety and welfare; including, but not limited to:

- (A) Any building with roof, ceiling, floors, walls, sills, windows, or foundation or any combination thereof rotted or decayed, and falling apart; or that is uninhabitable due to obsolescence and deterioration caused by neglect, vandalism, fire damage, or the elements;
- (B) Any structure or building that is in a state of dilapidation, deterioration or decay, faulty construction, open, vacant or abandoned, damaged by fire to the extent as not to provide shelter in danger of collapse or failure and dangerous to anyone on or near the premises;
- (C) Any building that is a fire hazard because it is in a dilapidated condition, as described in subsections (A) and (B) above or that is likely to become a fire hazard or be set on fire;
- (D) Any building that is in an unsanitary condition and is likely to create disease because of the presence of insects, rodents or vermin;
- (E) Any building that is damp and in an unsanitary condition and is likely to create disease and sickness because of being in the condition in subsections (A), (B), (C) or (D) above, or for other reasons;
- (F) Any building that because of any physical condition, use or occupancy of any premises or its appurtenances would be considered an attractive nuisance to children, including, but

not limited to, abandoned wells, shafts, basements, excavations, swimming pools and unsafe fences or structures;

- (G) Any building that because of the state of disrepair is such that it could reasonably cause injury, damage, or harm to a considerable portion of the community in the use and enjoyment of property, materially interfering with the proper use or comfort and enjoyment of surrounding property, taking into consideration the nature and use of the properties in the area and the character of the community in which they are situated, which condition would be substantially offensive and annoying to persons of ordinary sensibilities living in the community.
- (2) Any building that is not occupied by its owners, lessees or other invitees and is not secure from unauthorized entry so that it could be entered or used by vagrants, other uninvited persons or children regardless of its structural condition.
- (3) Any building that is boarded up, fenced or secured if:
 - (A) The building constitutes a danger to the public even though secured from entry; or
 - (B) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building.

Sec. 3.06.014 Inspection and notice of abatement

- (a) The city manager shall designate an appropriate official ("building official") of the city to inspect or cause to be inspected any building that he has probable cause to believe does not meet the minimum standards. If the inspecting official is unable to obtain permission to search the building from the owner or a person in control of the premises, the city shall apply for an administrative search warrant pursuant to Texas Code of Criminal Procedure section 18.05, as amended, unless an exception to the warrant requirement exists.
- (b) After completing the inspection, the inspecting official shall determine if the building is a substandard structure.
- (c) After an initial determination that a building is a substandard structure, the inspecting official will notify the owner of record of the building, by certified mail, return receipt requested, of the nature of the violation(s) of the minimum standards.
- (d) The inspecting official shall also notify the owner of record of the building, by certified mail, return receipt requested, that the building is a substandard structure and that the owner must repair, demolish, or remove the building for the good of the public health, safety and welfare.
- (e) The inspecting official shall also notify the owner of record of the building, by certified mail, return receipt requested, that if said violations have not been cured after a period of thirty (30) days the inspection official will *may* cause a hearing to be held ~~with the substandard structure commission before~~ *the City Council* in accordance with this article.
- (f) A notice shall be posted on the dangerous building as follows:

“THIS BUILDING IS A SUBSTANDARD STRUCTURE ACCORDING TO THE MINIMUM STANDARDS SET FORTH IN THE OFFICIAL CODE OF THE CITY OF SHERMAN, CHAPTER 3, ARTICLE 3.06 AND THE OWNER MUST REPAIR, DEMOLISH OR REMOVE IT.

CONTACT _____ AT _____ FURTHER INFORMATION.

DATE: _____”

Sec. 3.06.015 ~~Commission's~~ Order to Abate

(a) General. Whenever the building official has inspected or caused to be inspected any structure or lot and has found and determined that such structure or lot is substandard, he may commence proceedings to cause repair, rehabilitation, or demolition of the structure or lot.

(b) Notice and administrative order to abate. The building official shall issue a notice and administrative order to abate a substandard structure or lot. The notice and administrative order shall contain:

- (1) The street address and a legal description sufficient for identification of the premises upon which the structure is located.
- (2) A statement that the building official has found the structure or lot to be substandard with a brief and concise description of the conditions found to render the structure or lot substandard under the provisions of this chapter.
- (3) A statement of the action recommended to be taken as determined by the building official as follows:
 - (A) If the building official has determined that the structure or lot must be repaired or remediated, the administrative order shall require that all required permits be secured and work physically commenced within thirty (30) days from the date of the administrative order.
 - (B) If the building official has determined that the structure must be demolished, the administrative order shall require that all required permits be secured and work physically commenced within thirty (30) days from the date of the administrative order.
- (4) A statement advising that a notice of hearing is forthcoming and a description of the hearing. The hearing shall provide the ~~commission~~ **City Council** the means to consider or determine whether a structure or lot complies with the standards set forth herein and to consider or determine whether a structure or lot must be repaired or demolished, as recommended by the building official in the notice and administrative order.
- (5) Statements advising that if the owner or owners of record are in full agreement with a demolition order, and that if the owner or owners of record are financially unable to abate

such nuisance, then the owner or owners of record may grant the city written permission to abate said nuisance, and, in doing so shall grant the city a lien against the real property as described in this article.

(c) Notice of hearing. The building official shall give notice of a public hearing to all known owners; lienholders, or mortgagees for the ~~commission~~ *City Council* to consider or determine whether a structure or lot complies with this code and to consider or determine whether a structure or lot must be repaired, secured or demolished. The notice shall be mailed and posted as provided herein, and published in the official newspaper of the city on one occasion, on or before the tenth (10th) day before the date of the hearing. The notice of hearing shall contain:

- (1) The name and address of the owner of the affected property, if known;
- (2) A legal description of the property, as well as the physical address;
- (3) A description of the hearing;
- (4) The date, time, and place of the public hearing. This date shall be established not less than ten (10) days from the date of the administrative order;
- (5) A statement advising that securing the required permits and physically commencing the required action shall be considered as intent to comply with the administrative order to abate, and that the hearing shall be temporarily postponed. Should abatement halt, or not progress at a rate determined to be reasonable by the building official, the hearing shall be recalled; and
- (6) Statement that the owner; lienholder; or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with this article and the time it will take to reasonably perform the work.

(d) Service of notice and administrative order to abate and notice of hearing. The notice of the administrative order to abate, the notice of hearing and any supplemental notices or orders shall be served upon the owner; lessor, lienholder; and mortgagees of record and occupant, if different than the owner of the structure or lot. Service of these notices and orders shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice by certified mail, return receipt requested, and an optional second copy by regular mail, to each such person at his address as it appears on the county tax rolls, or as discovered by due diligence, as defined by subsections (d)(1)–(d)(6) of this section, and the notice shall be posted on the front door of each improvement situated on the affected property or as close to the front door as practical. The following of these procedures shall be prima facie evidence of notification. If a certified notice is returned as refused or unclaimed, the validity of the notice is not affected, and the notice shall be deemed delivered. The city has satisfied the requirements of this section to make a diligent effort to determine the identity and address of an owner, a lienholder, or a mortgagee if the city searches the following records:

- (1) County real property records of the county in which the building is located;

- (2) Appraisal district records of the appraisal district in which the building is located;
- (3) Records of the secretary of state;
- (4) Assumed name records of the county in which the building is located;
- (5) City tax records; and
- (6) City utility records.

(e) Filing of notice and administrative order at the county. A copy of the notice and any administrative orders, or such orders as may be issued pursuant to these provisions, shall be filed with the county deed records in the county where the property is located. The notice must contain the name and address of the owner of the affected property if that information can be determined from a reasonable search of the instruments on file in the office of the county clerk, or upon a due diligence search as set forth herein, a legal description of the affected property, and a description of the proceeding. The filing of said notice and any said orders, is binding on subsequent grantees, lienholders, or other transferees of an interest in the property who acquire such interest after the filing of said notice or any said orders, and constitutes notice of said hearing and notice of any said orders, on any subsequent recipient of any interest in the property who acquires such interest after the filing of said notice or filing of any said orders.

(f) Meeting/public hearing. During an officially convened meeting, the ~~commission~~ *City Council* shall hold a public hearing on each case and shall hear such testimony as may be presented by any department of the city, the housing inspector, or the owner, occupant, mortgagee or any other person having an interest in such building to determine whether a building complies with the standards of this code. The owner, lienholder, or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with this code and the time it will take to perform the work. After all testimony has been received, the public hearing shall be closed and the ~~commission~~ *City Council* shall deliberate on the case in open session. ~~The commission shall make written findings of fact from the testimony offered as to whether the building complies with the standards of this code.~~

~~(1) — After the meeting, if~~

~~If~~ a building is found in violation of the standards set forth herein, the ~~commission~~ *City Council* may order that the building be secured, repaired, removed, or demolished by the owner within a reasonable time ~~as provided herein~~. The ~~commission~~ *City Council* reserves the right to determine what is a reasonable amount of time to perform the ordered work.

~~(2) — The commission shall require the owner, lienholder, or mortgagee of the building to, within thirty (30) days:~~

~~(A) — Secure the building from unauthorized entry or use; or~~

~~(B) — Repair, remove, or demolish the building, unless the owner, lienholder, or mortgagee establishes at the hearing that the work cannot reasonably be performed within thirty (30) days.~~

If the commission allows the owner, lienholder, or mortgagee more than thirty (30) days to repair, remove, or demolish the building, the commission shall establish specific schedules for the commencement and performance of the work and shall require the owner, lienholder, or mortgagee to secure the property in an approved manner from unauthorized entry while the work is being performed, as determined by the commission.

(3) The commission may not allow the owner, lienholder, or mortgagee more than ninety (90) days to repair, remove, or demolish the building or fully perform all work required to comply with the order unless the owner, lienholder, or mortgagee:

(A) Submits a detailed plan and time schedule for the work at the hearing; and

(B) Establishes at the hearing that the work cannot justifiably be completed within ninety (90) days because of the scope and complexity of the work.

If the commission allows the owner, lienholder, or mortgagee more than ninety (90) days to complete any part of the work required to repair, remove, or demolish the building, the commission shall require the owner, lienholder, or mortgagee to regularly submit progress reports to the building official and to the commission to demonstrate that the owner, lienholder, or mortgagee has complied with the time schedules established, for commencement and performance of work. The order may require that the owner, lienholder, or mortgagee appear before the commission to demonstrate compliance with the time schedule.

(g) Post meeting procedure. The secretary for the commission *City Attorney* shall, within ten (10) days after the date the order is issued:

- (1) File a copy of the order in the office of the city clerk;
- (2) Publish in a newspaper of general circulation in the city a notice containing:
 - (A) The street address or legal description of the property;
 - (B) The date of the hearing;
 - (C) A brief statement indicating the results of the order; and
 - (D) Instructions stating where a complete copy of the order may be obtained; and
- (3) Shall promptly mail by certified mail, return receipt requested, and an optional second copy by regular mail, a copy of the order to the owner; any lienholder, and any mortgagee of the building, as determined by due diligence, as defined herein.

Sec. 3.06.016 Enforcement

(a) Criminal.

(1) A person who violates a provision of this code, or who fails to perform an act required of him by this code, or who, fails to adhere to an order issued by the ~~commission~~ *City Council* under this code, commits a class C misdemeanor offense. A person commits a separate offense each day or portion of a day during which a violation is committed, permitted, or continued.

(2) An offense under this code is punishable by a fine of \$500.00 per day per violation.

(3) Allegation and evidence of a culpable mental state is not required for the commission of an offense under this code.

(b) Civil.

(1) The city may, in accordance with sections 54.012 et seq. of the Texas Local Government Code, as amended, bring a civil action against a person violating a provision of this code relating to dangerously damaged or deteriorated structures or improvements or for conditions caused by accumulations of trash, garbage, refuse, vegetation, or other matter that creates breeding and living places for insects and rodents.

(2) The civil action may include, but is not limited to, a suit to recover a civil penalty not to exceed \$1,000.00 for each day or portion of a day during which the violation is committed, continued, or permitted by the owner or occupant of the property, as provided below.

(3) The city, by ~~order~~ *Resolution* of the ~~commission~~ *City Council*, may assess and recover a civil penalty against a property owner, if the owner fails to take the requisite action as ordered by the ~~commission~~ *City Council*, after an administrative hearing on the matter. The civil penalty may not exceed \$1,000.00 a day for each violation if the city proves:

(A) The property owner was notified of the requirements of this code and the owner's need to comply with the requirements; and

(B) After notification, the property owner committed an act in violation of this code or failed to take an action necessary, for compliance with this code.

(4) A determination by the ~~commission~~ *City Council* which involves the establishment of an amount and duration of a civil penalty shall be final and binding and constitute prima facie evidence of the penalty in any court of competent jurisdiction in a civil suit brought by the city for final judgment in accordance with the established penalty.

(5) To enforce any civil penalty under this section, the city must file in the district clerk's office in which the municipality and property is located, a certified copy of the ~~order~~ *Resolution* of the ~~commission~~ *City Council* establishing the amount and duration of the penalty. No other proof is required for a district court to enter final judgment on the penalty.

(c) Other available remedies. The city shall have all other available remedies at law and in equity to enforce the provisions of this article.

Sec. 3.06.017 Authority to secure unoccupied, unsecured, substandard, open buildings and structures

(a) Purpose. The owner or person in control of an unoccupied structure shall ensure that the building is in such condition that an unauthorized person cannot enter the structure through missing or unlocked doors or windows or through other openings into the building. The city may secure unoccupied, unsecured structures, or structures occupied by persons who do not have the right of possession to the building. A lien may be filed on real property to ensure the cost of securing the structure as set forth in this article.

(b) Definitions.

Unoccupied structure. Any structure or building that appears vacant or abandoned as evidenced by: no active utility accounts, absence of personalty, general conditions of neglect and any other substantiated evidence of vacancy or abandonment that may be presented by the building official.

Unsecured structure. Any structure or building that currently has no occupant with the right of possession of the building and which has missing or unlocked doors or windows, or other unsecured openings into the building through which unauthorized persons can enter. Any unoccupied, unsecured structure or building is hereby declared to be a danger to public health and safety and is hereby declared to be a public nuisance.

(c) City may secure.

(1) The building official may secure a building that:

- (A) Violates the standards of this code; and
- (B) Is an unsecured structure.

(2) This authority is in addition to that regarding substandard structures.

(d) Notice.

(1) Before the eleventh (11th) day after the date the building is secured, the building official shall give notice to the owner of record by:

- (A) Personally serving the owner with written notice;
- (B) Sending a copy of the notice certified mail, return receipt requested, and an optional copy by regular mail, at the owner's post office or physical address;
- (C) Publishing the notice at least twice within a ten (10) day period in the city's official newspaper if personal service cannot be obtained and the owner's post office or physical address is unknown; or

- (D) Posting the notice on or near the front door of the building if personal service cannot be obtained or the owner's post office or physical address is unknown.
- (2) The notice must contain the following:
 - (A) An identification, which is not required to be a legal description, of the building and the property on which it is located;
 - (B) A description of the violation of this code that is present at the building;
 - (C) A statement that the city will secure or has secured, as the case may be, the building; and
 - (D) A statement that the owner may request a hearing about any matter related to the city's securing of the building, and that if such a hearing is requested, it shall be held pursuant to Texas Local Government Code section 214.0011(e), as amended.
- (3) The city shall conduct a hearing before the ~~commission~~ *City Council* at which the owner may testify or present witnesses or written information about any matter relating to the city's securing of the building if within thirty (30) days after the date the city secures the building, the owner files with the ~~secretary for the commission, or the~~ city secretary, a written request for the hearing. The city shall conduct the hearing within ~~twenty (20)~~ *thirty (30)* days after the date the request is filed.

Sec. 3.06.018 Appeals

Any owner, lienholder or mortgagee of record of a property jointly or severally aggrieved by an order ~~of the commission~~ under this article shall be entitled to judicial review of said order pursuant to Texas Local Government Code section 214.0012, as amended.

Sec. 3.06.019 Abatement by city and liens

(a) If an owner or other interested party does not take the action required by an order issued pursuant to this article within the time specified and has not filed a timely appeal in accordance with this article and the Texas Local Government Code section 214.0012 the city may take the appropriate action at its expense at the direction of the city council in accordance with the laws of the state.

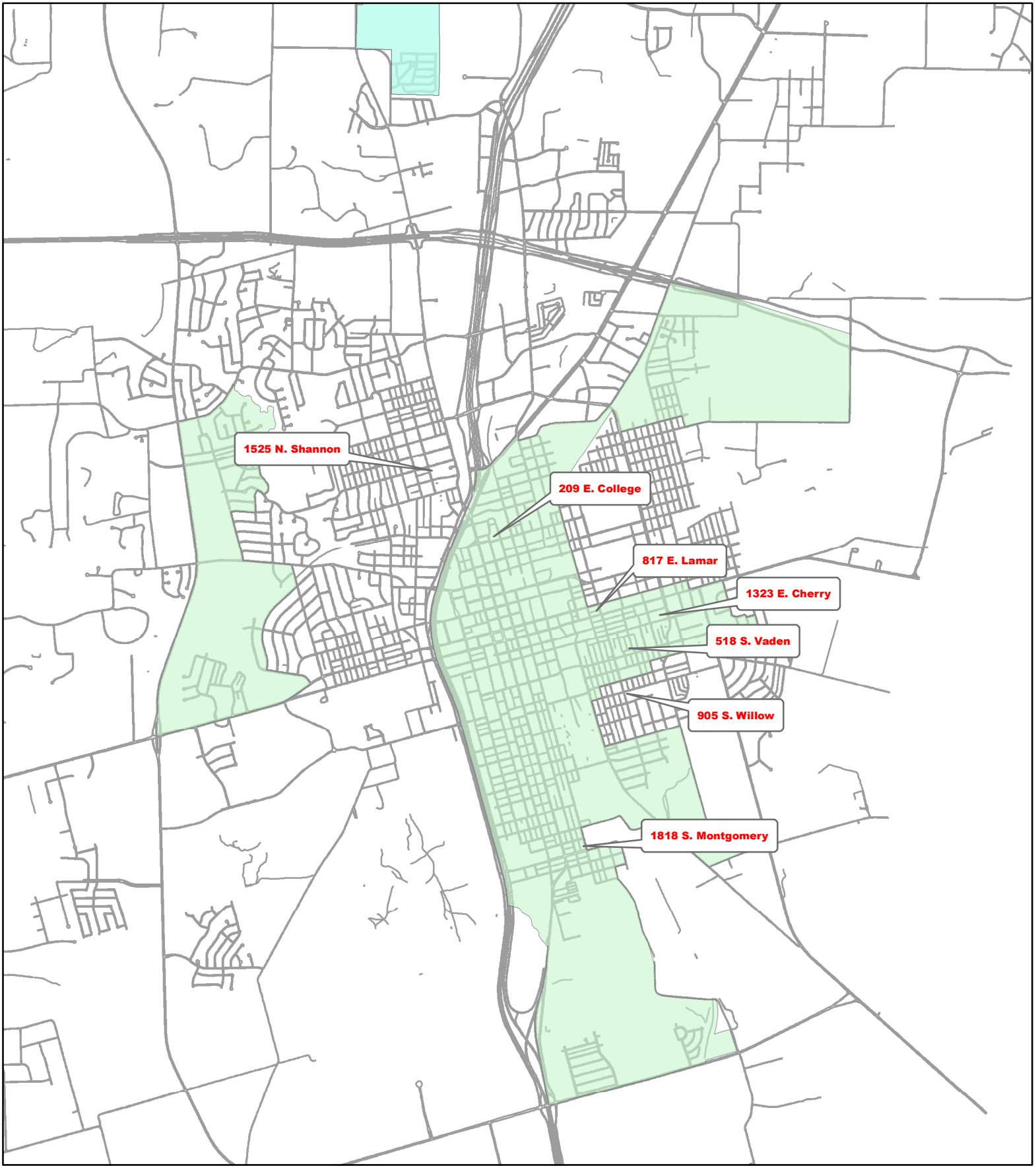
(b) Any expenses incurred by the city pursuant to subsection (a) of this section will be assessed against the property on which the building stands or stood. The city will have a privileged lien upon filing same in the official public records of the county clerk subordinate only to tax liens against the property unless it is a homestead as protected by the Texas Constitution. The lien will be extinguished if the property owner or other interested party reimburses the city for all expenses and penalties.

Sec. 3.06.020 Receiver

The city may bring an action in district court against an owner of residential property that is not in substantial compliance with the minimum standards and request the appointment of a receiver for

proposes of rehabilitating the property in accordance with Texas Local Government Code section 214.003, as amended.

(Ordinance 5790 adopted 8/19/13)



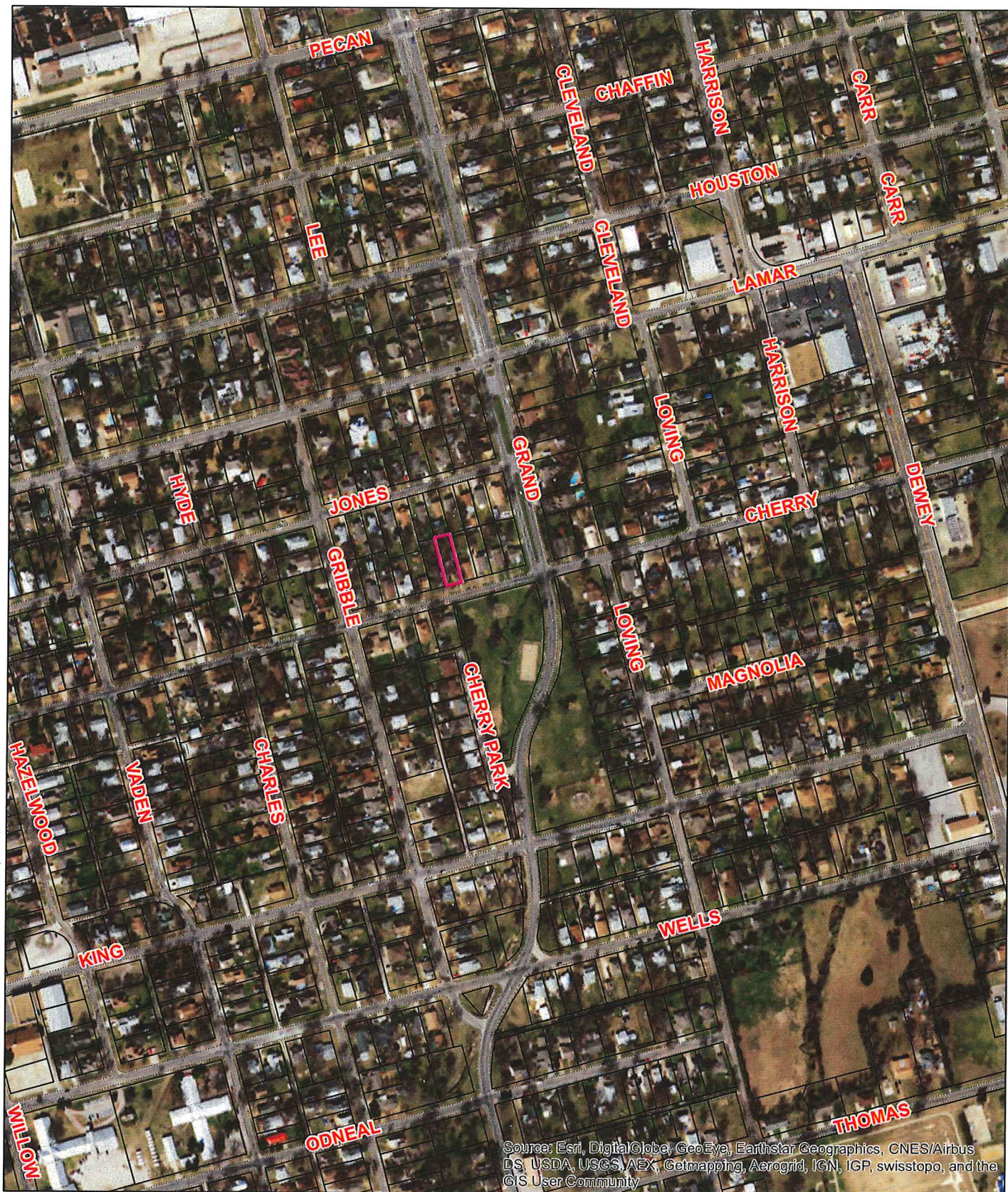
Substandard Structures
City Council Meeting, June 6, 2016



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE
1 inch = 4,000 feet



Sherman
CLASSIC TOWN. BROAD HORIZON.

1323 E. Cherry



NOT TO SCALE

1 in = 400 ft

City of Sherman, Texas
Developmental Services Department

Wednesday, April 13, 2016

Livia Ricketts Douglas
1323 E. Cherry St.
Sherman, TX. 75090



CERTIFIED AND REGULAR MAIL
R.R.R. NO. 7013 2630 0000 4317 6931

NOTICE OF SUBSTANDARD STRUCTURE

Dear Property Owner(s),

The tax records of the Grayson County Appraisal District indicate that you are the owner of a structure located at **1323 E. Cherry St.** The legal description of said property is: **EAST SIDE ADDN, BLOCK 2, LOT PT 2.**

A recent inspection of that property indicates that this property is substandard under our Code of Ordinances and creates a public nuisance (SEE ATTACHED INSPECTION REPORT).

This letter serves to notify you that you have thirty (30) days to cure the violations identified in the attached inspection report by repairing, demolishing, or removing this building for the good of the public health, safety and welfare.

This letter also serves to notify you that if said violations have not been cured after a period of thirty (30) days, this may cause a hearing to be held with the City Council in accordance with Sec. 3.06.014(e) of the Substandard Structure Ordinance of the City of Sherman.

Should you have any questions, please contact this office at (903)892-6535.

Sincerely,

Handwritten signature of Byrle White in blue ink.

Byrle White,
Code Inspector

CC: Don Keene, Assistant City Manager
Brandon Shelby, City Attorney
Scott Shadden, C.B.O., Director of Developmental Services

Attachments (AS STATED ABOVE)



BUILDING INSPECTION REPORT
Substandard Structure

Date of Inspection 3/28/16 Tax ID # S043 2073021

Address of Inspection 1323 E. CHERRY

Owner(s): LIVIA RICKETTS DOUGLAS

Water service terminated: ACTIVE Occupied Unoccupied ✓

Lot Appearance: HIGH GRASS TRASH DEBRIS JUNK VEHICLE X3

Roof: UNLEVEL DETERIORATED MISSING SHINGLES HOLES
INTERIOR EXPOSED TO ELEMENTS MISSING OR DAMAGED FASCIA
FIRE DAMAGED ROTTED DECAYED FALLING APART

Walls: PEELING PAINT SIDING LOOSE OR MISSING FIRE DAMAGED

Doors/Windows: UNSECURED GLASS BROKEN OR MISSING

Structure Integrity: DILAPIDATED COLLAPSING UNSAFE DANGEROUS
FIRE DAMAGED

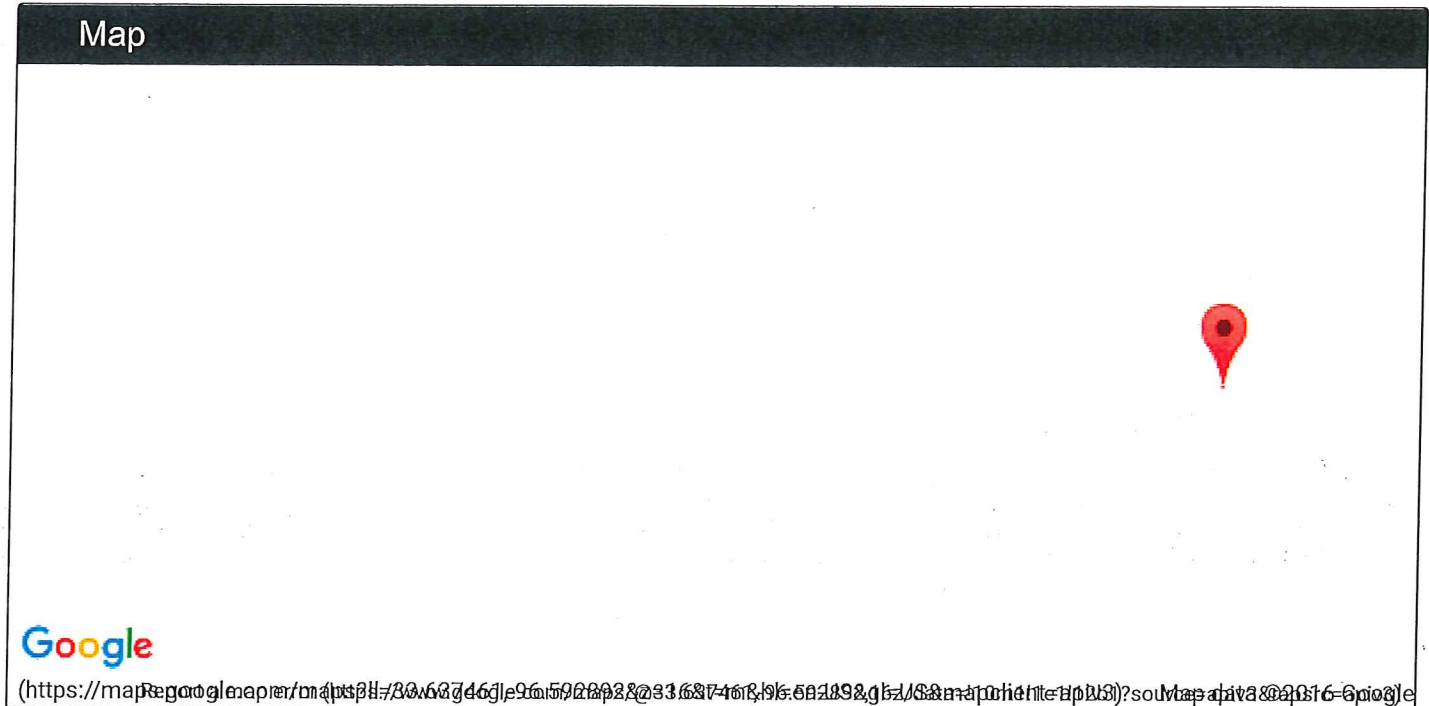
Electrical Service: ACTIVE INACTIVE
Substandard: OUTDATED UNSAFE DANGEROUS NOT APPLICABLE

Gas Service: ACTIVE INACTIVE NOT APPLICABLE

B. White
Building Inspector

Grayson CAD eSearch

Property ID: 164649 For Year 2016



Property Details

Account	
Property ID:	164649
Legal Description:	EAST SIDE ADDN, BLOCK 2, LOT PT 2
Geographic ID:	S043 2073021
Agent Code:	
Type:	Real
Location	
Address:	1323 E CHERRY ST SHERMAN, TX 75090
Map ID:	S043
Neighborhood CD:	CRUTC1F
Owner	
Owner ID:	164649
Name:	DOUGLAS LIVIA RICKETTS
Mailing Address:	1323 E CHERRY SHERMAN, TX 75090
% Ownership:	100.0%
Exemptions:	For privacy reasons not all exemptions are shown online.

White, Byrle

From: White, Byrle
Sent: Friday, April 15, 2016 2:38 PM
To: Williams, Lisa M
Subject: junk vehicles @ 1323 E. Cherry St.
Attachments: junk vehicle 1 inspection sticker.20160328_145043.jpg; junk vehicle 1 license. plate.20160328_145033.jpg; junk vehicle 2 inspection sticker.20160328_145101.jpg; junk vehicle 2. license plate.20160328_145050.jpg; junk vehicle 3 license plate.20160328_145106.jpg

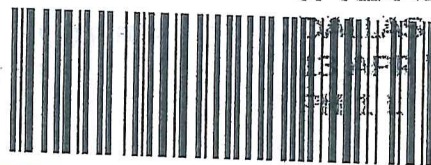
Byrle White

Code Inspector
Building and Zoning Department
City of Sherman
Phone: 903 892-6535
Fax: 903 892-7274
email: byrlew@ci.sherman.tx.us
www.ci.sherman.tx.us

B.D.W. #125 PO Box 1106 | Sherman, TX 75091

Sherman
CLASSIC TOWN. BROAD HORIZON.

TE69 2TE4 0000 0592 FEB 16



DALLAS 750
15 APR 16



U.S. POSTAGE PITNEY BOWES



ZIP 75090 \$ 006.95⁵
02 4W
0000333103 APR 13. 2016.



Livia Ricketts Douglas
1323 E. Cherry St
Sherman, TX

Handwritten signature and date: 11/17/16

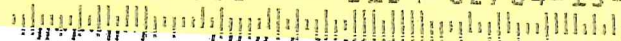
NIXIE 750 SE 1 0005/09/16

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

UNC

BC: 75091110606 *2134-02764-13-39

75091110606



PS Form 3800, August 2006 See Reverse for Instructions

Sent To
LIVIA RICKETTS DOUGLAS
Street, Apt. No.,
or PO Box No. 1323 E. CHERRY ST.
City, State, ZIP+4 SHERMAN, TX. 75090

Postage \$
Certified Fee
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$

06
APR 13 2016
SHERMAN, TX
Postmark Here

OFFICIAL USE
For delivery information visit our website at www.usps.com®
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
U.S. Postal Service™ 8-DIGIT 121

7013 2630 0000 4317 6931

127

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
LIVIA RICKETTS DOUGLAS
1323 E. CHERRY ST.
SHERMAN, TX. 75090

2. Article Number
(Transfer from service label) 7013 2630 0000 4317 6931

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent
☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail® ☐ Priority Mail Express™
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

PS Form 3811, July 2013 Domestic Return Receipt



3. cherry.front.20160328_1447



shed garage 2.20160328_1448



shed garage.20160328_14483



ast side.20160328_144750.jp



brush-rear yard.20160328_1



e gas service.20160413_0937



1 inspection sticker.20160328



le 1 license. plate.20160328_1



2 inspection sticker.20160328



le 2. license plate.20160328_1



le 3 license plate.20160328_1



roof. west side.20160328_144



siding.west side.20160328_14



sted letter.20160329_090713.j



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notice-sign.far.20160413_093



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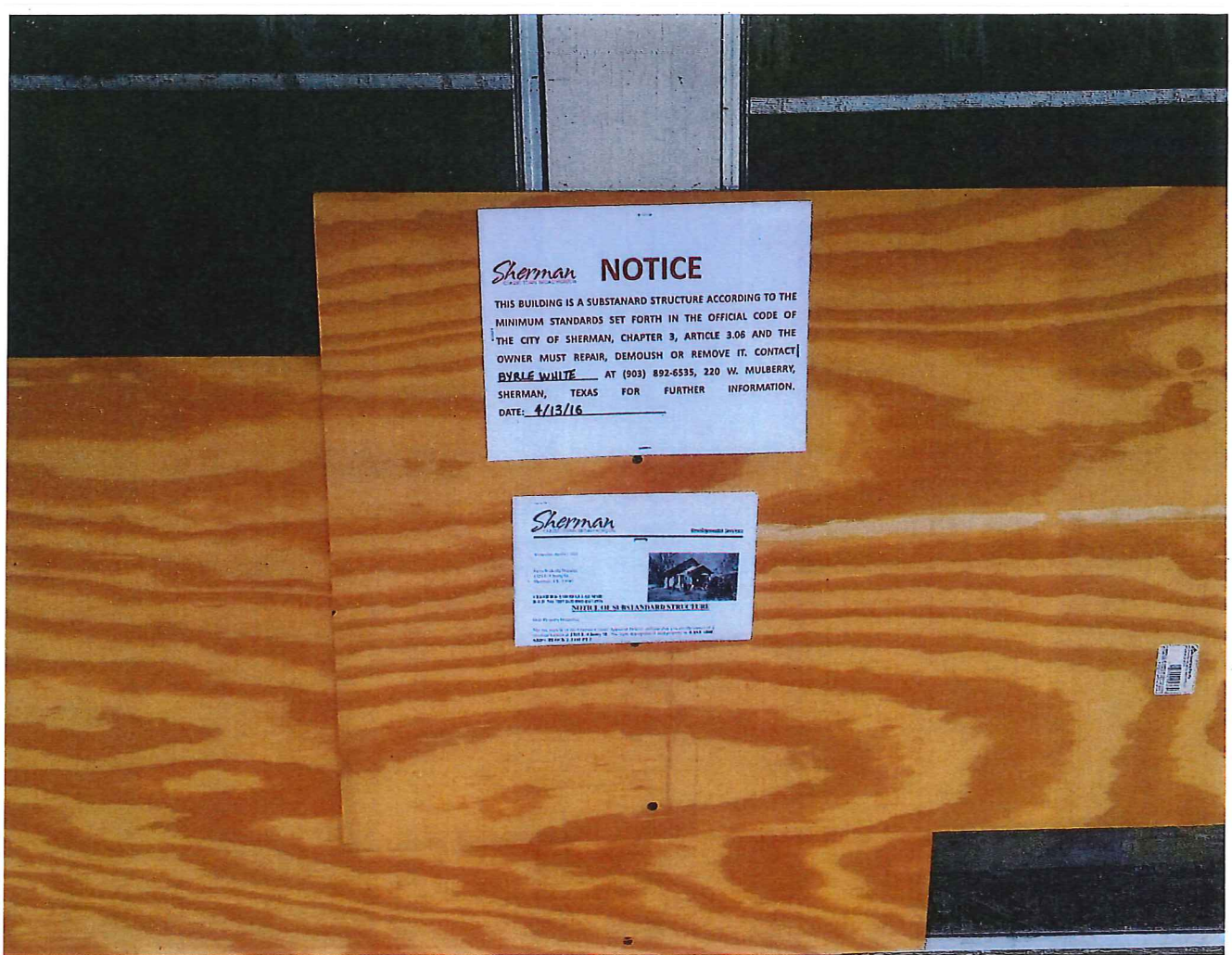


















Sherman
CLASSIC TOWN. BROAD HORIZON.

817 E. Lamar



1 in = 400 ft

City of Sherman, Texas
Developmental Services Department

Tuesday, January 19, 2016

Sara Jane Stagner
2600 Easy Street
Denison, TX. 75020



CERTIFIED AND REGULAR MAIL
R.R. NO. 7013 2630 0000 4317 6887

NOTICE OF SUBSTANDARD STRUCTURE

Dear Property Owner(s),

The tax records of the Grayson County Appraisal District indicate that you are the owner of a structure located at **817 E. Lamar**. The legal description of said property is: **CHAFFINS 1ST ADDN, BLOCK 11, LOT 9 & 10.**

A recent inspection of that property indicates that this property is substandard under our Code of Ordinances and creates a public nuisance (SEE ATTACHED INSPECTION REPORT).

This letter serves to notify you that you have thirty (30) days to cure the violations identified in the attached inspection report by repairing, demolishing, or removing this building for the good of the public health, safety and welfare.

This letter also serves to notify you that if said violations have not been cured after a period of thirty (30) days, this will cause a hearing to be held with the Substandard Structure Commission in accordance with Sec. 3.06.014(e) of the Substandard Structure Ordinance of the City of Sherman.

Should you have any questions, please contact this office at (903)892-6535.

Sincerely,

Handwritten signature of Byrle White in blue ink.

Byrle White,
Building Inspector

CC: Scott Shadden, C.B.O., Director of Developmental Services
Attachments (AS STATED ABOVE)

Grayson CAD eSearch

Property ID: 161450 For Year 2015

Map



Google

(https://maps.google.com/maps?hl=en&v=30.637612,-96.598379&3.662662,8.1529078&gl=US&mapid=1ap2v3)source=MapData&cap=15-0m

Property Details

Account

Property ID:	161450
Legal Description:	CHAFFINS 1ST ADDN, BLOCK 11, LOT 9 & 10
Geographic ID:	S033 2044087
Agent Code:	
Type:	Real

Location

Address:	817 E LAMAR SHERMAN, TX
Map ID:	S033
Neighborhood CD:	SHJEFFRF3S

Owner

Owner ID:	276591
Name:	STAGNER SARA JANE
Mailing Address:	2600 EASY STREET DENISON, TX 75020
% Ownership:	100.0%
Exemptions:	For privacy reasons not all exemptions are shown online.

Property Land

Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
RESID	Residential	0.1354	5,900.00	50.00	118.00	\$3,080	\$0

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2016	\$7,990	\$3,080	\$0	\$11,070	\$0	\$11,070
2015	\$7,709	\$3,080	\$0	\$10,789	\$0	\$10,789
2014	\$8,047	\$5,151	\$0	\$13,198	\$0	\$13,198
2013	\$9,053	\$5,151	\$0	\$14,204	\$0	\$14,204
2012	\$9,053	\$5,151	\$0	\$14,204	\$0	\$14,204
2011	\$12,221	\$4,600	\$0	\$16,821	\$0	\$16,821
2010	\$12,221	\$4,600	\$0	\$16,821	\$0	\$16,821
2009	\$12,221	\$4,600	\$0	\$16,821	\$0	\$16,821

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
2/19/2016	Q/C	QUIT CLAIM DEED	STAGNER SARA JANE	FULMER MARSHALL D	5761	322	
5/23/2007	WD	WARRANTY DEED	NOEL MARGIE ANN	STAGNER SARA JANE	4253	288	12446
10/31/2006	WD	WARRANTY DEED	WALKER MARY	NOEL MARGIE ANN	4163	151	
4/2/2001	QCD	QUIT CLAIM DEED	SMITH JERRY	WALKER MARY	3418	695	0
8/28/1984	WD	WARRANTY DEED			1711	195	0
1/17/1984	AFFD	affadavit			1694	105	0
1/1/1900	PB	PROBATE			0	0	

VALUES DISPLAYED ARE 2016 PRELIMINARY VALUES and are subject to change prior to Certification

DISCLAIMER Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Grayson CAD eSearch

Property ID: 161450 For Year 2016

 Map


(https://maps.google.com/maps?ll=33.637662,-96.599370&z=16&t=m&hl=en&gl=us&mapclient=api3) Map data ©2016 Google

 Property Details

Account

Property ID:	161450
Legal Description:	CHAFFINS 1ST ADDN, BLOCK 11, LOT 9 & 10
Geographic ID:	S033 2044087
Agent Code:	
Type:	Real

Location

Address:	817 E LAMAR SHERMAN, TX
Map ID:	S033
Neighborhood CD:	JEFF2F

Owner

Owner ID:	421429
Name:	FULMER MARSHALL D
Mailing Address:	101 W MUNSON DENISON, TX 75020
% Ownership:	100.0%
Exemptions:	For privacy reasons not all exemptions are shown online.



BUILDING INSPECTION REPORT
Substandard Structure

Date of Inspection 1/13/16 Tax ID # S033 2044087

Address of Inspection 817 E. LAMAR

Owner(s): SARA JANE STAGNER

Water service terminated: 10/2013 Occupied ☐ Unoccupied ☒

Lot Appearance: HIGH GRASS TRASH DEBRIS JUNK VEHICLE

Roof: UNLEVEL DETERIORATED MISSING SHINGLES HOLES
INTERIOR EXPOSED TO ELEMENTS MISSING OR DAMAGED FASCIA
FIRE DAMAGED ROTTED DECAYED FALLING APART

Walls: PEELING PAINT SIDING LOOSE OR MISSING FIRE DAMAGED

Doors/Windows: UNSECURED GLASS BROKEN OR MISSING

Structure Integrity: DILAPIDATED COLLAPSING UNSAFE DANGEROUS
FIRE DAMAGED

Electrical Service: ACTIVE INACTIVE
Substandard: OUTDATED UNSAFE DANGEROUS NOT APPLICABLE

Gas Service: ACTIVE INACTIVE NOT APPLICABLE

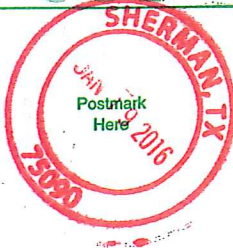
B. White
Building Inspector

U.S. Postal Service™ **CERTIFIED MAIL™ RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To **SARA JANE STAGNER**
 Street, Apt. No., or PO Box No. **2600 EASY STREET**
 City, State, ZIP+4 **DENISON, TX. 75020**

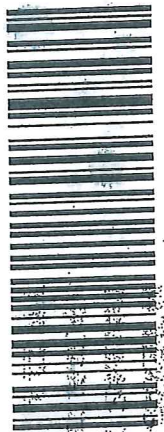
PS Form 3800, August 2006

See Reverse for Instructions

B.D.M. #127
Sherman
 CLASSIC TOWN. BROAD HORIZON.
 PO Box 1106 | Sherman, TX 75091

Handwritten signature and initials in blue ink.

CERTIFIED MAIL™
 PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
 OF THE RETURN ADDRESS, FOLD AT DOTTED LINE



Sara Jane Stagner
 2600 Easy Street
 Denison, TX. 7

75091-0106
 75020-712200

RETURN TO SENDER
 UNCLAIMED
 RC: 75091110606 #1334-05072-19-A0
 5607/21/20

U.S. POSTAGE® PITNEY BOWES
 ZIP 75090 \$006.95
 02 4W
 0000333103 JAN 19, 2016

2889 21E4 0000 0E92 E102

2889 21E4 0000 0E92 E102



lamar.front.20160113_09583



window.front.20160113_09583



ed roofing.rear.20160113_100



ated roof.front.20160113_095



as riser.20160113_100504.jpg



ont porch flooring.20160113_0



les in roof.20160119_155618.j



les in roof.20160119_155631.j



roof.west side.20160113_095



issing siding.rear.20160113_10



s in roof.west side.20160113_0



ing container.rear.20160113_



ding materials.rear.20160113_



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notice-sign.far.20160119_155



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with missing windows.2016011



e service drop.20160113_095



rest side.20160113_100318.jp

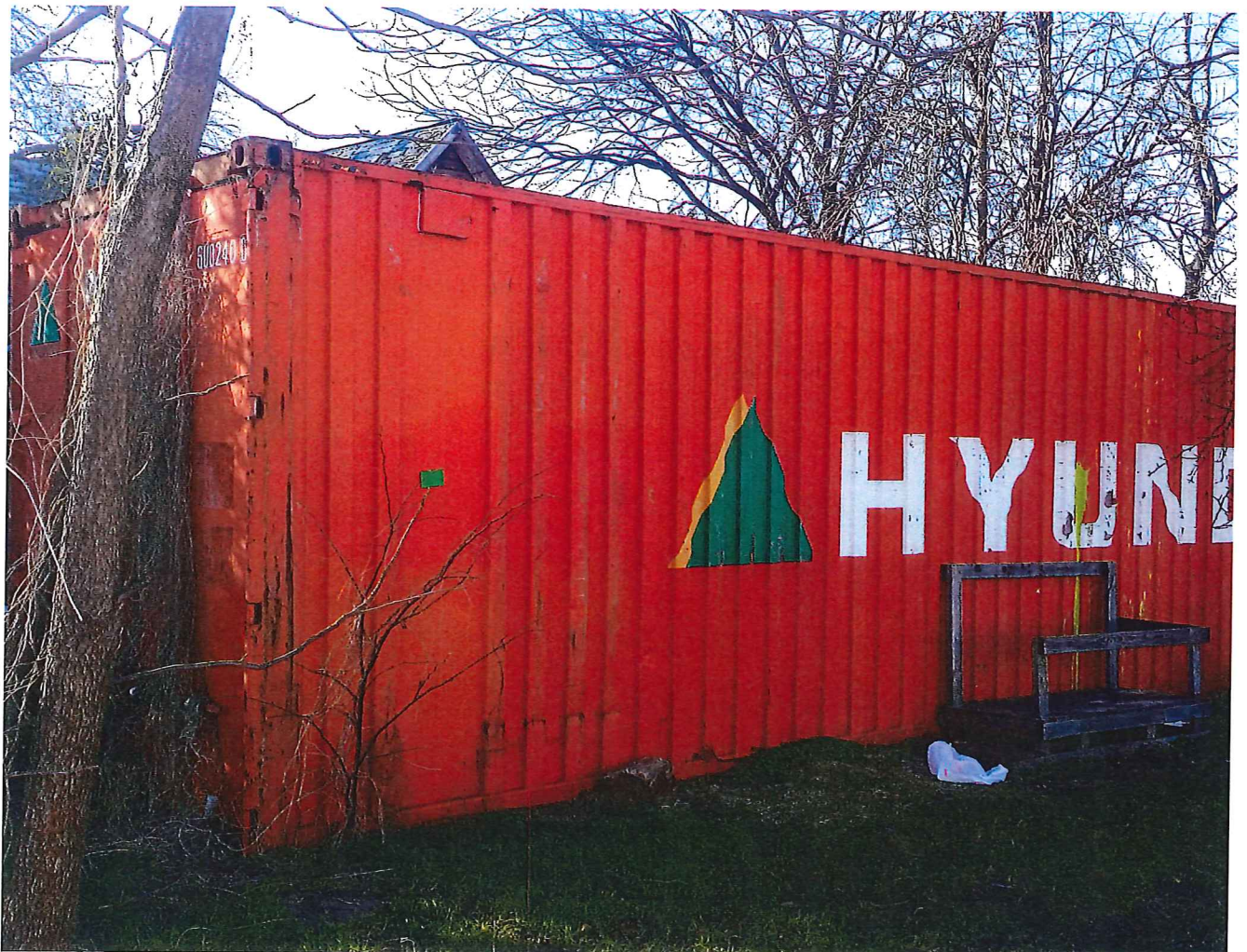




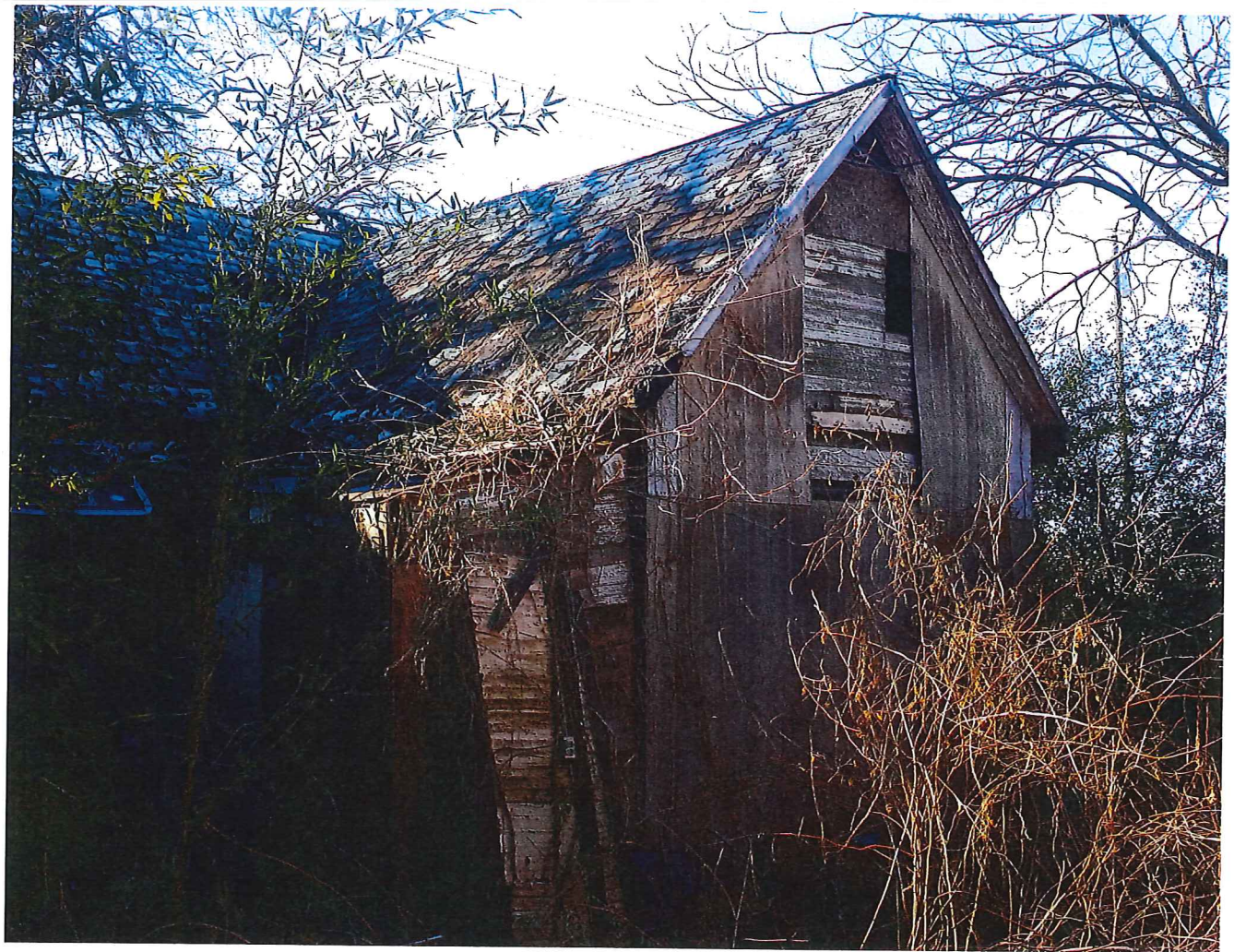


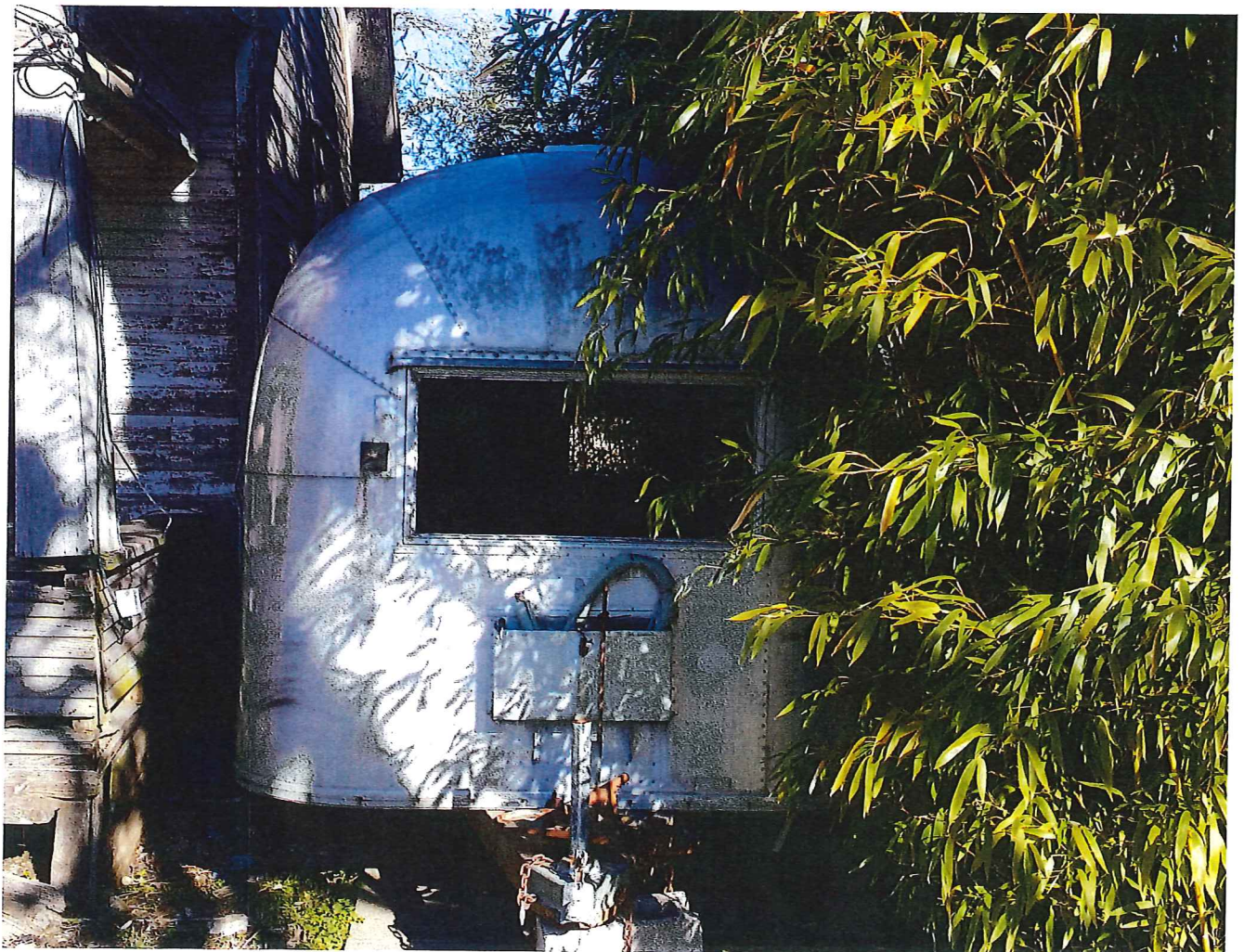
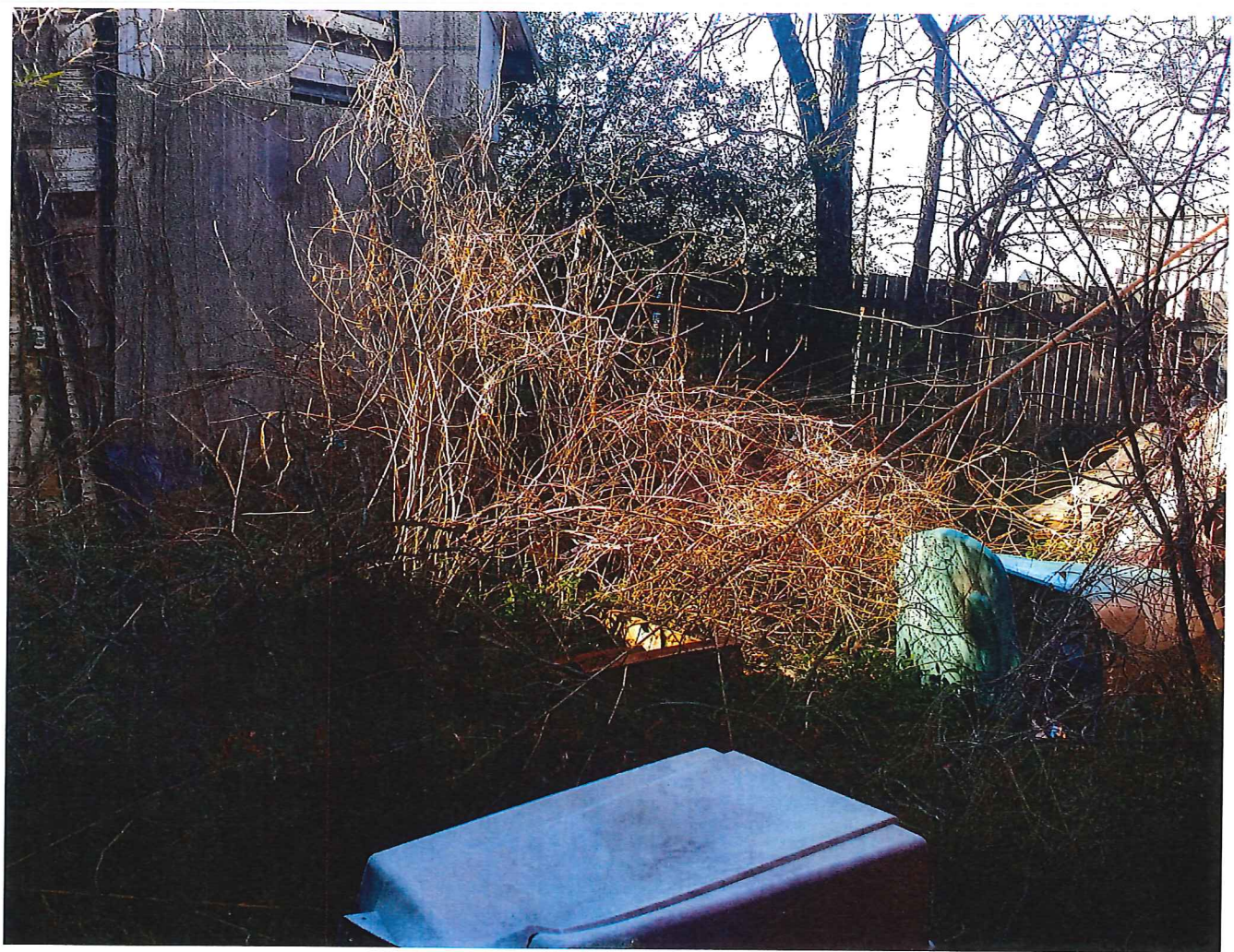














817

Sherman NOTICE

THIS BUILDING IS A SUBSTANDARD STRUCTURE ACCORDING TO THE MINIMUM STANDARDS SET FORTH IN THE OFFICIAL CODE OF THE CITY OF SHERMAN, CHAPTER 3, ARTICLE 3.06 AND THE OWNER MUST REPAIR, DEMOLISH OR REMOVE IT. CONTACT **BYRLE WHITE** AT (903) 892-6535, 220 W. MULBERRY, SHERMAN, TEXAS FOR FURTHER INFORMATION.
DATE: 11/19/16

Sherman



WHITE PAPER SUBSTANDARD STRUCTURE



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Sherman
CLASSIC TOWN. BROAD HORIZON.

905 S. Willow



NOT TO SCALE

1 in = 250 ft

City of Sherman, Texas
Developmental Services Department

SHERMAN



Wednesday, November 20, 2013

Elvira Ravelo
905 S. Willow St.
Sherman, TX. 75090



CERTIFIED AND REGULAR MAIL
R.R.R. NO. 7010 2780 0000 9146 3516

NOTICE OF SUBSTANDARD STRUCTURE

Dear Property Owner(s),

The tax records of the Grayson County Appraisal District indicate that you are the owner of a structure located at **905 S. Willow**. The legal description of said property is: **ELLIOTTS W ADDN, BLOCK 20, LOT 3 & 4, 50X140, ACRES .1607**.

A recent inspection of that property indicates that this property is substandard under our Code of Ordinances and creates a public nuisance (SEE ATTACHED INSPECTION REPORT).

This letter serves to notify you that you have thirty (30) days to cure the violations identified in the attached inspection report by repairing, demolishing, or removing this building for the good of the public health, safety and welfare.

This letter also serves to notify you that if said violations have not been cured after a period of thirty (30) days, this will cause a hearing to be held with the Substandard Structure Commission in accordance with Sec. 3.06.014(e) of the Substandard Structure Ordinance of the City of Sherman.

Should you have any questions, please contact this office at (903)892-6535.

Sincerely,

Byrle White,
Building Inspector

CC: Scott Shadden, C.B.O., Director of Developmental Services
Attachments (AS STATED ABOVE)



BUILDING INSPECTION REPORT
Substandard Structure

Date of Inspection 11/7/13 Tax ID # S047-2078115
Address of Inspection 905 S. WILLOW
Owner(s): ELVIRA RAVELO
Water service terminated: 11/9/11 Occupied ☐ Unoccupied ☒

Lot Appearance: HIGH GRASS TRASH DEBRIS JUNK VEHICLE

Roof: UNLEVEL DETERIORATED MISSING SHINGLES HOLES
INTERIOR EXPOSED TO ELEMENTS MISSING OR DAMAGED FASCIA
FIRE DAMAGED ROTTED DECAYED FALLING APART

Walls: PEELING PAINT SIDING LOOSE OR MISSING FIRE DAMAGED

Doors/Windows: UNSECURED GLASS BROKEN OR MISSING

Structure Integrity: DILAPIDATED COLLAPSING UNSAFE DANGEROUS
FIRE DAMAGED

Electrical Service: ACTIVE INACTIVE
Substandard: OUTDATED UNSAFE DANGEROUS NOT APPLICABLE

Gas Service: ACTIVE INACTIVE NOT APPLICABLE


Building Inspector

Property ID: 165341 For Year 2016



Property Details

Account

Property ID:	165341
Legal Description:	ELLIOTTS WADDN, BLOCK 20, LOT 3 & 4, 50x140, ACRES .1607
Geographic ID:	S047 2078115
Agent Code:	
Type:	Real

Location

Address:	905 S WILLOW ST SHERMAN, TX
Map ID:	S047
Neighborhood CD:	CRUTC1F

Owner

Owner ID:	389593
Name:	RAVELO ELVIRA
Mailing Address:	905 S WILLOW ST SHERMAN, TX 75090-8037
% Ownership:	100.0%
Exemptions:	For privacy reasons not all exemptions are shown online.

127

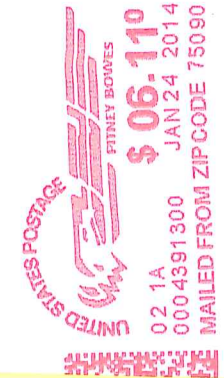
PO Box 1106 | Sherman, TX 75091

Sherman
CLASSIC TOWN. BROAD HORIZON.



7010 2780 0000 9146 3653

Elvira Ravelo
905 S. Willow
Sherman, TX 75090



NIXIE 750 FE 1009 0002/01/14

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

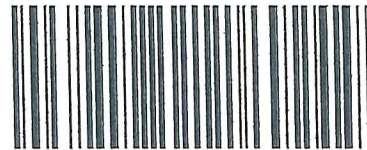
BC: 75091110606 *1634-00721-24-43

7509038953100076

CERTIFIED MAIL™

PO Box 1106 | Sherman, TX 75091

Sherman
CLASSIC TOWN. BROAD HORIZON.



7013 2630 0000 6326



SS 905 S. Willow

Elvira Ravelo
905 S. Willow St.
Sherman, Texas 75090

NIXIE 750 DE 1009 7002/23/14

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

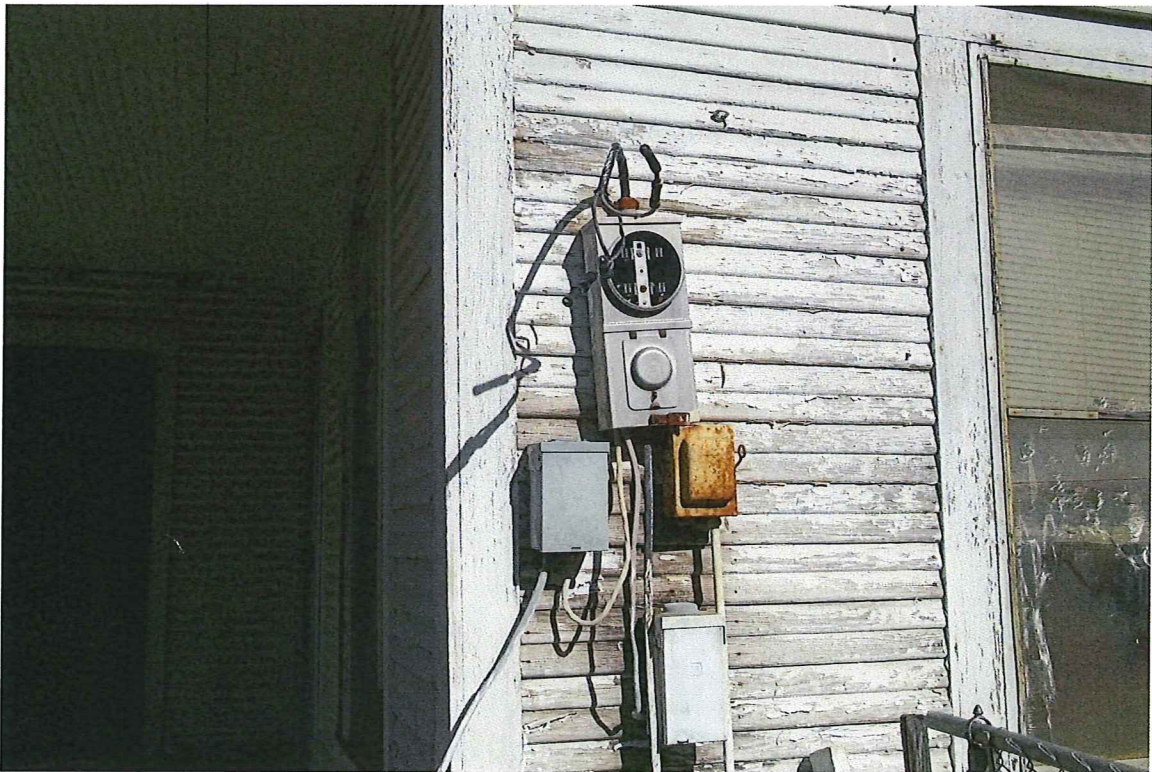
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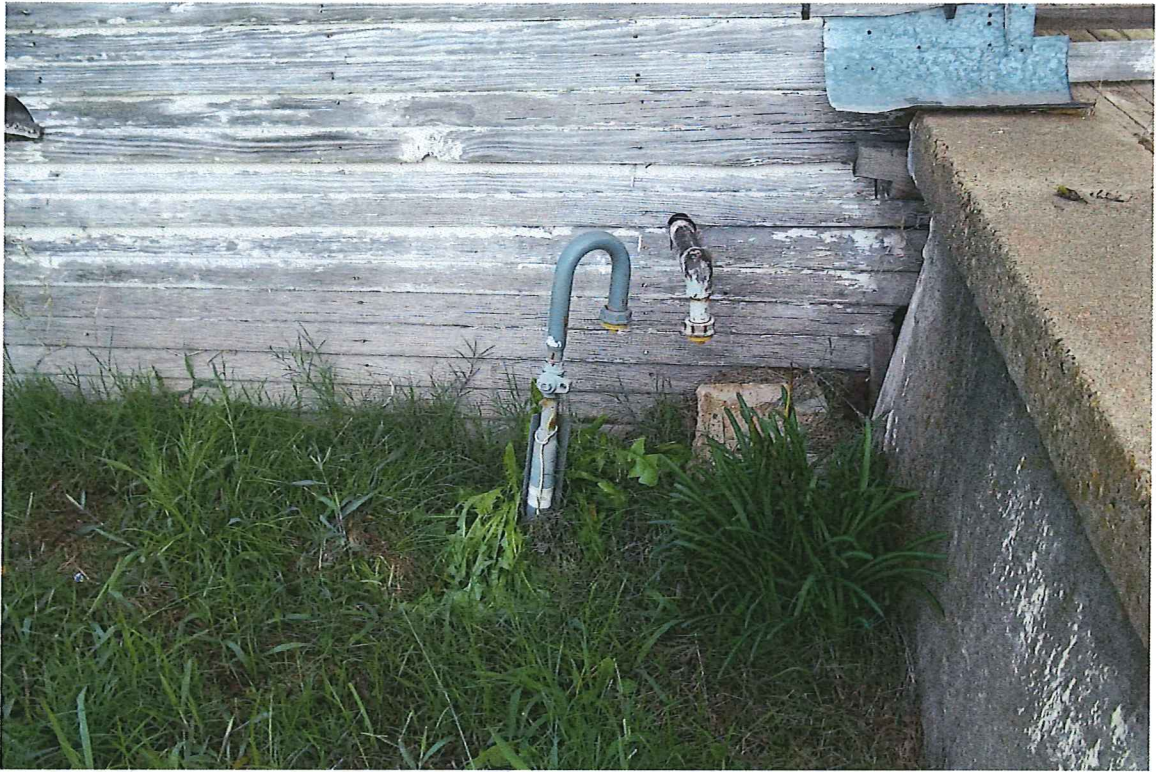
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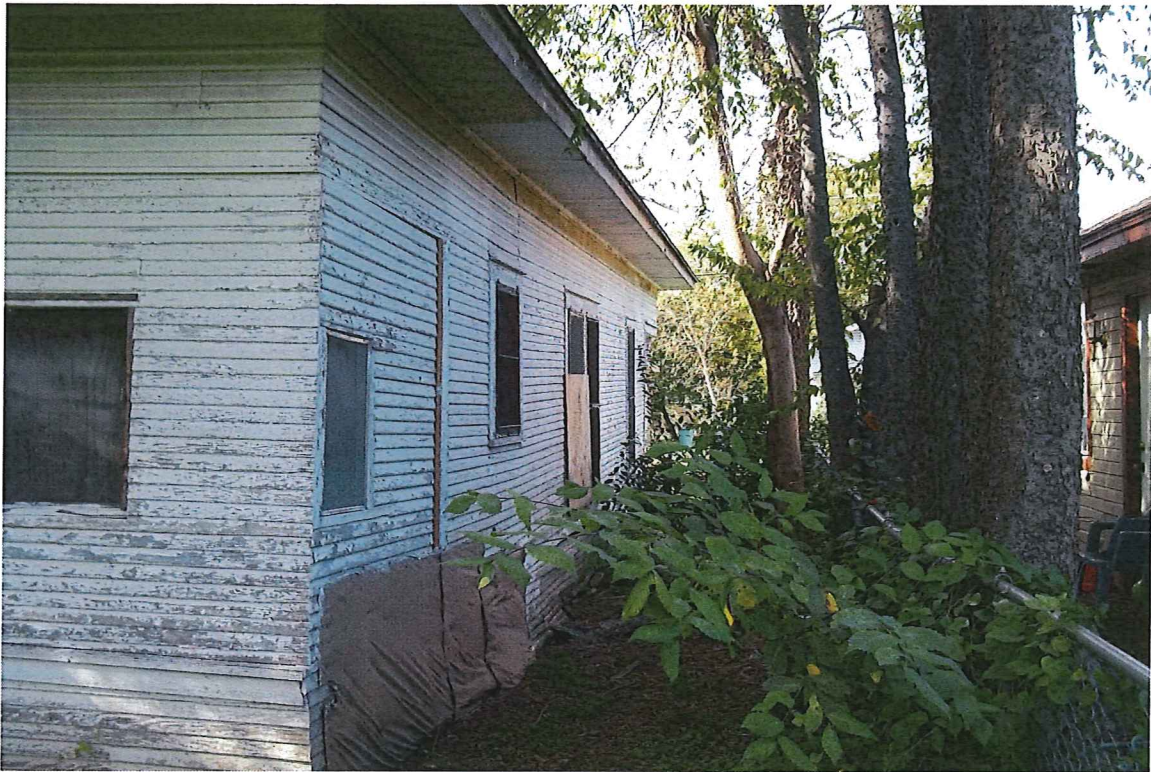


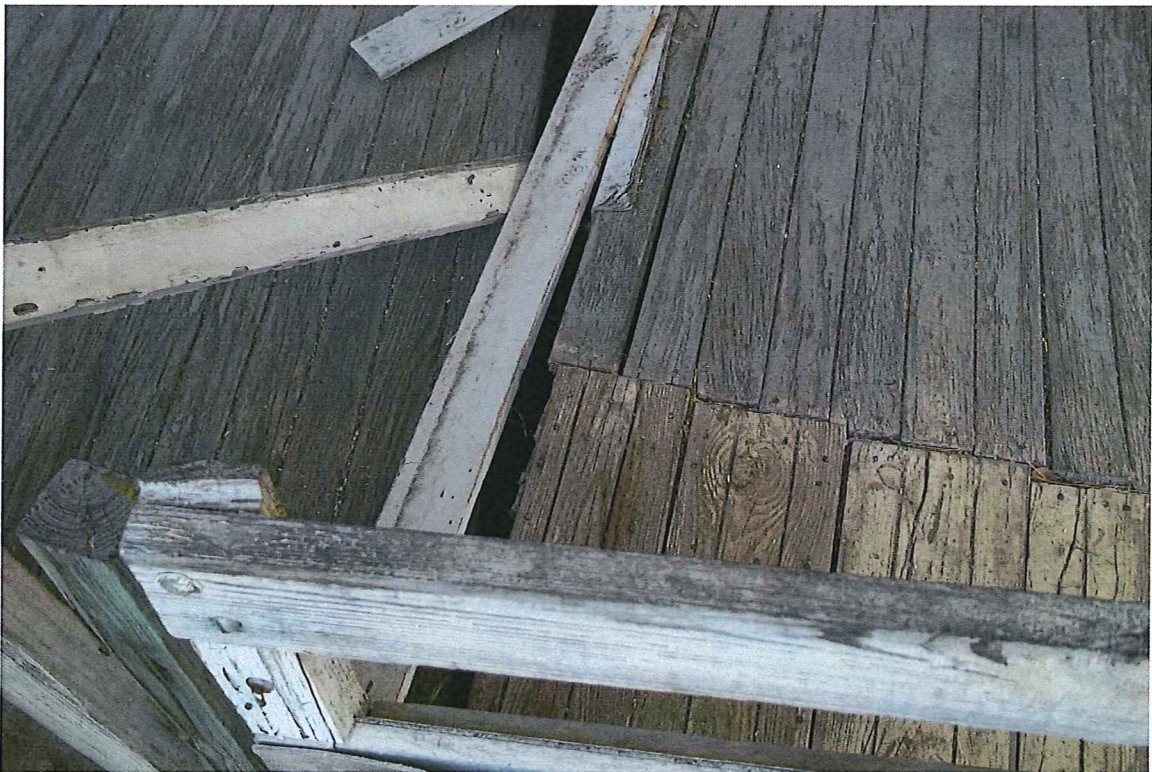


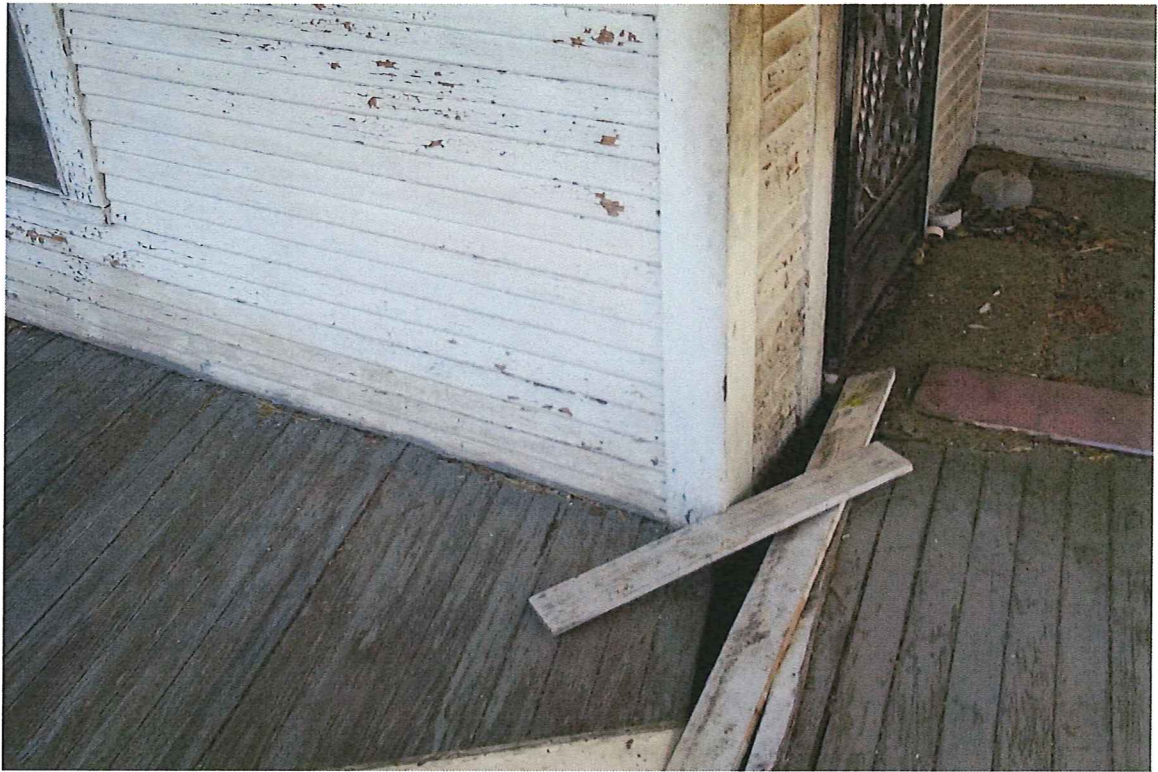




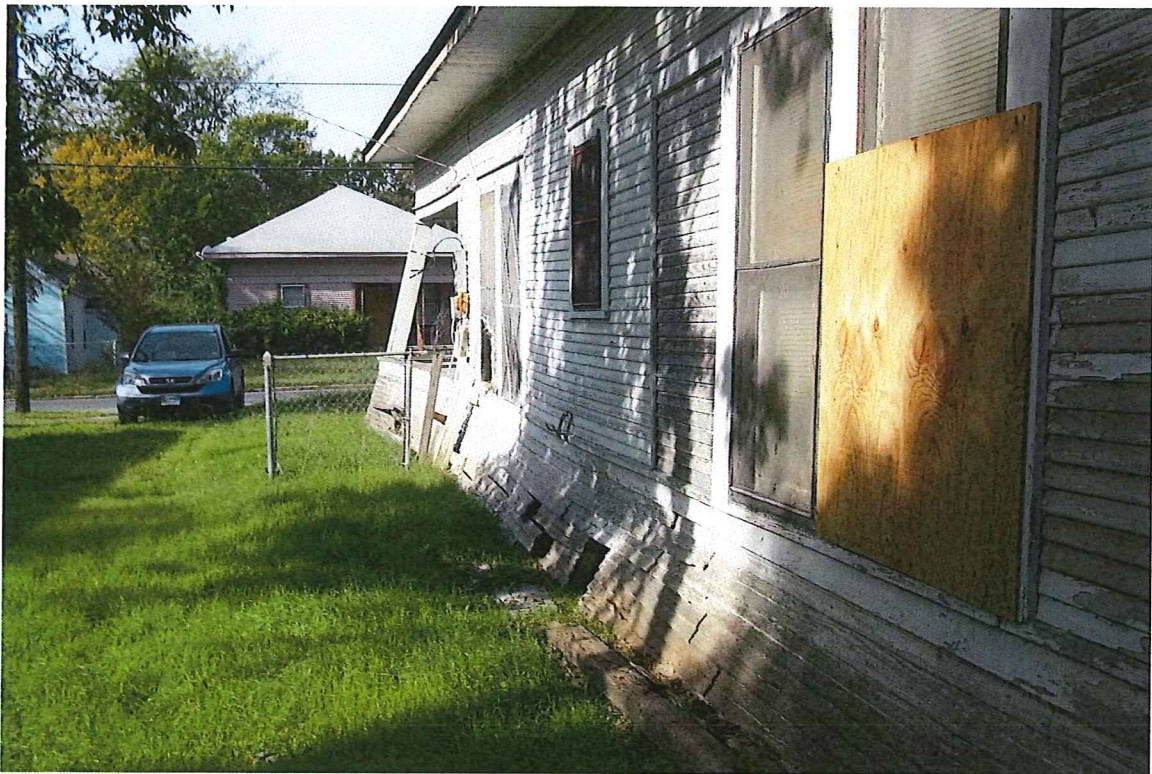


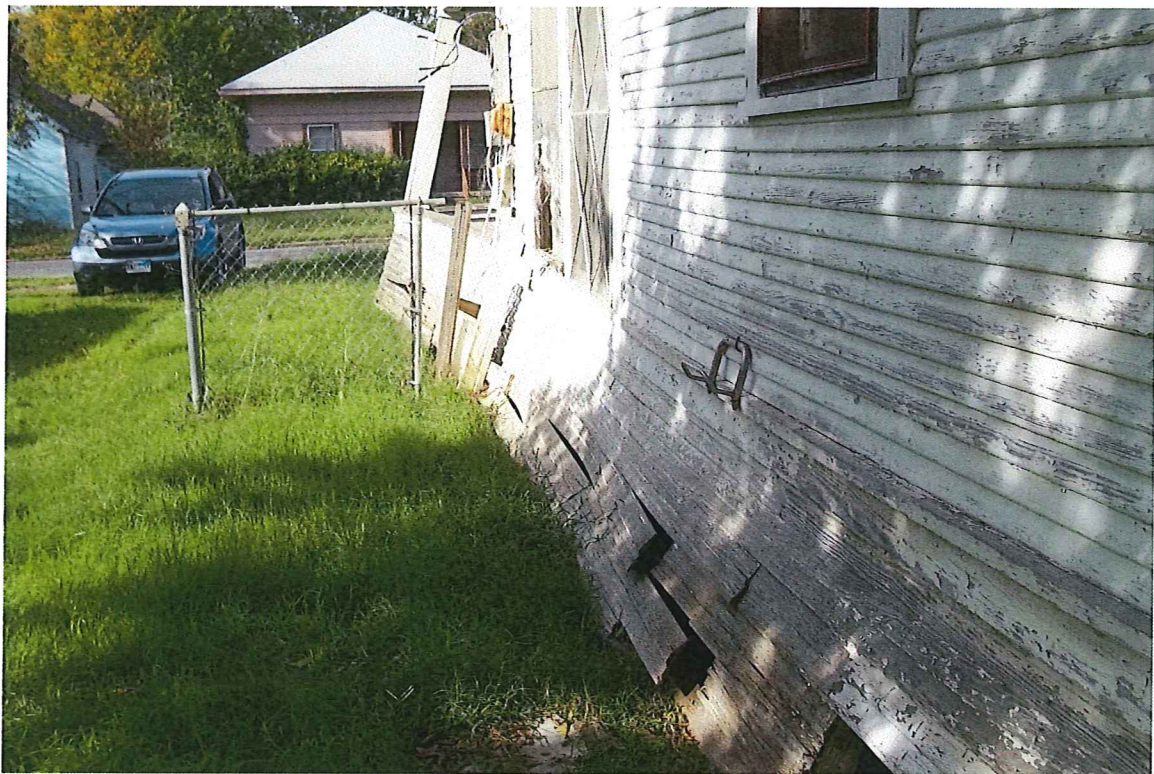
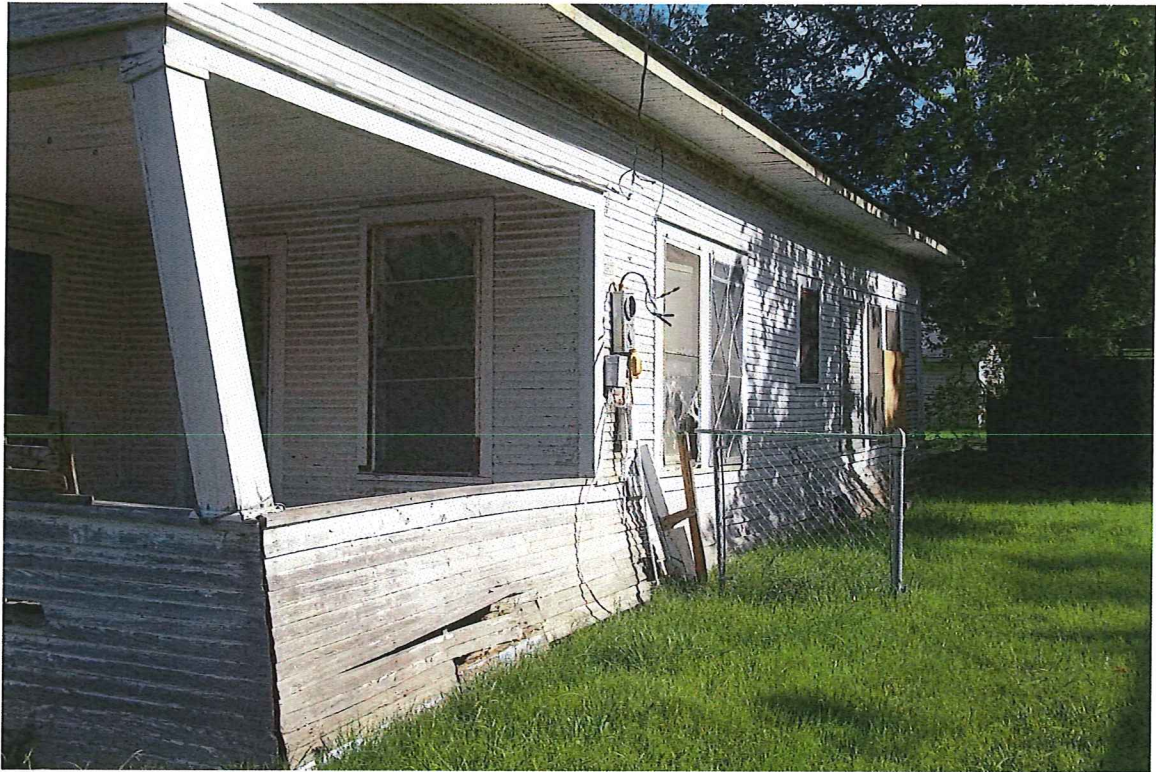


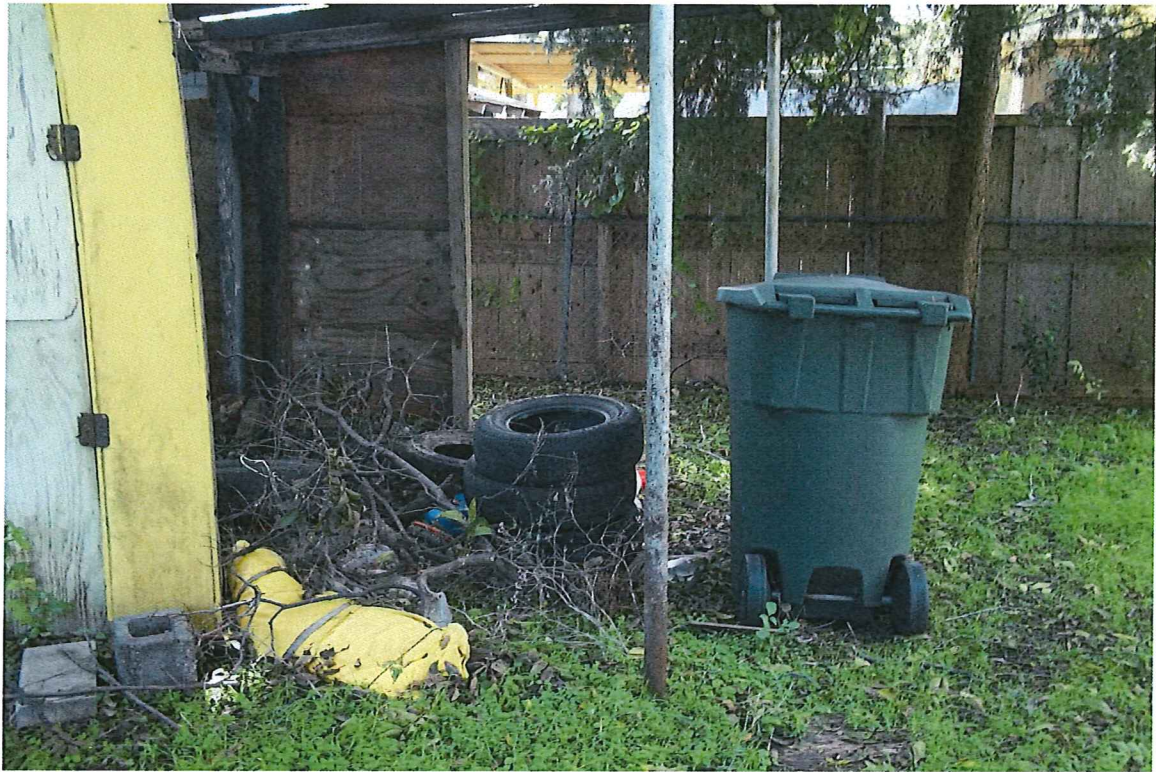














Sherman
CLASSIC TOWN. BROAD HORIZON.

1818 S. Montgomery



1 in = 250 ft

City of Sherman, Texas
Development Services Department

deceased
10/20/12

Tuesday, August 12, 2014

Donald Lankford Estate
1818 S. Montgomery
Sherman, TX. 75090



CERTIFIED AND REGULAR MAIL
R.R.R. NO. 7013 1710 0000 2201 6560

NOTICE OF SUBSTANDARD STRUCTURE

Dear Property Owner(s),

The tax records of the Grayson County Appraisal District indicate that you are the owner of a structure located at **1818 S. Montgomery**. The legal description of said property is: **SOUTHSIDE ADDN(REPLT BLK19), BLOCK 19, LOT 5.**

A recent inspection of that property indicates that this property is substandard under our Code of Ordinances and creates a public nuisance (SEE ATTACHED INSPECTION REPORT).

This letter serves to notify you that you have thirty (30) days to cure the violations identified in the attached inspection report by repairing, demolishing, or removing this building for the good of the public health, safety and welfare.

This letter also serves to notify you that if said violations have not been cured after a period of thirty (30) days, this will cause a hearing to be held with the Substandard Structure Commission in accordance with Sec. 3.06.014(e) of the Substandard Structure Ordinance of the City of Sherman.

Should you have any questions, please contact this office at (903)892-6535.

Sincerely,

Byrle White,
Building Inspector

CC: Scott Shadden, C.B.O., Director of Developmental Services
Attachments (AS STATED ABOVE)



BUILDING INSPECTION REPORT
Substandard Structure

Date of Inspection	<u>8/12/14</u>	Tax ID #	<u>S052-2223005</u>
Address of Inspection	<u>1818 S. MONTGOMERY</u>		
Owner(s):	<u>DONALD LANKFORD ESTATE</u>		
Water service terminated:	<u>NOV 2009</u>	Occupied	☐ Unoccupied ☒

Lot Appearance: HIGH GRASS TRASH DEBRIS JUNK VEHICLE

Roof: UNLEVEL DETERIORATED MISSING SHINGLES HOLES
INTERIOR EXPOSED TO ELEMENTS MISSING OR DAMAGED FASCIA ✓
FIRE DAMAGED ROTTED DECAYED FALLING APART

Walls: PEELING PAINT SIDING LOOSE OR MISSING FIRE DAMAGED

Doors/Windows: UNSECURED GLASS BROKEN OR MISSING

Structure Integrity: DILAPIDATED COLLAPSING UNSAFE DANGEROUS
FIRE DAMAGED

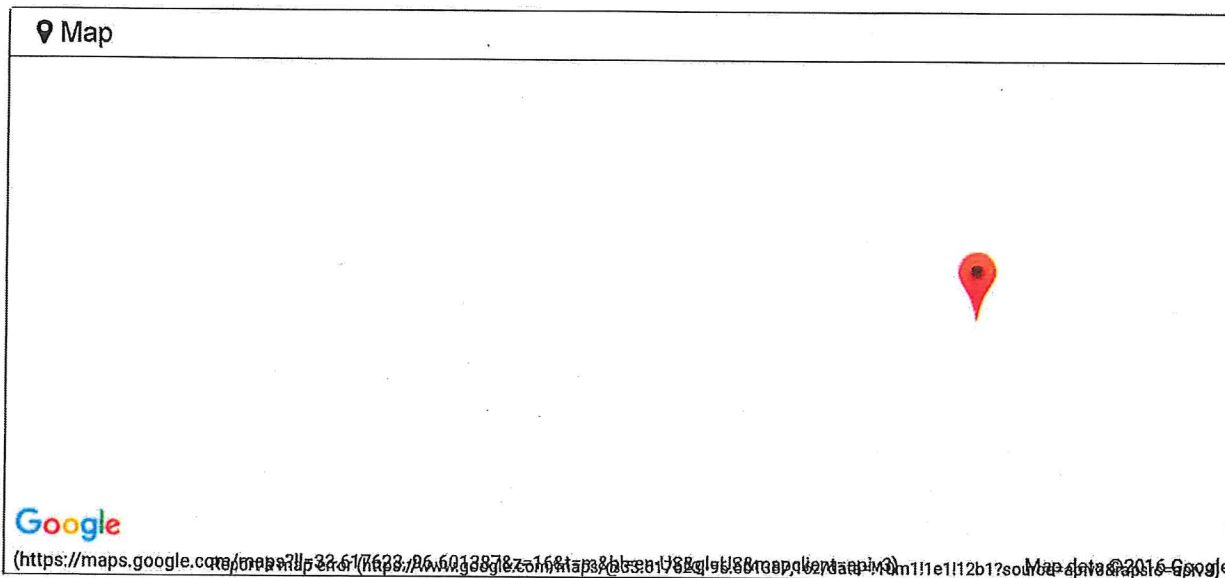
Electrical Service: ACTIVE INACTIVE
Substandard: OUTDATED UNSAFE DANGEROUS NOT APPLICABLE

Gas Service: ACTIVE INACTIVE NOT APPLICABLE

B. White
Building Inspector

Grayson CAD eSearch

Property ID: 166681 For Year 2016



Property Details	
Account	
Property ID:	166681
Legal Description:	SOUTHSIDE ADDN(REPLT BLK19), BLOCK 19, LOT 5
Geographic ID:	S052 2223005
Agent Code:	
Type:	Real
Location	
Address:	1818 S MONTGOMERY SHERMAN, TX 75090
Map ID:	S052
Neighborhood CD:	WASH1F
Owner	
Owner ID:	396231
Name:	LANKFORD DONALD ELMO ESTATE
Mailing Address:	1818 S MONTGOMERY ST SHERMAN, TX 75090
% Ownership:	100.0%
Exemptions:	For privacy reasons not all exemptions are shown online.

Property Values	
Improvement Homesite Value:	\$5,856
Improvement Non-Homesite Value:	\$0
Land Homesite Value:	\$2,840
Land Non-Homesite Value:	\$0
Agricultural Market Valuation:	\$0
Market Value:	\$8,696
Ag Use Value:	\$0
Appraised Value:	\$8,696
HS Cap:	\$0
Assessed Value:	\$8,696

VALUES DISPLAYED ARE 2016 PRELIMINARY VALUES and are subject to change prior to Certification

DISCLAIMER Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction						
Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	Central Appraisal District	0.000000	\$8,696	\$8,696	\$0.00	
CSH	City of Sherman	0.372000	\$8,696	\$8,696	\$32.35	
GRA	Grayson County	0.490900	\$8,696	\$8,696	\$42.69	
JRC	Jr College	0.181400	\$8,696	\$8,696	\$15.77	
SSH	Sherman School District	1.440000	\$8,696	\$8,696	\$125.22	
Total Tax Rate: 2.484300 Estimated Taxes With Exemptions: \$216.03 Estimated Taxes Without Exemptions: \$216.03						

Property Improvement - Building				
Type: Residential State Code: A1 Living Area: 588.00sqft Value: \$5,280				
Type	Description	Class CD	Year Built	SQFT
LA	LIVING AREA	1F	1935	588.00
P0	CLOSED PORCH - ROOF,FLOOR,WALLS,INTERIOR FINISH	*	1935	262.60
P3	OPEN PORCHES - FLOOR,ROOF,POSTS,RAILING	*	1935	60.00
X1	UTILITY ROOM - AT REAR OF CARPORT	*	1935	216.00
Type: Residential State Code: A1 Living Area: 0.00sqft Value: \$576				

Property Land							
Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
RESID	Residential	0.163	7,100.00	50.00	142.00	\$2,840	\$0

Property Roll Value History							
Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed	
2016	\$5,856	\$2,840	\$0	\$8,696	\$0	\$8,696	
2015	\$9,226	\$2,840	\$0	\$12,066	\$0	\$12,066	
2014	\$9,428	\$2,840	\$0	\$12,268	\$0	\$12,268	
2013	\$9,428	\$2,840	\$0	\$12,268	\$0	\$12,268	
2012	\$9,428	\$1,960	\$0	\$11,388	\$0	\$11,388	
2011	\$9,428	\$1,960	\$0	\$11,388	\$0	\$11,388	
2010	\$13,547	\$1,960	\$0	\$15,507	\$0	\$15,507	
2009	\$13,547	\$1,960	\$0	\$15,507	\$0	\$15,507	

Property Deed History							
Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
10/20/2012	OB	OBITUARY	LANKFORD DON E	LANKFORD DONALD ELMO ESTATE	OBIT		
7/15/1994	WD	WARRANTY DEED			2346	381	0
7/11/1972	OT	Other			1223	378	0

VALUES DISPLAYED ARE 2016 PRELIMINARY VALUES and are subject to change prior to Certification

DISCLAIMER Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Sherman
 CLASSIC TOWN, BROAD HORIZON.

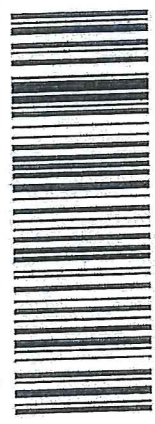
PO Box 1106 | Sherman, TX 75091

U.S. POSTAGE  PITNEY BOWES
 ZIP 75090 \$ 006.73⁵
 02 4W
 00003333 103 JAN 05 2016

7014 2870 0002 3701 7793



CERTIFIED MAIL



655E 007T E000 0490 5101

PO Box 1106 | Sherman, TX 75091

Sherman
 CLASSIC TOWN, BROAD HORIZON.

Donald Elmo Lankford Estate
 1818 S. Montgomery
 Sherman, TX 75090

NIXIE 750 FE 1 0002/04/15

RETURN TO SENDER
 NOT DELIVERABLE AS ADDRESSED
 UNABLE TO FORWARD

BC: 75091110606 *1734-00666-20-45

UNITED STATES POSTAGE
 PITNEY BOWES
 02 1A \$ 06.690
 0004391300 JAN 20 2015
 MAILED FROM ZIP CODE 75090

Donald Elmo Lankford Estate
 1818 S. Montgomery
 Sherman, TX 75090

NIXIE 750 FE 1 0001/10/16

RETURN TO SENDER
 NOT DELIVERABLE AS ADDRESSED
 UNABLE TO FORWARD

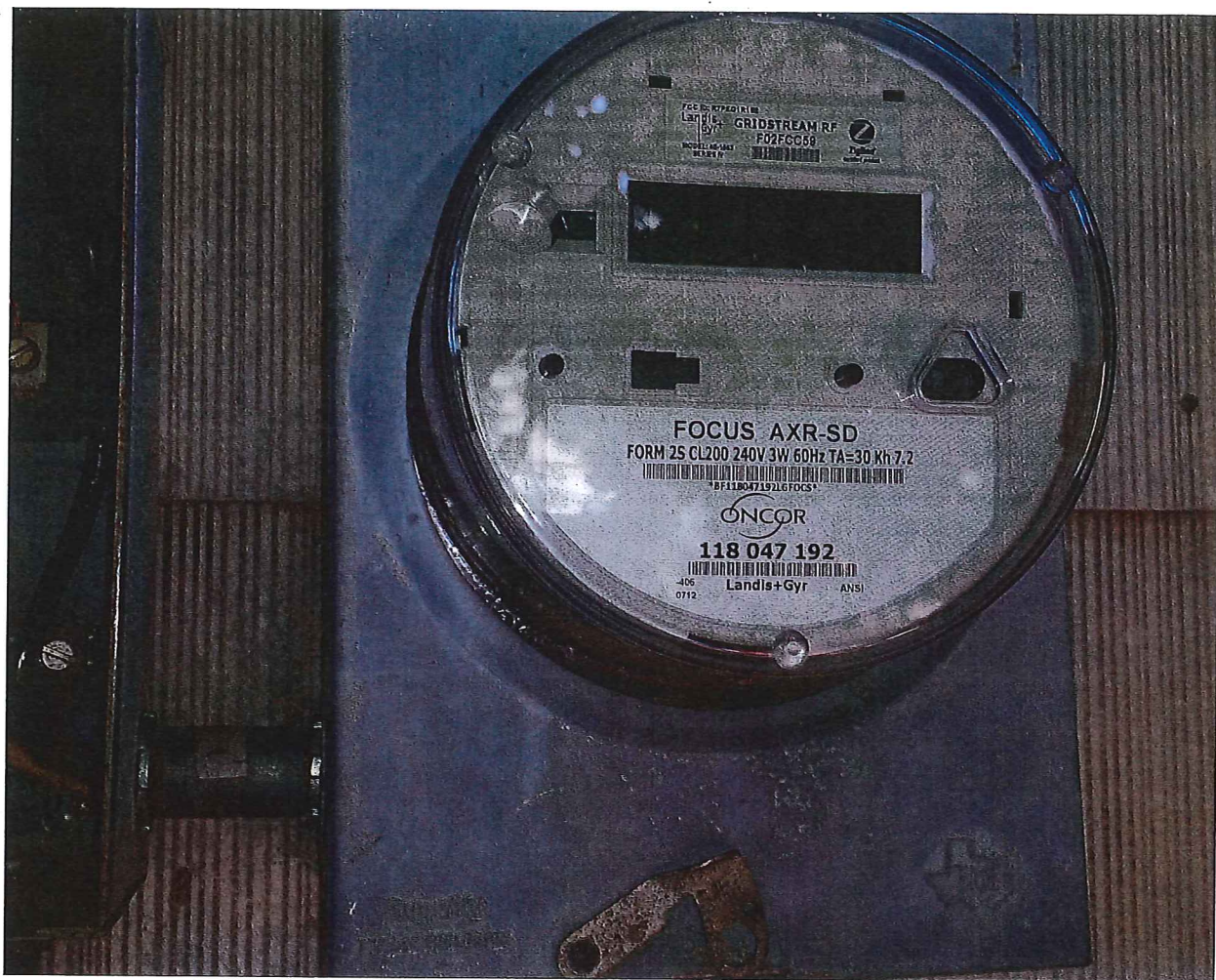
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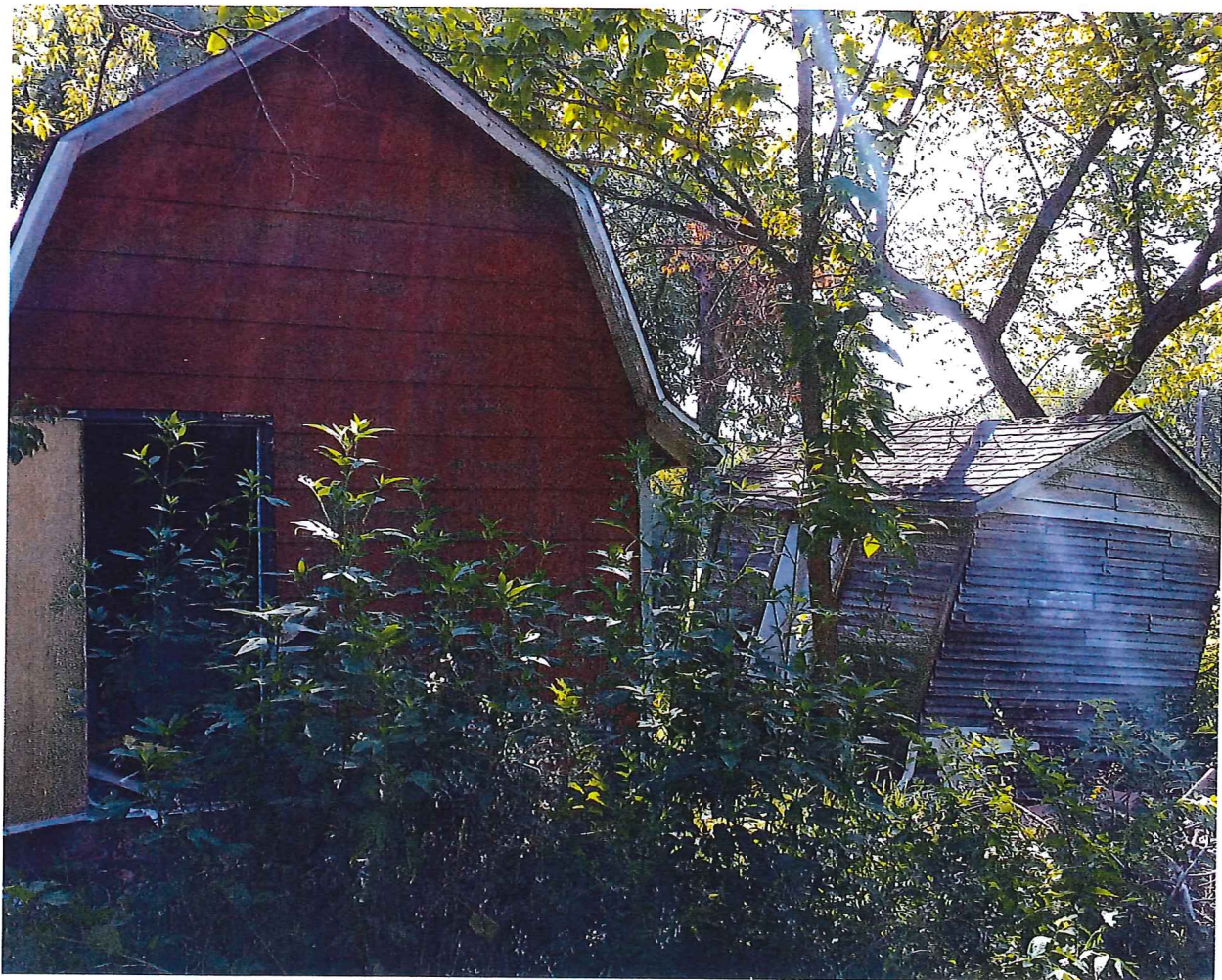


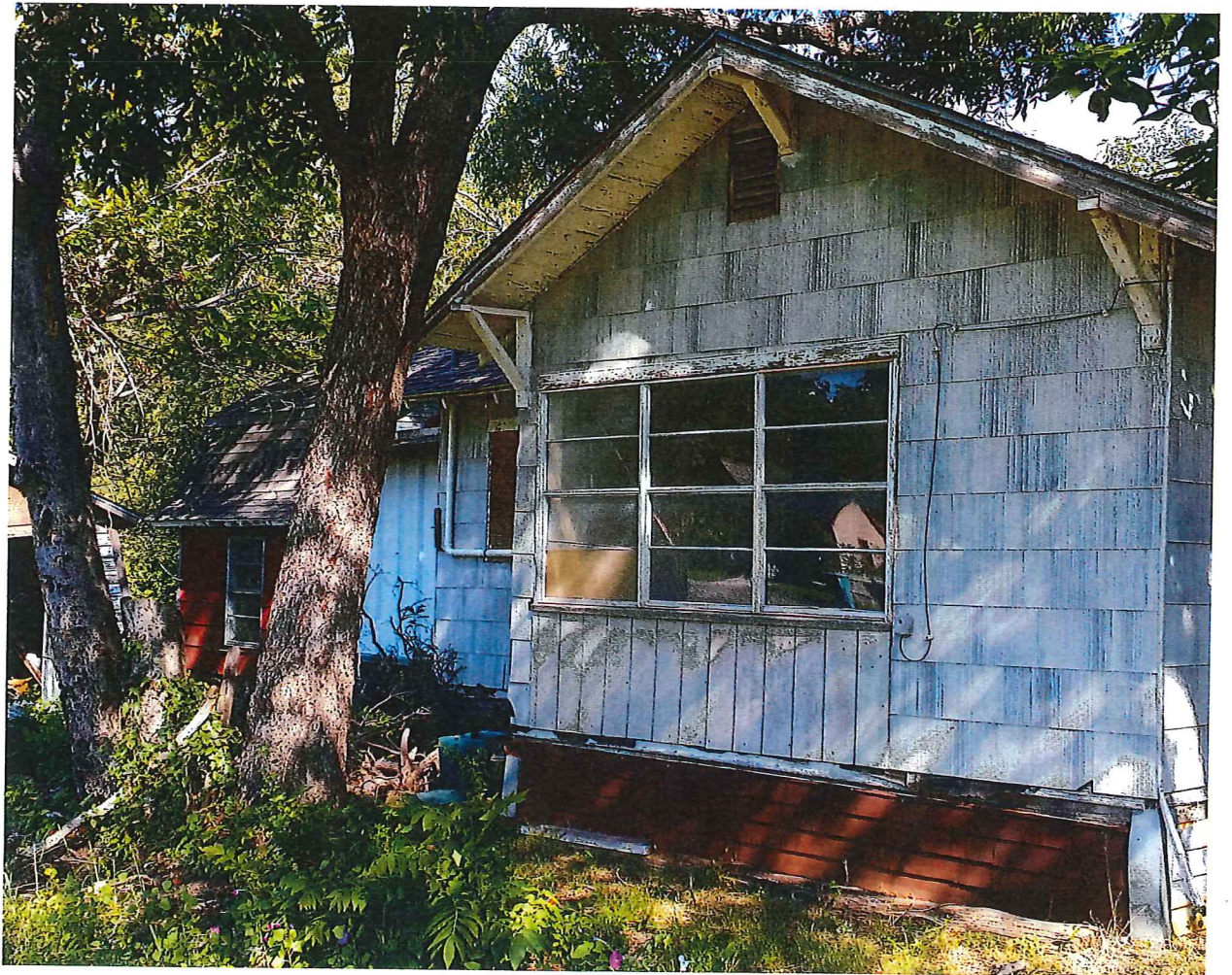






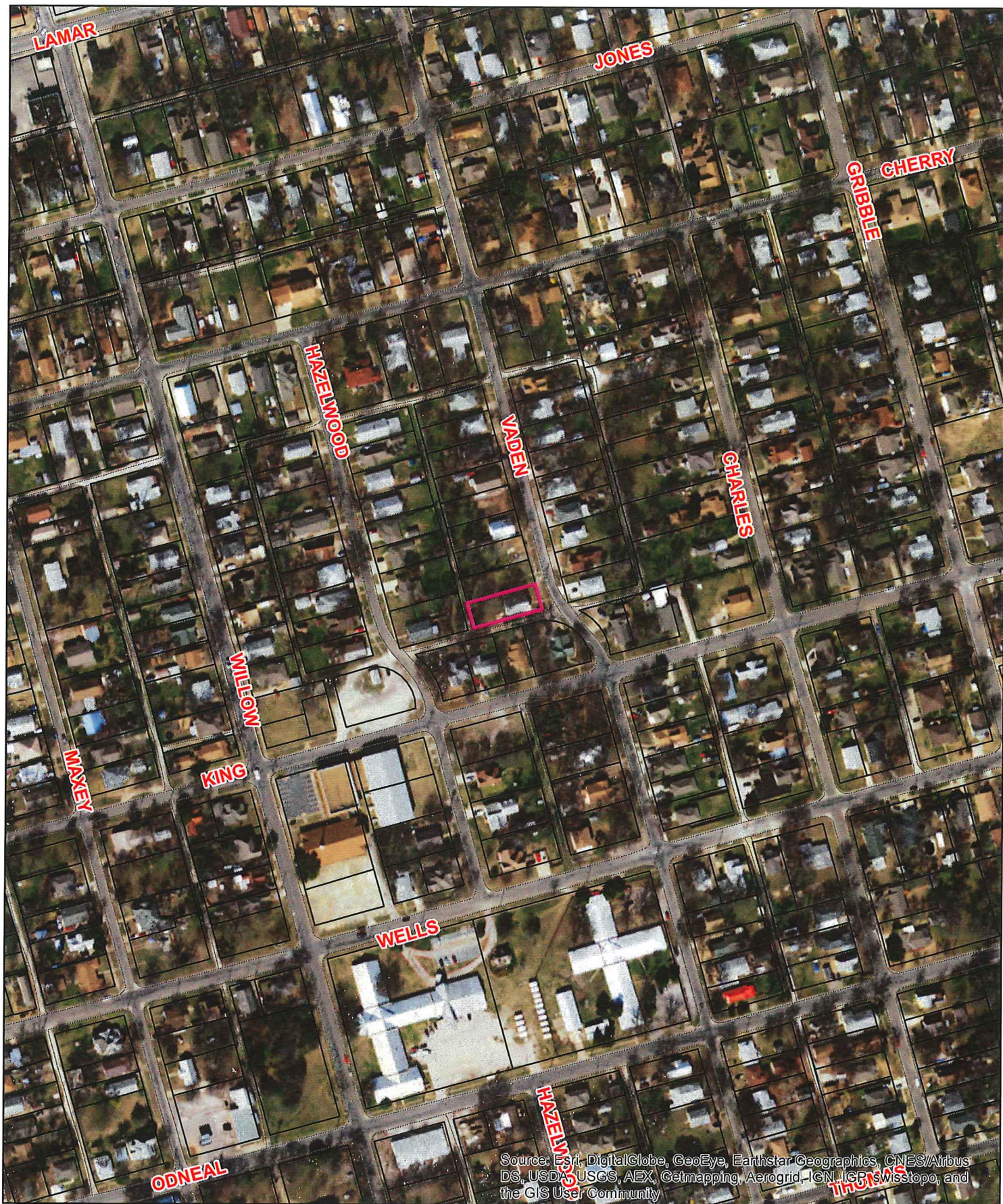












Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, Swisstopo, and the GIS User Community

Sherman
CLASSIC TOWN. BROAD HORIZON.

518 S. Vaden



NOT TO SCALE

1 in = 250 ft

City of Sherman, Texas
Developmental Services Department

Thursday, October 23, 2014

Martin Gomez
320 W. Washington
Sherman, TX. 75090



CERTIFIED AND REGULAR MAIL
R.R.R. NO. 7013 2630 0000 4317 6603

NOTICE OF SUBSTANDARD STRUCTURE

Dear Property Owner(s),

The tax records of the Grayson County Appraisal District indicate that you are the owner of a structure located at **518 S. Vaden**. The legal description of said property is: **HAZELWOOD & VADEN ADDN, BLOCK 5, LOT 10**.

A recent inspection of that property indicates that this property is substandard under our Code of Ordinances and creates a public nuisance (SEE ATTACHED INSPECTION REPORT).

This letter serves to notify you that you have thirty (30) days to cure the violations identified in the attached inspection report by repairing, demolishing, or removing this building for the good of the public health, safety and welfare.

This letter also serves to notify you that if said violations have not been cured after a period of thirty (30) days, this will cause a hearing to be held with the Substandard Structure Commission in accordance with Sec. 3.06.014(e) of the Substandard Structure Ordinance of the City of Sherman.

Should you have any questions, please contact this office at (903)892-6535.

Sincerely,

Byrle White,
Building Inspector

CC: Scott Shadden, C.B.O., Director of Developmental Services
Attachments (AS STATED ABOVE)

Grayson CAD eSearch

Property ID: 164138 For Year 2016

Map



(https://maps.google.com/maps?ll=32.634682,-96.596152&z=16&t=&hl=en&gl=US&mapdata=2016-06-01T11:12:11Z&source=google)

Property Details

Account

Property ID:	164138
Legal Description:	HAZELWOOD & VADEN ADDN, BLOCK 5, LOT 10
Geographic ID:	S042 2110029
Agent Code:	
Type:	Real

Location

Address:	518 S VADEN ST SHERMAN, TX
Map ID:	S042
Neighborhood CD:	CRUTC2F

Owner

Owner ID:	305576
Name:	GOMEZ MARTIN
Mailing Address:	320 W WASHINGTON SHERMAN, TX 75090
% Ownership:	100.0%
Exemptions:	For privacy reasons not all exemptions are shown online.

Sherman
CLASSIC TOWN. BROAD HORIZON.

BUILDING INSPECTION REPORT
Substandard Structure

Date of Inspection 10/8/14 Tax ID # 5042-2110029
Address of Inspection 518 S. VADEN
Owner(s): MARTIN GOMEZ
Water service terminated: 7/14 Occupied ☐ Unoccupied ☒

Lot Appearance: HIGH GRASS TRASH DEBRIS JUNK VEHICLE

UNSECURED CELLAR IN REAR

Roof: UNLEVEL DETERIORATED MISSING SHINGLES HOLES
INTERIOR EXPOSED TO ELEMENTS MISSING OR DAMAGED FASCIA
FIRE DAMAGED ROTTED DECAYED FALLING APART

Walls: PEELING PAINT SIDING LOOSE OR MISSING FIRE DAMAGED

Doors/Windows: UNSECURED GLASS BROKEN OR MISSING

Structure Integrity: DILAPIDATED COLLAPSING UNSAFE DANGEROUS
FIRE DAMAGED

Electrical Service: ACTIVE INACTIVE
Substandard: OUTDATED UNSAFE DANGEROUS NOT APPLICABLE

Gas Service: ACTIVE INACTIVE NOT APPLICABLE

B. W. Smith
Building Inspector

7013 2630 0000 4317 6603

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OFFICIAL USE

Postage	\$ 30.49	0049
Certified Fee	\$ 3.30	03
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 36.49	

Postmark Here 10/23/2014

Sent To *MARTIN GOMEZ*
Street, Apt. No., or PO Box No. *320 W. WASHINGTON*
City, State, ZIP+4 *SHERMAN, TX. 75090*

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

☐ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
☐ Print your name and address on the reverse so that we can return the card to you.
☐ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
MARTIN GOMEZ
320 W. WASHINGTON
SHERMAN, TX. 75090

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

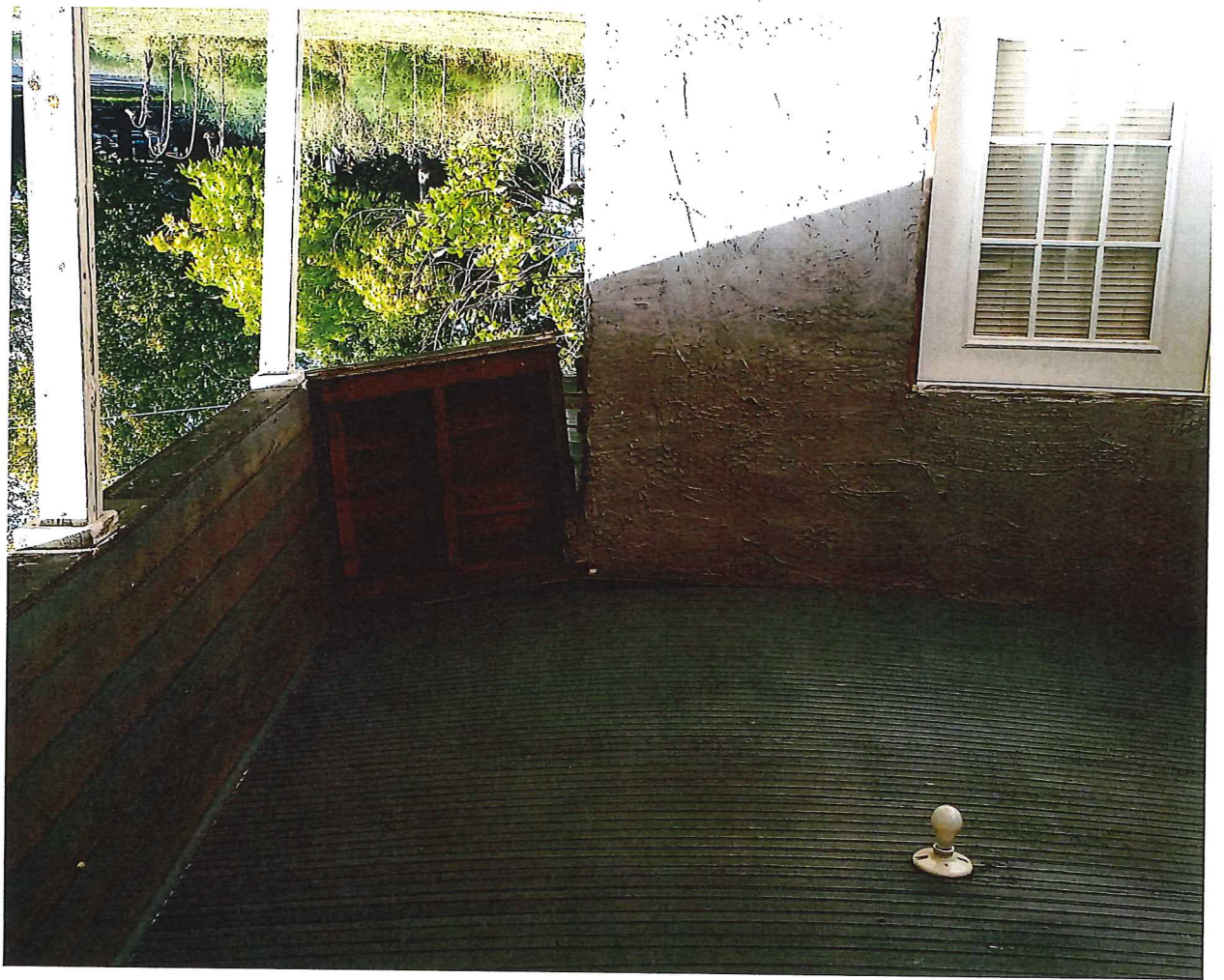
3. Service Type
☒ Certified Mail® ☐ Priority Mail Express™
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery

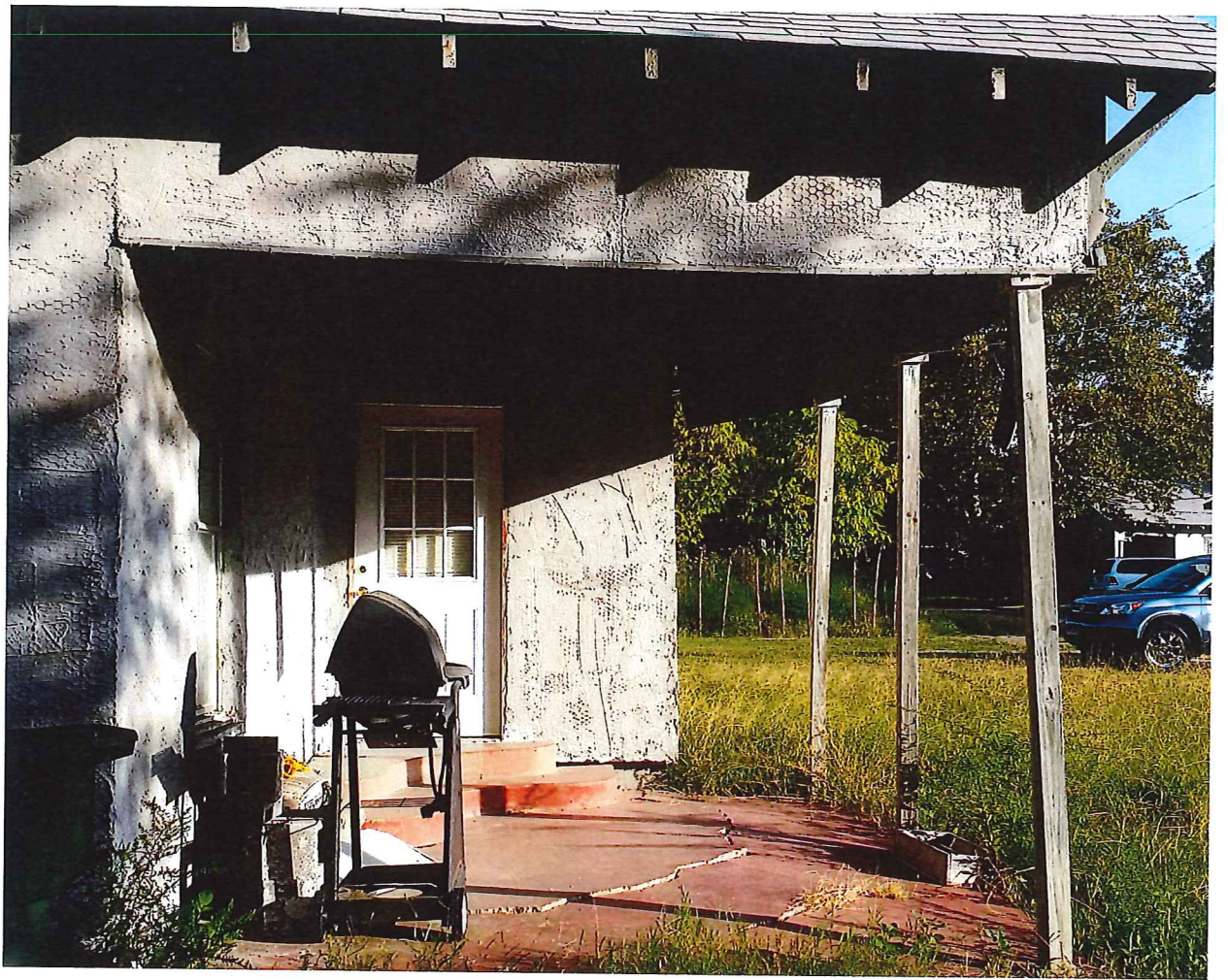
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label)
7013 2630 0000 4317 6603

Domestic Return Receipt
PS Form 3811, July 2013









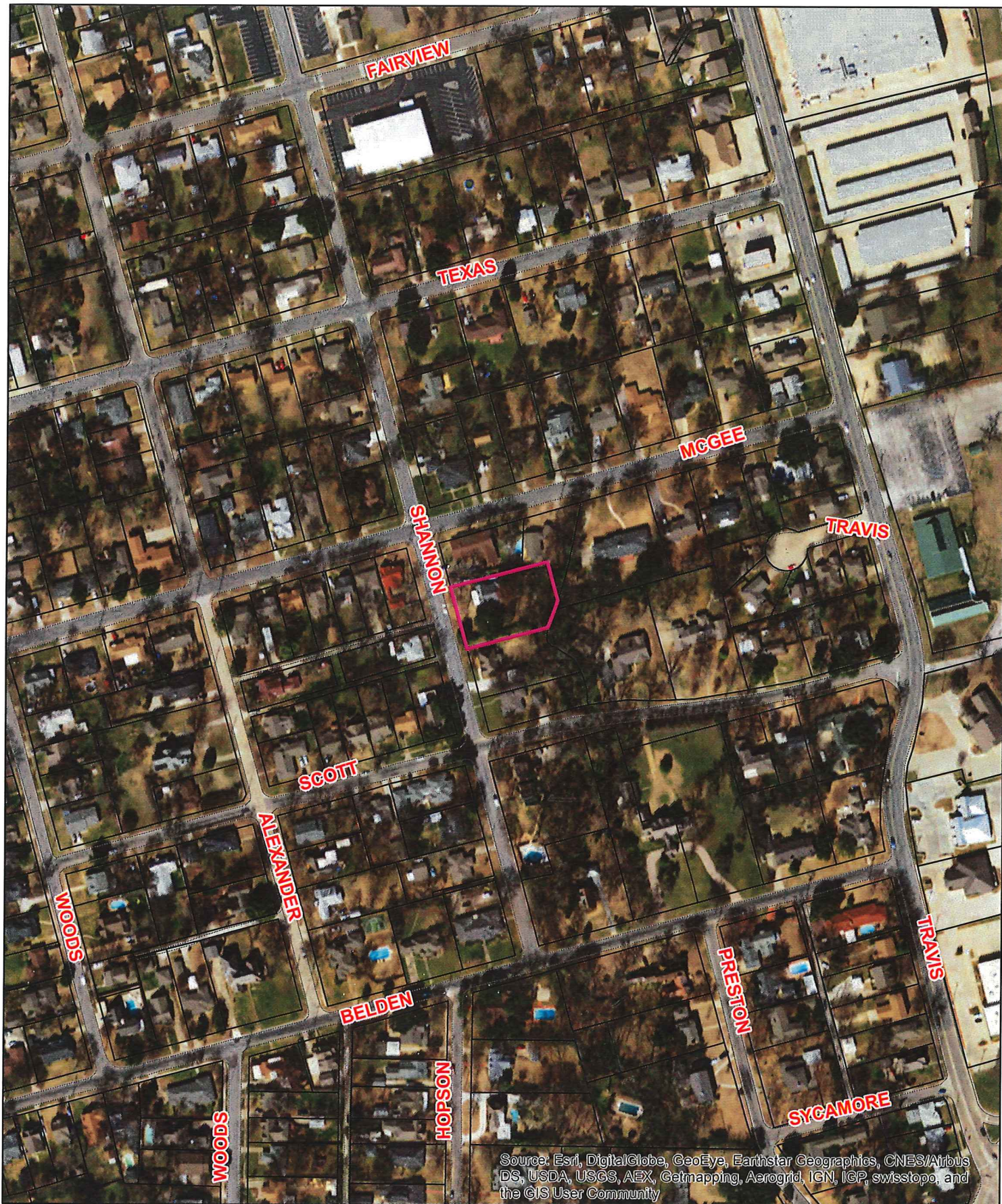












Sherman
CLASSIC TOWN. BROAD HORIZON.

1525 N. Shannon



NOT TO SCALE

1 in = 250 ft

Monday, November 17, 2014

Cecil R. Crockett
P.O. Box 2012
Sherman, TX. 75091-2012



CERTIFIED AND REGULAR MAIL
R.R.R. NO. 7013 2630 0000 4317 6610

NOTICE OF SUBSTANDARD STRUCTURE

Dear Property Owner(s),

The tax records of the Grayson County Appraisal District indicate that you are the owner of a structure located at **1525 N. Shannon St.** The legal description of said property is: **SHANNON R E 1ST ADDN, BLOCK 3, LOT PT 1.**

A recent inspection of that property indicates that the detached garage is substandard under our Code of Ordinances and creates a public nuisance (SEE ATTACHED INSPECTION REPORT).

This letter serves to notify you that you have thirty (30) days to cure the violations identified in the attached inspection report by repairing, demolishing, or removing this building for the good of the public health, safety and welfare.

This letter also serves to notify you that if said violations have not been cured after a period of thirty (30) days, this will cause a hearing to be held with the Substandard Structure Commission in accordance with Sec. 3.06.014(e) of the Substandard Structure Ordinance of the City of Sherman.

Should you have any questions, please contact this office at (903)892-6535.

Sincerely,

Byrle White,
Building Inspector

CC: Scott Shadden, C.B.O., Director of Developmental Services
Attachments (AS STATED ABOVE)

Grayson CAD eSearch

Property ID: 158004 For Year 2016

Map



(https://maps.google.com/maps?ll=32.650413,-96.616141&z=16&t=s&hl=en&gl=US&mapclient=map3) Map data ©2016 Google

Property Details

Account

Property ID:	158004
Legal Description:	SHANNON R E 1ST ADDN, BLOCK 3, LOT PT 1
Geographic ID:	S024 2212014
Agent Code:	
Type:	Real

Location

Address:	1525 N SHANNON ST SHERMAN, TX 75092
Map ID:	S024
Neighborhood CD:	FAIR3V

Owner

Owner ID:	158004
Name:	CROCKETT CECIL R
Mailing Address:	PO BOX 2012 SHERMAN, TX 75091-2012
% Ownership:	100.0%
Exemptions:	DV4 - Disabled Veterans 70% - 100% HS - HOMESTEAD For privacy reasons not all exemptions are shown online.

Property Values	
Improvement Homesite Value:	\$95,917
Improvement Non-Homesite Value:	\$0
Land Homesite Value:	\$10,758
Land Non-Homesite Value:	\$0
Agricultural Market Valuation:	\$0
Market Value:	\$106,675
Ag Use Value:	\$0
Appraised Value:	\$106,675
HS Cap:	\$7,572
Assessed Value:	\$99,103

VALUES DISPLAYED ARE 2016 PRELIMINARY VALUES and are subject to change prior to Certification

DISCLAIMER Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction						
Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	Central Appraisal District	0.000000	\$106,675	\$87,103	\$0.00	
CSH	City of Sherman	0.372000	\$106,675	\$57,103	\$178.98	\$178.98
GRA	Grayson County	0.490900	\$106,675	\$53,768	\$263.95	\$305.57
JRC	Jr College	0.181400	\$106,675	\$72,103	\$79.45	\$79.45
SSH	Sherman School District	1.440000	\$106,675	\$47,103	\$210.09	\$210.09
Total Tax Rate: 2.484300 Estimated Taxes With Exemptions: \$732.47 Estimated Taxes Without Exemptions: \$2,462.02						

Property Improvement - Building

Type: Residential State Code: A1 Living Area: 2,172.00sqft Value: \$89,944

Type	Description	Class CD	Year Built	SQFT
P6	SCREENED PORCH - ROOF,FLR,POSTS,WALL SCRND TO RAIL	*	1942	160.00
P2	OPEN PORCHES - FLOOR,ROOF,POSTS	*	1942	224.00
LA	LIVING AREA	3V	1942	2,172.00

Type: Residential State Code: A1 Living Area: 0.00sqft Value: \$1,623

Type	Description	Class CD	Year Built	SQFT
C	DETACHED CARPORT	C5A	1960	320.00
G	DETACHED GAR	G10A	1960	400.00

Type: Residential State Code: A1 Living Area: 0.00sqft Value: \$4,350

Property Land

Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
RESID	Residential	0.2685	11,693.75	0.00	0.00	\$10,758	\$0

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2016	\$95,917	\$10,758	\$0	\$106,675	\$7,572	\$99,103
2015	\$79,336	\$10,758	\$0	\$90,094	\$0	\$90,094
2014	\$77,559	\$10,758	\$0	\$88,317	\$0	\$88,317
2013	\$77,559	\$10,758	\$0	\$88,317	\$0	\$88,317
2012	\$79,285	\$10,758	\$0	\$90,043	\$0	\$90,043
2011	\$79,599	\$10,758	\$0	\$90,357	\$0	\$90,357
2010	\$79,599	\$15,000	\$0	\$94,599	\$0	\$94,599
2009	\$80,984	\$15,000	\$0	\$95,984	\$0	\$95,984

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
3/24/2012	OB	OBITUARY	CROCKETT CECIL R ETUX LOUISE R	CROCKETT CECIL R	OBIT		
3/1/1965	WD	WARRANTY DEED	KENNEDY MARTHA EUBANK ETVIR T J	CROCKETT CECIL R ETUX LOUISE R	1025	395	2030

VALUES DISPLAYED ARE 2016 PRELIMINARY VALUES and are subject to change prior to Certification

DISCLAIMER Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.



BUILDING INSPECTION REPORT

Substandard detached structure

Date of Inspection	<u>11/17/14</u>	Tax ID #	<u>5024 2212014</u>
Address of Inspection	<u>1525 N. SHANNON</u>		
Owner(s):	<u>CECIL R. CROCKETT</u>		

EXTERIOR:

Roof: UNLEVEL DETERIORATED MISSING SHINGLES HOLES
INTERIOR EXPOSED TO ELEMENTS MISSING OR DAMAGED FASCIA
FIRE DAMAGED

Walls: PEELING PAINT SIDING LOOSE OR MISSING FIRE DAMAGED

Doors/Windows: UNSECURED GLASS BROKEN OR MISSING

Structure Integrity: DILAPIDATED COLLAPSING UNSAFE DANGEROUS
FIRE DAMAGED

FINAL COMMENTS: EXTENSIVE REPAIRS OR DEMOLITION REQUIRED

DAMAGE TO STRUCTURE TOO SEVERE TO REPAIR
DEMOLITION REQUIRED

B. White
Building Inspector

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OFFICIAL USE

Postage	\$	\$0.49	15090090
Certified Fee		\$3.30	
Return Receipt Fee (Endorsement Required)		\$2.70	
Restricted Delivery Fee (Endorsement Required)		\$0.00	
Total Postage & Fees	\$	\$6.49	11/18/2014

Postmark
Here

Sent To CECIL R. CROCKETT
 Street, Apt. No., or PO Box No. P.O. BOX 2012
 City, State, ZIP+4 SHERMAN, TX. 75091-2012

PS Form 3800, August 2006

See Reverse for Instructions

OWNER'S
DAUGHTER
TONYA
(903) 821-1064
1525 N. SHANNON

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent ☐ Addressee
 X
 B. Received by (Printed Name) C. Date of Delivery
 D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

3. Service Type
☒ Certified Mail® ☐ Priority Mail Express™
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery
 4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

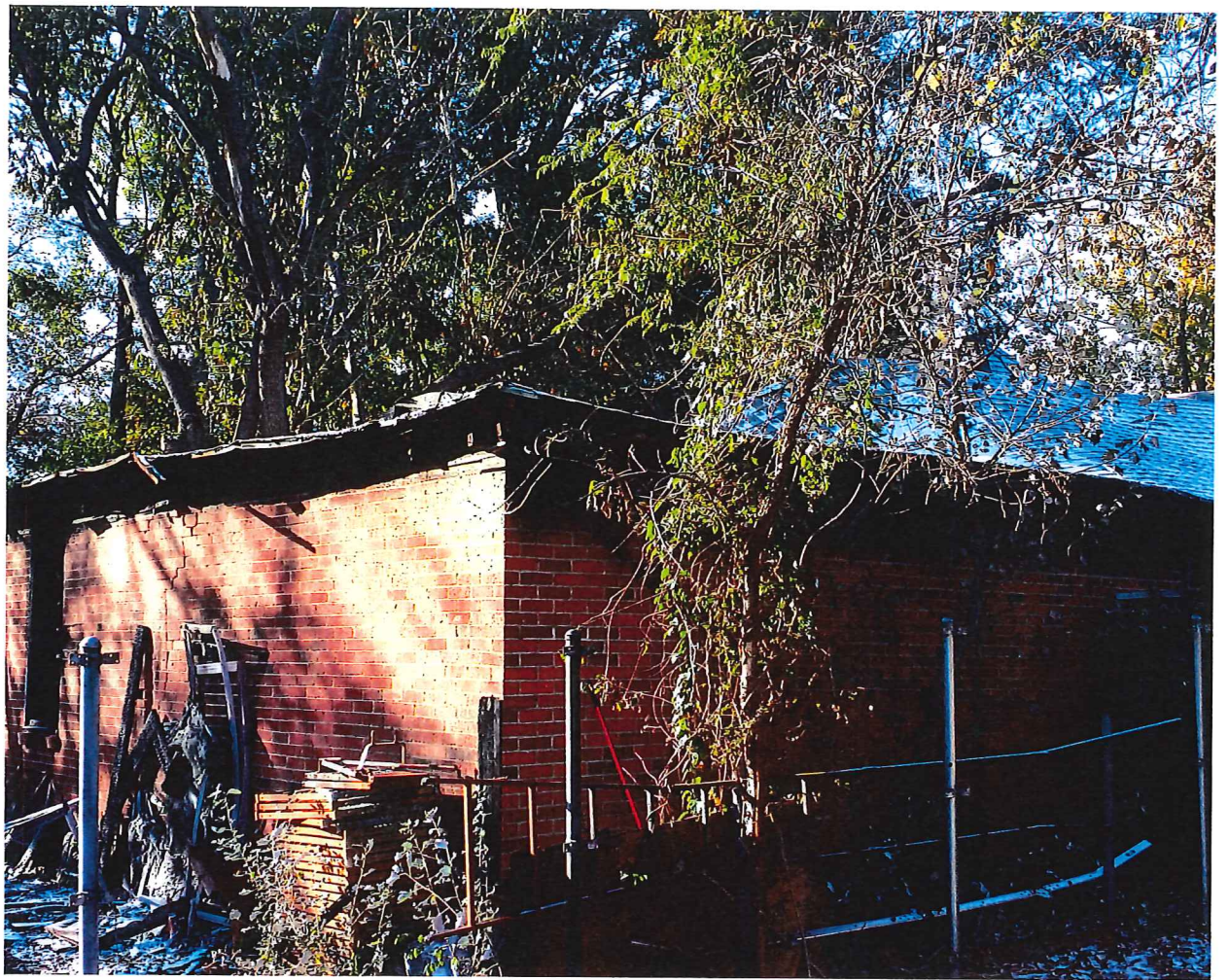
1. Article Addressed to:
CECIL R. CROCKETT
P.O. BOX 2012
SHERMAN, TX. 75091-2012

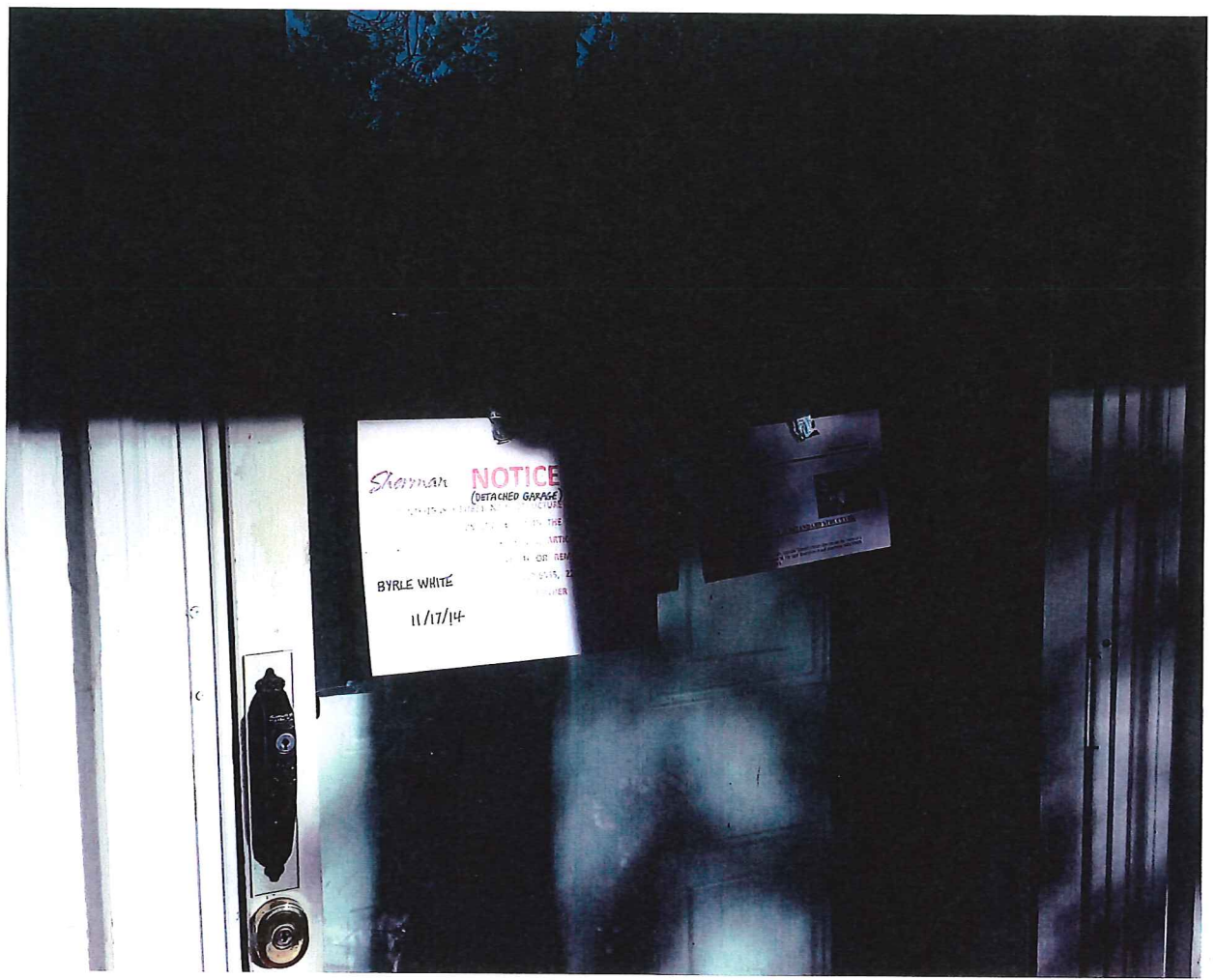
2. Article Number
 (Transfer from service label)
7013 2630 0000 4317 6610

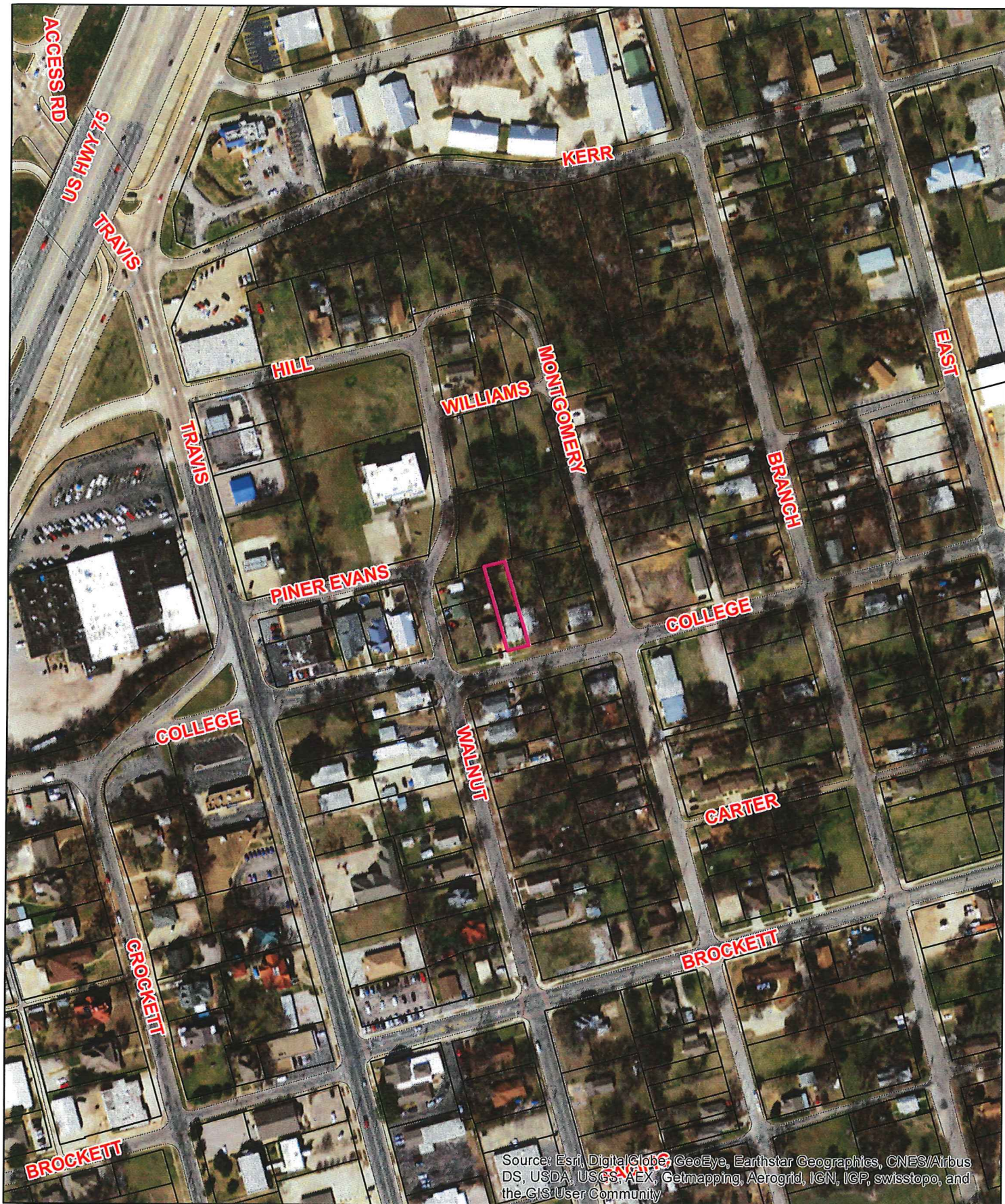
Domestic Return Receipt

PS Form 3811, July 2013









Sherman
CLASSIC TOWN. BROAD HORIZON.

209 E. College



1 in = 250 ft

City of Sherman, Texas
Developmental Services Department

Thursday, February 12, 2015

Leobardo Ramirez
1300 S. Walnut
Sherman, TX. 75090



CERTIFIED AND REGULAR MAIL
R.R.R. NO. 7013 2630 0000 4317 6658

NOTICE OF SUBSTANDARD STRUCTURE

Dear Property Owner(s),

The tax records of the Grayson County Appraisal District indicate that you are the owner of a structure located at **209 E. College**. The legal description of said property is: **G-0763 MCANAIR J B, 42 X 170.5**

A recent inspection of that property indicates that this property is substandard under our Code of Ordinances and creates a public nuisance (SEE ATTACHED INSPECTION REPORT).

This letter serves to notify you that you have thirty (30) days to cure the violations identified in the attached inspection report by repairing, demolishing, or removing this building for the good of the public health, safety and welfare.

This letter also serves to notify you that if said violations have not been cured after a period of thirty (30) days, this will cause a hearing to be held with the Substandard Structure Commission in accordance with Sec. 3.06.014(e) of the Substandard Structure Ordinance of the City of Sherman.

Should you have any questions, please contact this office at (903)892-6535.

Sincerely,

Byrle White,
Building Inspector

CC: Scott Shadden, C.B.O., Director of Developmental Services
Attachments (AS STATED ABOVE)

Grayson CAD eSearch

Property ID: 159783 For Year 2016

Map



(https://maps.google.com/maps?ll=33.644636,-96.610968&z=15&t=a&hl=en&gl=US&mapclient=mapm3) (https://maps.google.com/maps?ll=33.644636,-96.610968&z=15&t=a&hl=en&gl=US&mapclient=mapm3) Map data ©2016 Google

Property Details

Account

Property ID:	159783
Legal Description:	G-0763 MCANAI J B, 42 X 170.5
Geographic ID:	S030 0763507
Agent Code:	
Type:	Real

Location

Address:	209 E COLLEGE ST SHERMAN, TX
Map ID:	S030
Neighborhood CD:	JEFF2F

Owner

Owner ID:	289632
Name:	RAMIREZ LEOBARDO GARCIA
Mailing Address:	1300 S WALNUT SHERMAN, TX 75090
% Ownership:	100.0%
Exemptions:	For privacy reasons not all exemptions are shown online.

Property Values	
Improvement Homesite Value:	\$25,303
Improvement Non-Homesite Value:	\$0
Land Homesite Value:	\$4,941
Land Non-Homesite Value:	\$0
Agricultural Market Valuation:	\$0
Market Value:	\$30,244
Ag Use Value:	\$0
Appraised Value:	\$30,244
HS Cap:	\$0
Assessed Value:	\$30,244

VALUES DISPLAYED ARE 2016 PRELIMINARY VALUES and are subject to change prior to Certification

DISCLAIMER Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction						
Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
CAD	Central Appraisal District	0.000000	\$30,244	\$30,244	\$0.00	
CSH	City of Sherman	0.372000	\$30,244	\$30,244	\$112.51	
GRA	Grayson County	0.490900	\$30,244	\$30,244	\$148.47	
JRC	Jr College	0.181400	\$30,244	\$30,244	\$54.86	
SSH	Sherman School District	1.440000	\$30,244	\$30,244	\$435.51	
Total Tax Rate: 2.484300 Estimated Taxes With Exemptions: \$751.35 Estimated Taxes Without Exemptions: \$751.35						

Property Improvement - Building					
Type: Residential State Code: A1 Living Area: 1,296.00sqft Value: \$24,376					
Type	Description	Class CD	Exterior Wall	Year Built	SQFT
X2	UTILITY ROOM - ATTACHED TO RESIDENCE	*		1940	192.00
P2	OPEN PORCHES - FLOOR,ROOF,POSTS	*		1940	18.00
LA	LIVING AREA	2F	Wood & Sheating	1940	1,296.00
Type: Residential State Code: A1 Living Area: 0.00sqft Value: \$252					
Type: Residential State Code: A1 Living Area: 0.00sqft Value: \$675					

Property Land

Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
RESID	Residential	0.1644	7,161.00	42.00	170.50	\$4,941	\$0

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2016	\$25,303	\$4,941	\$0	\$30,244	\$0	\$30,244
2015	\$24,676	\$2,148	\$0	\$26,824	\$0	\$26,824
2014	\$16,901	\$3,438	\$0	\$20,339	\$0	\$20,339
2013	\$16,901	\$3,438	\$0	\$20,339	\$0	\$20,339
2012	\$16,901	\$3,438	\$0	\$20,339	\$0	\$20,339
2011	\$18,518	\$870	\$0	\$19,388	\$0	\$19,388
2010	\$18,518	\$870	\$0	\$19,388	\$0	\$19,388
2009	\$18,518	\$870	\$0	\$19,388	\$0	\$19,388

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
9/27/2004	WD	WARRANTY DEED	SIMS ANNIS	RAMIREZ LEOBARD GARCIA	3739	684	
3/5/2002	WD	WARRANTY DEED	CHILDRESS MABLE MRS	SIMS ANNIS	3214	305	0
3/1/1997	FWD	FAMILY WARRANTY DEED			2534	678	0
7/12/1961	WD	WARRANTY DEED			936	542	0

VALUES DISPLAYED ARE 2016 PRELIMINARY VALUES and are subject to change prior to Certification

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(Domestic Mail Only; No Insurance Coverage Provided)

B.D.W. #127

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	\$	\$0.49
Certified Fee		\$3.30
Return Receipt Fee (Endorsement Required)		\$2.70
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$6.49

SHERMAN TX 75090
08
FEB 2 2015
Postmark Here
USPS
02/12/2015

Sent To
LEOBARDO RAMIREZ
Street, Apt. No.,
or PO Box No. 1300 S. WALNUT
City, State, ZIP+4
SHERMAN, TX. 75090
PS Form 3800, August 2006 See Reverse for Instructions

7013 2630 0000 4317 6658

WITNESSED COMPLAINT
2/6/15

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LEOBARDO RAMIREZ
1300 S. WALNUT
SHERMAN, TX. 75090

COMPLETE THIS SECTION ON DELIVERY

A. Signature
[X] Lgac Ramirez ☐ Agent
☐ Addressee
B. Received by (Printed Name)
C. Date of Delivery
2/14/15
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail® ☐ Priority Mail Express™
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

(Transfer from service label)

7013 2630 0000 4317 6658

PS Form 3811, July 2013

Domestic Return Receipt



BUILDING INSPECTION REPORT
Substandard Structure

Date of Inspection 2/10/15 Tax ID # 5030 0763507
Address of Inspection 209 E. COLLEGE
Owner(s): LEOBARDO RAMIREZ
Water service terminated: FEB-04 Occupied Unoccupied ☒

Lot Appearance: HIGH GRASS TRASH DEBRIS JUNK VEHICLE

Roof: UNLEVEL DETERIORATED MISSING SHINGLES HOLES
INTERIOR EXPOSED TO ELEMENTS MISSING OR DAMAGED FASCIA
FIRE DAMAGED ROTTED DECAYED FALLING APART

Walls: PEELING PAINT SIDING LOOSE OR MISSING FIRE DAMAGED

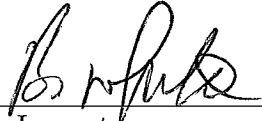
Doors/Windows: UNSECURED GLASS BROKEN OR MISSING

Structure Integrity: DILAPIDATED COLLAPSING UNSAFE DANGEROUS
FIRE DAMAGED

DETACHED ACCESSORY BLD. - UNSECURED/FALLING IN

Electrical Service: ACTIVE INACTIVE
Substandard: OUTDATED UNSAFE DANGEROUS NOT APPLICABLE

Gas Service: ACTIVE INACTIVE NOT APPLICABLE


Building Inspector

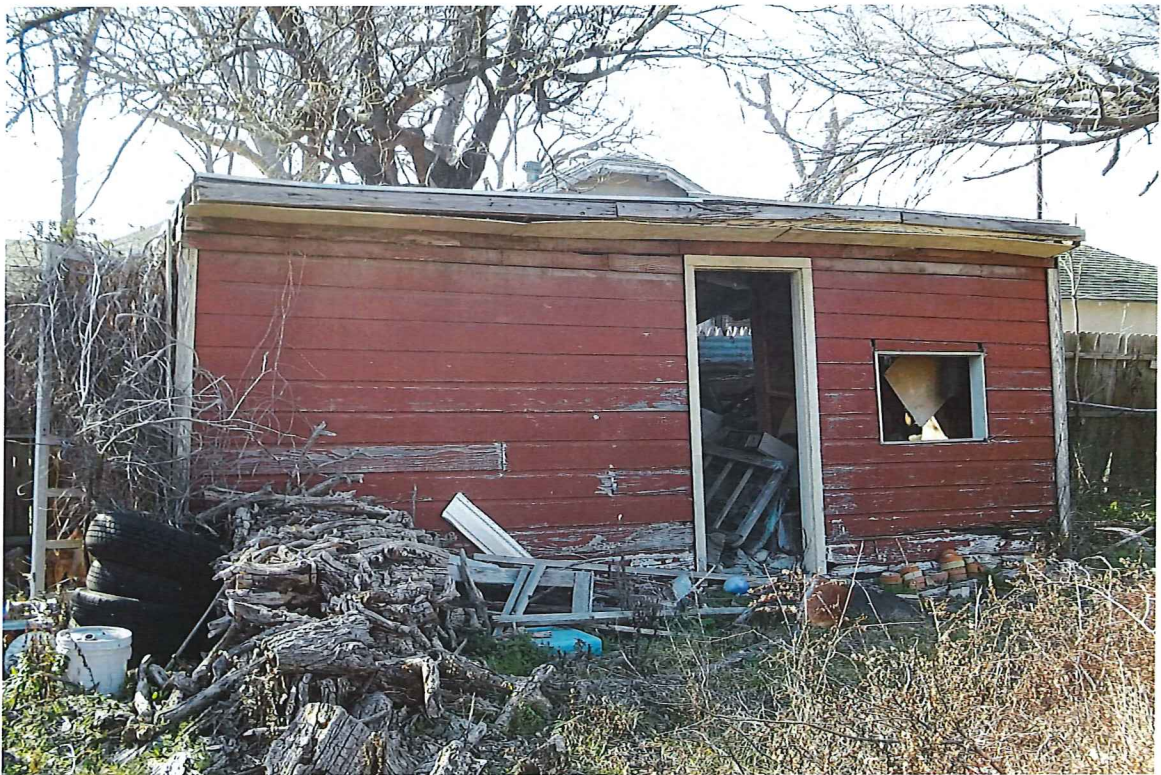


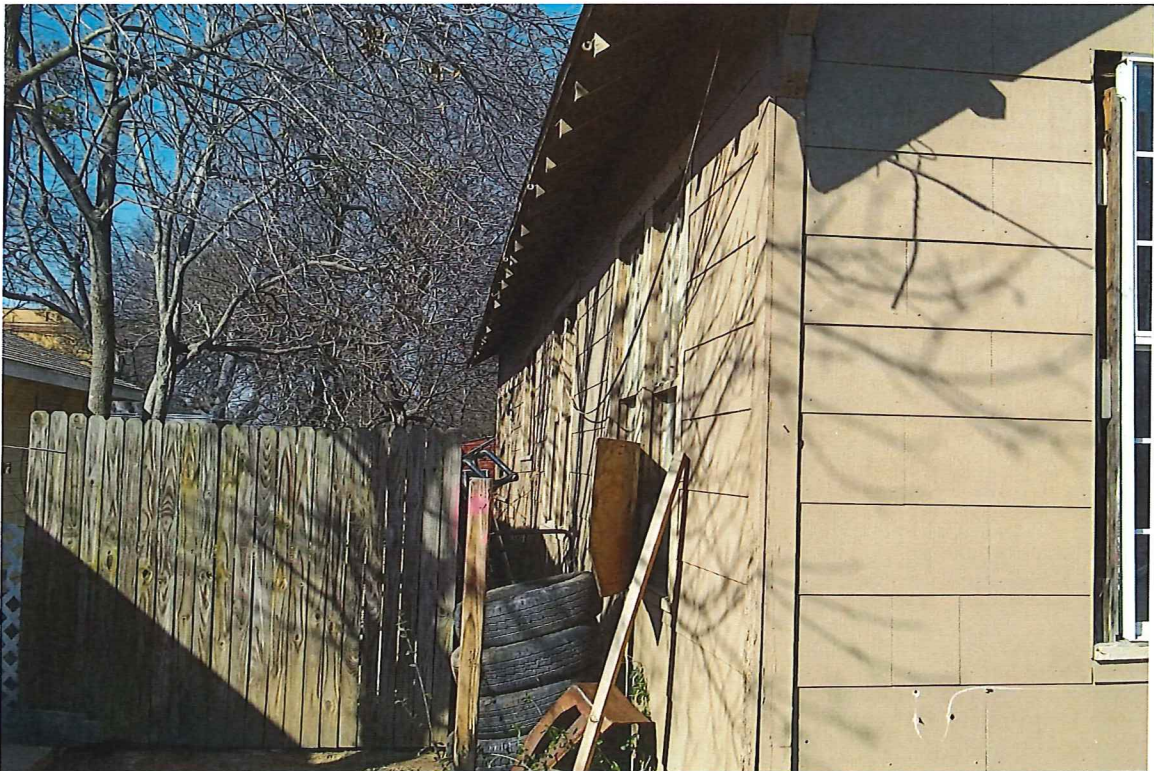
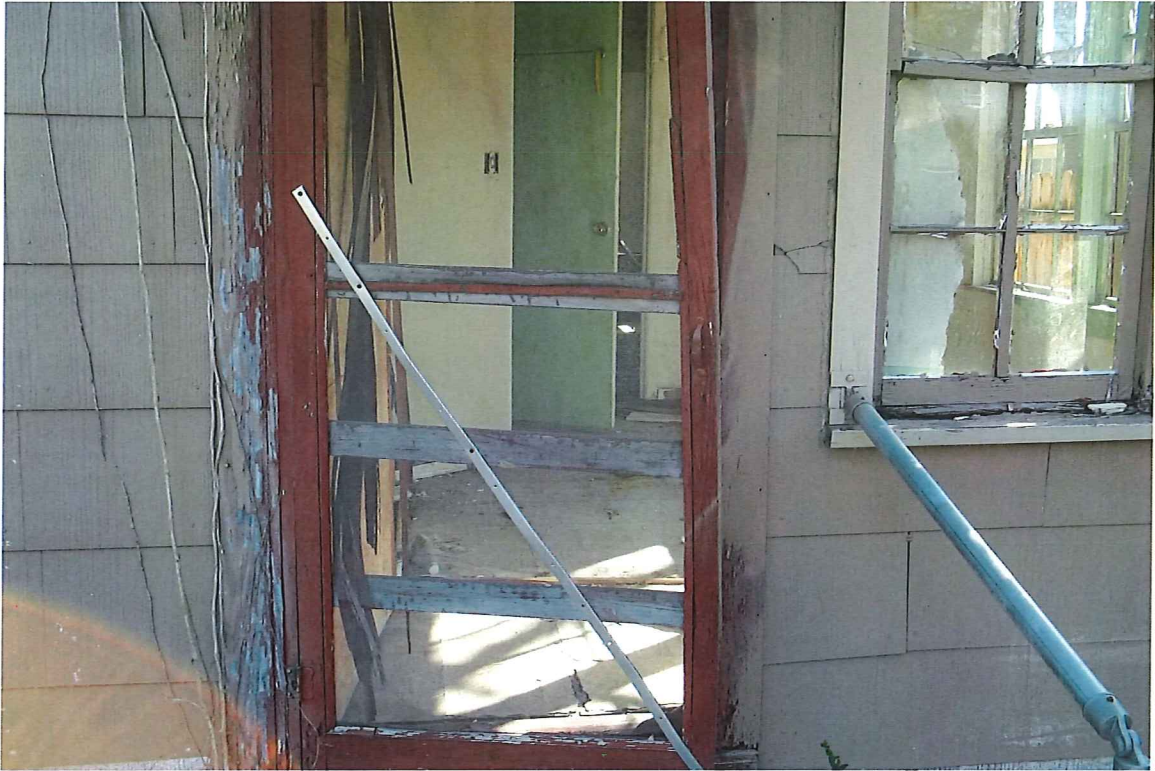














SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. F. 2.

Meeting Date: 06/06/2016

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Replat Approval of Block 6 of Exstein's Maple Addition, being 3.897 acres in the J.B. McAnair Survey, Abstract No. 763 and being all of Block 6, Exstein's Maple Addition; Sapphire Group, LLC, Owners; Kyle Boothe, Representative; and Underwood Drafting and Surveying, Surveyor (317-415 North Woods, 308-420 North Sam Rayburn Freeway, and 703-721 West Pecan)

Issue:

To consider Replat approval of Block 6 of Exstein's Maple Addition, being 3.897 acres in the J.B. McAnair Survey and being all of Block 6 of Exstein's Maple Addition located at 317-415 North Woods, 308-420 North Sam Rayburn Freeway and 703-721 West Pecan

Background:

The property is located at 317-415 North Woods Street, 308-420 North Sam Rayburn Freeway, and 703-721 West Pecan Street. It is bounded by North Sam Rayburn Freeway, Pecan Street, Woods Street and Fern Street. The owners would like to replat the property into 20 lots for residential and commercial development. The Replat consists of nineteen lots along Woods Street for residential development and one lot fronting Sam Rayburn Freeway for commercial development.

Origination:

Sapphire Group, LLC (Owners)

Kyle Boothe (Representative)

Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the May 17, 2016 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map

Zoning Map

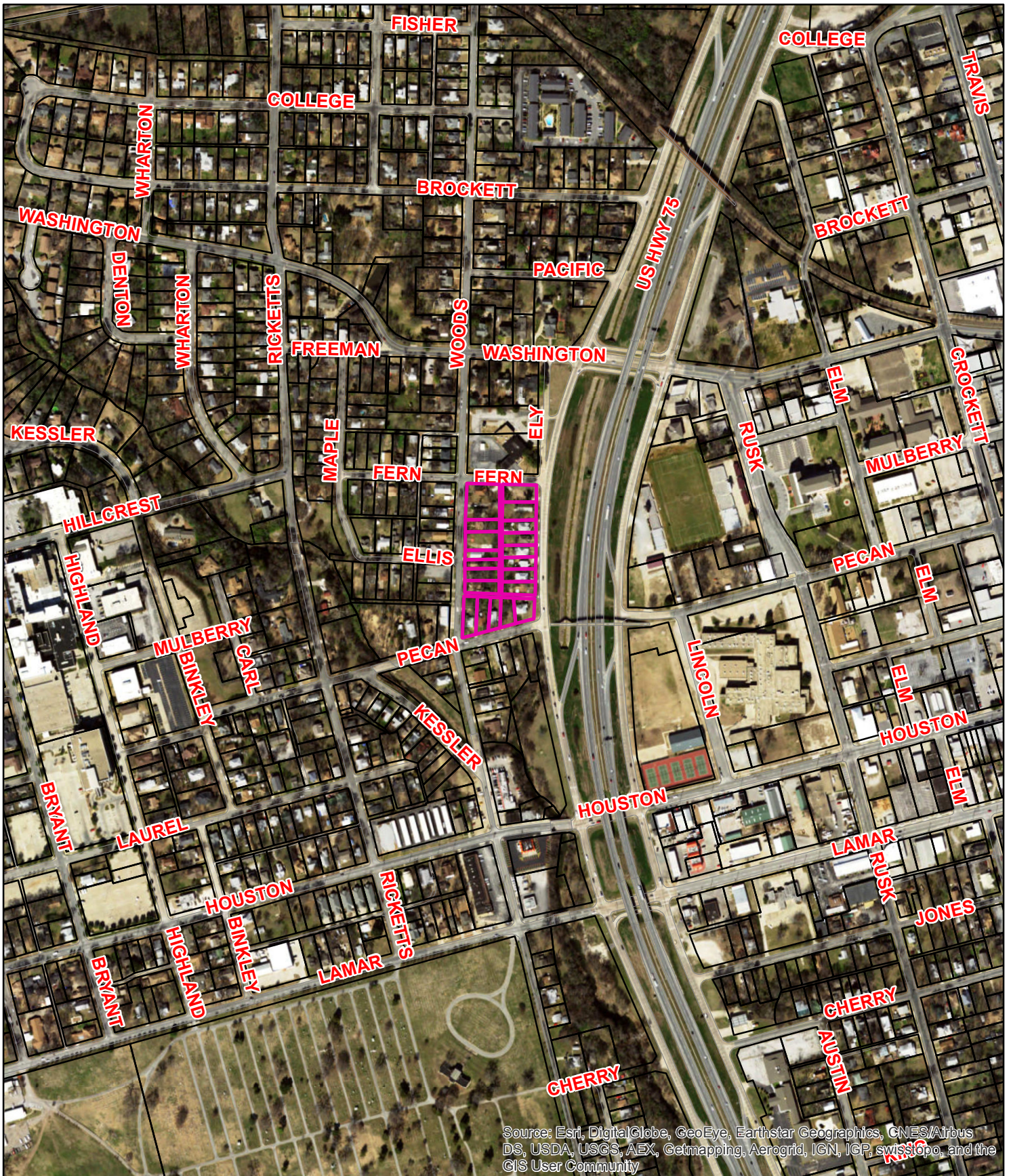
Zoning Photo

Aerial View

Replat

P&Z Communication

Staff Review Letter



Sherman
CLASSIC TOWN. BROAD HORIZON.

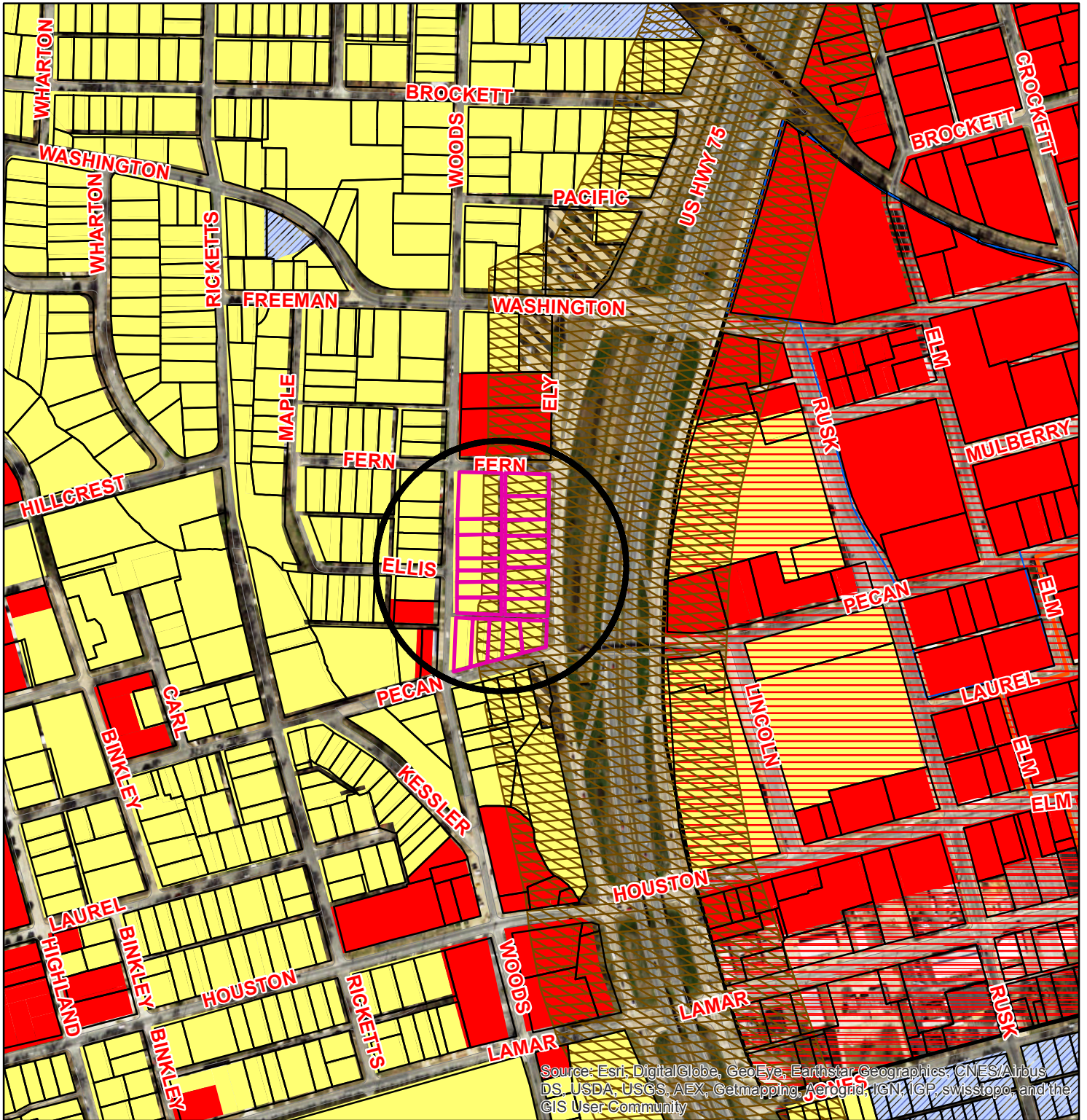
**317-415 N Woods, 308-420 N. Sam Rayburn &
703-721 W. Pecan**



NOT TO SCALE

1 in = 532 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 317-415 N. Woods, 308-420 N. Sam Rayburn Freeway & 703-721 W. Pecan

Legend

Transportation Corridors Overlay

HWY_NAME

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75

Special Districts Overlay

DISTRICT_NAME

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

Zoning Districts

Representation: SHERMIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



NOT TO SCALE

1 in = 444 ft

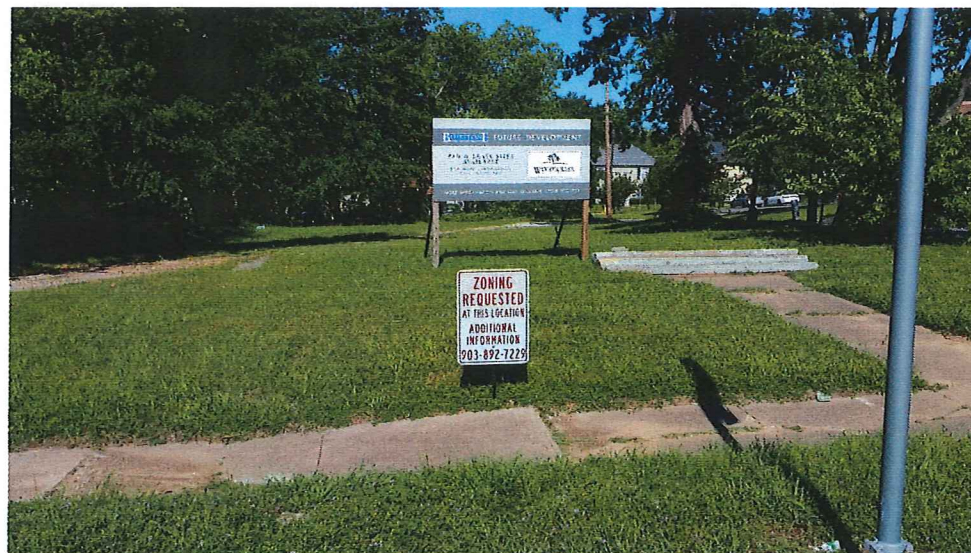
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

703-721 W. Pecan St.



308-420 N. Sam Rayburn Fwy.

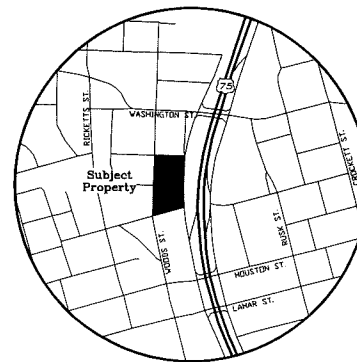
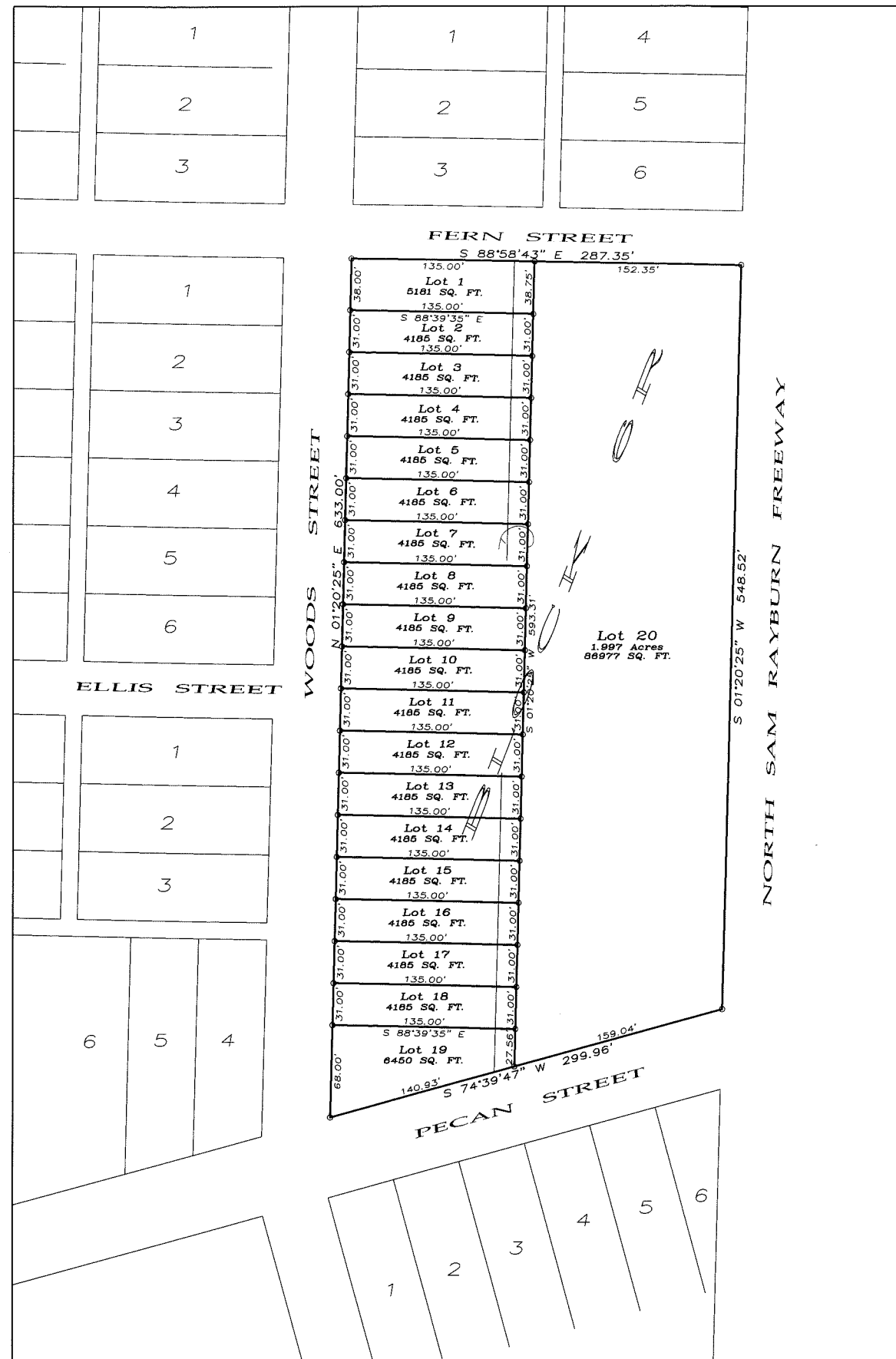


317-415 N. Woods St.



Aerial View





LOCATION MAP
(not to scale)

Legal Description

Situated in the County of Grayson, State of Texas, being a part of the J. B. McAnair Survey, Abstract No. 763, and being all of Block 6, Exstien's Maple Addition, an addition to the City of Sherman recorded in Volume 138, Page 185, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a set 1/2" steel rod at the northwest corner of said Block 6;

Thence South 88°58'43" East with the north line of said Block 6, a distance of 287.35 feet to a set 1/2" steel rod at the northeast corner of said Block 6;

Thence South 01°20'25" West with the east line of said Block 6, a distance of 548.52 feet to a found 1/2" steel rod at the southeast corner of said Block 6;

Thence South 74°39'47" West with the south line of said Block 6, a distance of 299.96 feet to a found 1/2" steel rod at the southwest corner of said Block 6;

Thence North 01°20'25" East with the west line of said Block 6, a distance of 633.00 feet to the Point of Beginning and containing 3.897 acres of land.

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. 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. 48161C0290 F, Revised Date: September 29, 2010.
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. Existing Sanitary Sewer lines within Block 6 will be abandon.

I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property shown hereon under my personal and direct supervision, and that the corner monumentation meets the standards set according to the Subdivision Regulations of the City of Sherman, Texas.

Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709

Date:

I, Sapphire Group, LLC, owner of the replat of Block 6 of Exstien's Maple Addition, an addition to City of Sherman, do hereby dedicate the streets and easements shown hereon to the public use forever.

Sapphire Group, LLC
by Kyle Boothe on behalf of Bluestone Partners, LLC
Operating Manager of the Sapphire Group

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Kyle Boothe, 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 ____, 2016.

Notary Public, Grayson County, Texas

This, the replat of Block 6 of Exstien's Maple Addition, an addition to City of Sherman, is hereby approved this ____ day of ____, 2016, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman Secretary

This, the final plat of Block 6 of Exstien's Maple Addition, an addition to City of Sherman, is hereby approved this ____ day of ____, 2016, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS:

MAYOR, CITY OF SHERMAN, TEXAS DATE

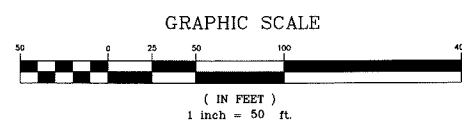
The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing replat of Block 6 of Exstien's Maple Addition, an addition to City of Sherman, was submitted to the city council of Sherman, Texas, on the ____ day of ____, 2016, and that the City Council, by formal action, then and there accepted the dedication of all easements, and other public areas, as shown and set forth in and upon said plat; and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as here above subscribed.

CERTIFIED THIS ____ DAY OF ____, 2016,

BY
CITY CLERK, CITY OF SHERMAN, TEXAS

SURVEYOR:

Underwood Drafting & Surveying, Inc.
3404 Interurban Road
Sherman, Texas 75021
Ph: 903-465-2151 Fax: 903-465-2152
Email: info@underwoodsurveying.com
Texas Board of Professional Land
Surveying Firm Registration No. 10006300



Owner:
Sapphire Group, LLC
P.O. Box 368
Sherman, Texas 75091

Replat of Block 6
of
Exstien's Maple Addition
an addition to the
City of Sherman, Texas
being 3.897 acres
in the
J. B. McAnair Survey, Abstract No. 763



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

Agenda Item No. 10.

Meeting Date: 05/17/2016

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

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliott, Commissioner

Chris Vellotti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

Clay Mahone, Commissioner

Requested Action/Proposed Use:

**317-415 N. WOODS STREET, 308-420 N SAM RAYBURN FREEWAY & 703-721
W. PECAN STREET**

The request of Sapphire Group LLC (Owners), Kyle Boothe, (Representative) and Underwood Drafting and Surveying (Surveyor) concerning the property at 317-415 North Woods Street, 308-420 North Sam Rayburn Freeway and 703-721 West Pecan Street, being part of the J.B McAnair Survey, Abstract No. 763 and being all of Block 6, Exstein's Maple Addition containing 3.897 acres, as follows;

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow two-family patio homes on the proposed Lots 1-19, Block 6R of the Replat of Block 6, Exstein's Maple Addition in an R-1 (One Family Residential) District/O-1.2 (Sam Rayburn Overlay) District.

Board of Adjustments

- Variance under Ordinance No. 2280, Section 6.2, Subsection (1) to allow a 3' side yard setback for a two-family patio home on the proposed Lots 1-19, Block 6R of the Replat of Block 6, Exstein's Maple Addition in lieu of the required 5' with a Specific Use Permit to allow patio homes in an R-1 (One Family Residential) District/O-1.2 (Sam Rayburn Overlay) District.
- Variance under Ordinance No. 2280, Section 6.2, Subsection (1) to allow seventeen (17) lots with widths of thirty-one (31) feet in lieu of the required forty (40) feet and one corner lot with thirty-eight (38) feet in lieu of the required forty-five (45) feet in an R-1 (One Family Residential) District/O-1.2 (Sam Rayburn Overlay) District.

Planning and Zoning Commission

Replat approval of Block 6 of Exsteins Maple Addition

Background:

The property is located at 317-415 North Woods Street, 308-420 North Sam Rayburn Freeway and 703-721 West Pecan Street; it is bound by North Sam Rayburn Freeway, Pecan Street, Woods Street and Fern Street.

The owner would like to replat the property into 20 lots for residential and commercial development. The replat consist of nineteen lots along Woods Street for residential development and one lot fronting Sam Rayburn Freeway for commercial development. They are requesting a variance for the lots along Wood Street to allow (17) seventeen of the lots to be (31) thirty-one foot wide and (1) one corner lot to be (38) thirty-eight feet wide.

The owners are also requesting a Specific Use Permit to construct nineteen (19) two story, two-family patio homes on the lots fronting Woods Street. The two-story homes will be approximately 2,000 square foot. The homes will have two bedrooms per unit for a total of four bedrooms per building. Parking will be provided in the rear. They are requesting a variance for a 3' side yard setback for each of the lots.

Adjacent Zoning:

R-1 (One Family Residential) District

C-1 (Retail Business) District

Origination:

Sapphire Group LLC (Owners)

Kyle Boothe, (Representative)

Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

40

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Photo

Aerial View

Existing Sites

Replat

Site Plan

Elevations

Elevations

Staff Review Letter Replat

Staff Review Letter SUP

STAFF REVIEW LETTER

May 17, 2016

Sapphire Group LLC
4708 N. FM 1417
Sherman, TX 75092

Underwood Drafting & Surveying
3404 Interurban Rd.
Denison, TX 75021

Dear Applicants,

The request for approval of the Replat of Block 6 of Exstein's Maple Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 17, 2016 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from the various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Privately owned and maintained detention in accordance with City criteria is required upon future development.
4. All requirement of the Floodplain Ordinance shall be followed.
5. Drive approaches and sidewalks shall conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
6. The width of the right-of-way and pavement for streets shall be shown on the plat.
7. Dedicate 10' utility easement along perimeter of lot.
8. The location of the trash receptors must be approved by the Director of Public Works. HOA agreement required for use of trash receptors for multiple lots.
9. Mutual access easements along rear of Lots 1-19.
10. A utility, drainage and grading plan shall be provided and approved by the City Engineering Department.
11. Existing Sewer shall be abandoned and proposed sewer shall be extended to serve the development.
12. Existing alley shall be abandoned.
13. Verify fire requirements with Fire Marshall.
14. Any other changes made to the final prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott,
City Engineer

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Danny Fuller, Fire Marshal
Steve Ayers, Dir. Of Community and Support Services

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Don Keene, Asst. City Manager
Clay Barnett, Director of Public Works and Eng.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. F. 3.

Meeting Date: 06/06/2016

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Final Plat Approval of Bob Allen Addition, being 7.96 acres in the J.B. McAnair Survey, Abstract No. 763; Trinity Baptist Church and Grayson Baptist Association, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (2515, 2605, 2613 and 2627 Loy Lake Road)

Issue:

To consider approval of Bob Allen Addition, being 7.96 acres in the J.B. McAnair Survey, Abstract No. 763 located at 2515, 2605, 2613 and 2627 Loy Lake Road

Background:

The property is located at 2515, 2605, 2613 and 2627 Loy Lake Road, between Peyton Street and U.S. Highway 82. The property is zoned an R-1 (One Family Residential) District. The owners would like to plat the property into four lots to sell some of the lots.

Origination:

Trinity Baptist Church and Grayson Baptist Association (Owners)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the May 17, 2016 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

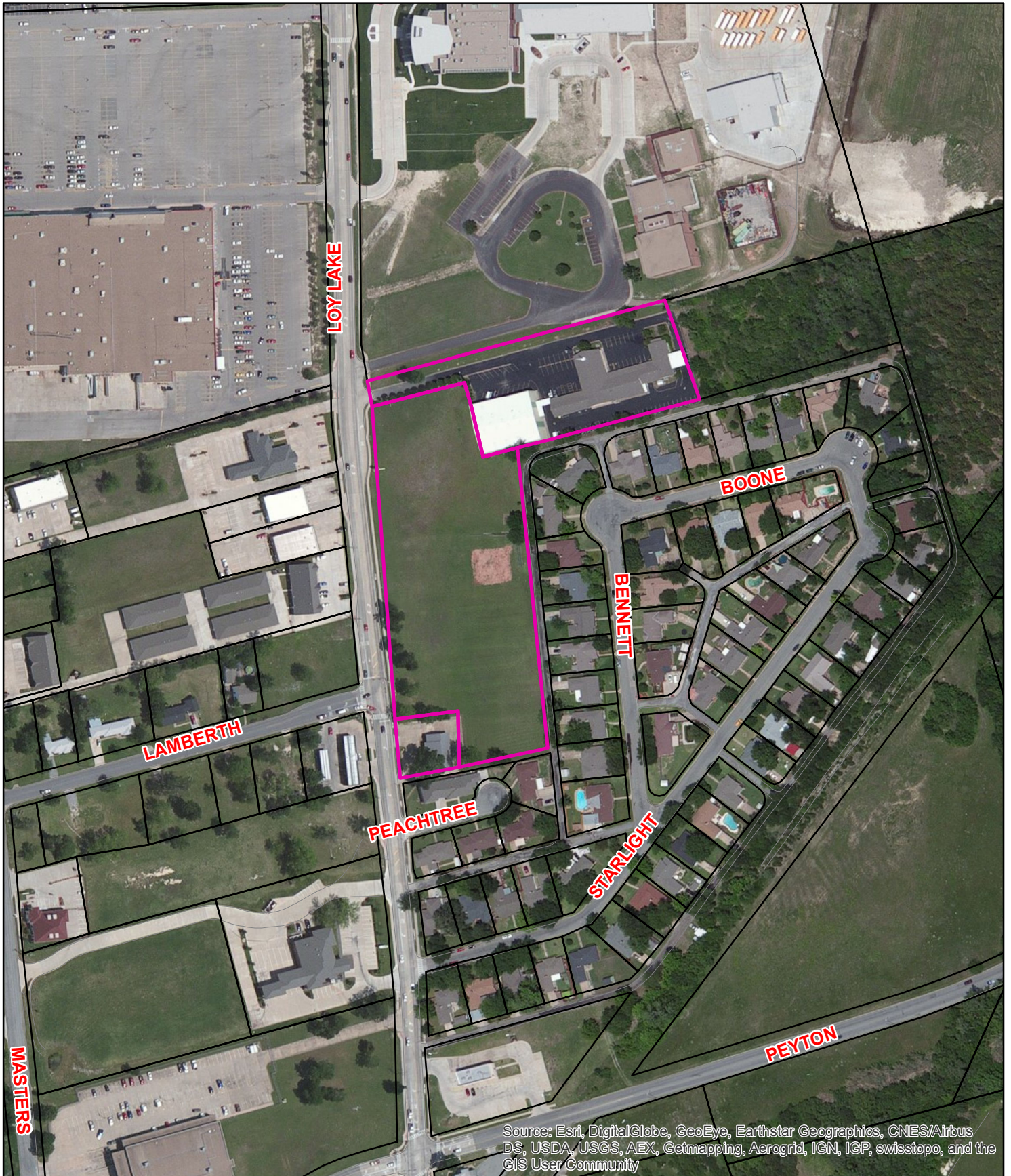
Location Map

Zoning Map

Plat

P&Z Communication

Staff Review Letter



Sherman
CLASSIC TOWN. BROAD HORIZON.

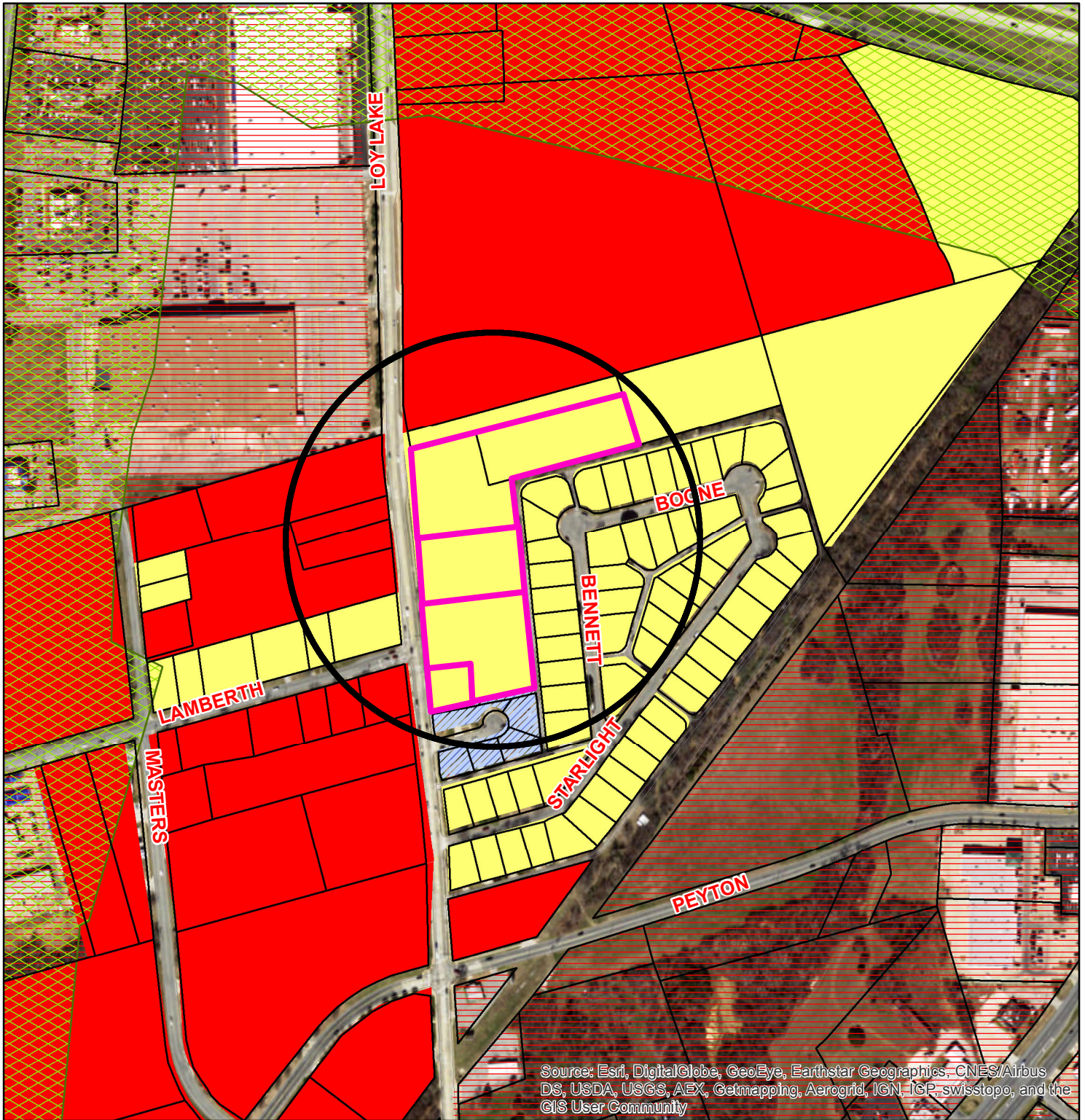
City of Sherman, Texas
Developmental Services Department

2515, 2605, 2613 & 2627 Loy Lake Road



NOT TO SCALE

1 in = 261 ft



Zoning - Bob Allen Addition 2515, 2605, 2613 & 2627 Loy Lake Rd.

Legend

Transportation Corridors Overlay

HWY_NAME

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75

Special Districts Overlay

DISTRICT_NAME

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

Zoning Districts

Representation: SHERMIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



NOT TO SCALE

1 in = 400 ft

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

Dr. J.H. Carraway's Sub-District
City of Sherman, Texas
Vol. 414, Pg. 125
D.R.G.C.T. :

$$\frac{1}{1000} \text{ sec}$$

J.B. McAnair Survey
Abstract No. 763—
City of Sherman
Grayson County, Texas

Vicinity Map

(Not to Scale)

US Hwy 75

US Hwy 62

Lombard

Loy Lane Rd

Subject Property

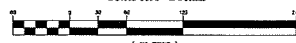
City of Sherman

Grayson Baptist Association
Office
P.O. Box 1806
Sherman, Texas 75090

1. Water supply to be provided by City of Sherman.
2. Sewer service to be provided by City of Sherman.
3. Electrical service is provided by Oncor Electric Delivery Company.
4. The property shown on the plat herein lies within a "Zone X" (areas determined to be outside 500-year floodplain) designation, as shown on the Flood Insurance Rate Map for DeWey County, Texas and the National Flood Insurance Program, 48181C02290, Revised Date: September 23, 2010.
5. 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.
6. The owners and builders must comply with all other state and federal regulations regarding developments of this type.
7. Current zoning for subject property is commercial.

**Bob Allen Addition
to
City of Sherman, Texas
7.96 Acres
in the
J.B. McAnair Survey, Abst. No. 763**

GRAPHIC SCALE



Page 1 of 2

C:\Land Projects RZ\Trinity-Baptist-Church-Soc-Ley-Lake-Rd-Sherman\csg\Trinity-Baptist-Church-Soc.csg 4/5/2016 3:22:16 PM CUI

SITUATED in the City of Sherman, County of Grayson, being a part of the J.B. McAnar Survey, Abstract No. 763, and being all of the following tracts of land: 1) 6 acre tract of land conveyed from Hazel A. Fisher to Trustees of Trinity Baptist Church, and their successors in office and assigns on April 19, 1978 as recorded in Volume 1452, Page 380, Deed Record; Grayson County, Texas 2) 2.0 ac. tract of land conveyed from Hiram Park Baptist Church to Trinity Baptist Church on May 5, 1966 as recorded in Volume 1054, Page 531, said Deed Record; 3) 0.285 ac. tract of land conveyed from Grayson Baptist Association to Grayson Baptist Association, a corporation on December 17, 1984 as recorded in Volume 1727, Page 134, said Deed Record; said 0.285 ac. tract being out of the Southwestern portion of the Trinity Baptist Church (6 ac.) and being more particularly described as one tract by metes and bounds as follows to-wit:

BEGINNING at a 1/2 inch rebar found in a West line of Starlight Meadows Addition to the City of Sherman, Texas as per plot of record in Volume 3, Page 23, Plat Records, Grayson County, Texas, at the Northeast corner of Lot 4, Replat of Block 7, Starlight Meadows Addition to the City of Sherman, Texas as per plot of record in Volume 6, Page 45-A, said Plat Records, at the Southeast corner of said Trinity Baptist 6 cc. and the most Southern Southeast corner of the herein described tract;

THENCE South 78.49, 49 min. 28 sec. West, with the South line of said Trinity Baptist 6 ac. and the North line of said Lot 4, passing a 1/2 inch rebar found at 69.1 ft. at a common property corner continuing on, passing a 1/2 inch rebar found at 130.4 ft. at the Northwest corner of said Lot 4 and the Northeast corner of Lot 5, said Replot of Block 7, Starlight Meadows Addition, continuing now with the North line of said Lot 5, passing a point at the Southeast corner of said Grayson Baptist Assoc. 0.285 ac. and 122 ft. and continuing now with the South line of said Grayson Baptist Assoc. 0.285 ac., passing the Southwest corner of said 0.285 ac. and the Northeast of said Lot 5 at 268.292 ft. and continuing now with the South line of said Trinity Baptist Church 6 ac. for a TOTAL distance of 336.67 ft. to a mag-nail set in the pavement of Lay Lake Road, a public street, at the Southwest corner of both said Trinity Baptist 6 ac. and the herein described tract;

THENCE North 06 deg. 11 min. 15 sec. West, with the pavement of said Lay Lake Road and with the West Ene of said Trinity Baptist 6 ac., a distance of 754.38 ft. to an angle point in said road, at the Northwest corner of said Trinity Baptist 6 ac. and the most Western Southwest corner of said Trinity Baptist 2.0 ac.;

THENCE North 01 deg. 54 min. 00 sec West, continuing with the pavement of said Lata Lake Road and with the West line of said Trinity Baptist 2.0 ac., a distance of 40.00 ft. to a mag-nail set in solid rock, at the Southwest corner of the 28.6 acre tract of land conveyed to Sherman Independent School District in Volume 842, Page 376, said Deed Records, at the Northwest corner of both said Trinity Baptist 2.0 ac. and the herein described tract, S40 N40 being North 75 deg. 05 min. 14 sec. East, 33.66 ft. across in a 1/2 inch rebar found at the Northwest corner of the Replot of Lata One and Two; thence North 75 deg. 05 min. 14 sec. East, 33.66 ft. to the Northeast corner of the Replot of Lata One and Two of Bentley Addition to the City of Sherman, Texas as per plot of record in Volume 25, Pages 125 and 126, said Plot Records;

THENCE North 75 deg. 06 min. 00 sec. East, with the North line of said Trinity Baptist 2.0 ac. and the South line of said Sherman ISD 28.6 ac., a distance of 680.81 ft. to a 5/8 inch rebar found at the Northeast corner of the 8.236-acre tract of land (Tract #1) conveyed to Ridge, Inc. in Volume 2881, Page 693, Official Public Records, Grayson County, Texas, at the Northeast corner of both said Trinity Baptist 2.0 ac. and the herein described tract;

THENCE South 15 deg. 18 min. 00 sec. East, with the West line of said Ridge, Inc. 8.236 ac. and the East line of said Trinity Baptist 2.0 ac., a distance of 208.93 ft. to a 1/2 inch copper rebar set, stamped "RPLS 6578" in a North line of said Storlight Meadows Addition, at the Southwest corner of said Ridge, Inc. 8.236 ac. and the Southeast corner of said Trinity Baptist 2.0 ac., at the most Eastern Southeast corner of the herein described tract;

THENCE South 74 deg. 58 min. 18 sec. West, with the South line of said Trinity Baptist 2.0 ac. and the North line of said Starlight Meadows Addition, a distance of 374.11 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" in the East line of said Trinity Baptist 6 ac., to a Northwest corner of said Starlight Meadows Addition, the most Southern Southwest corner of said Trinity Baptist 2.0 ac. and an Ell corner of the herein described tract;

THENCE South 05 deg. 48 min. 39 sec. East, with a West line of said Starlight Meadows Addition and the East line of said Trinity Baptist 6 ac., a distance of 604.35 ft. to the PLACE OF BEGINNING and containing 7.96 ACRES of land.

Surveyor's Certification:

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property shown hereon under my personal and direct supervision, and that the corner monumentation meets the standards set according to the Subdivision Regulations of the City of Sherman, Texas.

Kale A. Wagner, R. P. L. S. No. 6578

Owner's Dedication:

We, Representatives for Trinity Baptist Church and Grayson Baptist Association, owners of Bob Allen Addition, to City of Sherman, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

Authorized Agent for Trinity Baptist Church

Authorized Agent for German Baptist Association

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she 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 _____, 2016.

Notary Public, Grayson County, Texas

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she 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 _____, 2016.

Notary Public, Grayson County, Texas

City of Sherman 

This, the final plat of Bob Allen Addition to City of Sherman, Texas, is hereby approved this _____ day of _____, 2016, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman _____ Secretary _____

Secretary

This, the final plat of Bob Allen Addition to City of Sherman, Texas, is hereby approved this _____ day of _____, 2016, by the City Council of the City of Sherman, Texas.

S: _____
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 Bob Allen Addition to the City of Sherman, Texas, was submitted to the City Council of Sherman, Texas, on the 15 day of August, 2016, and that the City Council, by formal action, then and there accepted the dedication of all easements, and other public areas, as shown and set forth in and upon said plat; and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as here above subscribed.

CERTIFIED THIS _____ DAY OF _____, 2016, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Helvey-Wagner Surveying, Inc.
2 W. Main St., Denison, Texas 75020
(937) 463-6191 Fax: (937) 463-4088
Email: helveysurvey@comcast.net
Board of Professional Land Surveying
Exp. Registration No. 10088100

C:\Land Projects\R2\Trinity-Baptist-Church-500-Loy-Lake-Rd-Sherman\dwg\Trinity-Baptist-Church-500.dwg 4/5/2016 3:22:16 PM CDT

Page 2 of 2



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

Agenda Item No. 6.

Meeting Date: 05/17/2016

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

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliott, Commissioner

Chris Vellotti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

Clay Mahone, Commissioner

Requested Action/Proposed Use:

*** 2515, 2605, 2613 & 2627 LOY LAKE ROAD**

The request of Trinity Baptist Church and Grayson Baptist Association (Owners) and Helvey-Wagner Surveying (Surveyor) concerning the property at 2515, 2605, 2613 and 2627 Loy Lake Road, being 5.93 acres in the J.B. McAnair Survey, Abstract No. 763, as follows;

Planning and Zoning Commission

Final plat approval of Bob Allen Addition

Background:

The property is located at 2515, 2605, 2613 and 2627 Loy Lake Road, between Peyton Street and U.S. Highway 82. The property is zoned an R-1 (One Family Residential) District. The owners would like to plat the property into four lots to sell some of the lots.

Adjacent Zoning:

R-1 (One Family Residential) District

R-2 (Multi-Family Residential) District

C-1 (Retail Business) District

Origination:

Trinity Baptist Church and Grayson Baptist Association (Owners)

Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Plat

Staff Review Letter

STAFF REVIEW LETTER

May 17, 2016

Grayson Baptist Association
PO Box 1806
Sherman, TX 75091

Trinity Baptist Church
2627 Loy Lake Rd.
Sherman, TX 75092

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

Dear Applicants,

The request for approval of the Final Plat of Bob Allen Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 17, 2016 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from the various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Privately owned and maintained detention in accordance with City criteria is required upon future development.
4. Show 10 foot utility easement along Loy Lake Road. Show 5 foot utility easement along alley.
5. Any other changes made to the final prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott,
City Engineer

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Danny Fuller, Fire Marshal
Steve Ayers, Dir. Of Community and Support Services

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Don Keene, Asst. City Manager
Clay Barnett, Director of Public Works and Eng.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. F. 4.

Meeting Date: 06/06/2016

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Consider Scheduling a Joint Meeting of the City Council and the Sherman Independent School District Board of Trustees for 11:30 a.m. on Thursday, June 23, 2016, for a Strategic Planning Session

Issue:

To consider scheduling a joint meeting of the City Council and the Sherman Independent School District (SISD) Board of Trustees for 11:30 a.m. on Thursday, June 23, 2016, to hold a Strategic Planning Session

Background:

City Manager Robby Hefton and Sherman ISD Superintendent Dr. David Hicks collaborated to hold a joint meeting between their respective boards to discuss upcoming issues that could affect both groups. This joint meeting was held at 11:30 a.m. on Monday, April 11, 2016 in the City Council Chambers; and it opened a dialogue between the City and the SISD to better communicate and work together on common issues.

A second joint meeting has been proposed for 11:30 a.m. on Thursday, June 23, 2016, in the SISD Administrative Offices. City and SISD staff will develop an agenda for this meeting.

The SISD Board has not formally set this meeting, but there will not be an opportunity for the Council to set this meeting prior to the proposed meeting date of June 23, 2016.

Origination:

SISD Board of Trustees President Tim Millerick
Mayor David Plyler
City Manager Robby Hefton
SISD Superintendent Dr. David Hicks

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

It is recommended that the City Council schedule a joint meeting with the SISD Board of Trustees for 11:30 a.m. on Thursday, June 23rd in the City Council Chambers.

Alternatives:

If this date doesn't work, staff could work on alternative dates with SISD administration to establish a date that would fit.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. F. 5.

Meeting Date: 06/06/2016

Prepared By: Steve Ayers, Director of Community and Support Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Consider Request of the United Way of Grayson County to Temporarily Close Certain Streets for the "United Way Hustle for Health" on Saturday, August 13, 2016

Issue:

United Way of Grayson County will kick off its 2016 annual campaign with the "United Way Hustle for Health" on Saturday, August 13th, and is requesting the City of Sherman's assistance with traffic control and street closures.

Background:

United Way of Grayson County, in conjunction with multiple sponsors, will hold its annual campaign kickoff with the "Hustle for Health", a 5K/10K and Mini K on Saturday, August 13th. The race will begin at 8:00 a.m. and will follow the route displayed on the attached map. The run will require traffic control assistance and cones from City of Sherman.

United Way is also requesting the closure of Rusk Street in front of the Municipal Building from 8:00 a.m. to 9:00 a.m. Barricades will be provided by the City of Sherman Street Department.

Origination:

Kim Ramey, Director of Resource Development, United Way of Grayson County

Financial Consideration:

Labor and equipment to provide traffic control assistance and place/remove barricades and cones.

Staff Recommendation:

It is recommended that the City Council approve this request and authorize the necessary traffic control and assistance to accommodate the event.

Alternatives:

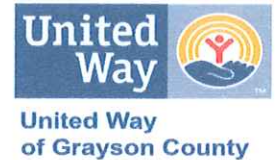
As directed by Council

Attachments

Request Letter

5K-10K-Mini K Run Map

713 E. Brockett, Post Office Box 1112
Sherman, TX 75091
Tel 903 893-1920 Fax 903 893-4141
www.unitedwaygrayson.org



April 13, 2016

Robby Hefton
City of Sherman
220 West Mulberry Street
Sherman, TX 75090-5832

Dear Mr. Hefton,

Last year's United Way Campaign Kickoff featured a 10k/5k/1k fun run that was a huge success. With over 800 people in attendance and over 720 race participants, we could not have been more pleased.

We are requesting from the city, traffic support and cones to be placed along the course. We are estimating seven hundred (750) runners to participate. Please find below the details and attached the proposed course map.

What: CIGNA "Hustle for Health" Run & United Way Annual Campaign Kickoff
Who: United Way of Grayson County
When: Saturday, August 13th 2016
Time: Race Start 8:00 a.m. finish 11:00 a.m.
Where: Sherman Municipal Grounds

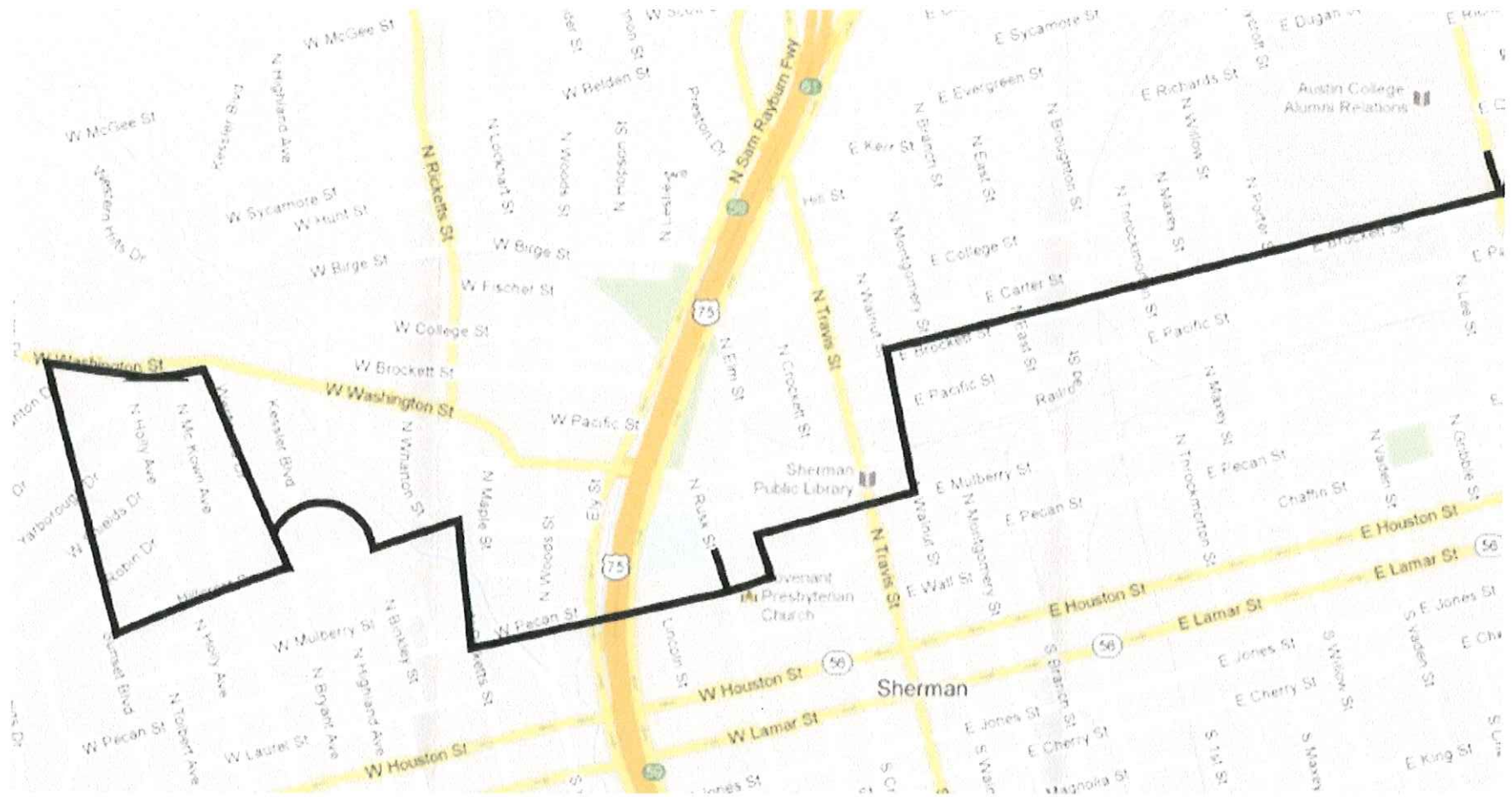
We want to thank you in advance for your consideration of this event. If we can be of any assistance please give me a call at 903-893-1920. We look forward to working with the city on this endeavor.

Sincerely,

A handwritten signature in black ink that reads "Kim Ramey". The signature is fluid and cursive, with the first name "Kim" being more prominent than the last name "Ramey".

Kim Ramey
Resource Development Director
United Way of Grayson County

United Way Hustle for Health 5K/10K and Mini-K August 13, 2016



5K Start

N. Rusk St.
Turn left on W. Pecan
Turn left on N. Elm
Turn right on W. Mulberry
Turn left on N. Walnut
Turn right on E. Brockett
Turn left on N. Grand
*Turn around 5K Marker
Back to Start

10K Start

N. Rusk St
Turn right on W. Pecan
Over pedestrian bridge.
Turn right on N. Ricketts
Turn left on Hillcrest
Turn right on Kessler/Bryant
Turn left on Bryant
Turn right on Hillcrest
Turn right on Sunset Blvd.
Turn right on Washington
Turn right on Westwood

Turn left Kessler/Bryant
Turn Left on Hillcrest
Turn right on Ricketts
Turn left on W. Pecan
Over pedestrian bridge
Turn left on N. Elm
Turn right on W. Mulberry
Turn left on N. Walnut
Turn right on E. Brockett
Turn left on N. Grand
*Turn around 10K Marker
Back to Start



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. F. 6.

Meeting Date: 06/06/2016

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Consider Calling a Special Meeting of the City Council for Tuesday, July 5, 2016, due to Conflict with a Federal Holiday

Issue:

To consider calling a special meeting of the City Council for 5:00 p.m. on Tuesday, July 5, 2016, to make up for the first regular meeting in July, which falls on the Federal Holiday of Independence Day

Background:

The City Charter provides that City Council regular meetings shall fall “on the first and third Mondays of each month, excluding holidays, at its discretion.” The regular date for the Council’s first meeting in July is Monday, July 4th, a Federal Holiday to celebrate Independence Day. This day is an officially recognized holiday for City of Sherman employees and is traditionally respected by not holding regular City Council meetings on this Federal Holiday. While the Charter provision does not require the City Council to meet on a Federal Holiday, neither does it establish a make up date, which would be done by a motion and order with a 72-hour public notice.

Origination:

City Manager's Office

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

It is recommended that the City Council call a special City Council meeting for 5:00 p.m. on Tuesday, July 5th.

Alternatives:

As the City Charter does not require the City Council to make up a regular meeting which falls on a Federal Holiday, the Council could elect to skip this meeting.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. I. 1.

Meeting Date: 06/06/2016

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Civil Service Commission (1)

Issue:

Lee Salinas' term on the Civil Service Commission expires on June 8, 2016. He is eligible and does wish to serve another term. Mr. Salinas' appointment would require confirmation by a 2/3 majority vote of the City Council. The City Manager is responsible for appointment of members to the Civil Service Commission, with confirmation by the City Council.

Background:

The Civil Service Commission makes provisions for open, competitive, and free examinations for Civil Service applicants; makes rules and regulations governing promotions; investigates disciplinary suspensions; and makes rules and regulations on efficiency ratings for all employees in the Civil Service classified service.

Origination:

The reappointment originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council confirm the City Manager's reappointment of Lee Salinas to the Civil Service Commission.

Alternatives:

The alternative is to delay confirmation of the City Manager's reappointment to the Civil Service Commission.

Attachments

Roster

Fact Sheet

Applicant List

Reappointment Letter

MEMBERSHIP ROSTER

CIVIL SERVICE COMMISSION

LENGTH OF TERMS: THREE YEARS-LGC143-006

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Lee Salinas	4	A 9/3/2008	6/8/2010	1	See LGC 143.006
		R 6/8/2010	6/8/2013	2	
		R 6/8/2013	6/8/2016	3	
James Lough	4	A 6/7/2005	6/7/2008	1	
		R 6/7/2008	6/7/2011	2	
		R 6/7/2011	6/7/2014	3	
		R 6/7/2014	6/7/2017	4	
Keith Carlisle	4	A 6/7/2011	6/7/2014	1	
		R 6/7/2014	6/7/2017	2	

NOTE:

Chair:

CITY STAFF: Wayne Blackwell, Civil Service Director
Revised 6/3/2014

FACT SHEET

CIVIL SERVICE COMMISSION

Established by LOCAL GOVERNMENT CODE 143

1. Number of Members: THREE
2. Term of Appointment: THREE YEARS
3. Consecutive Term Rule: THREE YEARS
4. Qualifications for Membership: (1) Be of good moral character; (2) Be a United States citizen; (3) Be a resident of the municipality who has resided in the municipality for more than three years; (4) Be over 25 years of age; and (5) Not have held a public office within the preceding three years
5. Appointed by: CHIEF EXECUTIVE OFFICER (CITY MANAGER), CONFIRMED BY CITY COUNCIL
6. Board Organization

CHAIRPERSON E VICE CHAIRPERSON E SECRETARY _____

ELECTED ____ APPOINTED ____
7. Departmental Responsibility: DIRECTOR OF CIVIL SERVICE/PERSONNEL DIRECTOR
8. Meeting Date: JANUARY, MARCH, MAY, JULY, SEPTEMBER, NOVEMBER, AND SPECIAL MEETINGS AS CALLED
9. Attendance Requirements: REQUIRED

=====

PURPOSE:

To formulate standards and qualifications for each class or position in the classified service.

RESPONSIBILITIES:

To make provisions for open, competitive and free examinations for civil service applicants, to make rules and regulations governing promotions; to investigate disciplinary suspensions; to make rules and regulations on efficiency ratings for all employees in the civil service classified service.

APPLICANT LIST
Civil Service Commission

Positions Vacant 1

Applicant	Address	District	Qualifications
Lee Salinas	1709 Yarborough	4	Current Member; Wishes to be Reappointed

COMMENTS:

PUBLIC RECORDS DEPARTMENT

Phone No. (903) 892-7204

Fax No. (903) 892-7394

May 2, 2016

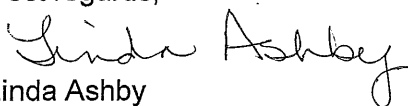
Lee Salinas
1709 Yarborough
Sherman, Texas 75092

RE: Civil Service Commission

Dear Mr. Salinas:

Your term on the Civil Service Commission expires on June 8, 2016. 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
City Clerk

cc: Robby Hefton, City Manager
Wayne Blackwell, Human Resources Administrator

☒

I do wish to be considered for reappointment to this board

☐

I do not wish to be considered for reappointment to this board


Signature

5-9-2016
Date

Please return to: City of Sherman
City Clerk's Office
P.O. Box 1106
Sherman, Texas 75091-1106





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Meeting Date: 06/06/2016

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2016 Council Calendar

2016

JANUARY						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
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31						

FEBRUARY						
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28	29					

MARCH						
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APRIL						
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MAY						
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JUNE						
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JULY						
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AUGUST						
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SEPTEMBER						
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OCTOBER						
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NOVEMBER						
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DECEMBER						
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1/11/2016	Called Council Meeting for Transportation Workshop
4/11/2016	Called Joint Mtg with SISD Board in Council Chambers
4/15/2016	Called Budget Planning Meeting in Council Chambers
06/21-22/2016	Called Budget Workshop in Council Chambers
6/23/2016	Called Joint Mtg with SISD Board at SISD Admin Off

7/4/2016	Independence Day/Called Council Meeting on 7/5/2016
9/5/2016	Labor Day/Called Council Meeting on 9/6/2016