

**CITY OF SHERMAN  
CITY COUNCIL REGULAR MEETING AGENDA  
COUNCIL CHAMBERS OF THE CITY HALL  
220 WEST MULBERRY STREET  
SHERMAN, TEXAS  
MONDAY, DECEMBER 18, 2017  
5:00 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. PLEDGE OF ALLEGIANCE LED BY COUNCIL MEMBER SHAWN TEAMANN**
- A. 3. INVOCATION BY COUNCIL MEMBER SHAWN TEAMANN**
- A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF DECEMBER 4, 2017**

**Public Hearing**

- B. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6087**  
Accepting and Approving the Project Plan and the Financing Plan for the Sherman Tax Increment Reinvestment Zone Number Seven; Providing for Findings of Fact
- B. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6088**  
Providing for a Permanent "Stop" Sign on Ridgeway Drive at McGee Street within the City Limits of the City of Sherman, Texas; Providing for a Penalty Provision
- B. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6089**  
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Two-Family, Single-Story Patio Homes with No More Than Two Structures Attached in a Grouping in an R-1 (One Family Residential) District/College Park Overlay District at 605, 609, 613 and 617 East Carter Street, being Lots 4, 5, 6 and 7, Block A, Austin Park Addition, a Replat of Lots 13-21, Block 4 of the W.P. Carter's Addition (Lazy L Enterprises, Owners; and Underwood Drafting & 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. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6090**  
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Construction Equipment Sales, Rental, Service and Repair for ABC Supply Company in a C-2 (General Commercial) District at 2403 North Travis Street, being 0.055 acres in the J.B. McAnair Survey, Abstract No. 763 (Rock Royalty, Inc., Owner; American Builders & Contractors Supply Company, Inc., Skip Rath, Prospective Buyer/Representative; and Dean Gilbert, Representative); 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. 6091**  
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District at 2403 North Travis Street, being 0.055 acres in the J.B. McAnair Survey, Abstract No. 763 (Rock Royalty, Inc., Owner; American Builders & Contractors Supply Company, Inc., Skip Rath, Prospective Buyer/Representative; and Dean Gilbert, Representative)

- B. 6.     INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6092**  
Amending Article II of the Home Rule Charter, entitled "City Council", at Section 9, entitled "Rules of Procedure and Meetings"

**Close Public Hearing and Consider Adoption of Ordinances**

- B. 7.     ADOPTION OF ORDINANCES**  
Consider Adoption of Ordinance Numbers: 6087, 6088, 6089, 6090, 6091 and 6092
- B. 8.     TABLED AT THE DECEMBER 4, 2017 CITY COUNCIL MEETING:**  
**ADOPTION OF ORDINANCE NO. 6084**  
Amending Article IV of the Home Rule Charter, entitled "Administrative Departments", at Section 4, entitled "Municipal Court"
- B. 9.     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. 6314**  
Awarding a Bid to and Authorizing Execution of a Contract with Vessels Construction based on an Invitation to Bid for Construction of the Setting Suns Drainage Project Phase I
- C. 2.     \* RESOLUTION NO. 6315**  
Authorizing the Acceptance of a Contract and Conveyance Document from Scott Bandemir for the Conveyance and Acquisition of Property located at 3104 Preston Club Drive, being Lot 25, Block 11 of Preston Club, The Legends Subdivision, Phase One, said property being located in the City of Sherman, County of Grayson, State of Texas
- C. 3.     \* RESOLUTION NO. 6316**  
Authorizing Execution of an Encroachment Easement to M&G Home Builders, LLC for the Installation of a Sanitary Sewer Service Lateral Line within the Platted Public Alley running East and West in Block 1 of the Hall & Jones Addition for Sanitary Sewer Services at 522 East College Street in the City of Sherman
- C. 4.     \* RESOLUTION NO. 6317**  
Authorizing the Purchase and Installation of Communications Equipment for the Sherman Police Department from Motorola through Shipman Communications
- C. 5.     \* RESOLUTION NO. 6318**  
Authorizing the Purchase of a New Elgin Eagle Standard Street Sweeper for the Street Maintenance Department from Kinloch Equipment & Supply, Inc. through the Texas Local Government Purchasing Cooperative (BuyBoard)
- C. 6.     \* RESOLUTION NO. 6319**  
Authorizing the Purchase of a New Gomaco GT-3600 REV C. Paver for the Street Maintenance Department from Romco Equipment through the Texas Local Government Purchasing Cooperative (BuyBoard)



- C. 7.     **\* RESOLUTION NO. 6320**  
Authorizing Execution of an Agreement with Jose Tobar for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 601 South Hazelwood Street

**Requests to Advertise**

- D. 1.     **\* REQUEST TO ADVERTISE**  
Annual Supply of Chemicals
- D. 2.     **\* REQUEST TO ADVERTISE**  
Annual Services for Right-of-Way Finish Mowing

**Change Orders**

- E. 1.     **CHANGE ORDER NO. 2**  
Approving the Greater Texoma Utility Authority's Intent to Execute Change Order No. 2; Sherman Water Treatment Plant Expansion Project; MWH Contractors, Inc.; \$521,535.00 Increase

**Other Business**

- F. 1.     **OTHER BUSINESS**  
Receive Quarterly Progress Report from Sherman Economic Development Corporation Board Chairman John Sild and SEDCO President John Plotnik
- F. 2.     **\* OTHER BUSINESS**  
Final Plat Approval of Sherman Crossroads, Phase II, being 21.5528 acres in the Preston Kitchen Survey, Abstract No. 667 (Sherman Crossroads, LTD, Owners; and Brockett/Davis/Drake, Inc., Surveyor (2800-3600 blocks of South U.S. Highway 75)
- F. 3.     **\* OTHER BUSINESS**  
Final Plat Approval of Brookstone Garden Homes Addition, being 4.085 acres in the Elizabeth Jones Survey, Abstract No. 625; Joe Gilbert, Owner; Vilbig & Associates, PLLC, Civil Engineer; and Preston Trail Land Surveying, Surveyor [1400-1600 blocks of South F.M. 1417 (Heritage Parkway)]
- F. 4.     **\* OTHER BUSINESS**  
Final Plat Approval of Sunset Crossing, being 4.742 acres in the J.B. McAnair Survey, Abstract No. 763; Risen Properties, Owner; and Helvey-Wagner Surveying, Surveyor (1600 West Washington Street)
- F. 5.     **\* OTHER BUSINESS**  
Final Plat Approval of Terra Bonita Subdivision located in the Extra Territorial Jurisdiction (ETJ) of the City of Sherman, being 8.974 acres in the Elizabeth Rehorse Survey, Abstract No. 1000 and the H.H. Tucker Survey, Abstract No. 1217 (Robert Perry and Dinesh Sriperambudur, Owners; and Helvey-Wagner Surveying, Surveyor (1545 Bennett Road)

**G. CITIZEN REQUESTS**

**H. MEDIA QUESTIONS**

## **Consider Board/Commission Appointments**

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

- (a) Parks and Recreation Advisory Board (3)

### **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 551.071                      Consultation with City Attorney concerning Pending or Contemplated Litigation

Section 551.074                      Personnel Matters:  
(a) Consider the Qualifications, Appointment and Removal of Members to Boards and Commissions  
(1) Greater Texoma Utility Authority Board of Directors (2)

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 December 14, 2017 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 14<sup>th</sup> day of December, 2017  
City of Sherman, Texas

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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

Pamela L. Howeth

Council Members

Willie Steele, Council-At-Large, PL #1

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

Shawn C. Teamann, Council – District #1

Josh Stevenson, Council – District #2

Pamela L. Howeth, Council – District #3

Daron Holland, Council – District #4



# SHERMAN CITY COUNCIL

## Agenda Communication Form

**City Council Regular Meeting**

**A.4.**

**Meeting Date:** 12/18/2017

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** Robby Hefton, City Manager

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**Caption:**

**APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF DECEMBER 4, 2017**

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**Attachments**

December 4, 2017

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STATE OF TEXAS                   §  
COUNTY OF GRAYSON       §

**December 4, 2017**

**BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on December 4, 2017.**

**MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR PAM HOWETH.  
COUNCIL MEMBERS HOLLAND, SOFEY, STEELE,  
STEVENSON, TEAMANN.**

**MEMBERS ABSENT: NONE.**

## CALL TO ORDER

**Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Council Member Jason Sofey.**

**Mayor Plyler explained that he was wearing a Denison Yellow Jacket Football Jersey because he and Denison Mayor Jared Johnson had a bet on the Battle of the Axe football game. Mayor Plyler encouraged the Sherman coaching staff to “be more aggressive” next year.**

## APPROVE MINUTES

**The Council reviewed the Minutes of the Regular City Council Meeting of November 20, 2017. Council Member Teamann moved to approve the Minutes as presented; Second by Deputy Mayor Howeth. All present voted AYE. MOTION CARRIED.**

## INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

**Mayor Plyler introduced Ordinance No. 6081 and called for a public hearing:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ESTABLISHING A TAX INCREMENT REINVESTMENT ZONE #7 (SOUTHEAST OF INTERSECTION OF U.S. HIGHWAY 75 AND F.M. 1417); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR A BOARD OF DIRECTORS; PROVIDING FOR SEVERABILITY.

**Robby Hefton, City Manager, explained that this ordinance creates the Reinvestment Zone. It establishes the zone itself and provides for there to be a Board of Directors for the zone, members of which will be appointed in a later agenda item, if the zone is approved.**

**No citizens appeared before the City Council to discuss Ordinance No. 6081.**

**Mayor Plyler introduced Ordinance No. 6082 and called for a public hearing:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
SHERMAN, TEXAS, CLOSING AND ABANDONING A  
PORTION OF ELM STREET RIGHT-OF-WAY LYING BETWEEN**

BLOCKS THIRTY-NINE (39) AND FORTY (40) OF SOUTH SIDE ADDITION REPLAT IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, SAID PROPERTY TO BE MAINTAINED AS A UTILITY EASEMENT; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY TO THE ABUTTING AND ADJACENT PROPERTY OWNER, FRHP LINCOLNSHIRE, LLC (DBA CAMPING WORLD).

Clint Philpott, Director of Engineering, said this ordinance will abandon the existing right-of-way, located south of Wilson Street, between US Hwy 75 and South Crockett Street. The location is adjacent to the Camping World site.

He said the right-of-way has never been a paved road and was originally platted for a future road, which never happened. The surrounding property owners had no objection. The site will be maintained as a utility easement.

No citizens appeared before the City Council to discuss Ordinance No. 6082.

Mayor Plyler introduced Ordinance No. 6083 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE II OF THE HOME RULE CHARTER, ENTITLED “CITY COUNCIL”, AT SECTION 1, ENTITLED “MEMBERSHIP”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6083  
AMEND CHARTER

Brandon Shelby, City Attorney, said Ordinances 6083, 6084, 6085, and 6086 are “clean-up issues” with the City Charter. A few years ago the public gave the City the ability to make minor, non-substantive changes to the Charter through an ordinance.

Ordinance 6083 deletes language that was included when the Council went to three year terms, that provided for staggered elections. The City has been through enough elections that the wording is now obsolete.

Ordinance 6084 provides for the appointment of a Municipal Court Judge. The City is adding wording to provide for the appointment of a back-up judge by the same method.

Ordinance 6085 cleans up some of the headings in financial areas so they match with other parts of the Charter.

Ordinance 6086 deals with taxation. At the November 7, 2017 Election, the Charter Amendment passed eliminating the Occupation Tax. This eliminates another reference to the Occupation Tax.

**COUNCIL MINUTES – DECEMBER 4, 2017**

No citizens appeared before the City Council to discuss Ordinance No. 6083.

Mayor Plyler introduced Ordinance No. 6084 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE IV OF THE HOME RULE CHARTER, ENTITLED “ADMINISTRATIVE DEPARTMENTS”, AT SECTION 4, ENTITLED “MUNICIPAL COURT”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

**ORD 6084  
AMEND CHARTER**

No citizens appeared before the City Council to discuss Ordinance No. 6084.

Mayor Plyler introduced Ordinance No. 6085 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE V OF THE HOME RULE CHARTER, ENTITLED “FINANCE ADMINISTRATION”, AT SECTION 8, ENTITLED “INDEPENDENT AUDIT”, AT SECTION 11, ENTITLED “BONDS AND WARRANTS”, AT SECTION 12, ENTITLED “CITY DEPOSITORY”, AT SECTION 13, ENTITLED “APPROPRIATION OF REVENUE FOR RETIRING BONDED INDEBTEDNESS AND MAKING PUBLIC IMPROVEMENTS; GENERAL AUTHORITY TO BORROW MONEY AND ISSUE BONDS”, AND AT SECTION 14, ENTITLED “ISSUANCE OF NOTES FOR CURRENT EXPENSES”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

**ORD 6085  
AMEND CHARTER**

No citizens appeared before the City Council to discuss Ordinance No. 6085.

Mayor Plyler introduced Ordinance No. 6086 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE VI OF THE HOME RULE CHARTER, ENTITLED “TAXATION”, AT SECTION 5, ENTITLED “TAX LIENS AND LIABILITIES”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

**ORD 6086  
AMEND CHARTER**

No citizens appeared before the City Council to discuss Ordinance No. 6086.

The Public Hearing was closed.

**ADOPTION OF ORDINANCES**

**Ordinance 6081**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ESTABLISHING A TAX INCREMENT REINVESTMENT ZONE #7 (SOUTHEAST OF INTERSECTION OF U.S. HIGHWAY 75 AND F.M. 1417); PROVIDING FOR

**ORD 6081  
TIRZ #7**

FINDINGS OF FACT; PROVIDING FOR A BOARD OF DIRECTORS; PROVIDING FOR SEVERABILITY.

Ordinance 6082

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF ELM STREET RIGHT-OF-WAY LYING BETWEEN BLOCKS THIRTY-NINE (39) AND FORTY (40) OF SOUTH SIDE ADDITION REPLAT IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, SAID PROPERTY TO BE MAINTAINED AS A UTILITY EASEMENT; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY TO THE ABUTTING AND ADJACENT PROPERTY OWNER, FRHP LINCOLNSHIRE, LLC (DBA CAMPING WORLD).

ORD 6082  
ABANDON PORTION  
OF ELM ST. ROW

Council Member Steele asked if the property would be replated and updated for taxes. Mr. Philpott said they would take ownership of the property and if they wanted to build something on the property line, they would have to replat it.

Ordinance 6083

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE II OF THE HOME RULE CHARTER, ENTITLED "CITY COUNCIL", AT SECTION 1, ENTITLED "MEMBERSHIP"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6083  
AMEND CHARTER

Ordinance 6084

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE IV OF THE HOME RULE CHARTER, ENTITLED "ADMINISTRATIVE DEPARTMENTS", AT SECTION 4, ENTITLED "MUNICIPAL COURT"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6084  
AMEND CHARTER  
(TABLED)

Council Member Teamann felt the wording was vague as to whether the back-up judge would be appointed by the Acting Judge or by the City Council.

Mr. Shelby said the intent is that it would be in the same manner as the Municipal Judge, thereby appointed by the City Council.

Council Member Teamann felt it was confusing since it was talking about the Acting Judge appointing bailiffs and clerical assistants. Mr. Shelby said the wording could be "cleaned-up" and brought back at the next Council Meeting.

**ACTION TAKEN.**

Motion by Council Member Teamann to table Ordinance No. 6084, and amend the wording, as presented. Second by Council Member Stevenson.



COUNCIL MINUTES – DECEMBER 4, 2017

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED TO TABLE.

Ordinance 6085

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE V OF THE HOME RULE CHARTER, ENTITLED "FINANCE ADMINISTRATION", AT SECTION 8, ENTITLED "INDEPENDENT AUDIT", AT SECTION 11, ENTITLED "BONDS AND WARRANTS", AT SECTION 12, ENTITLED "CITY DEPOSITORY", AT SECTION 13, ENTITLED "APPROPRIATION OF REVENUE FOR RETIRING BONDED INDEBTEDNESS AND MAKING PUBLIC IMPROVEMENTS; GENERAL AUTHORITY TO BORROW MONEY AND ISSUE BONDS", AND AT SECTION 14, ENTITLED "ISSUANCE OF NOTES FOR CURRENT EXPENSES"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6085  
AMEND CHARTER

Ordinance 6086

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE VI OF THE HOME RULE CHARTER, ENTITLED "TAXATION", AT SECTION 5, ENTITLED "TAX LIENS AND LIABILITIES"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6086  
AMEND CHARTER

ACTION TAKEN.

Motion by Council Member Sofey to adopt Ordinance Nos. 6081, 6082, 6083, 6085, and 6086, as presented.

Second by Council Member Steele.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6312 -- AUTHORIZING THE EXECUTION OF AN ADVANCE FUNDING AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR A TRANSPORTATION ALTERNATIVES PROGRAM PROJECT (REVERSE EXISTING RAMP CONFIGURATION ON-SYSTEM SOUTH OF FM 1417 ON NORTHBOUND US 75 IN THE CITY OF SHERMAN)

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

RES 6312  
RAMP REVERSAL  
FOR US HWY 75  
& FM 1417

SHERMAN AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR A TRANSPORTATION ALTERNATIVES PROGRAM PROJECT (REVERSE EXISTING RAMP CONFIGURATION ON-SYSTEM SOUTH OF FM 1417 ON NORTHBOUND US 75 IN THE CITY OF SHERMAN).

Mr. Philpott said this is an agreement with the Texas Department of Transportation for the ramp reversal that was approved for the engineering contract at the last Council Meeting. The project location is on US Hwy 75, south of FM 1417.

The project will be a “shared project” between the City and the Sherman Economic Development Corporation and will include the roads around the Tax increment Reinvestment Zone #7.

Council Member Teamann asked how much of the cost, out of the total \$2 million, the City would be responsible for. Mr. Hefton said the cost would probably be shared equally with SEDCO. He said the details still need to be worked out and SEDCO might want to finance their portion.

Council Member Teamann asked if the \$2 million included TxDOT’s portion. Mr. Hefton said TxDOT will be managing the project, including some engineering from that perspective. The construction cost will be paid almost exclusively by the City and SEDCO jointly. He said this was how the southbound ramp reversals were handled several years ago.

Council Member Steele confirmed that the expense will not be paid out of the TIRZ. Mr. Hefton said technically, it is outside the Reinvestment Zone. He said the zone could maybe be expanded across the highway to include the project, but he would prefer to utilize those dollars to do City infrastructure.

The ramp reversal is really a TxDOT project. However today, if there’s not local participation, TxDOT projects “just don’t happen.” He said this project is actually on TxDOT’s five or ten year plan. Mr. Hefton said the City needs this project very soon and the only way to get it quickly is for the City and SEDCO to help with funding.

Deputy Mayor Howeth confirmed that engineering on the project is underway now and construction will probably be in the second quarter of 2018, with a four to six month design time.

Mr. Philpott added that, with TxDOT, there’s also environmental clearances and State approvals that extend the project time. Mr. Hefton said it would be “tight” as to whether or not it’s completed before Schulman’s development.

COUNCIL MINUTES – DECEMBER 4, 2017

Mr. Hefton said if weather cooperates, engineering and construction should be “straight forward,” however if there are environmental issues, there might be a delay. He did not expect that there would be a problem and said they might be able to “phase” the project to complete the off-ramp first.

Council Member Teamann asked if TxDOT normally performed studies as to when the ramp projects need to take place. Mr. Hefton said these projects are usually on TxDOT’s “radar” but are prioritized for scheduling, on a number of issues. Recently it seems that the ramp reconfiguration projects are being completed when local dollars are involved.

Council Member Teamann asked if the Certificate of Obligation Bonds issued in 2018 were obligations that were already budgeted. Mr. Hefton said that is likely one source, however, because there are other issues, such as the sale of the land at that corner and the eventual sale of land on FM 1417 and Travis Street, those issues will also be providing some funding that could offset the need to use debt. He said the source of funding wouldn’t be known for sure until the upcoming round of projects are scheduled.

Council Member Teamann verified that the project was on the City’s “radar” whether or not Schulman located there. Mr. Hefton said it was already needed for the Crossroads Development, but was “moved up” with Schulman’s announcement.

**ACTION TAKEN.**

Motion by Council Member Sofey to adopt Resolution No. 6312, as presented. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

**RESOLUTION NO. 6313 -- AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH STRATEGIC GOVERNMENT RESOURCES FOR ADMINISTRATIVE MANAGEMENT CONSULTING SERVICES**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH STRATEGIC GOVERNMENT RESOURCES FOR ADMINISTRATIVE MANAGEMENT CONSULTING SERVICES.

CONSENT AGENDA.

**CITIZENS REQUESTS**

There were no citizen’s requests.

**MEDIA QUESTIONS**

**STRATEGIC GOVERNMENT RESOURCES CONSULTING CONTRACT**

RES 6313  
INTERIM DIRECTOR  
OF ADMINISTRATION  
SERVICES

CITIZENS REQUESTS

SGR CONSULTING  
CONTRACT

Brittany Harlow, Reporter, KXII-TV, asked why the City was hiring Strategic Government Resources as a management consultant.

Mr. Hefton said the City had some needs internally for some “holes” at the manager, director level positions. SGR is a company that the City has used before, and is used by cities throughout Texas, including the City of Denison, to hire for interim appointments. They are especially used for upper level, management, or director positions.

He said that the City is using SGR because they are comfortable with their services and they have been a good partner in the past.

Ms. Harlow asked if the City was hiring someone to help with things the City is already working on, and not as a transition to “hire on or let go” of current personnel. Mr. Hefton said it has more to do with the open director position that the City currently has in administration, rather than any future changes in the organizational structure.

Ms. Harlow asked if this interim appointment would be a cushion until someone is hired. Mr. Hefton said it is a 12 month contract and it is hoped that the person hired through the contract will come on full-time at the end of the contract period.

Mr. Hefton added that there will be an announcement about the position tomorrow.

**APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO  
BOARDS AND COMMISSIONS**

**TAX INCREMENT REINVESTMENT ZONE #7 BOARD (3)**

TIRZ #7

**ACTION TAKEN.**

Motion by Council Member Sofey to appoint David Plyler, Pam Howeth, and Daron Holland to serve on the Tax Increment Reinvestment Zone #7 for a term from December 5, 2017 to November 2018. Second by Council Member Steele.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

**MAIN STREET ADVISORY BOARD (2)**

MAIN STREET  
ADVISORY BOARD

**ACTION TAKEN.**

Motion by Deputy Mayor Howeth to appoint Sarah Campbell Stevens to the Main Street Advisory Board to fill an unexpired term from December 5, 2017 until March 31, 2018, to appoint Amanda Phillips to fill an unexpired term from December 5, 2017 until March 31, 2019, and to appoint Council Member Daron Holland to serve as Ex-Officio Member on the Board. Second by Council Member Teamann.

**COUNCIL MINUTES – DECEMBER 4, 2017**

**VOTING AYE:** Holland, Howeth, Sofey, Steele, Stevenson, Teamann.

**VOTING NAY:** None.

**MOTION CARRIED.**

**COUNCIL COMMENTS**

**THANK YOU FOR CONDOLENCES**

Council Member Stevenson thanked City Council Members and members of the community, who had expressed their condolences in the passing of his Father. He said he was a great man who had encouraged him to campaign for the City Council position.

**THANK YOU FOR  
CONDOLENCES**

**CHRISTMAS PARADE AND SNOWFLAKE FESTIVAL**

Deputy Mayor Howeth complimented the Christmas Parade and the Snowflake Festival. She said it was a lot of fun and there were a lot of people in attendance. She thanked all the volunteers and all who participated in the event.

**CHRISTMAS PARADE  
& SNOWFLAKE  
FESTIVAL**

**CHRISTMAS PARADE**

Council Member Sofey said the Christmas Parade was “very well done” and he thanked all who participated.

**CHRISTMAS PARADE**

**TAX INCREMENT REINVESTMENT ZONE #7**

Council Member Sofey mentioned all the excitement on the TIRZ #7 and the growth and development that is occurring in Sherman.

**TIRZ #7**

**RETAIL AND COMMERCIAL GROWTH**

Council Member Teamann said Sherman is experiencing a lot of growth in the retail and commercial industry. He said an Orschelin Farm and Home Store will be opening in the old Gander Mountain location in the first or second quarter of 2018.

**RETAIL &  
COMMERCIAL  
GROWTH**

**APARTMENT RECYCLING**

Council Member Teamann said he and Council Member Stevenson were approached last week by a citizen living in an apartment complex that asked them to make a recommendation that recycling services be extended to apartment complexes.

**APARTMENT  
RECYCLING**

**CLEAN-UP CITY**

Council Member Teamann said former City Council Member Charles Brown, Sr. asked him to drive Mr. Hefton around to show him areas of the City that need to be cleaned up.

**CLEAN-UP CITY**

**CHRISTMAS PARADE**

Council Member Holland thanked the staff for their work on the Christmas Parade. He said it was a great event and his grandchildren loved it.

**CHRISTMAS PARADE**

**ANNOUNCEMENTS**

Mayor Plyler announced the following:

- Thanked the volunteers that worked on the Christmas Parade and Snowflake Festival. It was a wonderful

**ANNOUNCEMENTS**

**COUNCIL MINUTES – DECEMBER 4, 2017**

event and he personally thanked Sarah McRae, Tourism/Main Street Manager, for her hard work organizing the event.

- The Parks and Recreation Department will host a candy hunt at Pecan Grove Park on December 16, 2017, from 1 p.m. until 3 p.m.
- The Sherman Community Players are presenting “A Christmas Story” through December 17, 2017.

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

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

**EXECUTIVE SESSION**

**SECTION 551.071 – CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION**

**SECTION 551.074 -- PERSONNEL MATTERS:  
CONSIDER THE QUALIFICATION,  
APPOINTMENT AND REMOVAL OF  
MEMBERS TO BOARDS AND  
COMMISSIONS  
SHERMAN ECONOMIC  
DEVELOPMENT CORPORATION  
BOARD OF DIRECTORS – EX-  
OFFICIO (1)**

**TEXOMA COUNCIL OF  
GOVERNMENTS (TCOG)  
GOVERNING BODY (1)**

**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 5:34 p.m.**

COUNCIL MINUTES – DECEMBER 4, 2017

On Motion duly made and carried, the Executive Session recessed at 6:16 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

SHERMAN ECONOMIC DEVELOPMENT CORPORATION  
BOARD OF DIRECTORS – EX-OFFICIO (1)

SEDCO EX-OFFICIO

ACTION TAKEN.

Motion by Deputy Mayor Howeth to appoint Willie Steele to fill an unexpired term as Ex-Officio Member on the Sherman Economic Development Corporation Board of Directors, from December 5, 2017 to January 2018.  
Second by Council Member Sofey.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

TEXOMA COUNCIL OF GOVERNMENTS (TCOG) GOVERNING  
BODY (1)

TCOG

ACTION TAKEN.

Motion by Mayor Plyler to appoint Jason Sofey to serve on the Texoma Council of Governments Governing Body for a term from December 5, 2017 to November 2018.  
Second by Council Member Holland to confirm the appointment.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

ADJOURNMENT

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:17 p.m.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK



# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

B.1.

**Meeting Date:** 12/18/2017

**Prepared By:** Brandon Shelby, City Attorney

**Approved By:** Robby Hefton, City Manager

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### **Caption:**

#### **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6087**

Accepting and Approving the Project Plan and the Financing Plan for the Sherman Tax Increment Reinvestment Zone Number Seven; Providing for Findings of Fact

### **Issue:**

To approve Tax Increment Reinvestment Zone Number Seven (TIRZ #7) Project and Financing Plans

### **Background:**

The Texas Tax Code requires the board of directors of a Tax Increment Reinvestment Zone adopt a Project Plan and a Financing Plan and submit the plans to the City that designated the zone for their approval. The Plans call for about \$2.3 million in public improvements financed by an allocation of the 2017 Certificates of Obligation and/or reserves. The City will contribute 75% of the M&O tax rate; and the County will contribute 75% of the tax rate allocated to its General Fund on the zone's increment to pay any debt service and other costs incurred by the zone. The attached plans provide more detail on the improvements and financing.

The TIRZ #7 Board met on December 14<sup>th</sup> to discuss the Project and Financing Plans. They approved the Plans and recommended that the Council adopt the plans as presented.

### **Origination:**

City Manager

### **Financial Consideration:**

There is no financial consideration to passing this ordinance.

### **Staff Recommendation:**

The staff recommends approving this ordinance.

### **Alternatives:**

The City Council could deny this ordinance or direct that changes be made in the ordinance or to the project and financing plans.



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**Attachments**

Ordinance No. 6087

Draft TIRZ #7 Project and Financing Plans

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**ORDINANCE NO. 6087**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ACCEPTING AND APPROVING THE PROJECT PLAN AND THE FINANCING PLAN FOR THE SHERMAN TAX INCREMENT REINVESTMENT ZONE NUMBER SEVEN; PROVIDING FOR FINDINGS OF FACT; 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 City Council hereby finds and determines that the Board of Directors of the Sherman Tax Increment Reinvestment Zone Number Seven presented to the City Council a Project Plan and a Financing Plan for the Sherman Tax Increment Reinvestment Zone Number Seven, which the Board finds are feasible and conform to the City's Master Plan and recommends that the City Council accept and approve the Project Plan and Financing Plan as presented, which are attached hereto.

**SECTION 2.** 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 \_\_\_\_\_, 2017.

**ADOPTED on** this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**EFFECTIVE DATE** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**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**

# DRAFT



**Project and Financing Plans**  
**Tax Increment Reinvestment Zone #7**

December 18, 2017

# DRAFT

## **PROJECT PLAN TAX INCREMENT REINVESTMENT ZONE #7**

The City of Sherman, Texas formed Tax Increment Reinvestment Zone (TIRZ) #7 by Ordinance 6011. These plans are consistent with the preliminary plan submitted to the City Council on November 20, 2017

### **DESCRIPTION**

Tax Increment Reinvestment Zone #7 is located on the southeast corner of Highway 75 and State Highway 1417. The estimated base is the taxable value for the tax year 2018 of \$0 and contains about 22.31 acres. The area consists of three tax-exempt tracts. See Attachments A and B for a parcel list and map of the proposed zone. Attachment E is a survey.

### **ESTIMATED PROJECT COSTS**

The project plan calls for infrastructure to be added to the site in order to attract commercial development. Proposed improvements of \$2,260,000 include streets, a parking lot, storm sewers, environmental clean-up, and water and waste water infrastructure. Attachment C contains a listing of the estimated construction costs. The TIRZ will be responsible for \$1,754,000 of the proposed improvements. Future development in the TIRZ is expected with the extent of TIRZ participation in those costs to be determined at that time.

### **EXISTING USES AND CONDITIONS AND PROPOSED USES**

TIRZ #7 is largely undeveloped but contains a City fire station which will be demolished with a new fire station located on the west side of the city. A significant portion of the land also requires environmental clean-up due to the presence of vacant land that once was used for a gas station, and a deteriorated commercial building. Zoning consists of Retail Business (C-1), General Commercial (C-2), with part of the property included in the Blalock Industrial Park. The zone is expected to be commercially zoned.

### **PROPOSED PLANNING AND ZONING CHANGES**

Anticipated zoning changes include changing all the zoning to commercial. Any changes to codes, ordinances, or master plan as a result of the creation of the TIRZ will be made through the existing processes and procedures of the City.

### **ESTIMATED NON-PROJECT COSTS**

Non-project costs within the TIRZ are those development costs not paid for by the TIRZ. The non-project costs include the costs of new private development estimated at about \$25,000,000 in the first phase which includes a portion of the public infrastructure, an entertainment venue with movies, bowling and a restaurant, a convenience store/gas station and two additional free-standing restaurants.

### **RELOCATION OF DISPLACED PERSONS**

No resident will be displaced by this zone.

# DRAFT

## FINANCING PLAN

### TAX INCREMENT REINVESTMENT ZONE #7

The Financing Plan provides information on the projected monetary impact that the formation of the Tax Increment Reinvestment Zone (TIRZ) could have on the property included in the zone.

#### LIST OF IMPROVEMENTS

Following is a list of the proposed public works and public improvements for the 22.31-acre zone site, shown by kind, number, and location. Additional improvements or modifications to the proposed improvements may also be necessary. Attachment I is a map of proposed improvements

- New streets proposed are all unnamed and will fall into four phases. Each phase was created to distinguish cost estimate and may not reflect construction schedule or timing:
  - Phase I will parallel SH-75 Frontage Road. The new street will begin at the FM 1417 and proceed south approximately 760 linear feet south to another unnamed street, then west to SH-75 ramp to FM 1417 another 310 linear feet. This road is proposed to be 37' wide curb & gutter concrete street on lime-stabilized subgrade.
  - Phase II streets (one at 430 feet long the other 240 feet long) will connect to the Phase I street and provide access to parking lot west of a proposed hotel / convention center. These streets will also be 37 feet wide curb & gutter on lime stabilized subgrade.
  - Phase III will be just south of the intersection of SH-75 and FM 1417 will be an access off the FM 1417 ramp and will provide access to the interior of the proposed development. It will be an estimated 260 feet long, 37 feet wide concrete street with curb & gutter on lime treated subgrade.
  - Phase IV streets (one at 110 feet long the other 120 feet long plus two temporary cul-de-sac turn arounds) will connect to the Phase II street and provide access to the proposed hotel / convention center. These streets will also be 37 feet wide curb & gutter on lime stabilized subgrade.
- Water and Sewer Utilities will be installed under the Phase I task. It is estimated that there will be 840 feet of 12" C-900 DR-18 PVC water line and 920 feet of 8" SDR-35 PVC sewer line. The water system addition will include 3 new fire hydrants, ductile iron fittings, and valves as necessary. The new sewer system will include manholes and cleanouts as may be required to collect the proposed buildings by gravity collection methods.
  - The water system will tie into an existing 6" water line at FM 1417 and connect on the other end to a 24" at the southern end of the development;
  - The sewer line is proposed to be at the intersection of two unnamed streets (see Phase III above) and proceed south and tie to an existing main sewer outfall at the southeast corner of the development.
- Storm Sewer lines are proposed to be incorporated into this proposed zone in the above-mentioned phases. All infrastructure storm drain lines shall be reinforced concrete pipe (RCP). Pipe diameters are sized relative to the expected flows to be encountered



# DRAFT

and range in size from 18-inch to 48-inch diameter pipe and also includes an estimated 7-foot wide by 4-foot tall concrete box culvert to include headwalls. A summary of each applicable phase is as follows:

○ Phase I

| Description      | Quantity |
|------------------|----------|
| 10-LF Curb inlet | 7 ea     |
| 18" RCP Pipe     | 274 ft   |
| 24" RCP Pipe     | 312 ft   |
| 36" RCP Pipe     | 396 ft   |

○ Phase II

| Description      | Quantity |
|------------------|----------|
| 10-LF Curb inlet | 7 ea     |
| 18" RCP Pipe     | 108 ft   |
| 24" RCP Pipe     | 300 ft   |
| 36" RCP Pipe     | 288 ft   |
| 48" RCP Pipe     | 228 ft   |

○ Phase IV

| Description                   | Quantity |
|-------------------------------|----------|
| 7'x4' Box Culvert w/Headwalls | 176 ft   |

## ECONOMIC FEASIBILITY STUDY

Based on the taxable value that is projected to be generated in the zone, it is feasible to issue bonds and/or use reserves that would be repaid using 75% of the M&O tax rate from the increment of the City of Sherman and 75% of the County's tax rate allocated to the general fund. Attachment G shows that in a schedule of cash inflows and outflows.

No other taxing entities will participate.

## ESTIMATED BONDED INDEBTEDNESS

The City will fund the project with an allocation of proceeds from the 2017 Certificates of Obligation of \$1,900,000 and/or from reserves. Repayment will be made from incremental revenues generated by the zone, although security for the bonds, if used, will be a pledge of ad valorem tax revenues of the City.

## ESTIMATED TIMING OF COSTS

Costs related to debt service, if used, and construction will begin in fiscal year 2018 (October 1, 2017 – September 30, 2018).

## METHOD OF FINANCING/SOURCES OF REVENUE

Attachment H shows the sources of revenue at 75% of the M&O tax rate from the City of Sherman and 75% of the tax rate allocated to the general fund from Grayson County on the

# DRAFT

incremental value generated in the zone. Interest income from the fund may also be used to pay debt service and other expenses of the zone. Attachment G shows the projected revenue by year.

## **CURRENT TOTAL ASSESSED VALUE OF REAL ESTATE IN THE ZONE**

Attachment A shows the total current taxable assessed value of the real estate in the zone by tract.

## **ESTIMATED CAPTURED VALUE**

Attachment H shows the estimated captured assessed value of the zone for each year of its projected existence.

## **DURATION**

The Zone will terminate on the date that all project costs and project debt has been fully repaid. The 2017 Certificates of Obligation will be fully repaid in 2037. However, additional development is expected in the Zone which might extend the duration.

City of Sherman  
Tax Increment Reinvestment Zone #7  
PARCEL LIST  
Attachment A

| Parcel ID | Owner                        | Total Acreage | Assessed Value | Improvements Value | Exempt Property | Acreage in TIRZ | Taxable Value in TIRZ |
|-----------|------------------------------|---------------|----------------|--------------------|-----------------|-----------------|-----------------------|
| 125517    | Sherman Economic Development | 13.41         | \$ 292,070     | \$ -               | 292,070         | 13.41           | \$ -                  |
| 125518    | City of Sherman              | 7.41          | 542,196        | 785,000            | 1,327,196       | 7.41            | -                     |
| 125519    | City of Sherman              | 1.49          | 163,560        | 250,000            | 413,560         | 1.49            | -                     |
|           |                              | 22.31         | \$ 997,826     | \$ 1,035,000       | \$ 2,032,826    | 22.31           | \$ -                  |

DRAFT





**1 inch = 300 feet**





# DRAFT

City of Sherman  
Tax Increment Reinvestment Zone #7

## CONSTRUCTION COSTS Attachment C

### Description

|                                                      |            |
|------------------------------------------------------|------------|
| General                                              | \$ 100,000 |
| Earthwork                                            | 140,000    |
| Phase I From FM 1417 to US 75                        | 426,000    |
| Phase II Each side of public parking lot             | 732,000    |
| Phase III Access road from US 75 to parking entrance | 66,000     |
| Phase IV From parking lot to Conference Center       | 360,000    |
| Environmental Clean-up                               | 251,000    |
| Survey                                               | 3,000      |
| Engineering                                          | 182,000    |

### Total Estimated Project Costs

2,260,000

City's Share of Project Costs

1,754,000

Developer's Share of Project Costs

\$ 506,000

# DRAFT

City of Sherman  
Tax Increment Reinvestment Zone #7

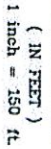
## PROJECT COSTS

### Attachment D

| <b>Fiscal Year</b> | <b>Capital<br/>Outlay</b> | <b>Debt Service<br/>Principal</b> | <b>Interest<br/>Expense</b> | <b>Debt Issuance<br/>Costs</b> | <b>Total</b>        |
|--------------------|---------------------------|-----------------------------------|-----------------------------|--------------------------------|---------------------|
| 2018               | \$ 253,000                | \$ -                              | \$ -                        | \$ 15,000                      | \$ 268,000          |
| 2019               | 1,501,000                 | 67,500                            | 66,500                      | -                              | 1,635,000           |
| 2020               | -                         | 69,863                            | 64,138                      | -                              | 134,000             |
| 2021               | -                         | 72,308                            | 61,692                      | -                              | 134,000             |
| 2022               | -                         | 74,838                            | 59,162                      | -                              | 134,000             |
| 2023               | -                         | 77,458                            | 56,542                      | -                              | 134,000             |
| 2024               | -                         | 80,169                            | 53,831                      | -                              | 134,000             |
| 2025               | -                         | 82,975                            | 51,025                      | -                              | 134,000             |
| 2026               | -                         | 85,879                            | 48,121                      | -                              | 134,000             |
| 2027               | -                         | 88,885                            | 45,115                      | -                              | 134,000             |
| 2028               | -                         | 91,996                            | 42,004                      | -                              | 134,000             |
| 2029               | -                         | 95,215                            | 38,785                      | -                              | 134,000             |
| 2030               | -                         | 98,548                            | 35,452                      | -                              | 134,000             |
| 2031               | -                         | 101,997                           | 32,003                      | -                              | 134,000             |
| 2032               | -                         | 105,567                           | 28,433                      | -                              | 134,000             |
| 2033               | -                         | 109,262                           | 24,738                      | -                              | 134,000             |
| 2034               | -                         | 113,086                           | 20,914                      | -                              | 134,000             |
| 2035               | -                         | 117,044                           | 16,956                      | -                              | 134,000             |
| 2036               | -                         | 121,141                           | 12,859                      | -                              | 134,000             |
| 2037               | -                         | 125,381                           | 8,619                       | -                              | 134,000             |
| 2038               | -                         | 129,769                           | 4,231                       | -                              | 134,000             |
|                    | <u>\$ 1,754,000</u>       | <u>\$ 1,908,879</u>               | <u>\$ 771,121</u>           | <u>\$ 15,000</u>               | <u>\$ 4,449,000</u> |



ogn = Athens gas marker  
bom = buried cable marker  
mp = meter pole  
pb = telephone pullbox  
pp = power pole  
rs = 1/2" copper rebar set  
sasm = sanitary sewer manhole  
ts = telephone pedestal  
wm = water meter  
wv = water valve



GRAPHIC SCALE

Job No. BGS45917

| LINE TABLE |         |             |
|------------|---------|-------------|
| LINE       | LENGTH  | BEARING     |
| L1         | 317.16' | N04°04'42"E |
| L2         | 279.09' | N04°13'29"E |
| L3         | 150.00' | N7°35'28"E  |
| L4         | 50.99'  | N63°17'53"E |
| L5         | 20.00'  | S15°21'56"E |
| L6         | 189.06' | N7°37'24"E  |
| L7         | 20.05'  | N14°32'11"W |
| L8         | 341.96' | N7°35'28"E  |
| L9         | 129.82' | N86°13'16"E |
| L10        | 51.66'  | N75°01'04"E |

**Owner:** The City of Sherman & Sherman Economic  
Development Corporation

**Buyer:** \_\_\_\_\_

This survey is the sole property of the licensor and the licensor and buyer shall share, the buyer's Marketing Counselor and Assistant/Office Co. and a full and valid for any other transaction. Any unauthorized use of this survey without the sole consent of the undersigned licensor will infringe upon state and federal copyright statutes. Any violation of said statutes will be aggressively pursued.

I, Kate A. Wogner, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove and that this survey complies with both the General Rules of Procedures and Practices as adopted by the Texas Board of Professional Land Surveying and the current Texas Society of Professional Surveyors standards and is a true and correct representation of the property shown hereon. Field Notes attached hereto.

The subject property shown hereon does not lie within the limits of any designated 100-year Flood Hazard Areas, as shown on the "FEIWA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0405 F. Revised Date: September 29, 2010.

Kate A. Wagner, R. P. L. S. No. 6578  
Copyright Date: October 2, 2017

**Helvey-Wagner Surveying, Inc.**  
222 W. Main St., Denton, Texas 75020  
Ph: (903) 463-6191 Fax: (903) 463-4088  
Email: [helveysurvey@earthlink.net](mailto:helveysurvey@earthlink.net)  
Texas Board of Professional Land Surveying  
Firm Registration No. 10088100

Note: Easements shown hereon per title commitment (GF No. 305242) provided for the Sherman Economic Development Corporation 13.41 ac. tract referenced herein. Our easements addressed/shown hereon per research performed by Helvey-Wagner Surveying, undersigned surveyor shall be held harmless if other easements affect the subject property that are found by an abstracting/title company. No improvements were located during this survey per the owner's request.

D:\Work Projects 2005\Shannon-City-22606-75-1417\sig\Shannon-City-22606.swg 9/20/2017 2:24:10 PM GMT



City of Sherman  
Tax Increment Reinvestment Zone #7  
FEASIBILITY STUDY  
Attachment F

| Fiscal Year | Captured Value | City Property Tax | County Property Tax | Debt Proceeds | Interest Income | Total Inflow | Capital Outlay | Debt Service | Bond Issue Costs | Total Outflow | Net Cashflow | Cumulative Cash Position |
|-------------|----------------|-------------------|---------------------|---------------|-----------------|--------------|----------------|--------------|------------------|---------------|--------------|--------------------------|
| 2018        | \$ -           | \$ -              | \$ -                | \$ 1,900,000  | \$ 10,100       | \$ 1,910,100 | \$ 253,000     | \$ -         | \$ -             | \$ 268,000    | \$ 1,642,100 | \$ 1,642,100             |
| 2019        | -              | -                 | -                   | -             | 20,400          | 20,400       | 1,501,000      | 134,000      | -                | 1,635,000     | (1,614,600)  | 27,500                   |
| 2020        | 25,000,000     | 65,175            | 77,448              | -             | 300             | 142,923      | -              | 134,000      | -                | 134,000       | 8,923        | 36,423                   |
| 2021        | 30,000,000     | 78,210            | 92,938              | -             | 500             | 171,648      | -              | 134,000      | -                | 134,000       | 37,648       | 74,071                   |
| 2022        | 30,000,000     | 78,210            | 92,938              | -             | 900             | 172,048      | -              | 134,000      | -                | 134,000       | 38,048       | 112,119                  |
| 2023        | 30,000,000     | 78,210            | 92,938              | -             | 1,400           | 172,548      | -              | 134,000      | -                | 134,000       | 38,548       | 150,667                  |
| 2024        | 30,000,000     | 78,210            | 92,938              | -             | 1,900           | 173,048      | -              | 134,000      | -                | 134,000       | 39,048       | 189,715                  |
| 2025        | 30,000,000     | 78,210            | 92,938              | -             | 2,400           | 173,548      | -              | 134,000      | -                | 134,000       | 39,548       | 229,263                  |
| 2026        | 30,000,000     | 78,210            | 92,938              | -             | 2,800           | 173,948      | -              | 134,000      | -                | 134,000       | 39,948       | 269,210                  |
| 2027        | 30,000,000     | 78,210            | 92,938              | -             | 3,300           | 174,448      | -              | 134,000      | -                | 134,000       | 40,448       | 309,658                  |
| 2028        | 30,000,000     | 78,210            | 92,938              | -             | 3,800           | 174,948      | -              | 134,000      | -                | 134,000       | 40,948       | 350,606                  |
| 2029        | 30,000,000     | 78,210            | 92,938              | -             | 4,300           | 175,448      | -              | 134,000      | -                | 134,000       | 41,448       | 392,054                  |
| 2030        | 30,000,000     | 78,210            | 92,938              | -             | 4,900           | 176,048      | -              | 134,000      | -                | 134,000       | 42,048       | 434,101                  |
| 2031        | 30,000,000     | 78,210            | 92,938              | -             | 5,400           | 176,548      | -              | 134,000      | -                | 134,000       | 42,548       | 476,649                  |
| 2032        | 30,000,000     | 78,210            | 92,938              | -             | 5,900           | 177,048      | -              | 134,000      | -                | 134,000       | 43,048       | 519,697                  |
| 2033        | 30,000,000     | 78,210            | 92,938              | -             | 6,400           | 177,548      | -              | 134,000      | -                | 134,000       | 43,548       | 563,245                  |
| 2034        | 30,000,000     | 78,210            | 92,938              | -             | 7,000           | 178,148      | -              | 134,000      | -                | 134,000       | 44,148       | 607,393                  |
| 2035        | 30,000,000     | 78,210            | 92,938              | -             | 7,500           | 178,648      | -              | 134,000      | -                | 134,000       | 44,648       | 652,041                  |
| 2036        | 30,000,000     | 78,210            | 92,938              | -             | 8,100           | 179,248      | -              | 134,000      | -                | 134,000       | 45,248       | 697,288                  |
| 2037        | 30,000,000     | 78,210            | 92,938              | -             | 8,600           | 179,748      | -              | 134,000      | -                | 134,000       | 45,748       | 743,036                  |
| 2037        | 30,000,000     | 78,210            | 92,938              | -             | 9,200           | 180,348      | -              | 134,000      | -                | 134,000       | 46,348       | 789,384                  |
|             |                | \$ 1,472,955      | \$ 1,750,329        | \$ 1,900,000  | \$ 115,100      | \$ 5,238,384 | \$ 1,754,000   | \$ 2,680,000 |                  | \$ 4,449,000  |              |                          |

# DRAFT

City of Sherman  
Tax Increment Reinvestment Zone #1

## PROJECT REVENUE

### Attachment G

| Fiscal Year | Captured Value | Taxes On<br>Captured Value | Interest Income | Total Revenue |
|-------------|----------------|----------------------------|-----------------|---------------|
| 2018        | \$ -           | \$ -                       | \$ 10,100       | \$ 10,100     |
| 2019        | -              | -                          | 20,400          | 20,400        |
| 2020        | 25,000,000     | 142,623                    | 300             | 142,923       |
| 2021        | 30,000,000     | 171,148                    | 500             | 171,648       |
| 2022        | 30,000,000     | 171,148                    | 900             | 172,048       |
| 2023        | 30,000,000     | 171,148                    | 1,400           | 172,548       |
| 2024        | 30,000,000     | 171,148                    | 1,900           | 173,048       |
| 2025        | 30,000,000     | 171,148                    | 2,400           | 173,548       |
| 2026        | 30,000,000     | 171,148                    | 2,800           | 173,948       |
| 2027        | 30,000,000     | 171,148                    | 3,300           | 174,448       |
| 2028        | 30,000,000     | 171,148                    | 3,800           | 174,948       |
| 2029        | 30,000,000     | 171,148                    | 4,300           | 175,448       |
| 2030        | 30,000,000     | 171,148                    | 4,900           | 176,048       |
| 2031        | 30,000,000     | 171,148                    | 5,400           | 176,548       |
| 2032        | 30,000,000     | 171,148                    | 5,900           | 177,048       |
| 2033        | 30,000,000     | 171,148                    | 6,400           | 177,548       |
| 2034        | 30,000,000     | 171,148                    | 7,000           | 178,148       |
| 2035        | 30,000,000     | 171,148                    | 7,500           | 178,648       |
| 2036        | 30,000,000     | 171,148                    | 8,100           | 179,248       |
| 2037        | 30,000,000     | 171,148                    | 8,600           | 179,748       |
|             |                | \$ 3,052,136               | \$ 105,900      | \$ 3,158,036  |

# DRAFT

City of Sherman

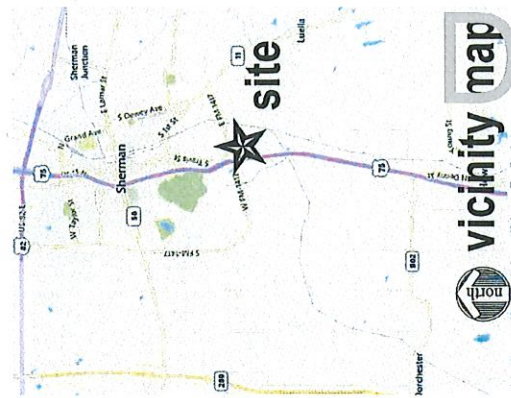
Tax Increment Reinvestment Zone #7

## ESTIMATED CAPTURED APPRAISED VALUE

### Attachment H

| <b>Fiscal Year</b> | <b>Estimated Captured Value</b> |
|--------------------|---------------------------------|
| 2018               | \$ -                            |
| 2019               | -                               |
| 2020               | 25,000,000                      |
| 2021               | 30,000,000                      |
| 2022               | 30,000,000                      |
| 2023               | 30,000,000                      |
| 2024               | 30,000,000                      |
| 2025               | 30,000,000                      |
| 2026               | 30,000,000                      |
| 2027               | 30,000,000                      |
| 2028               | 30,000,000                      |
| 2029               | 30,000,000                      |
| 2030               | 30,000,000                      |
| 2031               | 30,000,000                      |
| 2032               | 30,000,000                      |
| 2033               | 30,000,000                      |
| 2034               | 30,000,000                      |
| 2035               | 30,000,000                      |
| 2036               | 30,000,000                      |
| 2037               | 30,000,000                      |





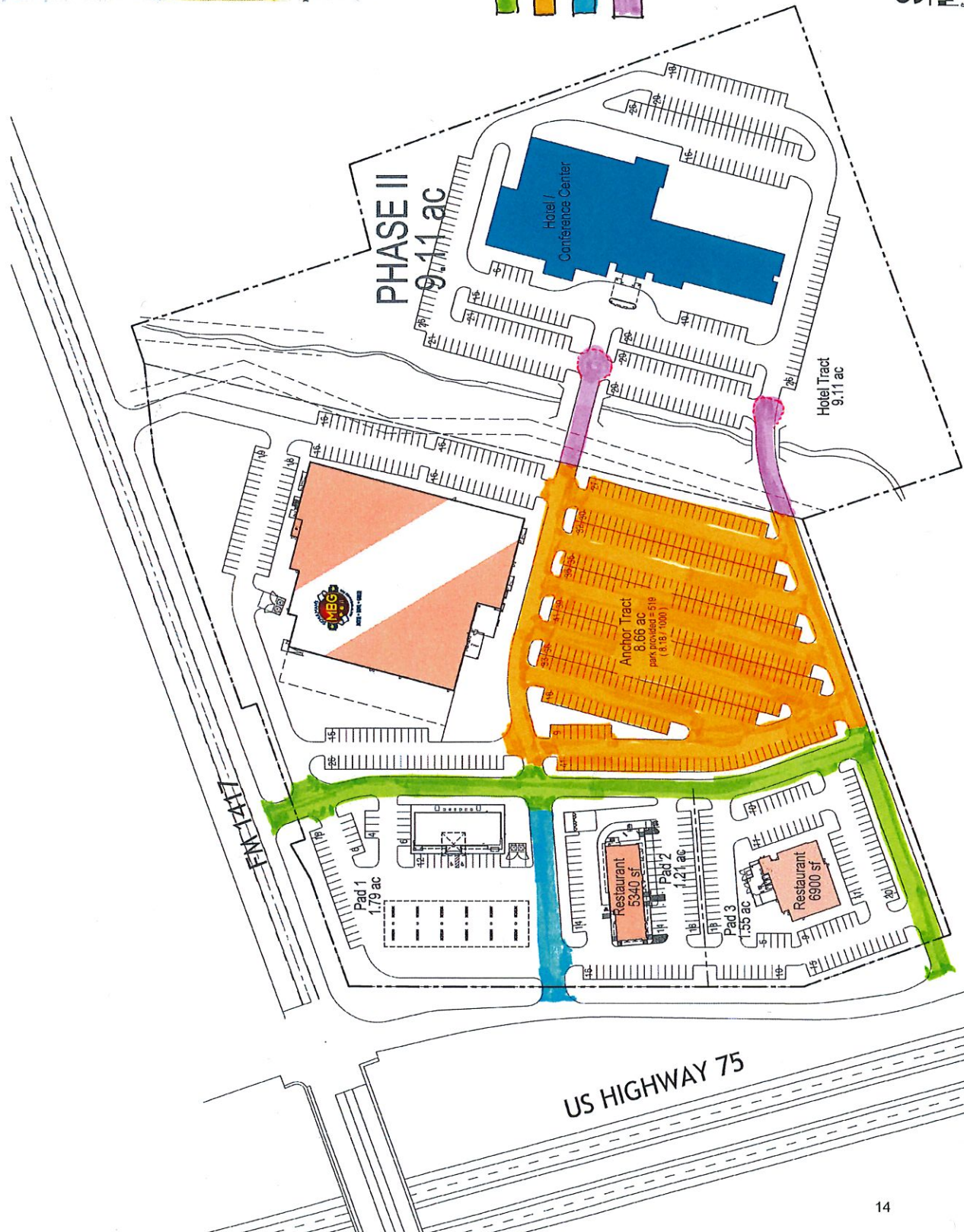
ATTACHMENT I

DRAFT

PAVING LEGEND

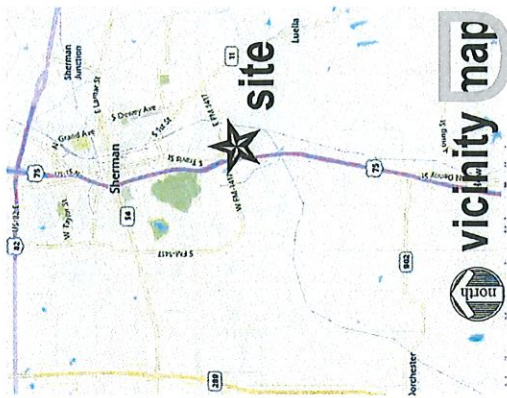
- PHASE I
- PHASE II
- PHASE III
- PHASE IV

SITE PLAN



THIS PLAN IS PROVIDED SUBJECT TO 63 DCMR 10.000 IN THE CITY OF ST. LOUIS, MISSOURI, AND 63





vicinity map

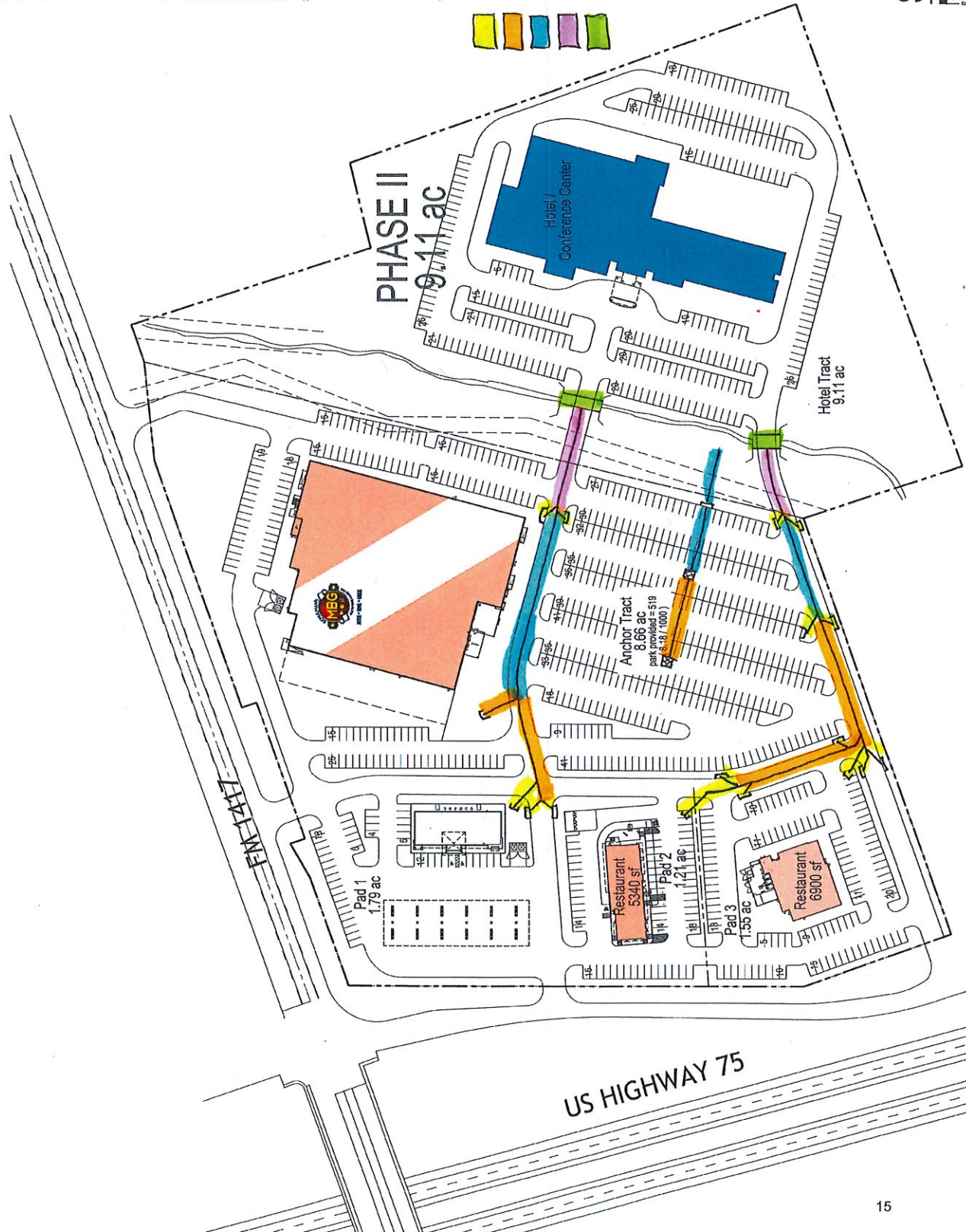
# ATTACHMENT I (Continued)

## STORM DRAIN LEGEND

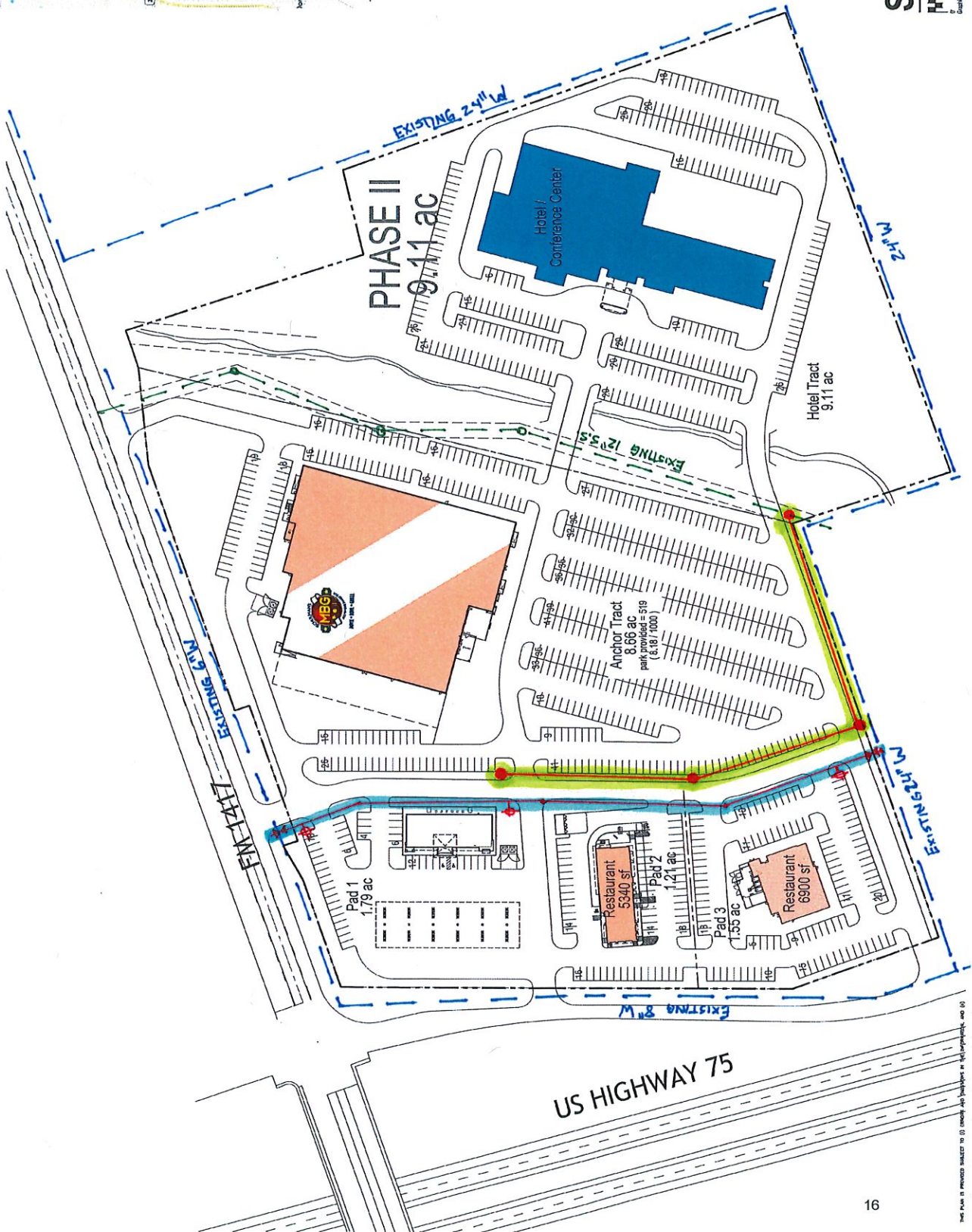
- 18" RCP PIPE
- 24" RCP PIPE
- 36" RCP PIPE
- 48" RCP PIPE
- 7'x4' Box Culvert



## SITE PLAN









# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

B.2.

**Meeting Date:** 12/18/2017

**Prepared By:** Clint Philpott, Director of Engineering

**Approved By:** Robby Hefton, City Manager

---

### **Caption:**

#### **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6088**

Providing for a Permanent "Stop" Sign on Ridgeway Drive at McGee Street within the City Limits of the City of Sherman, Texas; Providing for a Penalty Provision

### **Issue:**

To adopt an ordinance providing for a permanent "Stop" sign on Ridgeway Drive at McGee Street, stopping south traffic on Ridgeway Drive

### **Background:**

The Engineering Department reviewed the intersection based on the criteria set forth in the Texas Manual on Uniform Traffic Control Devices and determined that a "Stop" sign is required at this location. The "Stop" sign has been up for 90 days to allow the staff to evaluate the issue.

### **Origination:**

Engineering Department

### **Financial Consideration:**

The City's cost for installing the sign is approximately \$150.00 for time and materials.

### **Staff Recommendation:**

It is recommended that the City Council adopt the proposed ordinance.

### **Alternatives:**

As directed by the Council

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### **Attachments**

Ordinance No. 6088

Location Map

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**ORDINANCE NO. 6088**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR A PERMANENT "STOP" SIGN ON RIDGEWAY DRIVE AT MCGEE STREET WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

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

**SECTION 1.** That, from and after the passage of this ordinance, a permanent "Stop" sign shall be in place at the following location within the corporate limits of the City of Sherman, Texas:

At the intersection of Ridgeway Drive and McGee Street, stopping southbound traffic on Ridgeway Drive.

**SECTION 2.** That the City Engineer is directed to designate this action by the appropriate marking and sign.

**SECTION 3.** That, from and after the erection of the stop sign herein authorized, it shall be unlawful for the driver of any vehicle approaching such stop sign to fail to bring such vehicle to a complete stop at a clearly-marked stop line; but, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. Violators of this ordinance shall be subject to fine as provided in Section 1-6 of the Code of Ordinances of the City of Sherman, Texas, codified.

**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 \_\_\_\_\_, 2017.

**ADOPTED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**EFFECTIVE DATE** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**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**



# STOP Sign on Ridgeway Drive at McGee Street



1 inch = 100 feet







# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

B.3.

**Meeting Date:** 12/18/2017

**Prepared By:** Scott Shadden, Director of Developmental Services

**Approved By:** Robby Hefton, City Manager

---

### **Caption:**

#### **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6089**

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Two-Family, Single-Story Patio Homes with No More Than Two Structures Attached in a Grouping in an R-1 (One Family Residential) District/College Park Overlay District at 605, 609, 613 and 617 East Carter Street, being Lots 4, 5, 6 and 7, Block A, Austin Park Addition, a Replat of Lots 13-21, Block 4 of the W.P. Carter's Addition (Lazy L Enterprises, Owners; and Underwood Drafting & 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:**

The request of Lazy L Enterprises (Owners) and Underwood Drafting and Surveying (Surveyor) concerning the property located at 605, 609, 613 and 617 East Carter, being Lots 4, 5, 6 and 7, Block A, Austin Park Addition, being a Replat of Lots 13-21, Block 4 of the W.P. Carter's Addition for a Specific Use Permit to allow two-family, single-story patio homes with no more than two structures attached in a grouping in an R-1 (One Family Residential) District/College Park Overlay District

### **Background:**

The property is located at 605, 609, 613 and 617 East Carter Street; the northwest corner of Carter Street and Throckmorton Street. The property is zoned an R-1 (One Family Residential) District and is also located in the College Park Overlay District. A Specific Use Permit to allow patio homes in an R-1 (One Family Residential) District was approved in 2009 and 2014. At the July 21, 2009 Planning and Zoning Commission Meeting, variances were approved to allow zero setbacks to be adjacent with no more than two patio homes attached in one grouping and to allow zero foot side yard setback in lieu of the required 10'.

The owners would like to modify an existing Specific Use Permit to allow patio homes to construct single-story, two-family patio homes on the lots at this location. The houses will front Carter Street, which dead-ends to the railroad tracks.

### **Origination:**

Lazy L Enterprises (Owners)  
Underwood Drafting and Surveying (Surveyor)

**Financial Consideration:**

None

**Staff Recommendation:**

At the November 21, 2017 regular meeting, the Planning and Zoning Board voted 5/0 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. 6089

Location Map

Zoning Map

Zoning Sign Photo

Plat

Site Plan

Elevations

Staff Review Letter

P&Z Communication

Letter from Terrence Steele

Letter from Austin College

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**ORDINANCE NO. 6089**

**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, SINGLE-STORY PATIO HOMES WITH NO MORE THAN TWO STRUCTURES ATTACHED IN A GROUPING IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT/COLLEGE PARK OVERLAY DISTRICT AT 605, 609, 613 AND 617 EAST CARTER STREET, BEING LOTS 4, 5, 6 AND 7, BLOCK A, AUSTIN PARK ADDITION, A REPLAT OF LOTS 13-21, BLOCK 4 OF THE W.P. CARTER'S ADDITION (LAZY L ENTERPRISES, OWNERS; AND UNDERWOOD DRAFTING & SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

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

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

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

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

**SECTION 1.** That, from and after the passage of this ordinance, Lazy L Enterprises (Owners) and Underwood Drafting and Surveying (Surveyor) are granted a Specific Use Permit to allow two-family, single-story patio homes with no more than two structures attached in a grouping in an R-1 (One Family Residential) District/College Park Overlay District at 605, 609, 613 and 617 East Carter Street, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

**BEING** Lots 4, 5, 6 and 7, Block A, Austin Park Addition, a Replat of Lots 13-21, Block 4 of the W.P. Carter's 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 College Park Overlay District and the Residential Tree and Landscaping Ordinance must be followed.
2. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
3. A parking space is considered to be 9'x20'.
4. Parking ratio required: 1 space per bedroom, minimum two per unit.
5. Side yard setbacks must be uniform for all homes within a given block.
6. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903-892-7267).
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

**Engineering:**

9. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
10. The City of Sherman does not maintain alleys.

**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 \_\_\_\_\_, 2017.

**ADOPTED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**EFFECTIVE DATE** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.



**CITY OF SHERMAN, TEXAS**

**BY:** \_\_\_\_\_  
**DAVID PLYLER, MAYOR**

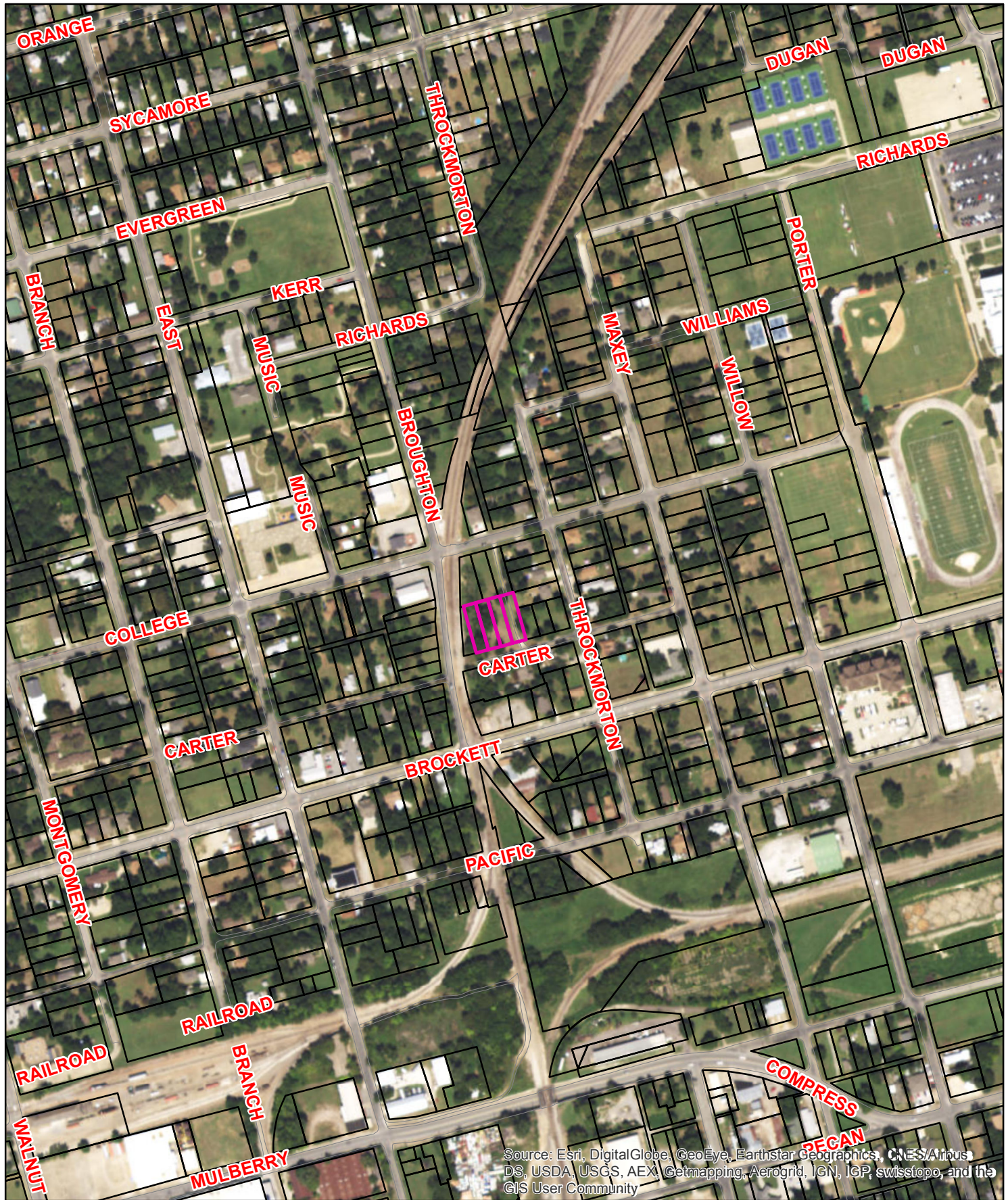
**ATTEST:**

**BY:** \_\_\_\_\_  
**LINDA ASHBY, CITY CLERK**

**APPROVED AS TO FORM  
AND CONTENT:**

**BY:** \_\_\_\_\_  
**BRANDON S. SHELBY,  
CITY ATTORNEY**





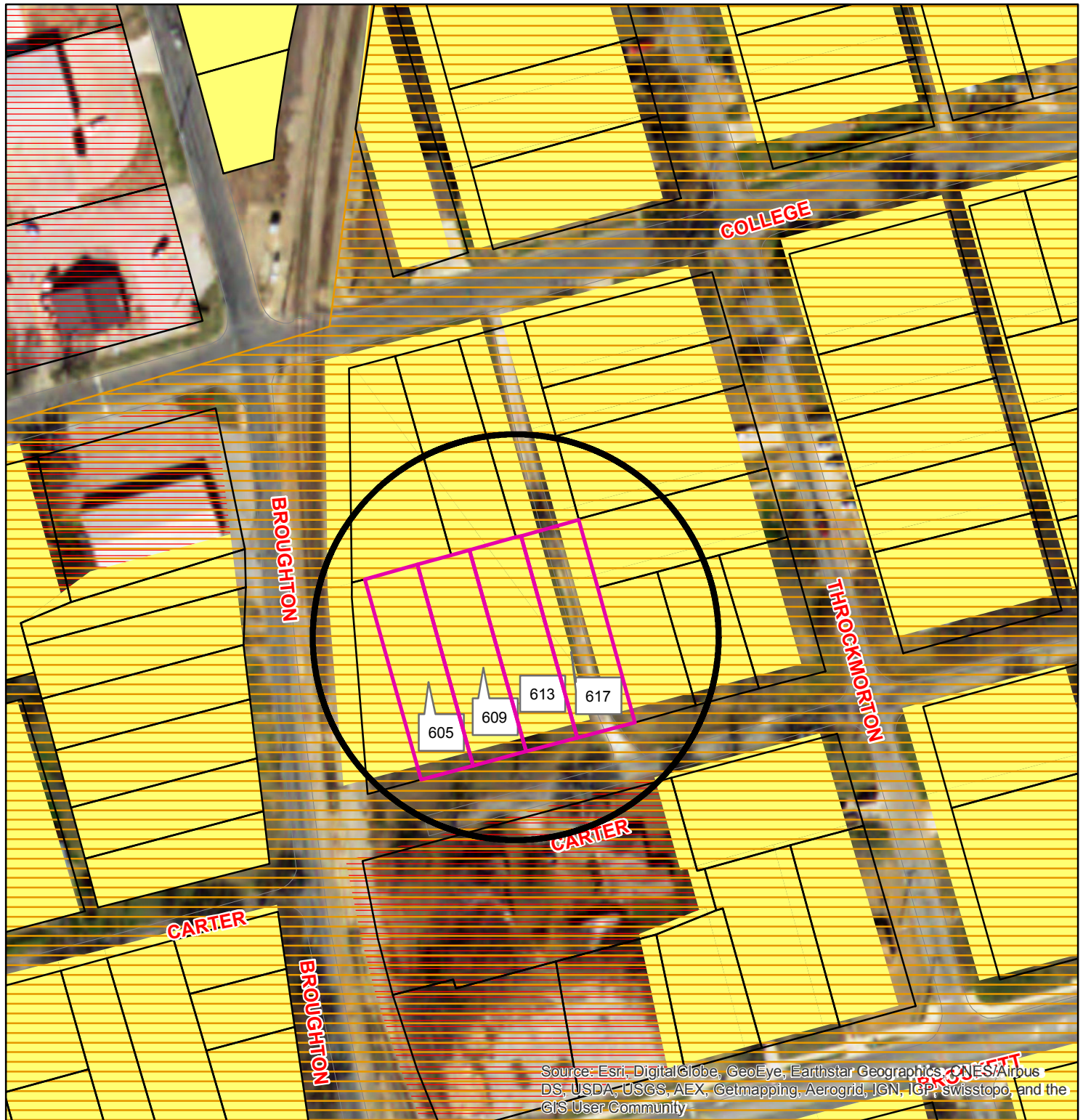
605, 609, 613 & 617 E. Carter



1 in = 400 ft

City of Sherman, Texas  
Developmental Services Department





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

## Zoning - 605, 609, 613 & 617 E. Carter

### Legend

#### 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
- Transportation Corridor

#### Representation: ShermGIS.DBO.TransportationCorridor\_Rep

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

#### 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 = 100 ft



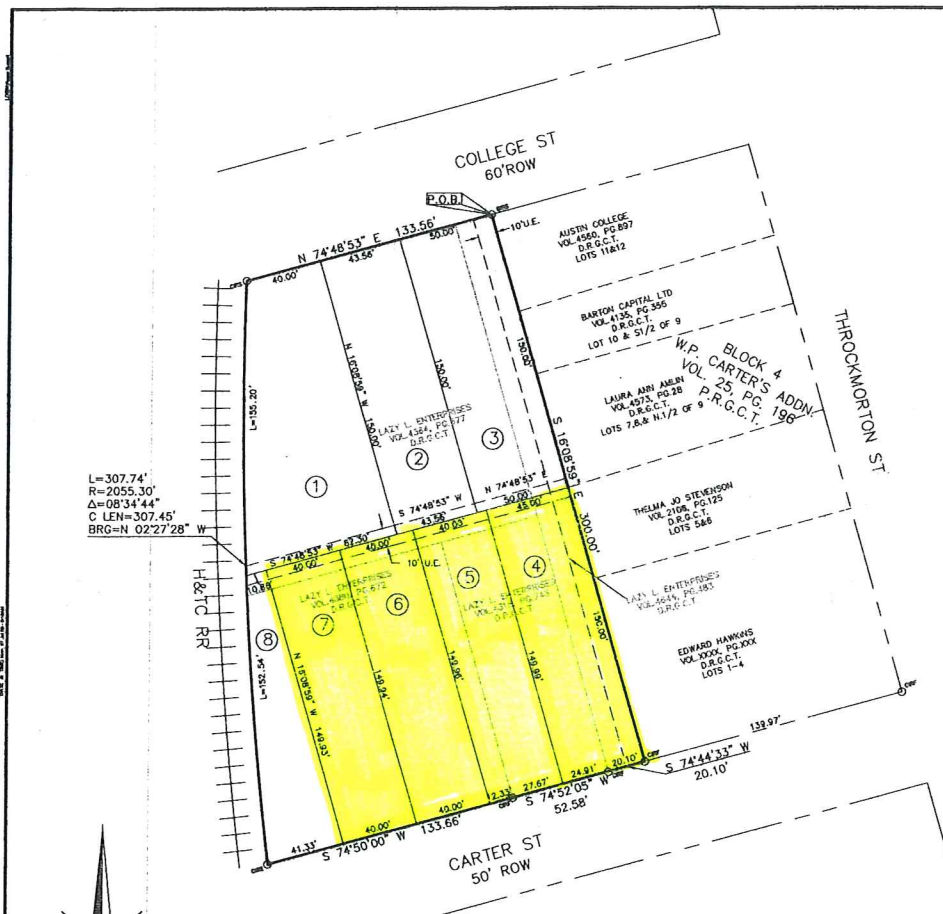
601, 605, 609, 613 & 617 East Carter Street



800, 802, 804 & 806 North Throckmorton Street







L=307.74'  
R=2055.30'  
Δ=08°34'44"  
C LEN=307.45'  
BRG=N 02°27'28" W



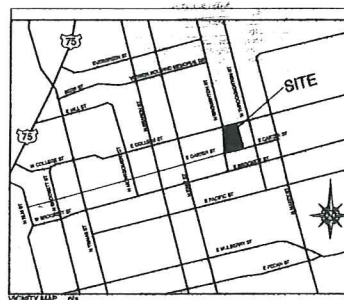
SCALE: 1" = 30'

| LEGEND |                              |
|--------|------------------------------|
| CM     | CONTROLLING WORKMENT         |
| P      | POINT                        |
| FW     | FROM ROAD/ROAD               |
| CRS    | CORNER NOT INDICATED         |
| CRS    | 1/2" STEEL SQUARE TUBING SET |
| W      | W/ 1/4" TIE CITY             |
| —      | SURVEY LINE                  |
| —      | PROPERTY LINE                |
| JK     | BOUNDARY ADJUTANT            |
| JK     | ADJUTANT                     |
| BL     | BUILDING LINE                |
| BYES   | REMOVED SET BACK             |

**CERTIFICATE OF APPROVAL**  
APPROVED THIS 21<sup>st</sup> DAY OF July, 2009, BY THE  
CITY COUNCIL AND COMMISSION OF THE CITY OF  
SHERMAN, TEXAS  
*[Signature]*  
SHERMAN  
SECRETARY

ACCEPTED BY THE CITY COUNCIL OF THE CITY OF SHERMAN:  
DEPUTY MAYOR, CITY OF SHERMAN, TEXAS  
DATE: 7-17-2009

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing final plat of College Street Addition, a Subdivision of the City of Sherman, was submitted to the City Council on the 17<sup>th</sup> day of August, 2009, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places as shown and set forth in and upon said plat, and said City Council further authorize the Deputy Mayor to register acceptance thereof by signing his name as hereinabove subscribed.  
Witness my hand this 13<sup>th</sup> day of Aug, A.D. 2009.  
*[Signature]*  
CITY CLERK, CITY OF SHERMAN, TEXAS



DEDICATION  
STATE OF TEXAS  
COUNTY OF GRAYSON

WHEREAS, LAZY L ENTERPRISES is the owner of all those certain tracts of land situated in the J.B. McANAIR Survey, Abstract Number 763, Grayson County, Texas, and being all of the four following tracts: TRACT 1, being all of a tract of land described in the deed from Barton Capital, LTD. to Lazy L Enterprises recorded in Volume 4318, Page 743 of the Deed Records of Grayson County, Texas; TRACT 2, being all of a tract of land described in the deed from Austin College to Lazy L Enterprises recorded in Volume 4364, Page 877 of the Deed Records of Grayson County, Texas; TRACT 3, being all of a tract of land described in the deed from Donald Bailey to Lazy L Enterprises recorded in Volume 4580, Page 873 of the Deed Records of Grayson County, Texas; TRACT 4, being all of a tract of land described in the deed from The City of Sherman to Lazy L Enterprises recorded in Volume 4644, Page 483 of the Deed Records of Grayson County, Texas; the subject tract being more fully described as follows:

Beginning for the northeast corner of the tract being described herein as a set 1/4 inch Steel Square Tubing, said tubing being the northeast corner of said Lazy L tract 4644/483, and the northeast corner of a tract as described in Deed to Austin College, and Recorded in Volume 4580 Page 887 of said Deed Records, said tubing also being on the south Right-of-Way line of College Street;  
Thence, South 18 degrees 09 minutes 59 seconds East, with the east line of said Lazy L tract 4644/483, a distance of 200.00 feet to a found 1/4 inch Steel Rebar for the southeast corner of said Lazy L tract 4644/483, and the southeast corner of a tract as conveyed to Edward Hawkins, and on the north Right-of-Way line of Carter Street;  
Thence, South 74 degrees 44 minutes 59 seconds West, with the south line of said Lazy L tract 4644/483, and the north line of said street, a distance of 80.10 feet to a found 1/4 inch steel Rebar for the southwest corner of said Lazy L tract 4644/483, and the southeast corner of said Lazy L tract 4315/743;  
Thence, South 74 degrees 08 minutes 06 seconds West, with the south line of said Lazy L tract 4315/743, and the north line of said street, a distance of 82.80 feet to a found 1/4 inch steel Rebar for the southwest corner of said Lazy L tract 4315/743, and the southeast corner of said Lazy L tract 4580/872;  
Thence, South 74 degrees 59 minutes 09 seconds West, with the south line of said Lazy L tract 4580/872, and the north line of said street, a distance of 183.80 feet to a found 1/4 inch Steel Square Tubing for the northeast corner of said Lazy L tract 4580/872, and the start of a curve to the right whose radius is 2065.30 feet, central angle of 08 degrees 34 minutes 44 seconds and a chord bearing of north 02 degrees 27 minutes 28 seconds east, a distance of 307.45 feet;  
Thence, With said curve to the right, an Arc Length of 307.74 feet to a set 1/4 inch Steel Square Tubing for the northeast corner of said Lazy L tract 4315/743, and on the south ROW of said College Street;  
Thence, North 74 degrees 44 minutes 59 seconds East, with the north line of said Lazy L tracts 4315/743 & 4644/483, and with the south ROW line of College Street, a distance of 133.66 feet to the POINT OF BEGINNING and containing 1.89 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, LAZY L ENTERPRISES, does hereby adopt this plat designating the herein described property as AUSTIN PARK ADDITION in the City of Sherman, Grayson County, Texas and does hereby dedicate to the public use forever the street rights-of-way and public easement shown hereon.

*[Signature]*  
LAZY L ENTERPRISES  
BY: *[Signature]*  
BILL WAGERS

STATE OF TEXAS  
COUNTY OF GRAYSON

BEFORE ME, the undersigned Notary Public in and for the State of Texas on this day personally appeared Bill Wagers, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledges to me that he/she executed the same for the purpose and consideration therein expressed, and in the capacity therein stated.  
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 13<sup>th</sup> DAY of Aug, 2009.

Notary Public in the State of Texas  
*[Signature]*  
My Commission Expires: 6-6-2010

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I DON K. COX, Registered Professional Land Surveyor #4577, do hereby certify that this plat was prepared from an actual survey of the land described hereon, and that the corner monuments shown hereon were found or placed under my personal supervision in accordance with the ordinances of the City of Sherman, Texas.

*[Signature]*  
DON K. COX, Registered Professional Land Surveyor #4577

FINAL PLAT  
LOTS 1-8, BLOCK A  
AUSTIN PARK ADDITION  
BEING A REPLAT OF LOTS 13-21, BLOCK 4  
IN THE W.P. CARTERS ADDITION  
AND BEING .90 ACRES IN THE  
J.B. McANAIR SURVEY, ABSTRACT NO. 763  
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS  
OWNER  
LAZY L ENTERPRISES  
908 COTTONWOOD  
SHERMAN, TEXAS  
(903)-853-3506  
CONTACT: BILL WAGERS  
SURVEYOR  
COX LAND SURVEYING CO.  
P.O. BOX 597  
105 N. MAIN  
COLUMBIA, TX 75233  
(903)-429-6125

DATE:  
29 JUN 2009

REVISIONS:

GREG EDWARDS  
ENGINEERING SERVICES, INC.  
GREG EDWARDS, P.E.  
1821 AMANDA COURT, PONDER, TX 75659  
PH: (409) 462-2807 Fax: (409) 462-0214  
www.gees.us



DEVELOPER  
LAZY L ENTERPRISES  
SHERMAN, TEXAS

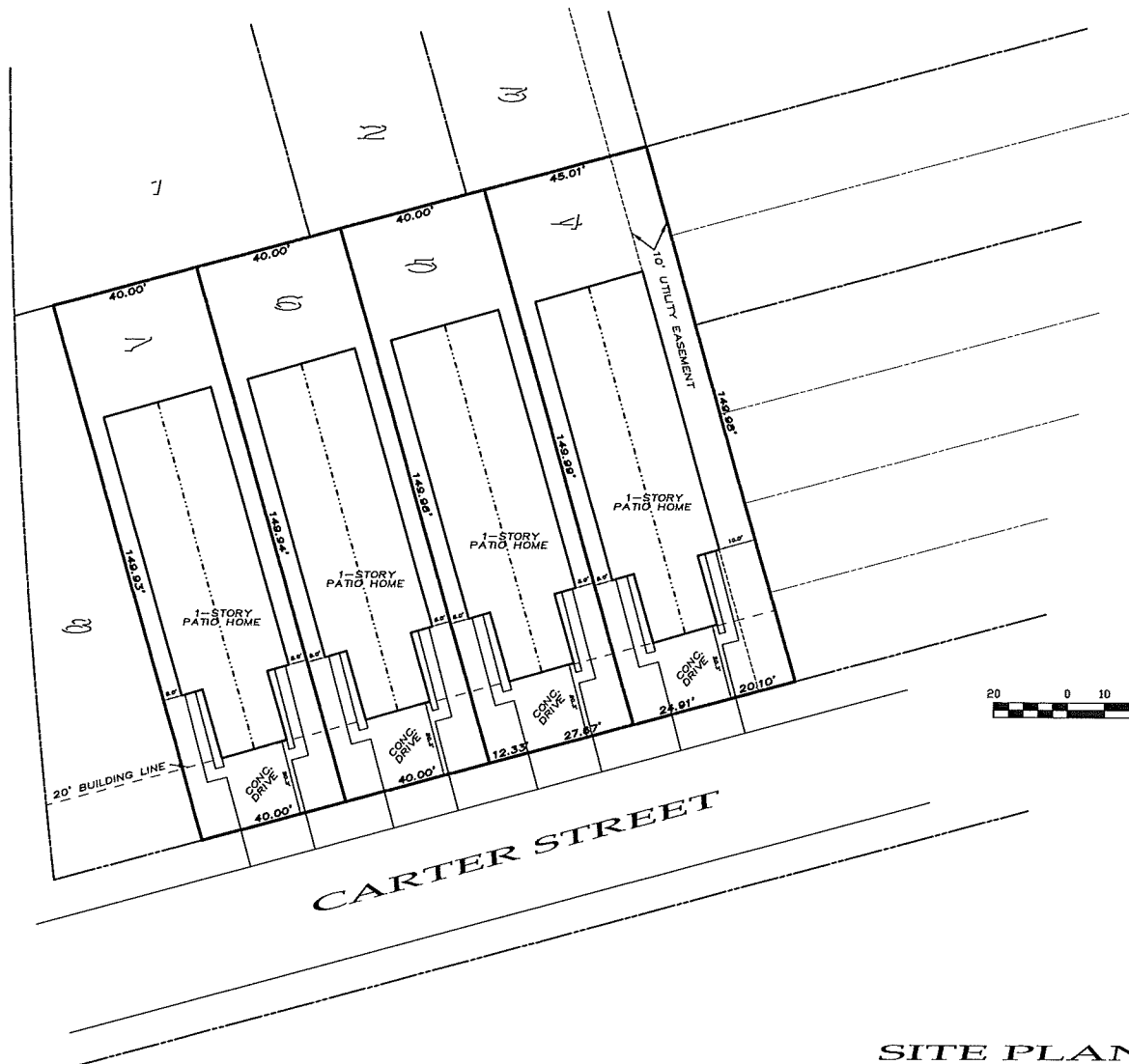
Final Plat  
Lots 1-8, Block A, Austin Park Addition,  
Being a Replat of Lots 13-21, Block 4,  
in the W.P. Carters Addition, and .90 acres in the  
J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas

JOB NUMBER  
1347

DESIGNED: GKE  
DRAWN: GKE  
CHECKED: GKE

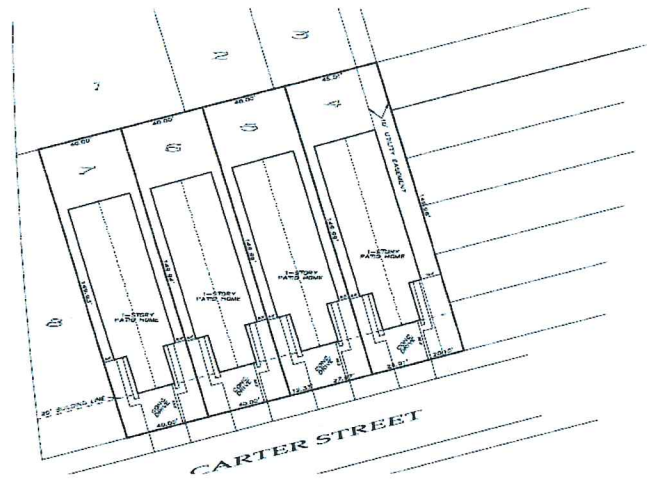
01  
OF  
01





**SITE PLAN  
LOTS 4-7,  
AUSTIN PARK ADDITION  
AN ADDITION TO THE  
CITY OF SHERMAN, TEXAS**





**STAFF REVIEW LETTER**

November 15, 2017

Lazy L Enterprises  
4 Timber Creek  
Sherman, TX 75092

Dear Applicants,

The request for amending a Specific Use Permit and site plan approval to allow two-family, single-story patio homes with no more than two structures attached in a grouping for Lots 4,5,6,7, Block A, Austin Park Addition, a Replat of Lots 13-21, Block 4 of the W.P. Carter's Addition in an R-1 (One Family Residential) District/College Park Overlay District for the property located at 605, 609, 613 and 617 East Carter Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 21, 2017 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 College Park Overlay District and the Residential Tree and Landscaping Ordinance must be followed.
2. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
3. A parking space is considered to be 9'x20'.
4. Parking ratio required: 1 space per bedroom, minimum two per unit.
5. Side yard setbacks must be uniform for all homes within a given block.
6. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903-892-7267).
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

9. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
10. The City of Sherman does not maintain alleys.

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., Director of Engineering  
Amber Doan, Engineering Coordinator

Danny Fuller, Fire Marshal  
Brandon Shelby, City Attorney  
Steve Ayers, Asst. City Manager





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

**Agenda Item No. 9.**

**Meeting Date:** 11/21/2017

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

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

---

**Requested Action/Proposed Use:**

**601, 605, 609, 613 & 617 E. CARTER STREET & 800, 802, 804 & 806 N. THROCKMORTON STREET**

The request of Lazy L Enterprises (Owners) and Underwood Drafting and Surveying (Surveyor) concerning the property located at 601, 605, 609, 613 & 617 East Carter Street and 800, 802, 804 & 806 North Throckmorton Street, being Lots 1, 2, 3 & 4, Block 4, W.P. Carter Addition and Lots 4-7, Block A, Austin Park Addition, being a Replat of Lots 13-21, Block 4 of the W.P. Carter's Addition, as follows:

***Board of Adjustments***

Variance under Ordinance No. 2280, Section 6.8.3, Subsection (4)(f) to allow front entry garages for six two-family patio homes in an R-1 (One Family Residential) District/College Park Overlay District.

***Planning and Zoning Commission***

Amending a Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow two-family, single-story patio homes with no more than two structures attached in a grouping for Lots 4,5,6,7, Block A, Austin Park Addition, a Replat of Lots 13-21, Block 4 of the W.P. Carter's Addition in an R-1 (One Family Residential) District/College Park Overlay District.

**Background:**

The property is located at 601, 605, 609, 613 & 617 East Carter Street and 800, 802, 804 & 806 North Throckmorton Street, the northwest corner of Carter Street and Throckmorton Street. The property is zoned an R-1 (One Family Residential) District and also located in the College Park Overlay District. A Specific Use Permit to allow patio homes in an R-1 (One Family Residential) District was approved in 2009 and 2014. Variances have been approved to allow zero setbacks to be adjacent with no more than two patio homes attached in one grouping and to allow zero foot

side yard setback in lieu of the required 10' at the July 21, 2009, Planning and Zoning Commission Meeting.

The owner would like to construct six, single-story, two-family patio homes on the lots at this location. They are also requesting an exception to allow front entry garages in the College Park Overlay District.

**Adjacent Zoning:**

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

**Origination:**

Lazy L Enterprises (Owners)  
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:**

19

**Objections Received:**

0

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**Attachments**

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

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RECEIVED

NOV 15 2017

November 15, 2017

Mr. Scott Shadden  
Secretary, Planning and Zoning Board and Board of Adjustment  
City of Sherman  
PO Box 1106  
Sherman, TX 75091-1106

Re: Austin College support of the SUP to allow patio homes and front entry garages in College Park

Dear Mr. Shadden,

I am writing to express my support for Lazy L. Enterprises request for the development of garden homes with front entry garages in the College Park Overlay District. The developer has previously re-platted eight lots for garden home development in the same block. As a member of the Sherman City Council when the overlay district was formed, I am confident that this development will benefit the neighborhood and support the city's ongoing efforts to improve the quality of housing in District 2.

Thank you,



Terrence R. Steele  
Council Member, District 2



AUSTIN  
COLLEGE

Office of the President

Steven P. O'Day, J.D.  
President

RECEIVED

NOV 20 2017

November 15, 2017

Mr. Scott Shadden  
Secretary, Planning and Zoning Board and Board of Adjustment  
City of Sherman  
PO Box 1106  
Sherman, TX 75091-1106

Re: Austin College support of the SUP to allow patio homes and front entry  
garages in College Park

Dear Mr. Shadden,

I am writing to express Austin College's support of the request for the development of garden homes with front entry garages in the College Park Overlay District. The developer has previously re-platted eight lots for garden home development in the same block. The College has a long-standing relationship with the developer and is confident that the re-development of this area will benefit the neighborhood and support our own efforts to improve the quality of housing surrounding the campus.

Sincerely,

Steven P. O'Day





# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

B.4.

**Meeting Date:** 12/18/2017

**Prepared By:** Scott Shadden, Director of Developmental Services

**Approved By:** Robby Hefton, City Manager

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### **Caption:**

#### **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6090**

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Construction Equipment Sales, Rental, Service and Repair for ABC Supply Company in a C-2 (General Commercial) District at 2403 North Travis Street, being 0.055 acres in the J.B. McAnair Survey, Abstract No. 763 (Rock Royalty, Inc., Owner; American Builders & Contractors Supply Company, Inc., Skip Rath, Prospective Buyer/Representative; and Dean Gilbert, Representative); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

### **Issue:**

Request of Rock Royalty, Inc. (Owner), American Builders & Contractors Supply Company, Inc., Skip Rath (Prospective Buyer/Representative) and Dean Gilbert (Representative) concerning the property at 2403 North Travis Street, being 0.055 acres in the J.B. McAnair Survey, Abstract No. 763 for a Specific Use Permit to allow construction equipment sales, rental, service and repair for ABC Supply in a C-2 (General Commercial) District

### **Background:**

The property is located at 2403 North Travis Street, north of ABC Supply. The property is zoned an R-1 (One Family Residential) District; and the prospective buyer (ABC Supply Company) would like to change the zoning on the the property to a C-2 (General Commercial) District and also amend their Specific Use Permit to allow construction equipment sales, rental, service and repair to include this property. Travis Street is in the process of being widened in this area; and additional right-of-way has been dedicated from ABC Supply, so they need additional parking. The lot will be used for parking for ABC Supply employees and customers.

### **Origination:**

Rock Royalty, Inc. (Owner)

American Builders & Contractors Supply Company, Inc., Skip Rath (Prospective Buyer/Representative)

Dean Gilbert (Representative)

### **Financial Consideration:**

None

**Staff Recommendation:**

At the November 21, 2017 regular meeting, the Planning and Zoning Board voted 5/0 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.

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**Attachments**

Ordinance No. 6090

Location Map

Zoning Map

Zoning Sign Photo

Site Plan

Site Plan

Staff Review Letter

P&Z Communication

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## **ORDINANCE NO. 6090**

**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 CONSTRUCTION EQUIPMENT SALES, RENTAL, SERVICE AND REPAIR FOR ABC SUPPLY COMPANY IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 2403 NORTH TRAVIS STREET, BEING 0.055 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 (ROCK ROYALTY, INC., OWNER; AMERICAN BUILDERS & CONTRACTORS SUPPLY COMPANY, INC., SKIP RATH, PROSPECTIVE BUYER/REPRESENTATIVE; AND DEAN GILBERT, REPRESENTATIVE); 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, Rock Royalty, Inc. (Owner), American Builders & Contractors Supply Co., Inc., Skip Rath (Prospective Buyer/Representative) and Dean Gilbert (Representative) are granted a Specific Use Permit to allow construction equipment sales, rental, service and repair for ABC Supply in a C-2 (General Commercial) District at 2403 North Travis Street, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

**SITUATED** in the County of Grayson, State of Texas, on the waters of Post Oak Creek, being a part of a survey originally granted to J.B. McAnair and described as follows, to-wit:

**BEGINNING** at the northwest corner of said 3 ½ acres of land;

**THENCE** Eastward with the north line of said 3 ½ acre tract 160 feet;

**THENCE** Southward parallel with the west line of said 3 ½ acre tract 150 feet;

**THENCE** Westward parallel with the north line of said 3 ½ acre tract 160 feet to the west line of said 3 ½ acres;

**THENCE** Northward with the west line of said 3 ½ acres, 150 feet to the **PLACE OF BEGINNING**.....

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, the sign ordinance, the screening ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
3. A parking space is considered to be 9'x20'.
4. Review the zoning and development ordinance for additional requirements.
5. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

6. New drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from City of Sherman Engineering Department.
7. Future plans to widen North Travis Street may require relocation of parking spaces along street frontage.
8. Relocate handicap (ADA) parking spaces to interior parking stalls.
9. Detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
10. All requirements of the Floodplain Ordinance should be followed.

**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 \_\_\_\_\_, 2017.

**ADOPTED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**EFFECTIVE DATE** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF SHERMAN, TEXAS**

**BY:** \_\_\_\_\_  
**DAVID PLYLER, MAYOR**

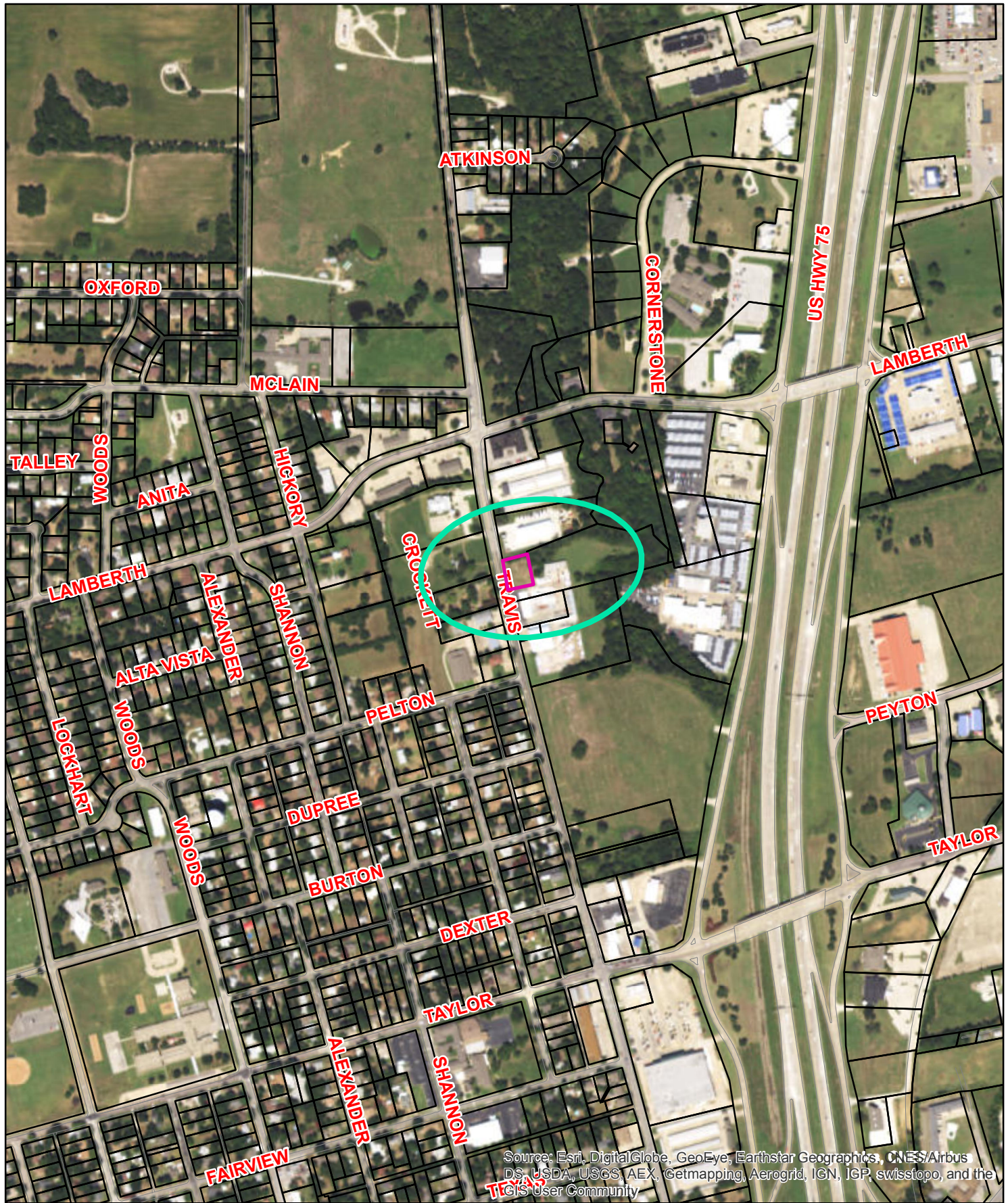
**ATTEST:**

**BY:** \_\_\_\_\_  
**LINDA ASHBY, CITY CLERK**

**APPROVED AS TO FORM  
AND CONTENT:**

**BY:** \_\_\_\_\_  
**BRANDON S. SHELBY,  
CITY ATTORNEY**





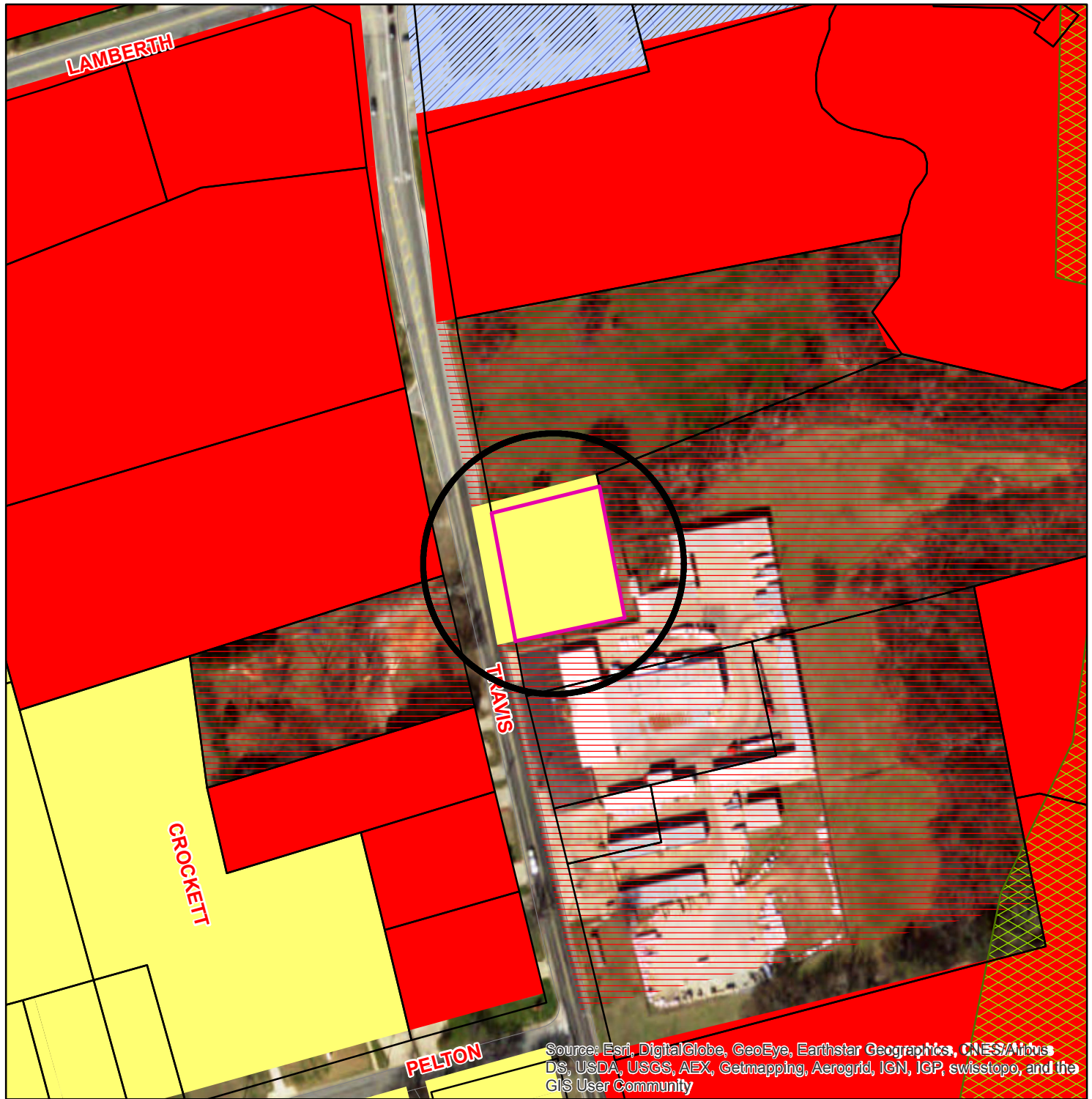
2403 N. Travis



1 in = 600 ft

City of Sherman, Texas  
Developmental Services Department





## Zoning - 2403 N. Travis

### Legend

#### Special Districts Overlay

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

#### Transportation Corridor Zoning Districts

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

- 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



City of Sherman, Texas  
Developmental Services Department



NOT TO SCALE

1 in = 150 ft

## 2403 N. Travis





|    |                                                                                                                                                                                                             |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10 | Assignment to Lester Silver recorded in Volume 821, Page 63, and Volume 828, Pages 597 and 510, Deed Records, Grayson County, Texas is believed to have been the subject.                                   |
| 10 | Assignment to James H. Grayson and Sybil Deed recorded in Volume 835, Page 171, Deed Records, Grayson County, Texas is believed to have been the subject.                                                   |
| 10 | Highway 57 location recorded in Volume 1332, Page 426, Deed Records, Grayson County, Texas is believed to have been the subject.                                                                            |
| 10 | Oil and Gas Lease recorded in Volume 575, Page 101, Deed Records, Grayson County, Texas is believed to have been the subject.                                                                               |
| 10 | Deed of Assignment recorded in Volume 578, Page 324, Volume 579, Page 192, Volume 826, Page 18, and Volume 828, Page 95, Deed Records, Grayson County, Texas are believed to have all affected the subject. |
| 10 | Oil, gas and other minerals recorded in Deed recorded in Volume 772, Page 101, Deed Records, Grayson County, Texas is believed to have been the subject.                                                    |
| 10 | Mineral Deeds recorded in Volume 566, Page 70, and Volume 1432, Page 835, Deed Records, Grayson County, Texas are believed to have been the subject.                                                        |
| 10 | Oil, gas and other minerals recorded in Deed recorded in Volume 802, Page 610, Deed Records, Grayson County, Texas is believed to have been the subject.                                                    |
| 10 | Oil, gas and other minerals recorded in Deed recorded in Volume 943, Page 117, Deed Records, Grayson County, Texas is believed to have been the subject.                                                    |

The surveyor was not provided with racing information by the insurer pursuant to Table A, Item 6c.

This aerial photograph shows a wide river bend. A bridge crosses the river in the upper right portion of the image. The surrounding land is a mix of agricultural fields and some built-up areas. The river is a prominent feature, curving from the top right towards the bottom left.

**MN1** The outcrops of bedrock in the west line of that certain tract of land described by platbook to Pauline Johnson placed recorded in Platbook A 2006-123, Probate Records, Grayson County, Texas.

**MN2** There was no observed evidence of the location of cemeteries or burials.

**MN3** There was no observed evidence of current earth moving work, bulk construction or building additions.

**MN4** There was no known changes in street configuration or any lines or observed evidence of recent street or sidewalk construction or repairs.

**MN5** There was no observed evidence of site use as a solid waste dump, land or railway landfill.

**MN6** No wellheads were located at the three of the field survey.

**MN7** There are a total of 9 marked parking spaces on the property, one of which is in designated handicap.

**MN8** Average bearings and distances from the current deed are shown in attachment D.

[illegible][illegible]

|      |                          |            |                        |
|------|--------------------------|------------|------------------------|
| #    | Uproot Pole              | K.         | North                  |
| #    | Mail Box                 | S.         | South                  |
| +    | Sign                     | E.         | East                   |
| +    | Guy Wire                 | W.         | West                   |
| °    | Power Pole               |            | Degrees                |
| RS   | Iron Rod Set             | "          | Feet or Minutes        |
| RCP  | Reinforced Concrete Pipe | "          | Inches or Seconds      |
| CMF  | Corrugated Metal Pipe    | Sq.        | Square                 |
| H.E. | Handing Space            | Ft.        | Feet                   |
| AC   | Al. Densifier            | Vol.       | Volume                 |
| Wt   | Water                    | Page       | Page                   |
| RD   | Record                   | D.R.O.E.T. | Dead Record            |
| R/W  | Right of Way             | P.R.O.C.T. | Pit or Probable Record |
| C.   | Centerline               | C.O.C.T.   | Calculated             |

ON GRAPHIC PLATTING SHEET, THIS PROPERTY IS IN ZONES A6 AND Y6 OF THE FLOOD INSURANCE RATE MAP, (FIRM 17140), REFLECTING WHICH BECAME EFFECTIVE DATE OF SEPTEMBER 28, 2010 AND ESPECIALLY A SPECIAL FLOOD HAZARD AREA, AS SHOWN ON THE FIRM AVAILABLE AT (FEMA/DEMOS) WE HAVE LEARNED THIS PROPERTY COULD CONSIDERABLY HAVE DAMAGE BY THE FLOODS. AS I HAVE SURVEYING WAS PERFORMED FOR FLOODING THIS ZONE, AND A FLOOD ELEVATION CERTIFICATE WILL BE NEEDED TO VERIFY THIS INFORMATION CAN APPLY FOR A FLOODING INSURE THE FLOODING AND FLOOD MANAGEMENT AGENCY.

**A** Projection of chain link fence along westerly most north property line.

**B** Projection of metal fence along west property line into the North Travis Street Right-of-Way.

THIS PRODUCT STYLE AND FORMAT IS PROTECTED BY COPYRIGHT AND ALL RIGHTS ARE RESERVED. THE USE OF THIS STYLE AND FORMAT IS STRICTLY PROHIBITED WITHOUT THE WRITTEN CONSENT AND PERMISSION OF BUCK & CLARK CORP.

**Hendricks Commercial Properties 39**  
B&C Project No. 201200181, 034  
Sherman  
2325 N. Travis Street, Sherman, TX 75092

BASED UPON TITLE COMMITMENT NO. HCS-525643-34-MAD  
OF FIRST AMERICAN TITLE INSURANCE COMPANY  
BEARING AN EFFECTIVE DATE OF JANUARY 30, 2012 03:00 A.M.

This is to certify that the map or plan and the survey or other B. based work made in accordance with the 2011 Minnesota Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and MSP, and included here 2, 3, 4, 5a, 7a, 7b, 7c, 7d, 8, 9, 11a, 12, 14, 15, 17 and 18 of Table A thereof. The said work was completed on February 14, 2012.

*Journey Lake Owl, FFLB  
Knight when the Bird  
in the State of Texas  
State of Nature, February 21,  
State of Land Revolution March  
Not over a Perfect one, The year*

Survey Performed By:  
Buckworth of Texas, LLC  
100 E. Main Street, Suite 120  
Cedar, TX 76004  
Phone: 817-437-3636  
Fax: 817-345-2902  
Email: [jac@buckworth.com](mailto:jac@buckworth.com)

Page 1 of 1

**Bock & Clark's National Surveyors Network**  
National Coordinators of ALTA/ACSM Land Title Surveys  
537 North Cleveland-Marshfield Road Akron, Ohio 44317



TRAVIS STREET  
(50' PUBLIC RIGHT-OF-WAY)

NEW DRIVEWAY

N 11°52'36" W 200.41'

EXISTING ASPHALT

GATE

EXISTING CONCRETE

EXISTING GRAVEL

CONCRETE RETAINING WALL

ABC SUPPLY CO.  
8,532 SF

CANOPY  
2,911 SF

EXISTING CONCRETE

GATE

CANOPY  
1,516 SF

CANOPY  
3,744 SF

(38) PARKING STALLS @ 9'x20' EACH  
+ (2) A.D.A. STALLS

25'

25'

NEW PAVEMENT  
19,168 SF

N 77°57'05" E 130.00'

N 11°52'36" W 169.53'

146'-8"

CANOPY  
866 SF

CANOPY  
857 SF

INGRESS / EGRESS EASEMENT

130'

N 76°12'00" E 130.27'

**STAFF REVIEW LETTER**

November 15, 2017

Rock Royalty Inc.  
6688 N. Central Expressway, Suite 1610  
Dallas, TX 75206

Dean Gilbert  
801 E. Taylor  
Sherman, TX 75090

American Builders & Contractors Supply Co.,  
Inc.  
Skip Rath  
One ABC Parkway  
Beloit, WI 53511

Dear Applicants,

The request for a zone change from an R-1 (One Family Residential) District to a C-2 (General Commercial) District and Specific Use Permit to allow construction equipment sales, rental, service and repair for ABC Supply in a C-2 (General Commercial) District for the property located at 2403 North Travis Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 21, 2017 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, the sign ordinance, the screening ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
3. A parking space is considered to be 9'x20'.
4. Review the zoning and development ordinance for additional requirements.
5. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

6. New drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from City of Sherman Engineering Department.
7. Future plans to widen North Travis Street may require relocation of parking spaces along street frontage.
8. Relocate handicap (ADA) parking spaces to interior parking stalls.
9. Detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
10. All requirements of the Floodplain Ordinance should be followed.

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., Director of Engineering  
Amber Doan, Engineering Coordinator

Danny Fuller, Fire Marshal  
Brandon Shelby, City Attorney  
Steve Ayers, Asst. City Manager





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

**Agenda Item No. 8.**

**Meeting Date:** 11/21/2017

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

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

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**Requested Action/Proposed Use:**

**2403 N. TRAVIS STREET**

The request of Rock Royalty, Inc. (Owner), American Builders & Contractors Supply Co., Inc., Skip Rath (Prospective Buyer/Representative) and Dean Gilbert (Representative) concerning the property at 2403 North Travis Street, being 0.055 acres in the J.B. McAnair Survey, Abstract No. 763, as follows;

***Planning and Zoning Commission***

- Zone change and site plan approval under Ordinance No. 2280, Section 12, from an R-1 (One Family Residential) District to a C-2 (General Commercial) District.
- Amending a Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow construction equipment sales, rental, service and repair for ABC Supply Company in a C-2 (General Commercial) District.

**Background:**

The property is located at 2403 North Travis Street, between Pelton Street and Lamberth Road; the vacant lot north of ABC Supply Company. The property is zoned an R-1 (One Family Residential) District and the prospective buyer (ABC Supply Company) would like to change the zoning on the the property to a C-2 (General Commercial) District and also amend their Specific Permit to allow construction equipment sales, rental, service and repair to include this property. The lot will be used for parking for ABC Supply employees and customers.

**Adjacent Zoning:**

C-1 (Retail Business) District

C-2 (General Commercial) District

**Origination:**

Rock Royalty, Inc. (Owner)

American Builders & Contractors Supply Co., Inc., Skip Rath (Prospective Buyer/Representative)

Dean Gilbert (Representative)

**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:**

4

**Objections Received:**

0

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**Attachments**

Location Map

Zoning Map

Zoning Sign Photo

Site Plan

Site Plan

Staff Review Letter

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# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

B.5.

**Meeting Date:** 12/18/2017

**Prepared By:** Scott Shadden, Director of Developmental Services

**Approved By:** Robby Hefton, City Manager

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### **Caption:**

#### **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6091**

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District at 2403 North Travis Street, being 0.055 acres in the J.B. McAnair Survey, Abstract No. 763 (Rock Royalty, Inc., Owner; American Builders & Contractors Supply Company, Inc., Skip Rath, Prospective Buyer/Representative; and Dean Gilbert, Representative)

### **Issue:**

To consider the request of Rock Royalty, Inc. (Owner), American Builders & Contractors Supply Company, Inc., Skip Rath (Prospective Buyer/Representative) and Dean Gilbert (Representative) concerning the property at 2403 North Travis Street, being 0.055 acres in the J.B. McAnair Survey, Abstract No. 763, for a zone change from an R-1 (One Family Residential) District to a C-2 (General Commercial) District

### **Background:**

The property is located at 2403 North Travis Street; north of ABC Supply Company. The property is zoned an R-1 (One Family Residential) District; and the prospective buyer (ABC Supply Company) would like to change the zoning on the the property to a C-2 (General Commercial) District and also amend their Specific Use Permit to allow construction equipment sales, rental, service and repair to include this property. The lot will be used for parking for ABC Supply employees and customers.

### **Origination:**

Rock Royalty, Inc. (Owner)  
American Builders & Contractors Supply Company, Inc., Skip Rath (Prospective Buyer/Representative)  
Dean Gilbert (Representative)

### **Financial Consideration:**

None

### **Staff Recommendation:**

At the November 21, 2017 regular meeting, the Planning and Zoning Board voted 5/0 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.

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**Attachments**

Ordinance No. 6091

Location Map

Zoning Map

Zoning Sign Photo

Site Plan

Site Plan

Staff Review Letter

P&Z Communication

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**ORDINANCE NO. 6091**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-2 (GENERAL COMMERCIAL) DISTRICT AT 2403 NORTH TRAVIS STREET, BEING 0.055 ACRES IN THE J. B. MCANAIR SURVEY, ABSTRACT NO. 763 (ROCK ROYALTY, INC., OWNER; AMERICAN BUILDERS & CONTRACTORS SUPPLY COMPANY, INC., SKIP RATH, PROSPECTIVE BUYER/REPRESENTATIVE; AND DEAN GILBERT, REPRESENTATIVE); 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-2 (General Commercial) District, 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, on the waters of Post Oak Creek, being a part of a survey originally granted to J.B. McAnair and described as follows, to-wit:

**BEGINNING** at the northwest corner of said 3 ½ acres of land;

**THENCE** Eastward with the north line of said 3 ½ acre tract 160 feet;

**THENCE** Southward parallel with the west line of said 3½ acre tract 150 feet;

**THENCE** Westward parallel with the north line of said 3½ acre tract 160 feet to the west line of said 3 ½ acres;

**THENCE** Northward with the west line of said 3½ acres 150 feet to the **PLACE OF BEGINNING**.....

**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 \_\_\_\_\_, 2017.

**ADOPTED on** this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**EFFECTIVE DATE** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF SHERMAN, TEXAS**

**BY:** \_\_\_\_\_  
**DAVID PLYLER, MAYOR**

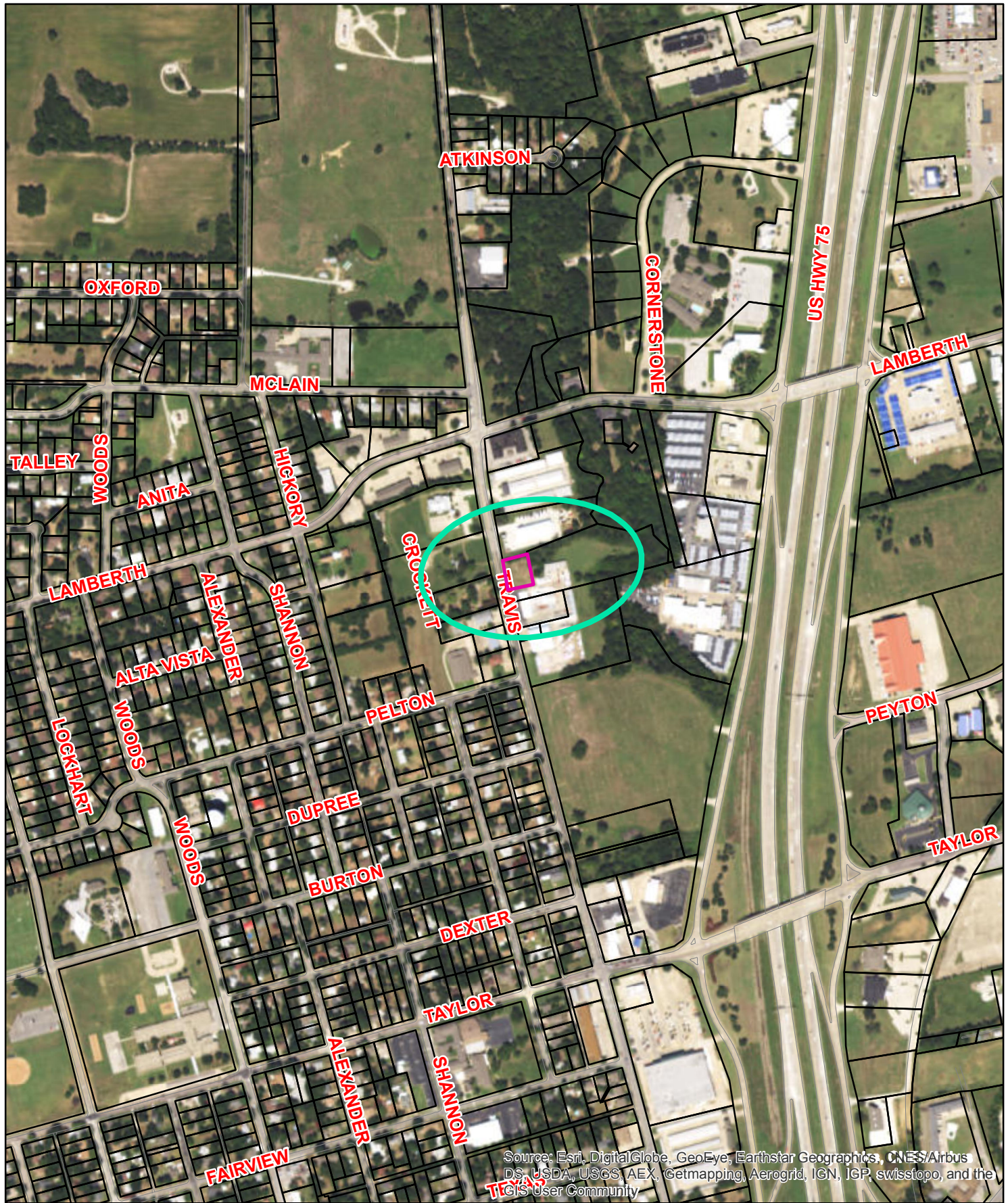
**ATTEST:**

**BY:** \_\_\_\_\_  
**LINDA ASHBY, CITY CLERK**

**APPROVED AS TO FORM  
AND CONTENT:**

**BY:** \_\_\_\_\_  
**BRANDON S. SHELBY,  
CITY ATTORNEY**





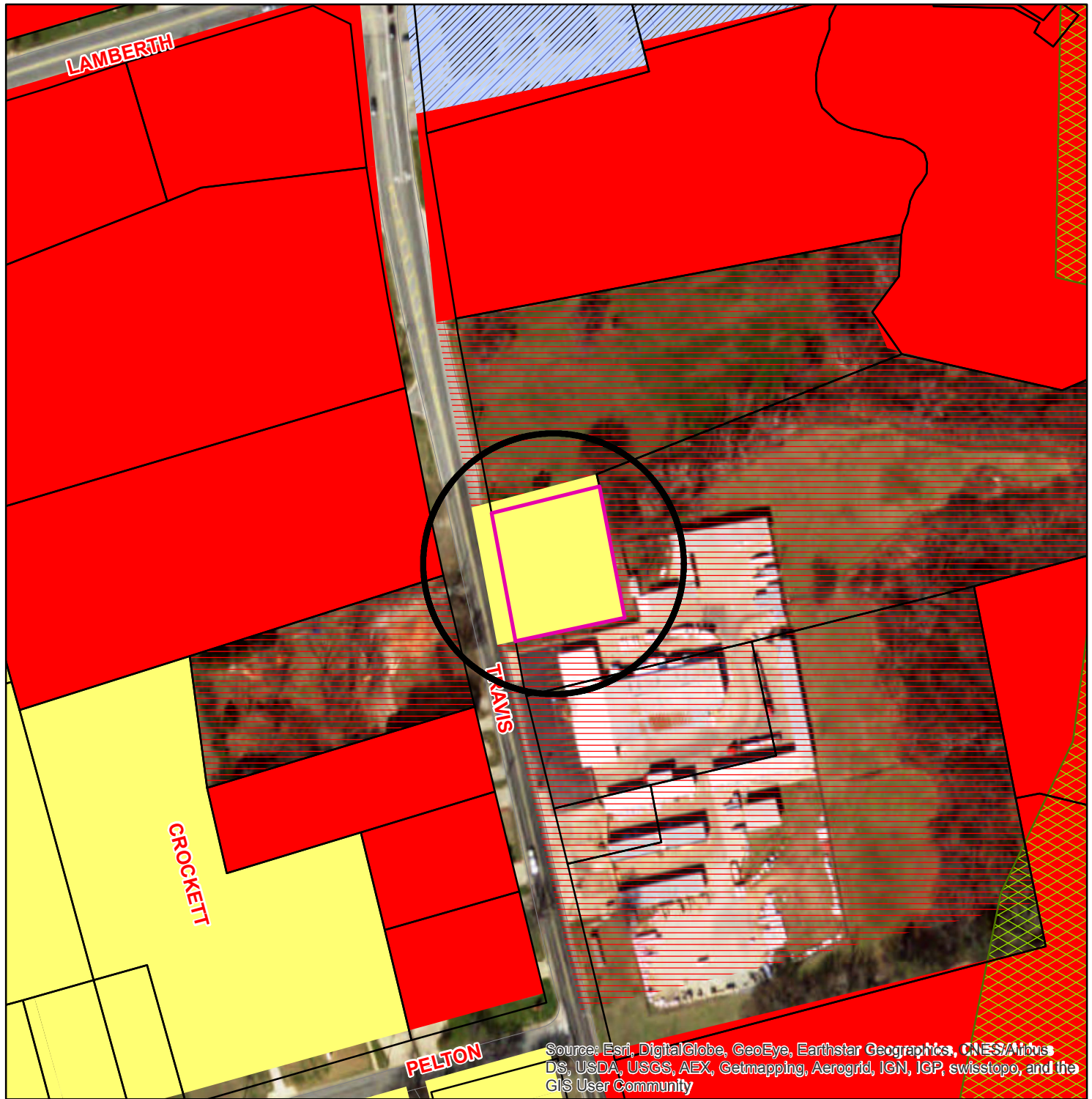
2403 N. Travis



1 in = 600 ft

City of Sherman, Texas  
Developmental Services Department





## Zoning - 2403 N. Travis

### Legend

#### Special Districts Overlay

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

#### Transportation Corridor Zoning Districts

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

- 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



City of Sherman, Texas  
Developmental Services Department



NOT TO SCALE

1 in = 150 ft



## 2403 N. Travis



|    |                                                                                                                                                                                                                      |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10 | Assignment to Lester Silver recorded in Volume 821, Page 63, and Volume 828, Pages 597 and 510, Donald Records, Grayson County, Texas is believed to have been the subject.                                          |
| 10 | Assignment to James H. Grayson and Sybil Dore recorded in Volume 835, Page 177, Donald Records, Grayson County, Texas should be listed in and does affect the subject trust.                                         |
| 10 | Highway 97 location recorded in Volume 1332, Page 426, Donald Records, Grayson County, Texas is believed to have been the subject and have been the location.                                                        |
| 10 | Oil and Gas Lease recorded in Volume 575, Page 101, Donald Records, Grayson County, Texas is believed to have been the subject and does affect the subject trust.                                                    |
| 10 | Pooling Agreements recorded in Volume 578, Page 324, Volume 579, Page 492, Volume 826, Page 81, and Volume 828, Page 96, Donald Records, Grayson County, Texas are believed to have and do affect the subject trust. |
| 10 | Oil, gas and other minerals recorded in trust recorded in Volume 772, Page 101, Donald Records, Grayson County, Texas is believed to have and does affect the subject trust.                                         |
| 10 | Mineral Deeds recorded in Volume 566, Page 70, and Volume 1432, Page 835, Donald Records, Grayson County, Texas are believed to have and do affect the subject trust.                                                |
| 10 | Oil, gas and other minerals recorded in trust recorded in Volume 802, Page 610, Donald Records, Grayson County, Texas is believed to have and do affect the subject trust.                                           |
| 10 | Oil, gas and other minerals recorded in trust recorded in Volume 943, Page 117, Donald Records, Grayson County, Texas is believed to have and do affect the subject trust.                                           |

The surveyor was not provided with racing information by the insurer pursuant to Table A, Item 6c.

This aerial photograph shows a wide river bend. A bridge crosses the river in the upper right portion of the image. The surrounding land is a mix of agricultural fields and some built-up areas. The river is a prominent feature, curving from the top right towards the bottom left.

**MN1** The outcrops of bedrock in the west line of that certain tract of land described by platbook to Pauline Johnson placed recorded in Platbook A 2006-123, Probate Records, Grayson County, Texas.

**MN2** There was no observed evidence of the location of cemeteries or burials.

**MN3** There was no observed evidence of current earth moving work, bulk construction or building additions.

**MN4** There are no known changes in land surface of any way or observed evidence of recent street or sidewalk construction or repairs.

**MN5** There was no observed evidence of site use as a solid waste dump, land or railway landfill.

**MN6** No wetlands were detected at the three of the field survey.

**MN7** There are a total of 9 marked parking spaces on the property, one of which is in designated handicap.

**MN8** Buffer widths and distances from the current deed are shown in attachment D.

|      |                        |          |                        |
|------|------------------------|----------|------------------------|
| U    | Upset Pole             | N.       | North                  |
| W    | Wall Box               | S.       | South                  |
| S    | Sign                   | E.       | East                   |
| W    | Guy Wire               | W.       | West                   |
| D    | Power Pole             |          | Degrees                |
| RS   | Iron Rod Set           | "        | Feet or Minutes        |
| RCP  | Reinforced Conc. Pipe  |          | Inches or Seconds      |
| NF   | Conspicuous Metal Pole | Sq.      | Square                 |
| H.E. | Handing Space          | Ft.      | Feet                   |
| AC   | Alt. Conditioner       | Vol.     | Volume                 |
| W    | Wind Vane              | Pg.      | Page                   |
| NR   | North Record           | D.R.C.T. | Dead Record            |
| R    | Right of Way           | P.R.C.T. | Pole or Pribble Record |
| C    | Centerline             | C.C.T.   | Calculated             |

BY GRAPHIC PLOTTING DATA, THIS MEASUREMENT IN ZONES A AND Y OF THE FLOOD INSURANCE RATE MAP, CORRELATES WITH OBSERVED FLOOD DAMAGE IN REFLECTIVE DATA ON SEPTEMBER 28, 2010 AND IS PROBABLY A DESIGN FLOOD FLOODPLAIN, AS SHOWN ON THE FORMERLY'S SETTING/ENGINEERING. THE HAVE LEARNED THAT CERTAINLY WAS CURRENTLY AND WORKING IN THE FLOODPLAIN, AND FLOOD INSURANCE WAS NOT NEARLY TO PREPARE THIS ZONE, AND A FLOOD INSURANCE CENTER WORK MAY BE NEEDED TO VERIFY THIS. CERTAINLY CAN APPLY FOR A FLOODPLAIN FOR THE FLOODPLAIN MANAGEMENT AGENCY.

**A** Protrusion of chain link fence along westerly most north property line.

**B** Protrusion of metal fence along west property line into the North Town Street Right-of-Way.

THIS PRODUCT STYLE AND FORMAT IS PROTECTED BY COPYRIGHT AND ALL RIGHTS ARE RESERVED. THE USE OF THIS STYLE AND FORMAT IS STRICTLY PROHIBITED WITHOUT THE WRITTEN CONSENT AND PERMISSION OF BUCK & CLARK CORP.

[illegible][illegible]

**Hendricks Commercial Properties 39**  
B&C Project No. 201200161, 034  
Sherman  
2325 N. Travis Street, Sherman, TX 75092

BASED UPON TITLE COMMITMENT NO. HC5-525643-3477AD  
OF FIRST AMERICAN TITLE INSURANCE COMPANY  
BEARING AN EFFECTIVE DATE OF JANUARY 30, 2012 @ 1:00 A.M.

This is to certify that this map as filed and the survey on which it is based were made in accordance with the 2011 Minnesota Standard Detail Requirements for ALTA/ACSM Land Title Surveys, fully established and adopted by ALTA and NSPS, and Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 of Table A thereof. The field work was completed on February 14, 2012.

*Journey Lake Owl, FFLB  
Knight when the Bird  
in the State of Texas  
State of Nature, February 21,  
State of Land Revolution March  
Not over a Perfect one, The year*

Survey Performed By:  
Buckworth of Texas, LLC  
100 S. Mody Street, Suite 120  
Culley, TX 76044  
Phone: 817-437-3434  
Fax: 817-345-2902  
Email: [jac@buckworth.com](mailto:jac@buckworth.com)

Page 1 of 1

**Bock & Clark's National Surveyors Network**  
National Coordinators of ALTA/ACSM Land Title Surveys  
537 North Cleveland-Marshfield Road Akron, Ohio 44317





TRAVIS STREET  
(50' PUBLIC RIGHT-OF-WAY)

NEW DRIVEWAY

N 11°52'36" W 200.41'

EXISTING ASPHALT

GATE

EXISTING CONCRETE

EXISTING GRAVEL

CONCRETE RETAINING WALL

ABC SUPPLY CO.  
8,532 SF

CANOPY  
2,911 SF

EXISTING CONCRETE

GATE

CANOPY  
1,516 SF

CANOPY  
3,744 SF

(38) PARKING STALLS @ 9'x20' EACH  
+ (2) A.D.A. STALLS

25'

25'

NEW PAVEMENT  
19,168 SF

N 77°57'05" E 130.00'

N 11°52'36" W 169.53'

146'-8"

CANOPY  
866 SF

CANOPY  
857 SF

INGRESS / EGRESS EASEMENT

130'

N 76°12'00" E 130.27'

**STAFF REVIEW LETTER**

November 15, 2017

Rock Royalty Inc.  
6688 N. Central Expressway, Suite 1610  
Dallas, TX 75206

Dean Gilbert  
801 E. Taylor  
Sherman, TX 75090

American Builders & Contractors Supply Co.,  
Inc.  
Skip Rath  
One ABC Parkway  
Beloit, WI 53511

Dear Applicants,

The request for a zone change from an R-1 (One Family Residential) District to a C-2 (General Commercial) District and Specific Use Permit to allow construction equipment sales, rental, service and repair for ABC Supply in a C-2 (General Commercial) District for the property located at 2403 North Travis Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 21, 2017 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, the sign ordinance, the screening ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
3. A parking space is considered to be 9'x20'.
4. Review the zoning and development ordinance for additional requirements.
5. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

6. New drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from City of Sherman Engineering Department.
7. Future plans to widen North Travis Street may require relocation of parking spaces along street frontage.
8. Relocate handicap (ADA) parking spaces to interior parking stalls.
9. Detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
10. All requirements of the Floodplain Ordinance should be followed.

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., Director of Engineering  
Amber Doan, Engineering Coordinator

Danny Fuller, Fire Marshal  
Brandon Shelby, City Attorney  
Steve Ayers, Asst. City Manager



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

**Agenda Item No. 8.**

**Meeting Date:** 11/21/2017

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

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

---

**Requested Action/Proposed Use:**

**2403 N. TRAVIS STREET**

The request of Rock Royalty, Inc. (Owner), American Builders & Contractors Supply Co., Inc., Skip Rath (Prospective Buyer/Representative) and Dean Gilbert (Representative) concerning the property at 2403 North Travis Street, being 0.055 acres in the J.B. McAnair Survey, Abstract No. 763, as follows;

***Planning and Zoning Commission***

- Zone change and site plan approval under Ordinance No. 2280, Section 12, from an R-1 (One Family Residential) District to a C-2 (General Commercial) District.
- Amending a Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow construction equipment sales, rental, service and repair for ABC Supply Company in a C-2 (General Commercial) District.

**Background:**

The property is located at 2403 North Travis Street, between Pelton Street and Lamberth Road; the vacant lot north of ABC Supply Company. The property is zoned an R-1 (One Family Residential) District and the prospective buyer (ABC Supply Company) would like to change the zoning on the the property to a C-2 (General Commercial) District and also amend their Specific Permit to allow construction equipment sales, rental, service and repair to include this property. The lot will be used for parking for ABC Supply employees and customers.

**Adjacent Zoning:**

C-1 (Retail Business) District

C-2 (General Commercial) District

**Origination:**

Rock Royalty, Inc. (Owner)

American Builders & Contractors Supply Co., Inc., Skip Rath (Prospective Buyer/Representative)

Dean Gilbert (Representative)

**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:**

4

**Objections Received:**

0

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**Attachments**

Location Map

Zoning Map

Zoning Sign Photo

Site Plan

Site Plan

Staff Review Letter

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# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

B.6.

**Meeting Date:** 12/18/2017

**Prepared By:** Brandon Shelby, City Attorney

**Approved By:** Robby Hefton, City Manager

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### **Caption:**

#### **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6092**

Amending Article II of the Home Rule Charter, entitled "City Council", at Section 9, entitled "Rules of Procedure and Meetings"

### **Issue:**

Amending the City Charter at Article II, Section 9 as permitted by Proposition No. 11 and Proposition No. 3

### **Background:**

This specific ordinance amends the City Charter at Article II, Section 9, to clarify that, in the event that a paid staff holiday falls on the first or third Monday of the month, regular council meetings shall be held on the Tuesday immediately following said holiday. This Charter amendment falls within the provisions of Proposition No. 11 and Proposition No. 3, which permits adoption by Ordinance or Resolution.

### **Origination:**

City Manager and City Attorney

### **Financial Consideration:**

There is no financial impact to be considered.

### **Staff Recommendation:**

It is recommended that the City Council hold the required public hearing and consider adoption of the proposed amendment to the City Charter.

### **Alternatives:**

The Council could choose not to adopt the ordinance.

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### **Attachments**

Ordinance No. 6092

Charter Amendments Summary - 2017

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## ORDINANCE NO. 6092

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE II OF THE HOME RULE CHARTER, ENTITLED “CITY COUNCIL”, AT SECTION 9, ENTITLED “RULES OF PROCEDURE AND MEETINGS”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS**, the Home Rule Charter of the City of Sherman, Texas was adopted at an election on February 20, 1973; and

**WHEREAS**, at a City of Sherman special election held on May 7, 2005, Proposition No. 11 (Ordinance No. 5292), which was approved by a majority vote, provided: “To authorize the amendment of the city charter to facilitate its use and understanding by simplifying, clarifying and repositioning sections, paragraphs, words or phrases”; and

**WHEREAS**, at a City of Sherman special election held on November 2, 2010, Proposition No. 3 (Ordinance No. 5661), which was approved by a majority vote, provided: “To authorize the timely amendment of the city charter by resolution to eliminate conflict with state and federal law by deleting, altering, replacing, simplifying, or repositioning sections, paragraphs, words or phrases as needed”; and

**WHEREAS**, the Charter Amendment Commission appointed by the Sherman City Council has proposed several amendments to the City Charter that fall within the parameters of Proposition No. 11 and Proposition No. 3;

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

**SECTION 1.** That Article II, Section 9 of the Home Rule Charter of the City of Sherman, Texas, be amended so that such Section shall read as follows:

### **ARTICLE II. CITY COUNCIL**

#### **Section 9. Rules of procedure and meetings.**

(a) Meetings. The first meeting of each newly elected council shall take place in accordance with the Texas Election Code. Thereafter, the city council will hold regular meetings on the first and third Mondays of each month, excluding *city staff* holidays, at its discretion. *In the case of a holiday, the regular meeting shall be held on the Tuesday immediately following said holiday.* Special and emergency meetings may be held on the call of the mayor or of four (4) or more councilmembers. All meetings shall be open to the public in accordance with the Texas Open

Meetings Act, except for lawfully conducted executive sessions, the discussions of which shall be confidential. All final action shall be noticed on the agenda and decided in a public meeting.

(b) Rules and journal. The council shall determine its own rules and order of business except that, upon the request of any member, Roberts Rules of Order shall be followed for the designated issue. There shall be kept a detailed journal of its proceedings, which shall be a public record.

(c) Voting. The council shall determine its own rules for voting except that, upon the request of any member, a roll call vote shall be required for the issue being considered. Four (4) members of the council shall constitute a quorum. No action of the council except as otherwise provided in this charter shall be valid or binding unless adopted by the affirmative vote of the majority of councilmembers present and voting.

(Ordinance 3048, sec. 2(6), adopted 4/5/75; Ordinance 4745, sec. 2, adopted 3/8/99; Ordinance 4927, sec. 4(3), adopted 5/5/01; Resolution 4442 adopted 5/6/03; Ordinance 5917, sec. 1, adopted 12/7/15)

**SECTION 2.** That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Home Rule Charter of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

**SECTION 3.** That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

**SECTION 4.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 5.** That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

**INTRODUCED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**ADOPTED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**EFFECTIVE DATE** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**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**

# 2017 Charter Amendments

| Passed - November 2017 Election                                                                                                                                                                                                                                                                                                                                                                             | Council Approval (Prop 11 & 3) – Nov 20, 2017                                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b><u>Article II, Section 6</u></b><br/>Allows the City Council, with a vote of the supermajority, to cause a member to forfeit office for an act of misconduct, malfeasance or incompetence</p>                                                                                                                                                                                                         | <p><b><u>Article II, Section 1</u></b><br/>Removes obsolete language as it relates to staggered terms of office for the Mayor and Council members.</p>                                                              |
| <p><b><u>Article V, Section 11</u></b><br/>Replaces dated language regarding specific borrowing limits with a general statement that the City shall have the power to borrow money for any lawful public purpose and clarifies limits by echoing language from Section 13 stating that bonds and other debt instruments security by property taxes shall not exceed ten percent (10%) of property value</p> | <p><b><u>Article IV, Section 4</u></b><br/>Provides for the appointment of Alternate Municipal Court Judges by the City Council</p>                                                                                 |
| <p><b><u>Article VI, Section 1</u></b><br/>Does away with the City's ability to collect Occupation Taxes as defined by Charter</p>                                                                                                                                                                                                                                                                          | <p><b><u>Article V, Section 8</u></b><br/>Eliminates the time period that the Council has to appoint an auditor</p>                                                                                                 |
| <p><b><u>Article VII, Section 1</u></b><br/>Reduces the number of Planning and Zoning Commissioners from nine (9) to seven (7)</p>                                                                                                                                                                                                                                                                          | <p><b><u>Article V, Section 11</u></b><br/>Changes the heading from "Bonds to warrants" to "Borrowing"</p>                                                                                                          |
| <p><b><u>Article X, Section 10</u></b><br/>Eliminates the nepotism restriction as it relates to seasonal or part-time work</p>                                                                                                                                                                                                                                                                              | <p><b><u>Article V, Section 12</u></b><br/>Changed the signatories from "both the city manager and the director of finance, or of such other bonded officer" to "both the city manager and officer or officers"</p> |



# 2017 Charter Amendments

| Passed - November 2017 Election                                                                                     | Council Approval (Prop 11 & 3) – Nov 20, 2017                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Article X, Section 18</u></b><br>Removes the City's ability to assess property owners for street improvements | <b><u>Article V, Section 13</u></b><br>Eliminated as redundant; interest and sinking fund already in Article V, Section 11 of the City Charter, and requirement to appropriate revenue to retire debt is State law and in our bond covenants   |
|                                                                                                                     | <b><u>Article V, Section 14</u></b><br>Eliminated as redundant; the type of debt is covered under Article V, Section 11(c) of the City Charter                                                                                                 |
|                                                                                                                     | <b><u>Article VI, Section 5</u></b><br>Deleted the reference to occupation taxes                                                                                                                                                               |
|                                                                                                                     | <b><u>Article VII, Section 2</u></b><br>To allow for the appointment of a board of adjustments in accordance with Section 211.008 of the Local Government Code (this also requires the amendment of the Zoning Ordinance at Section 14.03.007) |
|                                                                                                                     |                                                                                                                                                                                                                                                |



# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

B.7.

**Meeting Date:** 12/18/2017

**Prepared By:** Pamela Cloer, Assistant to the City Manager

**Approved By:** Robby Hefton, City Manager

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### **Caption:**

#### **ADOPTION OF ORDINANCES**

Consider Adoption of Ordinance Numbers: 6087, 6088, 6089, 6090, 6091 and 6092

### **Issue:**

- B. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6087**  
Accepting and Approving the Project Plan and the Financing Plan for the Sherman Tax Increment Reinvestment Zone Number Seven; Providing for Findings of Fact
- B. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6088**  
Providing for a Permanent "Stop" Sign on Ridgeway Drive at McGee Street within the City Limits of the City of Sherman, Texas; Providing for a Penalty Provision
- B. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6089**  
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Two-Family, Single-Story Patio Homes with No More Than Two Structures Attached in a Grouping in an R-1 (One Family Residential) District/College Park Overlay District at 605, 609, 613 and 617 East Carter Street, being Lots 4, 5, 6 and 7, Block A, Austin Park Addition, a Replat of Lots 13-21, Block 4 of the W.P. Carter's Addition (Lazy L Enterprises, Owners; and Underwood Drafting & 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. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6090**  
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Construction Equipment Sales, Rental, Service and Repair for ABC Supply Company in a C-2 (General Commercial) District at 2403 North Travis Street, being 0.055 acres in the J.B. McAnair Survey, Abstract No. 763 (Rock Royalty, Inc., Owner; American Builders & Contractors Supply Company, Inc., Skip Rath, Prospective Buyer/Representative; and Dean Gilbert, Representative); 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. 6091**

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District at 2403 North Travis Street, being 0.055 acres in the J.B. McAnair Survey, Abstract No. 763 (Rock Royalty, Inc., Owner; American Builders & Contractors Supply Company, Inc., Skip Rath, Prospective Buyer/Representative; and Dean Gilbert, Representative)

**B. 6.     INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6092**

Amending Article II of the Home Rule Charter, entitled "City Council", at Section 9, entitled "Rules of Procedure and Meetings"

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# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

B.8.

**Meeting Date:** 12/18/2017

**Prepared By:** Brandon Shelby, City Attorney

**Approved By:** Robby Hefton, City Manager

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### **Caption:**

**TABLED AT THE DECEMBER 4, 2017 CITY COUNCIL MEETING:**

### **ADOPTION OF ORDINANCE NO. 6084**

Amending Article IV of the Home Rule Charter, entitled "Administrative Departments", at Section 4, entitled "Municipal Court"

### **Issue:**

Ordinance No. 6084 was tabled at the December 4, 2017 City Council meeting, following introduction and public hearing. A motion and order are required to remove the item from the table and permit its consideration of adoption by the City Council at this meeting.

Amending the City Charter at Article IV, Section 4 as permitted by Proposition No. 11 and Proposition No. 3

### **Background:**

At the July 17, 2017 City Council meeting, Mayor David Plyler appointed, with the City Council's approval, Deputy Mayor Jason Sofey, former Councilman Kevin Couch, and himself to a Charter Review Commission. This Commission worked with the City Manager, Assistant City Manager, and City Attorney on several proposed Charter Amendments, six of which were submitted to the voters at the November 7, 2017 special election, and others that fall within the provisions of Proposition No. 11 and Proposition No. 3 and may be adopted by Ordinance or Resolution.

This specific ordinance amends the City Charter at Article IV, Section 4, to provide for the appointment of alternate municipal court judges by the Mayor and City Council in the same manner as the primary municipal court judge.

At the December 4, 2017 meeting, the City Council tabled Ordinance No. 6084 following introduction and public hearing so that the City Attorney could clarify the ordinance provisions.

### **Origination:**

Charter Review Commission and City Manager



**Financial Consideration:**

There is no financial impact to be considered.

**Staff Recommendation:**

It is recommended that the City Council consider the adoption of the proposed amendments to the City Charter.

**Alternatives:**

The Council could choose not to adopt the ordinance.

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**Attachments**

Ordinance No. 6084

Charter Amendments Summary - 2017

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## **ORDINANCE NO. 6084**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ARTICLE IV OF THE HOME RULE CHARTER, ENTITLED “ADMINISTRATIVE DEPARTMENTS”, AT SECTION 4, ENTITLED “MUNICIPAL COURT”; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS**, the Home Rule Charter of the City of Sherman, Texas was adopted at an election on February 20, 1973; and

**WHEREAS**, at a City of Sherman special election held on May 7, 2005, Proposition No. 11 (Ordinance No. 5292), which was approved by a majority vote, provided: “To authorize the amendment of the city charter to facilitate its use and understanding by simplifying, clarifying and repositioning sections, paragraphs, words or phrases”; and

**WHEREAS**, at a City of Sherman special election held on November 2, 2010, Proposition No. 3 (Ordinance No. 5661), which was approved by a majority vote, provided: “To authorize the timely amendment of the city charter by resolution to eliminate conflict with state and federal law by deleting, altering, replacing, simplifying, or repositioning sections, paragraphs, words or phrases as needed”; and

**WHEREAS**, the Charter Amendment Commission appointed by the Sherman City Council has proposed several amendments to the City Charter that fall within the parameters of Proposition No. 11 and Proposition No. 3;

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

**SECTION 1.** That Article IV, Section 4 of the Home Rule Charter of the City of Sherman, Texas, be amended so that such Section shall read as follows:

### **ARTICLE IV. ADMINISTRATIVE DEPARTMENTS**

#### **Section 4. Municipal court.**

There is hereby created and established in the city a court to be known as the Municipal Court of the City of Sherman, which court shall have all the powers and duties that are given and prescribed by the Laws of the State of Texas and shall have the greater possible power in both original and concurrent jurisdiction under the Laws of the State of Texas.

From nominations made by the city manager, the city council shall appoint a judge to preside over said court and to be known as the Municipal Judge of the City of Sherman. The judge shall be an

attorney currently licensed under the Laws of the State of Texas, a member in good standing of the State Bar of Texas, and shall be responsible to the city manager. The judge of said court may, with the advice and consent of the city manager, appoint bailiffs and clerical assistants as may be needed in said court. *Alternate Judges shall be appointed in the same manner as the Municipal Judge, as needed, and shall have the same qualifications. Such Alternate Municipal Judges shall be authorized to act for and on behalf of the Municipal Judge.*

Trial by jury in said court shall be and remain inviolate, and all matters of procedure, writs, fees, fines, and costs shall be as provided by the Statutes of the State of Texas.

**SECTION 2.** That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Home Rule Charter of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

**SECTION 3.** That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

**SECTION 4.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 5.** That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

**INTRODUCED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**ADOPTED on** this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**EFFECTIVE DATE** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**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**



# 2017 Charter Amendments

| Passed - November 2017 Election                                                                                                                                                                                                                                                                                                                                                                             | Council Approval (Prop 11 & 3) – Nov 20, 2017                                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b><u>Article II, Section 6</u></b><br/>Allows the City Council, with a vote of the supermajority, to cause a member to forfeit office for an act of misconduct, malfeasance or incompetence</p>                                                                                                                                                                                                         | <p><b><u>Article II, Section 1</u></b><br/>Removes obsolete language as it relates to staggered terms of office for the Mayor and Council members.</p>                                                              |
| <p><b><u>Article V, Section 11</u></b><br/>Replaces dated language regarding specific borrowing limits with a general statement that the City shall have the power to borrow money for any lawful public purpose and clarifies limits by echoing language from Section 13 stating that bonds and other debt instruments security by property taxes shall not exceed ten percent (10%) of property value</p> | <p><b><u>Article IV, Section 4</u></b><br/>Provides for the appointment of Alternate Municipal Court Judges by the City Council</p>                                                                                 |
| <p><b><u>Article VI, Section 1</u></b><br/>Does away with the City's ability to collect Occupation Taxes as defined by Charter</p>                                                                                                                                                                                                                                                                          | <p><b><u>Article V, Section 8</u></b><br/>Eliminates the time period that the Council has to appoint an auditor</p>                                                                                                 |
| <p><b><u>Article VII, Section 1</u></b><br/>Reduces the number of Planning and Zoning Commissioners from nine (9) to seven (7)</p>                                                                                                                                                                                                                                                                          | <p><b><u>Article V, Section 11</u></b><br/>Changes the heading from "Bonds to warrants" to "Borrowing"</p>                                                                                                          |
| <p><b><u>Article X, Section 10</u></b><br/>Eliminates the nepotism restriction as it relates to seasonal or part-time work</p>                                                                                                                                                                                                                                                                              | <p><b><u>Article V, Section 12</u></b><br/>Changed the signatories from "both the city manager and the director of finance, or of such other bonded officer" to "both the city manager and officer or officers"</p> |

# 2017 Charter Amendments

| Passed - November 2017 Election                                                                                     | Council Approval (Prop 11 & 3) – Nov 20, 2017                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Article X, Section 18</u></b><br>Removes the City's ability to assess property owners for street improvements | <b><u>Article V, Section 13</u></b><br>Eliminated as redundant; interest and sinking fund already in Article V, Section 11 of the City Charter, and requirement to appropriate revenue to retire debt is State law and in our bond covenants   |
|                                                                                                                     | <b><u>Article V, Section 14</u></b><br>Eliminated as redundant; the type of debt is covered under Article V, Section 11(c) of the City Charter                                                                                                 |
|                                                                                                                     | <b><u>Article VI, Section 5</u></b><br>Deleted the reference to occupation taxes                                                                                                                                                               |
|                                                                                                                     | <b><u>Article VII, Section 2</u></b><br>To allow for the appointment of a board of adjustments in accordance with Section 211.008 of the Local Government Code (this also requires the amendment of the Zoning Ordinance at Section 14.03.007) |
|                                                                                                                     |                                                                                                                                                                                                                                                |



# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

B.9.

**Meeting Date:** 12/18/2017

**Prepared By:** Pamela Cloer, Assistant to the City Manager

**Approved By:** Robby Hefton, City Manager

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### 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. 2.      \* RESOLUTION NO. 6315**

Authorizing the Acceptance of a Contract and Conveyance Document from Scott Bandemir for the Conveyance and Acquisition of Property located at 3104 Preston Club Drive, being Lot 25, Block 11 of Preston Club, The Legends Subdivision, Phase One, said property being located in the City of Sherman, County of Grayson, State of Texas

**C. 3.      \* RESOLUTION NO. 6316**

Authorizing Execution of an Encroachment Easement to M&G Home Builders, LLC for the Installation of a Sanitary Sewer Service Lateral Line within the Platted Public Alley running East and West in Block 1 of the Hall & Jones Addition for Sanitary Sewer Services at 522 East College Street in the City of Sherman

**C. 4.      \* RESOLUTION NO. 6317**

Authorizing the Purchase and Installation of Communications Equipment for the Sherman Police Department from Motorola through Shipman Communications

**C. 5.      \* RESOLUTION NO. 6318**

Authorizing the Purchase of a New Elgin Eagle Standard Street Sweeper for the Street Maintenance Department from Kinloch Equipment & Supply, Inc. through the Texas Local Government Purchasing Cooperative (BuyBoard)

**C. 6.      \* RESOLUTION NO. 6319**

Authorizing the Purchase of a New Gomaco GT-3600 REV C. Paver for the Street Maintenance Department from Romco Equipment through the Texas Local Government Purchasing Cooperative (BuyBoard)

- C. 7.      \* *RESOLUTION NO. 6320***  
Authorizing Execution of an Agreement with Jose Tobar for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 601 South Hazelwood Street
- D. 1.      \* *REQUEST TO ADVERTISE***  
Annual Supply of Chemicals
- D. 2.      \* *REQUEST TO ADVERTISE***  
Annual Services for Right-of-Way Finish Mowing
- F. 2.      \* *OTHER BUSINESS***  
Final Plat Approval of Sherman Crossroads, Phase II, being 21.5528 acres in the Preston Kitchen Survey, Abstract No. 667 (Sherman Crossroads, LTD, Owners; and Brockett/Davis/Drake, Inc., Surveyor (2800-3600 blocks of South U.S. Highway 75)
- F. 3.      \* *OTHER BUSINESS***  
Final Plat Approval of Brookstone Garden Homes Addition, being 4.085 acres in the Elizabeth Jones Survey, Abstract No. 625; Joe Gilbert, Owner; Vilbig & Associates, PLLC, Civil Engineer; and Preston Trail Land Surveying, Surveyor [1400-1600 blocks of South F.M. 1417 (Heritage Parkway)]
- F. 4.      \* *OTHER BUSINESS***  
Final Plat Approval of Sunset Crossing, being 4.742 acres in the J.B. McAnair Survey, Abstract No. 763; Risen Properties, Owner; and Helvey-Wagner Surveying, Surveyor (1600 West Washington Street)
- F. 5.      \* *OTHER BUSINESS***  
Final Plat Approval of Terra Bonita Subdivision located in the Extra Territorial Jurisdiction (ETJ) of the City of Sherman, being 8.974 acres in the Elizabeth Rehorse Survey, Abstract No. 1000 and the H.H. Tucker Survey, Abstract No. 1217 (Robert Perry and Dinesh Sriperambudur, Owners; and Helvey-Wagner Surveying, Surveyor (1545 Bennett Road)
-





# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

C.1.

**Meeting Date:** 12/18/2017

**Prepared By:** Clint Philpott, Director of Engineering

**Approved By:** Robby Hefton, City Manager

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**Caption:**

**RESOLUTION NO. 6314**

Awarding a Bid to and Authorizing Execution of a Contract with Vessels Construction based on an Invitation to Bid for Construction of the Setting Suns Drainage Project Phase I

**Issue:**

To consider awarding a bid to and authorizing execution of a contract with Vessels Construction of Sherman, Texas, based on an invitation to bid, for construction of the Setting Suns Drainage Project Phase I

**Background:**

The Setting Suns Estates neighborhood was annexed into the City of Sherman in 1986. Over time, the residents in the neighborhood have experienced flooding to their property. This drainage project will help alleviate the flooding possibility to that area with proper design and construction. This project will be completed in phases; and this will be the first phase of construction.

**Origination:**

Engineering Department

**Financial Consideration:**

Funding for this project is available through the 2017A Certificates of Obligation.

**Staff Recommendation:**

It is recommended that the bid be awarded for construction of the Setting Suns Drainage Project Phase I to Vessels Construction in the amount of \$175,631.30. It is also recommended that the City Manager be authorized to execute the required contract documents.

**Alternatives:**

As may be directed by City Council

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**Attachments**

Resolution No. 6314

Contract Agreement

Bid Tabulation

Aerial Location Map

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**RESOLUTION NO. 6314**

**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 BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF THE SETTING SUNS DRAINAGE PROJECT PHASE I; 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 Vessel Construction of Sherman, Texas, is hereby awarded the bid and the City of Sherman hereby approves the contract with Vessels Construction in the amount of One Hundred Seventy-Five Thousand Six Hundred Thirty-One Dollars and Thirty Cents (\$175,631.30) for the construction of the drainage improvements, all necessary work for the Setting Suns Drainage Project Phase I; and that the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a contract with Vessels Construction for construction of the aforementioned improvements, in accordance with all contract documents attached hereto and made a part hereof for all purposes.

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

**PASSED AND APPROVED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**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**

## **CONTRACT AGREEMENT**

STATE OF TEXAS

COUNTY OF GRAYSON

THIS AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2017 by and between the City of Sherman, of the County of Grayson and State of Texas, acting through its City Manager, thereunto duly authorized so to do, Party of the First Part, hereinafter termed the OWNER, and Vessels Construction, of the City of Sherman, County of Grayson, State of Texas, Party of the Second Part, hereinafter termed CONTRACTOR.

WITNESSETH: That for and in consideration of the payment and agreement hereinafter mentioned, to be made and performed by the OWNER, the said CONTRACTOR hereby agrees with the said OWNER to commence and complete construction of certain improvements as follows:

### **Setting Suns Drainage Project Phase I**

and all extra work in connection therewith, under the terms as stated in the General and Specific Conditions of the AGREEMENT; and at his own proper cost and expense to furnish all the materials, supplies, machinery, equipment, tools, superintendence, labor, insurance and other accessories and services necessary to complete the said construction, in accordance with the conditions and prices stated in the Proposal attached hereto and in accordance with the Advertisement for Bids, Instructions to Bidders, General Provisions, Special Provisions, Plans, and other drawings and printed or written explanatory matter thereof, and the Technical Specifications and Addenda thereto, as prepared by the OWNER, each of which has been identified by the endorsement of the CONTRACTOR and the OWNER thereon, together with the CONTRACTOR's written Proposal and the General Provisions, all of which are made a part hereof and collectively evidence and constitute the entire AGREEMENT.

#### **Notice to Proceed**

The CONTRACTOR hereby agrees to commence work within ten (10) calendar days after the date of written notice to do so shall have been given to him, to complete the work within SIXTY ( 60 ) calendar days, after he commences work, subject to such extensions of time as are provided by the General Provisions.

The OWNER agrees to pay the CONTRACTOR One Hundred Seventy-five Thousand, Six Hundred Thirty-one Dollars and Thirty Cents (**\$175,631.30**) in current funds for the performance of the Contract in accordance with the Proposal submitted thereof, subject to additions and deductions, as provided in the General Provisions, and to make payments of account thereof as provided therein.



IN WITNESS WHEREOF, the parties of these presents have executed this AGREEMENT in the year and day first above written.

**CITY OF SHERMAN, TEXAS (OWNER)**

**ATTEST:**

By: \_\_\_\_\_ By: \_\_\_\_\_  
Robby Hefton, City Manager Linda Ashby, City Clerk

By: \_\_\_\_\_ By: \_\_\_\_\_  
(CONTRACTOR) ATTEST:

The following to be executed if the CONTRACTOR is a corporation:

I, \_\_\_\_\_ certify that I am the secretary of the corporation named as CONTRACTOR herein; that \_\_\_\_\_, who signed this Contract on behalf of the CONTRACTOR is the \_\_\_\_\_ (official title) of said corporation; that said Contract was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

Signed: \_\_\_\_\_

Corporate Seal

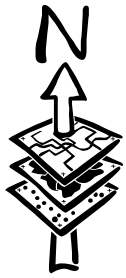
**Bid Tabulation****Project:** Setting Suns Drainage Project Phase I**Owner:** City of Sherman**Number:** 2018-02**Public Works Project # 3023****Date:** 12/5/2017

| Item            | Description                                      | Estimated Quantity |    | Vessels    |                   | Grahamson Inc. |                   | Austin Raymond |                   | Stringfellow |                   |
|-----------------|--------------------------------------------------|--------------------|----|------------|-------------------|----------------|-------------------|----------------|-------------------|--------------|-------------------|
|                 |                                                  |                    |    | Unit Price | Total Price       | Unit Price     | Total Price       | Unit Price     | Total Price       | Unit Price   | Total Price       |
| 1               | MOBILIZATION                                     | 1                  | LS | 10,408.00  | 10,408.00         | 29,000.00      | 29,000.00         | 10,000.00      | 10,000.00         | 8,000.00     | 8,000.00          |
| 2               | DEWATER                                          | 1                  | LS | 1.00       | 1.00              | 7,500.00       | 7,500.00          | 4,000.00       | 4,000.00          | 12,000.00    | 12,000.00         |
| 3               | CHANNEL EXCAVATION                               | 1,081              | CY | 22.48      | 24,300.88         | 7.59           | 8,204.79          | 20.00          | 21,620.00         | 27.75        | 29,997.75         |
| 4               | CHANNEL FILL                                     | 7                  | CY | 5.60       | 39.20             | 542.86         | 3,800.02          | 90.00          | 630.00            | 142.85       | 999.95            |
| 5               | DISPOSE OF EXCESS SOIL                           | 900                | CY | 5.69       | 5,121.00          | 14.44          | 12,996.00         | 15.00          | 13,500.00         | 16.67        | 15,003.00         |
| 6               | GRADE TO DRAIN CHANNEL (± 0.10)                  | 1                  | LS | 5,832.00   | 5,832.00          | 6,150.00       | 6,150.00          | 5,000.00       | 5,000.00          | 6,000.00     | 6,000.00          |
| 7               | CONCRETE SEAL SLAB 6'X2"                         | 1,342              | LF | 20.15      | 27,041.30         | 13.41          | 17,996.22         | 33.00          | 44,286.00         | 22.35        | 29,993.70         |
| 8               | CONCRETE DRAINAGE CHANNEL 6'X4" (5")             | 1,342              | LF | 47.76      | 64,093.92         | 36.51          | 48,996.42         | 45.00          | 60,390.00         | 55.89        | 75,004.38         |
| 9               | RELOCATE APPROX 20-LF 6' TALL WOOD FENCE         | 1                  | LS | 1,652.00   | 1,652.00          | 700.00         | 700.00            | 500.00         | 500.00            | 1,500.00     | 1,500.00          |
| 10              | RELOCATE APPROX 136-LF & GATE 6' TALL CHAIN LINK | 1                  | LS | 6,068.00   | 6,068.00          | 3,400.00       | 3,400.00          | 1,500.00       | 1,500.00          | 2,500.00     | 2,500.00          |
| 11              | RELOCATE APPROX 132-LF CHAIN LINK FENCE          | 1                  | LS | 4,792.00   | 4,792.00          | 3,000.00       | 3,000.00          | 1,200.00       | 1,200.00          | 2,500.00     | 2,500.00          |
| 12              | CLEAR AND GRUB TREES                             | 2                  | EA | 2,256.00   | 4,512.00          | 1,500.00       | 3,000.00          | 1,000.00       | 2,000.00          | 1,500.00     | 3,000.00          |
| 13              | RE-SODDING                                       | 29,000             | SF | 0.58       | 16,820.00         | 0.86           | 24,940.00         | 0.75           | 21,750.00         | 0.66         | 19,140.00         |
| 14              | GRADE TO DRAIN                                   | 200                | LF | 16.00      | 3,200.00          | 12.50          | 2,500.00          | 10.00          | 2,000.00          | 12.50        | 2,500.00          |
| 15              | EROSION CONTROL MEASURES & SWPPP                 | 1                  | LS | 1,750.00   | 1,750.00          | 15,000.00      | 15,000.00         | 2,750.00       | 2,750.00          | 3,000.00     | 3,000.00          |
| <b>Subtotal</b> |                                                  |                    |    |            | <b>175,631.30</b> |                | <b>187,183.45</b> |                | <b>191,126.00</b> |              | <b>211,138.78</b> |

| Item            | Description                                      | Estimated Quantity |    | Lynn Vessels |                   | GHB        |                   | Atkins Bros |                   |
|-----------------|--------------------------------------------------|--------------------|----|--------------|-------------------|------------|-------------------|-------------|-------------------|
|                 |                                                  |                    |    | Unit Price   | Total Price       | Unit Price | Total Price       | Unit Price  | Total Price       |
| 1               | MOBILIZATION                                     | 1                  | LS | 29,500.00    | 29,500.00         | 25,000.00  | 25,000.00         | 10,000.00   | 10,000.00         |
| 2               | DEWATER                                          | 1                  | LS | 10,000.00    | 10,000.00         | 10,000.00  | 10,000.00         | 5,000.00    | 5,000.00          |
| 3               | CHANNEL EXCAVATION                               | 1,081              | CY | 31.03        | 33,543.43         | 50.00      | 54,050.00         | 60.00       | 64,860.00         |
| 4               | CHANNEL FILL                                     | 7                  | CY | 25.00        | 175.00            | 50.00      | 350.00            | 75.00       | 525.00            |
| 5               | DISPOSE OF EXCESS SOIL                           | 900                | CY | 14.44        | 12,996.00         | 20.00      | 18,000.00         | 60.00       | 54,000.00         |
| 6               | GRADE TO DRAIN CHANNEL (± 0.10)                  | 1                  | LS | 12,500.00    | 12,500.00         | 10,000.00  | 10,000.00         | 13,000.00   | 13,000.00         |
| 7               | CONCRETE SEAL SLAB 6'X2"                         | 1,342              | LF | 19.96        | 26,786.32         | 50.00      | 67,100.00         | 33.00       | 44,286.00         |
| 8               | CONCRETE DRAINAGE CHANNEL 6'X4" (5")             | 1,342              | LF | 47.40        | 63,610.80         | 70.00      | 93,940.00         | 47.00       | 63,074.00         |
| 9               | RELOCATE APPROX 20-LF 6' TALL WOOD FENCE         | 1                  | LS | 2,500.00     | 2,500.00          | 1,000.00   | 1,000.00          | 4,000.00    | 4,000.00          |
| 10              | RELOCATE APPROX 136-LF & GATE 6' TALL CHAIN LINK | 1                  | LS | 5,750.00     | 5,750.00          | 2,000.00   | 2,000.00          | 3,000.00    | 3,000.00          |
| 11              | RELOCATE APPROX 132-LF CHAIN LINK FENCE          | 1                  | LS | 5,000.00     | 5,000.00          | 2,000.00   | 2,000.00          | 2,700.00    | 2,700.00          |
| 12              | CLEAR AND GRUB TREES                             | 2                  | EA | 1,100.00     | 2,200.00          | 10,000.00  | 20,000.00         | 17,000.00   | 34,000.00         |
| 13              | RE-SODDING                                       | 29,000             | SF | 0.50         | 14,500.00         | 0.50       | 14,500.00         | 2.00        | 58,000.00         |
| 14              | GRADE TO DRAIN                                   | 200                | LF | 15.00        | 3,000.00          | 70.00      | 14,000.00         | 27.00       | 5,400.00          |
| 15              | EROSION CONTROL MEASURES & SWPPP                 | 1                  | LS | 7,740.00     | 7,740.00          | 7,000.00   | 7,000.00          | 15,000.00   | 15,000.00         |
| <b>Subtotal</b> |                                                  |                    |    |              | <b>229,801.55</b> |            | <b>338,940.00</b> |             | <b>376,845.00</b> |

T:\Engineering\Projects\3023- Setting Suns\Bid\Bid and Award Setup.xls]Tabulation





Feet  
500

1,000

0

Proposed Project Area

S FRIENDSHIP RD

PLEASANT HOME RD

W PARK AVE

W MOHICAN DR

S CIMMARON TRL

W SEMINOLE DR

TEXAS DR

QUAIL RUN RD

W BLUE JAY LN

FALCON DR

HAWK LN

PINTAIL DR

TEAL LN

S RAEN DR

CORMORANT DR S

SWAN RIDGE DR

CARDINAL DR

*Sherman*  
CLASSIC TOWN. BROAD HORIZON.





# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

C.2.

**Meeting Date:** 12/18/2017

**Prepared By:** Clint Philpott, Director of Engineering

**Approved By:** Robby Hefton, City Manager

---

### **Caption:**

#### **\* RESOLUTION NO. 6315**

Authorizing the Acceptance of a Contract and Conveyance Document from Scott Bandemir for the Conveyance and Acquisition of Property located at 3104 Preston Club Drive, being Lot 25, Block 11 of Preston Club, The Legends Subdivision, Phase One, said property being located in the City of Sherman, County of Grayson, State of Texas

### **Issue:**

Authorizing the acquisition of property located at 3104 Preston Club Drive in the City of Sherman

### **Background:**

Earlier in 2017, Preston Club was annexed into the City of Sherman. As a part of the agreement to annex, the City has agreed to update the water and sewer system within Preston Club. The subject property is necessary for the location of the new water and sewer lines that will provide services to the subdivision. As the placement of the utilities will not allow for any structures to be built on the property, the City is opting to purchase the property to insure easement to the utilities within this lot.

### **Origination:**

City Manager's Office

### **Financial Consideration:**

The sales price of \$32,000.00, along with closing costs, will be paid with funding made available through the Utility Improvement Fund and will be reimbursed by the current water and sewer system customers in that area through their utility rates.

### **Staff Recommendation:**

Staff recommends the City Council approve the resolution to authorize the acquisition of the subject property.

### **Alternatives:**

As may be directed by the City Council

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### **Attachments**

Resolution No. 6315

Survey

Location Map

---



**RESOLUTION NO. 6315**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A CONTRACT AND CONVEYANCE DOCUMENT FROM SCOTT BANDEMIR FOR THE CONVEYANCE AND ACQUISITION OF PROPERTY LOCATED AT 3104 PRESTON CLUB DRIVE, BEING LOT 25, BLOCK 11 OF PRESTON CLUB, THE LEGENDS SUBDIVISION, PHASE ONE, SAID PROPERTY BEING LOCATED IN THE CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF 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.**

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

**SECTION 1.** That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to accept a Contract and Conveyance Document from Scott Bandemir for the conveyance and acquisition of a tract of land located at 3104 Preston Club Drive, being Lot 25, Block 11 of Preston Club, The Legends Subdivision, Phase One, said property being located in the City of Sherman, County of Grayson, State of Texas, in the same or similar form as the Conveyance Document to be prepared by Red River Title Company.

**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 \_\_\_\_\_, 2017.

**CITY OF SHERMAN, TEXAS**

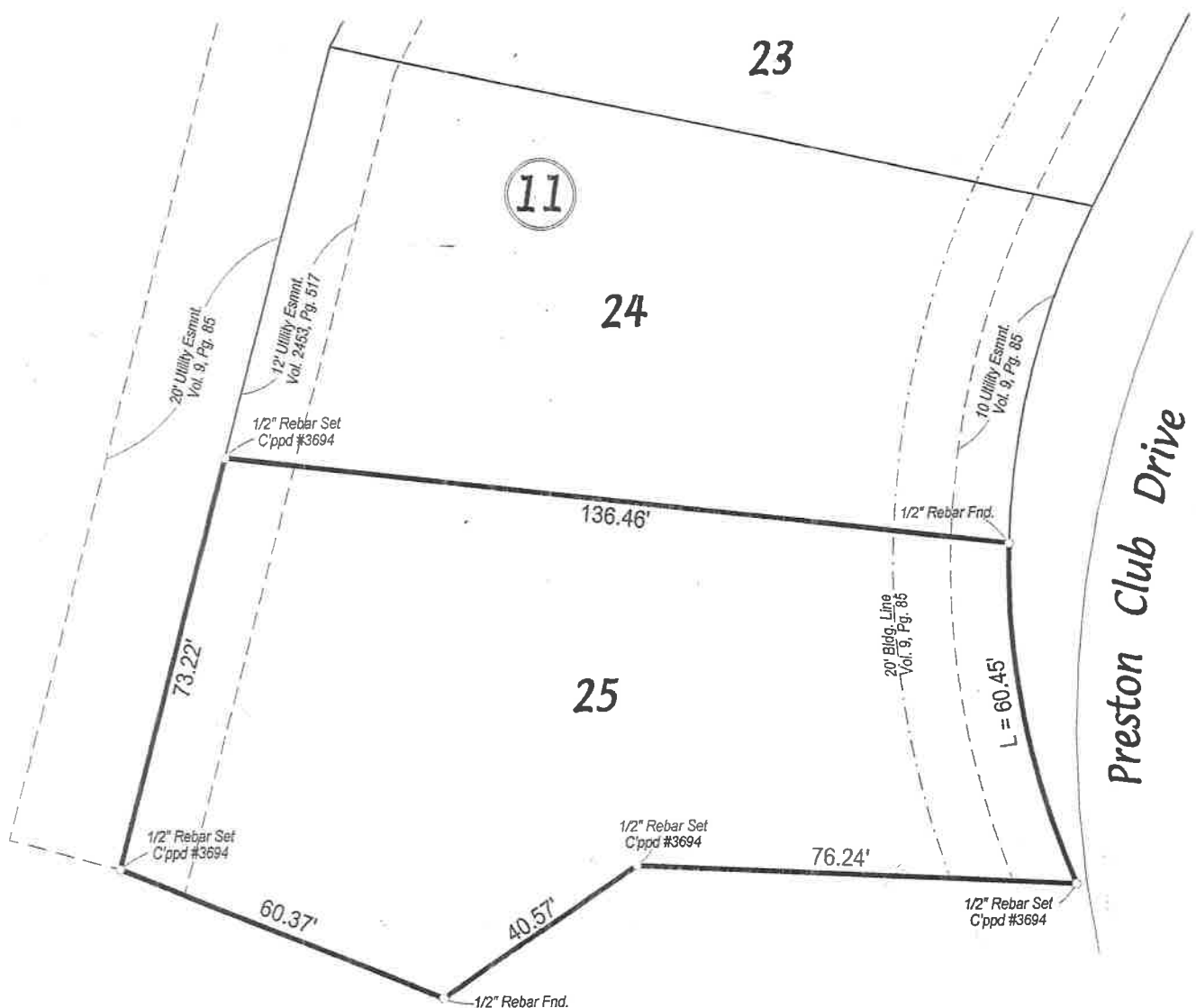
**ATTEST:**

**BY: \_\_\_\_\_**  
**LINDA ASHBY, CITY CLERK**

**BY: \_\_\_\_\_**  
**DAVID PLYLER, MAYOR**

**APPROVED AS TO FORM  
AND CONTENT:**

**BY: \_\_\_\_\_**  
**BRANDON S. SHELBY,**  
**CITY ATTORNEY**



**SARTIN & ASSOCIATES, INC.**  
**Registered Professional Land Surveyors**  
 P.O. Box 1843 - 109 S. Travis - Sherman, Texas 75091-1843  
 phone (903)892-8003 - fax (903)868-2970

SURVEY FOR: SCOTT BANDEMIR

I, Marshall Sartin, Registered Professional Land Surveyor, hereby certify that a survey of the property shown hereon was made on the ground on the 16 th day of October, 2007 of the following described property:

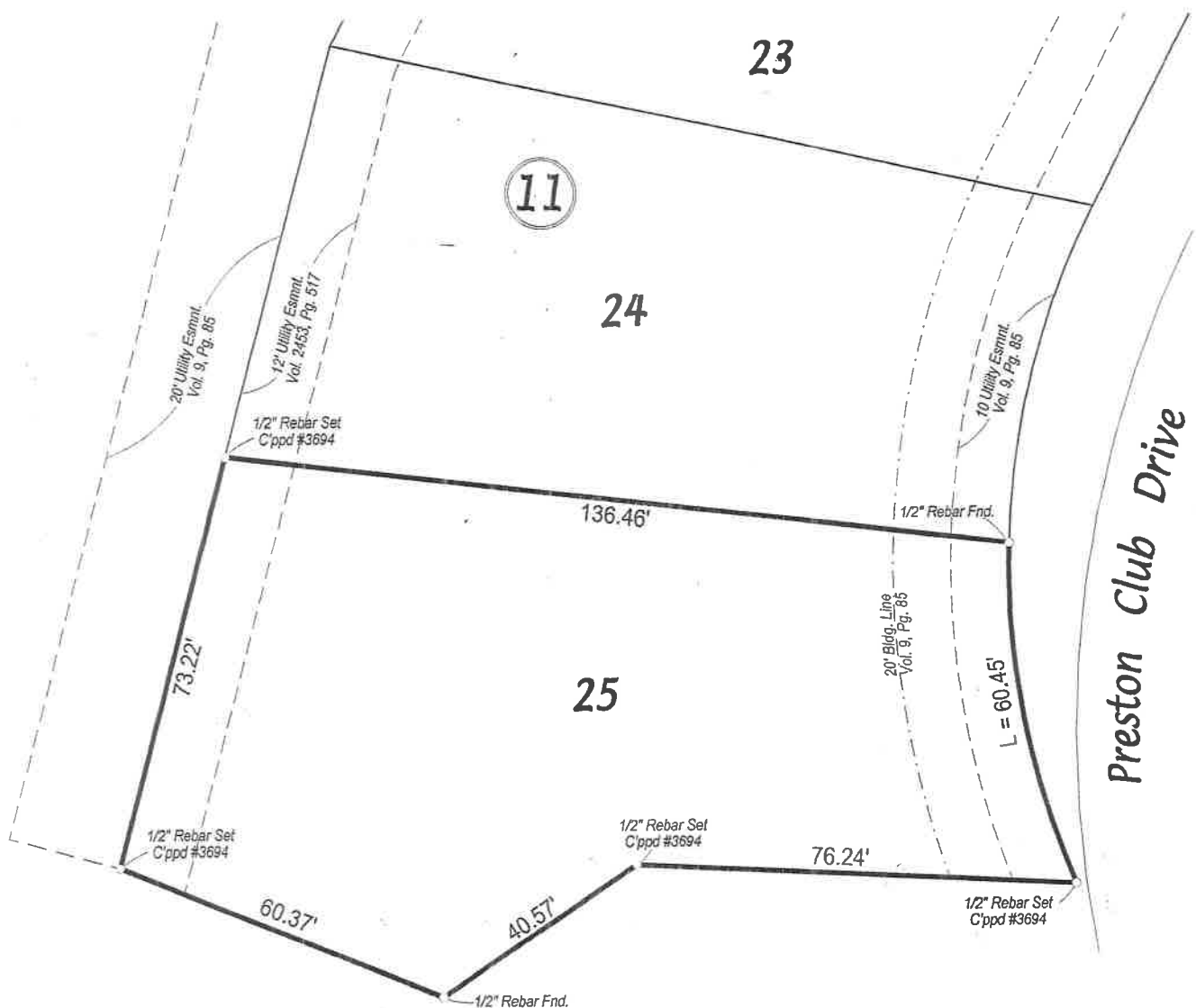
**Lot TWENTY FIVE (25) in Block ELEVEN (11) of PRESTON CLUB, THE LEGENDS SUBDIVISION, PHASE ONE to Grayson County, Texas as shown by plat of record in Volume 9, Page 85, Plat Records, Grayson County, Texas.**

That this survey substantially complies with the current Minimum Standards for Professional Land Surveyors as adopted by the Texas Board of Professional Land Surveying, and is subject to all easements of record or as shown on recorded plat that may affect said property.

**THIS SURVEY PLAT WAS PREPARED FROM A SURVEY PERFORMED ON THE DATE SHOWN HEREON FOR THE CLIENT NAMED HEREINABOVE AND FOR THE TRANSACTION TAKING PLACE AT THE TIME OF THIS SURVEY. THIS SURVEY PLAT IS NOT TO BE USED IN CONNECTION WITH ANY FUTURE TRANSACTIONS WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE UNDERSIGNED SURVEYOR AND THE UNDERSIGNED SURVEYOR ACCEPTS NO LIABILITY FOR ANY FUTURE UNAUTHORIZED USE OF THIS SURVEY PLAT.**

*Marshall Sartin*  
 Marshall Sartin  
 R.P.L.S. # 3694





**SARTIN & ASSOCIATES, INC.**  
**Registered Professional Land Surveyors**  
P.O. Box 1843 - 109 S. Travis - Sherman, Texas 75091-1843  
phone (903)892-8003 - fax (903)868-2970

SURVEY FOR: SCOTT BANDEMIR

I, Marshall Sartin, Registered Professional Land Surveyor, hereby certify that a survey of the property shown hereon was made on the ground on the 16 th day of October, 2007 of the following described property:

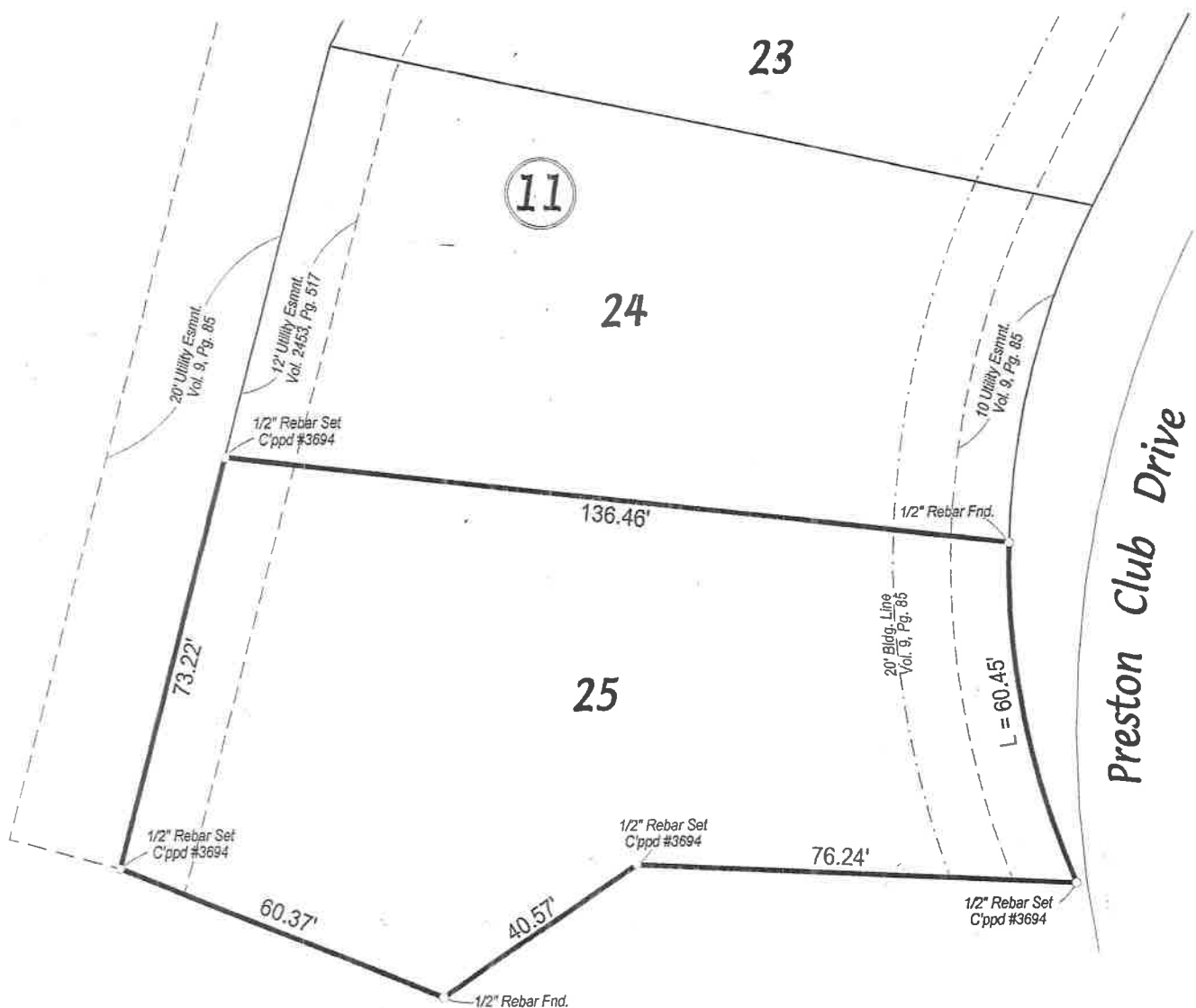
**Lot TWENTY FIVE (25) in Block ELEVEN (11) of PRESTON CLUB, THE LEGENDS SUBDIVISION, PHASE ONE to Grayson County, Texas as shown by plat of record in Volume 9, Page 85, Plat Records, Grayson County, Texas.**

That this survey substantially complies with the current Minimum Standards for Professional Land Surveyors as adopted by the Texas Board of Professional Land Surveying, and is subject to all easements of record or as shown on recorded plat that may affect said property.

**THIS SURVEY PLAT WAS PREPARED FROM A SURVEY PERFORMED ON THE DATE SHOWN HEREON FOR THE CLIENT NAMED HEREINABOVE AND FOR THE TRANSACTION TAKING PLACE AT THE TIME OF THIS SURVEY. THIS SURVEY PLAT IS NOT TO BE USED IN CONNECTION WITH ANY FUTURE TRANSACTIONS WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE UNDERSIGNED SURVEYOR AND THE UNDERSIGNED SURVEYOR ACCEPTS NO LIABILITY FOR ANY FUTURE UNAUTHORIZED USE OF THIS SURVEY PLAT.**

*Marshall Sartin*  
Marshall Sartin  
R.P.L.S. # 3694





**SARTIN & ASSOCIATES, INC.**  
**Registered Professional Land Surveyors**  
 P.O. Box 1843 - 109 S. Travis - Sherman, Texas 75091-1843  
 phone (903)892-8003 - fax (903)868-2970

SURVEY FOR: SCOTT BANDEMIR

I, Marshall Sartin, Registered Professional Land Surveyor, hereby certify that a survey of the property shown hereon was made on the ground on the 16 th day of October, 2007 of the following described property:

**Lot TWENTY FIVE (25) in Block ELEVEN (11) of PRESTON CLUB, THE LEGENDS SUBDIVISION, PHASE ONE to Grayson County, Texas as shown by plat of record in Volume 9, Page 85, Plat Records, Grayson County, Texas.**

That this survey substantially complies with the current Minimum Standards for Professional Land Surveyors as adopted by the Texas Board of Professional Land Surveying, and is subject to all easements of record or as shown on recorded plat that may affect said property.

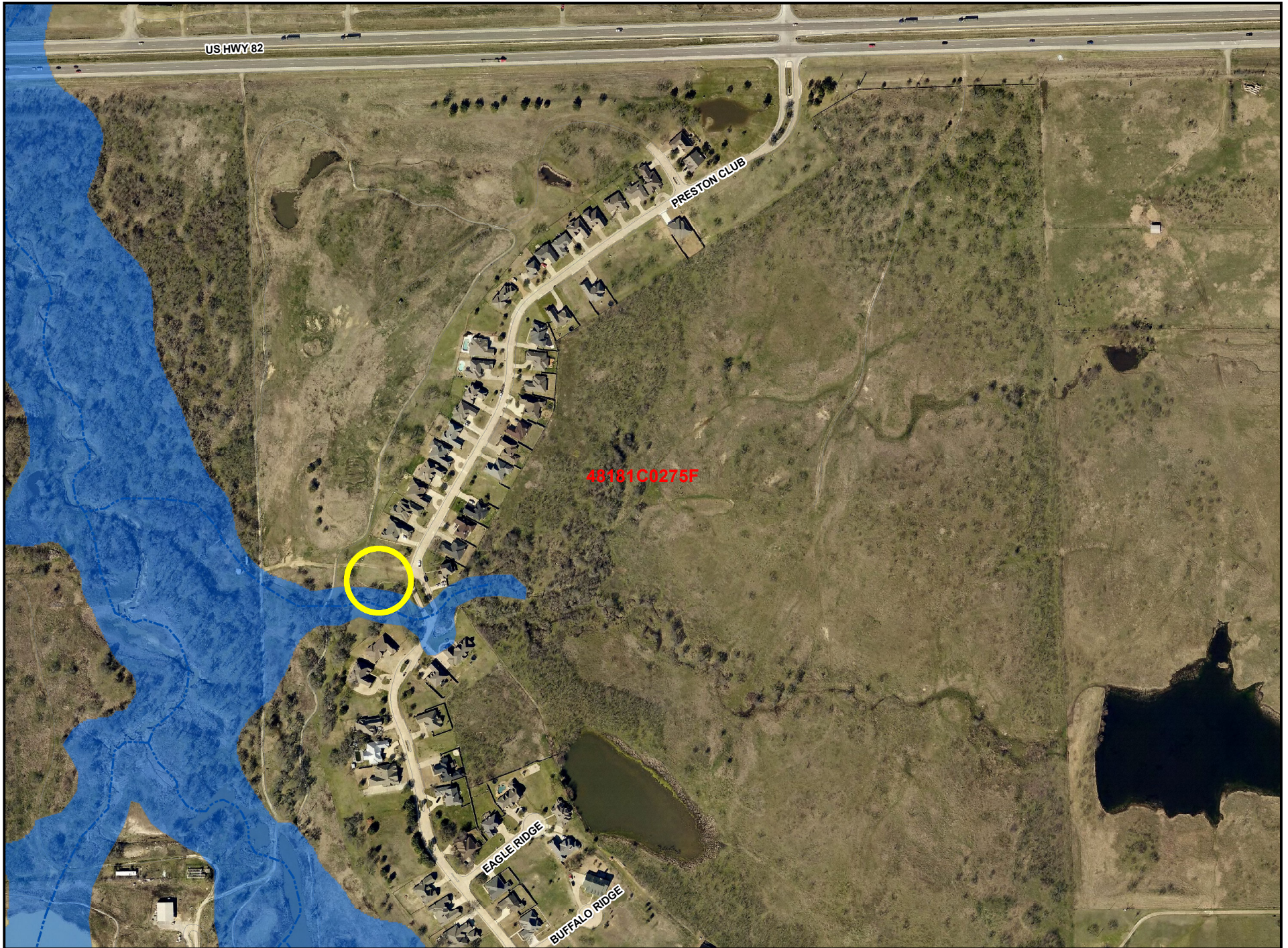
**THIS SURVEY PLAT WAS PREPARED FROM A SURVEY PERFORMED ON THE DATE SHOWN HEREON FOR THE CLIENT NAMED HEREINABOVE AND FOR THE TRANSACTION TAKING PLACE AT THE TIME OF THIS SURVEY. THIS SURVEY PLAT IS NOT TO BE USED IN CONNECTION WITH ANY FUTURE TRANSACTIONS WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE UNDERSIGNED SURVEYOR AND THE UNDERSIGNED SURVEYOR ACCEPTS NO LIABILITY FOR ANY FUTURE UNAUTHORIZED USE OF THIS SURVEY PLAT.**

*Marshall Sartin*  
 Marshall Sartin  
 R.P.L.S. # 3694





# 3104 Preston Club Drive



1 inch = 400 feet







# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

C.3.

**Meeting Date:** 12/18/2017

**Prepared By:** Clint Philpott, Director of Engineering

**Approved By:** Robby Hefton, City Manager

---

### **Caption:**

#### **\* RESOLUTION NO. 6316**

Authorizing Execution of an Encroachment Easement to M&G Home Builders, LLC for the Installation of a Sanitary Sewer Service Lateral Line within the Platted Public Alley running East and West in Block 1 of the Hall & Jones Addition for Sanitary Sewer Services at 522 East College Street in the City of Sherman

### **Issue:**

To consider granting an encroachment easement into the platted public alley running East and West in Block 1 of the Hall & Jones Addition in Sherman, Texas

### **Background:**

The subject property has no access to the public sewer utilizing existing platted easements. To access the City sewer, it will be necessary to install a private service lateral in a platted alley in Block 1 of the Hall & Jones Addition.

### **Origination:**

Martin Covarrubias of M&G Home Builders, LLC

### **Financial Consideration:**

None

### **Staff Recommendation:**

City staff has no objections to the proposed encroachment and, upon receiving approval from the franchised utilities, it is recommended that the encroachment be granted.

### **Alternatives:**

As may be directed by the City Council

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**Attachments**

Resolution No. 6316

Encroachment Easement

Exhibit "A" as noted in both Resolution and Easement

Encroachment Request Letter

Location Map

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**RESOLUTION NO. 6316**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO M&G HOME BUILDERS, LLC FOR THE INSTALLATION OF A SANITARY SEWER SERVICE LATERAL LINE WITHIN THE PLATTED PUBLIC ALLEY RUNNING EAST AND WEST IN BLOCK 1 OF THE HALL & JONES ADDITION FOR SANITARY SEWER SERVICES AT 522 EAST COLLEGE STREET IN THE CITY OF SHERMAN; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

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

**SECTION 1.** That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an Encroachment Easement to M&G Home Builders, LLC, in substantially the same form as presented at this meeting, for the installation of a sanitary sewer service lateral line within the platted public alley running east and west in Block 1 of the Hall & Jones Addition for sanitary sewer services at 522 East College Street in the City of Sherman, Texas, as shown on Exhibit "A", approved by the City Engineer and the City Attorney, attached hereto and incorporated herein for all purposes.

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

**PASSED AND APPROVED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF SHERMAN, TEXAS**

**ATTEST:**

**BY:** \_\_\_\_\_  
**LINDA ASHBY, CITY CLERK**

**BY:** \_\_\_\_\_  
**DAVID PLYLER, MAYOR**

**APPROVED AS TO FORM  
AND CONTENT:**

**BY:** \_\_\_\_\_  
**BRANDON SHELBY,  
CITY ATTORNEY**

## ENCROACHMENT EASEMENT

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

That the **CITY OF SHERMAN**, a municipal corporation of the State of Texas, hereinafter called "GRANTOR," in consideration of ONE DOLLAR AND NO CENTS (\$1.00) and other good and valuable consideration to it, in hand paid, hereby grants to **M & G Home Builders, LLC** of Sherman, Texas, hereinafter called "GRANTEE," an encroachment easement to install a sanitary sewer service lateral line within, over, upon, and across the platted public alley running East and West in Block 1 of Hall & Jones Addition for sanitary sewer services for 522 E. College Street, Sherman, Texas, as shown on the sketch marked Exhibit "A," attached hereto and incorporated herein for all purposes. Said encroachment easement shall be inferior, subordinate, and subject to the GRANTOR'S rights herein.

This instrument shall be construed as conveying an encroachment easement to GRANTEE, its heirs, successors and assigns, for the limited purpose of installing a sanitary sewer service lateral line within the herein described encroachment area, as shown on the attached exhibit. GRANTEE agrees that all maintenance of the sanitary sewer later line shall be the responsibility of the GRANTEE without cost, fees or expense to GRANTOR.

That GRANTEE shall fully and completely indemnify and hold harmless the GRANTOR from any and all damages, actions, suits, claims, demands, liabilities, executions and judgments, whether liquidated or unliquidated, absolute or contingent, direct or indirect, at law or in equity, together with attorney fees which may occur in any manner by reason of any manner, fact, or thing arising from this conveyance and use of the area.

The GRANTEE shall restore the surface of the encroachment area to the same or better condition that existed prior to the installation of the sanitary sewer service lateral line.

The GRANTEE agrees to and shall allow any and all franchised utilities to continue uninterrupted use of the encroachment area described herein for their operations without cost, fees, or expense.

In the event it becomes necessary for the GRANTOR or any public utility to utilize the encroachment area for the purpose of installing new utilities, removing or repairing any public utilities located therein, GRANTEE hereby releases GRANTOR and any public utility from any and all claims for damages, costs or expenses, and shall include, but specifically not be limited to, the cost of repair, relocation, or removal of swimming pool and loss of use of such area.

In the event it becomes necessary for the GRANTOR to revoke and rescind this encroachment easement, GRANTEE agrees and consents to such revocation and rescission by GRANTOR unilaterally passing a resolution to that effect and filing the same in the Deed Records of Grayson County, Texas, all without the joinder or consent of GRANTEE herein.



**TO HAVE AND TO HOLD** the above described encroachment easement unto the said GRANTEE, its heirs, successors and assigns, until the use of such encroachment is no longer necessary.

**EXECUTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Approved as to Form and Content:

**CITY:**

**CITY OF SHERMAN**, a Texas home-rule  
municipal corporation

By: \_\_\_\_\_

Brandon Shelby,  
City Attorney

**BY:** \_\_\_\_\_

Robby Hefton,  
City Manager

Attest: \_\_\_\_\_

Linda Ashby,  
City Clerk

STATE OF TEXAS           §

§

COUNTY OF GRAYSON   §

THIS INSTRUMENT was subscribed, sworn to and acknowledged before me on \_\_\_\_\_, 2017, by Robby Hefton, City Manager of the **CITY OF SHERMAN**, a Texas home-rule municipal corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public, State of Texas

Printed Name of Notary: \_\_\_\_\_

My Commissions Expires: \_\_\_\_\_

# Exhibit "A"

522 E. College  
Sherman, TX  
Lot 10, Block 1

HALL & JONES ADD.  
TO  
CITY OF SHERMAN  
VOL. 58 PAGE 245



BOYER & LUCAS ADDITION  
TO  
CITY OF SHERMAN  
VOL. 120 PAGE 94

W.S. McDUFFIE BLOCK  
TO



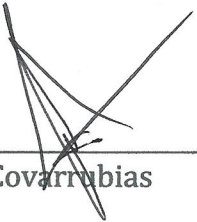
Green line indicates  
Encroachment area

## M&G Home Builders

12/1/2017

M&G Home Builders, LLC, would like to request encroachment into the alley behind 522 E College St in order to lay a sanitary sewer service line. This will provide sewer services to the aforementioned address. Typically, main city sewer lines run near the property in order to tap into without much problem. We are presented with the scenario where we have to encroach and run our line through the alley in order to tap into the main sewer line.

Your consideration and approval into this matter is greatly appreciated.

  
\_\_\_\_\_  
Martin G Covarrubias  
Owner  
\_\_\_\_\_  
Martin Covarrubias  
Owner



1 inch = 100 feet







# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

C.4.

**Meeting Date:** 12/18/2017

**Prepared By:** Zachary Flores, Police Chief

**Approved By:** Robby Hefton, City Manager

---

#### **Caption:**

#### **\* RESOLUTION NO. 6317**

Authorizing the Purchase and Installation of Communications Equipment for the Sherman Police Department from Motorola through Shipman Communications

#### **Issue:**

To authorize the purchase and installation of communications equipment for the Sherman Police Department from Motorola through Shipman Communications of Denison, Texas

#### **Background:**

The Sherman Police Department currently has three receiver sites in the city, located at Shepard Drive, F.M. 1417 (Heritage Parkway) by the Southwest Elevated Storage Tank, and by the KXII TV Station. The current equipment at the receiver sites is at the end of service life; therefore, equipment needs to be updated and replaced. Along with updating the older sites, we are preparing for a fourth site that will be located on the water tower on Gallagher Street. This site will assist to improve with communications to the north and west in our city.

#### **Origination:**

Sherman Police Department

#### **Financial Consideration:**

The total cost for the purchase and installation of the communications equipment is \$178,222.00. Funding is available in the fiscal year 2017-2018 budget.

#### **Staff Recommendation:**

Staff recommends that the City Council authorize the purchase and installation of this communications equipment.

#### **Alternatives:**

As may be directed by the City Council

---

### **Attachments**

Resolution No. 6317

Motorola Quotation

DB224-A Product Specifications

LDF4-50A Product Specifications

DB365-OS Product Specifications

Location Map - SPD Receiver Sites

---

**RESOLUTION NO. 6317**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE AND INSTALLATION OF COMMUNICATIONS EQUIPMENT FOR THE SHERMAN POLICE DEPARTMENT FROM MOTOROLA 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 Motorola through Shipman Communications of Denison, Texas, communications equipment to include a 1-port Omni Exposed Dipole Antenna, HELIAX Low Density Foam Coaxial Cable, and a Pipe Mounting Kit to be installed at various receiver sites in the in the City of Sherman, at a total price of One Hundred Seventy-Eight Thousand Two Hundred Twenty-Two Dollars and No Cents (\$178,222.00), in accordance with the terms and provisions of the proposal and product specifications 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 \_\_\_\_\_, 2017.

**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**



## ***Motorola Quotation Form and Order Form***

### **TABLE OF CONTENTS:**

Quotation Form

Order Form

Email all orders to: [IndirectSystems.Orders@Motorola.com](mailto:IndirectSystems.Orders@Motorola.com)

**Before emailing, please remember to:**

Fax customer's P.O. (compliant with "Rules Of The Road")

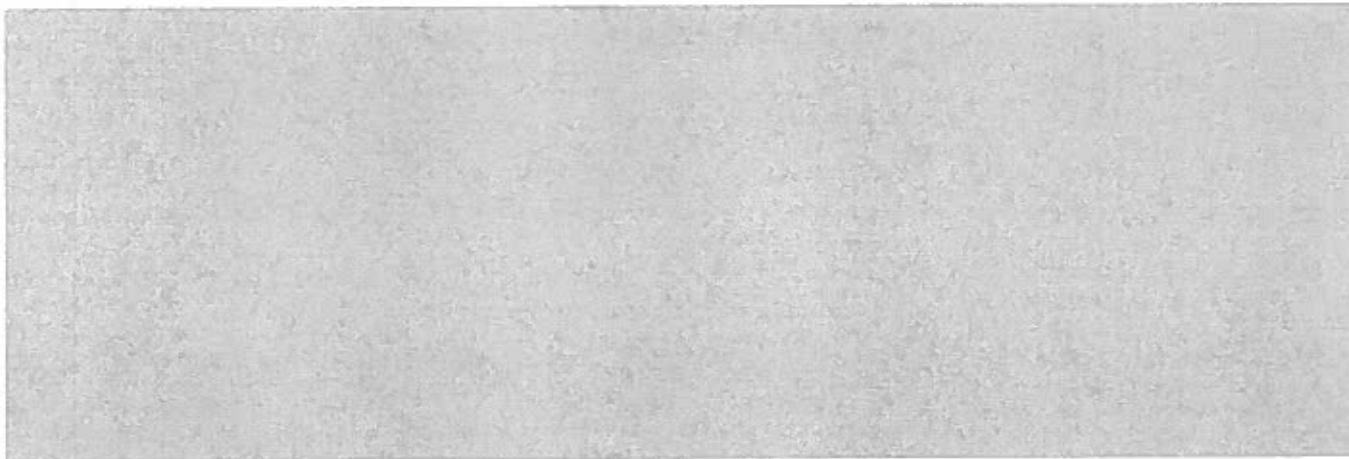
Fax customer's tax certificate, if applicable

Verify customer order total matches customer P.O. total (\$\$)

**\*\* SEND ALL FAXES TO 847-761-3118**

**\*\*\*If you need to unlock the worksheets please go to:**

**Tools → Protection → Unprotect Sheet**







## Dealer/Agent/MR Quotation

Date: May. 11, 2017

GCC Case #:

Dealer/Agent/MR Name: Shipman Communications  
MR/Agent Address: 4530 West Hwy 70  
City: Durant  
State/Zip: Oklahoma, 74701

Quoting as:

APB  
MR X  
Agent

Prepared By: Wesley Short  
email: wesley7971@att.net

Phone: 800-465-8297

Fax: 903-463-3130

Customer Name: Sherman, City of  
Customer #:

Prepared For: Sherman, City of  
Street: 318 South Travis  
City: Sherman  
State/Zip: Texas, 75090  
Attn: Bruce Dawsey

Bill To: Sherman, City of  
Street:  
City:  
State/Zip:  
Attn: Accounts Payables

Ship to: Shipman Communications  
Street: 1815 West Morton  
City: Denison  
State/Zip: Texas, 75020  
Attn: Wesley Short

Ultimate Destination: Sherman Police Department  
Street: 317 South Travis  
City: Sherman  
State/Zip: Texas, 75080  
Attn: Bruce Dawsey

### THIS QUOTE IS BASED ON THE FOLLOWING:

This quotation is provided to you for information purposes only and is not intended to be an offer or a binding proposal.

If you wish to purchase the quoted products, Motorola will be pleased to provide you with our standard terms and conditions of sale (which will include the captioned provisions below), or alternatively, receive your purchase order which will be acknowledged.

Thank you for your consideration of Motorola products.

Quotes are exclusive of an installation and programming charges (unless expressly stated) and all applicable taxes.

Purchaser will be responsible for shipping costs, which will be added to the invoice.

Prices quoted are valid for thirty (30) days from the date of this quote.

Unless otherwise stated, payment will be due within thirty days after invoice. Invoicing will occur concurrently with shipping.

MOTOROLA DISCLAIMS ALL OTHER WARRANTIES WITH RESPECT TO THE ORDERED PRODUCTS, EXPRESS OR IMPLIED INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

MOTOROLA'S TOTAL LIABILITY ARISING FROM THE ORDERED PRODUCTS WILL BE LIMITED TO THE PURCHASE PRICE OF THE PRODUCTS WITH RESPECT TO WHICH LOSSES OR DAMAGES ARE CLAIMED. IN NO EVENT WILL MOTOROLA BE LIABLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES.



| Qty.                                                       | Model        | Description                                                     | Unit List Price | Unit Discounted Price | Total Discounted Price |
|------------------------------------------------------------|--------------|-----------------------------------------------------------------|-----------------|-----------------------|------------------------|
|                                                            |              | <b>Police Department Transmitter/Receiver Site</b>              | \$ -            | \$ -                  | \$ -                   |
| 1                                                          | T7039        | GTR8000 Sub Site Base Radio 112                                 | \$ -            | \$ -                  | \$ -                   |
| 1                                                          | X530BG       | Add: VHF 136-174MHz 125 Watt 112                                | \$ 6,300.00     | \$ 6,300.00           | \$ 6,300.00            |
| 1                                                          | CA01948AA    | Add: Conventional Software 595                                  | \$ 12,500.00    | \$ 12,500.00          | \$ 12,500.00           |
| 1                                                          | CA01946AA    | Add: Conventional Mixed Mode Operation 595                      | \$ -            | \$ -                  | \$ -                   |
| 1                                                          | CA01505AA    | Add: Astro 25 Conventional Voting Software 595                  | \$ 300.00       | \$ 300.00             | \$ 300.00              |
| 1                                                          | CA01506AA    | Add: Optional Frequency Reference 595                           | \$ 1,200.00     | \$ 1,200.00           | \$ 1,200.00            |
| 1                                                          | X182CB       | Add: Duplexer 144-160MHz 112                                    | \$ 1,380.00     | \$ 1,380.00           | \$ 1,380.00            |
| 1                                                          | X265AM       | Add: BR Preselector 150-174MHz 112                              | \$ 500.00       | \$ 500.00             | \$ 500.00              |
| 1                                                          | X153AW       | Add: Rack Mounting Hardware 112                                 | \$ 50.00        | \$ 50.00              | \$ 50.00               |
| 1                                                          | CLN1856      | 2620-24 Ethernet Switch 147                                     | \$ 2,250.00     | \$ 2,250.00           | \$ 2,250.00            |
| 2                                                          | SQM01SUM0205 | GGM8000 Gateway 147                                             | \$ 4,200.00     | \$ 4,200.00           | \$ 8,400.00            |
| 2                                                          | CA01616AA    | Add: AC Power Supply 147                                        | \$ -            | \$ -                  | \$ -                   |
| 2                                                          | CA02108AA    | Add: Direct Ship No Staging                                     | \$ -            | \$ -                  | \$ -                   |
| 2                                                          | CA02141AA    | Add: Enh Conventional Gateway for link converter functionality  | \$ 3,000.00     | \$ 3,000.00           | \$ 6,000.00            |
| 1                                                          | CLN1856      | 2620-24 Ethernet Switch 147                                     | \$ 2,250.00     | \$ 2,250.00           | \$ 2,250.00            |
| 2                                                          | F2979        | MLC8000 Gateway 112                                             | \$ 1,000.00     | \$ 1,000.00           | \$ 2,000.00            |
| 2                                                          | VA00785AA    | Add: Mixed Mode GGM8000 Companion Voting Comparator/Gateway 112 | \$ -            | \$ -                  | \$ -                   |
| 2                                                          | VA00012AA    | Add: 120/240 to + 12VDC Power Adapter 112                       | \$ 50.00        | \$ 50.00              | \$ 100.00              |
| 2                                                          | VA00011AA    | Add: 19" Rack Mount Hardware Kit Cabinet or Rack 112            | \$ 50.00        | \$ 50.00              | \$ 100.00              |
| 1                                                          | T7321        | GCM8000 Comparator 112                                          | \$ 3,000.00     | \$ 3,000.00           | \$ 3,000.00            |
| 1                                                          | CA01183AA    | GCM8000 Comparator 112                                          | \$ 2,500.00     | \$ 2,500.00           | \$ 2,500.00            |
| 1                                                          | CA01484AC    | Add: Astro 25 Conventional Software 595                         | \$ 10,500.00    | \$ 10,500.00          | \$ 10,500.00           |
| 1                                                          | CA1505AC     | Add: Astro 25 Conventional Voting Software 595                  | \$ 200.00       | \$ 200.00             | \$ 200.00              |
| 1                                                          | X153AW       | Add: Rack Mounting Hardware 112                                 | \$ 50.00        | \$ 50.00              | \$ 50.00               |
| 1                                                          | TRN7343      | Seven and a Half Foot Rack                                      | \$ -            | \$ -                  | \$ -                   |
| 2                                                          | DSRMP615A    | SPD, Type 3, 120V Rack Mount 15A P 207                          | \$ 258.00       | \$ 258.00             | \$ 516.00              |
| 1                                                          | DS1101990    | SPD, Shielded RJ-45 Jack Single LI 207                          | \$ 140.00       | \$ 140.00             | \$ 140.00              |
| 1                                                          | DSTSJADP     | Rack Mount Ground Bar, 19 IN For TS 207                         | \$ 85.00        | \$ 85.00              | \$ 85.00               |
|                                                            |              |                                                                 | \$ -            | \$ -                  | \$ -                   |
|                                                            |              | <b>KXII Receiver Site</b>                                       | \$ -            | \$ -                  | \$ -                   |
| 1                                                          | CLN1856      | 2620-24 Ethernet Switch 147                                     | \$ 2,250.00     | \$ 2,250.00           | \$ 2,250.00            |
| 1                                                          | SQM01SUM0205 | GGM8000 Gateway 147                                             | \$ 4,200.00     | \$ 4,200.00           | \$ 4,200.00            |
| 1                                                          | CA01616AA    | Add: AC Power Supply 147                                        | \$ -            | \$ -                  | \$ -                   |
| 1                                                          | CLN1856      | 2620-24 Ethernet Switch 147                                     | \$ 2,250.00     | \$ 2,250.00           | \$ 2,250.00            |
| 1                                                          | T7540        | GPW8000 Receiver 112                                            | \$ 1,000.00     | \$ 1,000.00           | \$ 1,000.00            |
| 1                                                          | X301AR       | Add: Qty 1 GPW8000 Receiver 112                                 | \$ -            | \$ -                  | \$ -                   |
| 1                                                          | X530BH       | Add: VHF (136-174MHz) 112                                       | \$ 3,200.00     | \$ 3,200.00           | \$ 3,200.00            |
| ↓ **If you need more pages just drag the blue line down. ↓ |              |                                                                 | Total:          |                       | \$ 73,221.00           |



| Qty. | Model        | Description                                                     | Unit List Price | Unit Discounted Price | Total Discounted Price |
|------|--------------|-----------------------------------------------------------------|-----------------|-----------------------|------------------------|
| 1    | CA01948AB    | Add: Conventional Software R/X Only 595                         | \$ 2,000.00     | \$ 2,000.00           | \$ 2,000.00            |
| 1    | CA01946AB    | Add: Conventional Mixed Mode Operation 595                      | \$ -            | \$ -                  | \$ -                   |
| 1    | X265AM       | Add: BR Preselector 150-174mHz 112                              | \$ 500.00       | \$ 500.00             | \$ 500.00              |
| 1    | X153AW       | Add: Rack Mounting Hardware 112                                 | \$ 50.00        | \$ 50.00              | \$ 50.00               |
| 1    | F2979        | MLC8000 Gateway 112                                             | \$ 1,000.00     | \$ 1,000.00           | \$ 1,000.00            |
| 1    | VA00785AA    | Add: Mixed Mode GGM8000 Companion Voting Comparator/Gateway 112 | \$ -            | \$ -                  | \$ -                   |
| 1    | VA00012AA    | Add: 120/240 to + 12VDC Power Adapter 112                       | \$ 50.00        | \$ 50.00              | \$ 50.00               |
| 1    | VA00011AA    | Add: 19" Rack Mount Hardware Kit Cabinet or Rack 112            | \$ 50.00        | \$ 50.00              | \$ 50.00               |
| 1    | TRN7343      | Seven and a Half Foot Rack                                      |                 | \$ -                  | \$ -                   |
| 2    | DSRMP615A    | SPD, Type 3, 120V Rack Mount 15A P 207                          | \$ 258.00       | \$ 258.00             | \$ 516.00              |
| 1    | DS1101990    | SPD, Shielded RJ-45 Jack Single LI 207                          | \$ 140.00       | \$ 140.00             | \$ 140.00              |
| 1    | DSTSJADP     | Rack Mount Ground Bar, 19 IN For TS 207                         | \$ 85.00        | \$ 85.00              | \$ 85.00               |
|      |              |                                                                 |                 | \$ -                  | \$ -                   |
|      |              | MEMC Receiver Site                                              |                 | \$ -                  | \$ -                   |
| 1    | CLN1856      | 2620-24 Ethernet Switch 147                                     | \$ 2,250.00     | \$ 2,250.00           | \$ 2,250.00            |
| 1    | SQM01SUM0205 | GGM8000 Gateway 147                                             | \$ 4,200.00     | \$ 4,200.00           | \$ 4,200.00            |
| 1    | CA01616AA    | Add: AC Power Supply 147                                        | \$ -            | \$ -                  | \$ -                   |
| 1    | CLN1856      | 2620-24 Ethernet Switch 147                                     | \$ 2,250.00     | \$ 2,250.00           | \$ 2,250.00            |
| 1    | T7540        | GPW8000 Receiver 112                                            | \$ 1,000.00     | \$ 1,000.00           | \$ 1,000.00            |
| 1    | X301AR       | Add: Qty 1 GPW8000 Receiver 112                                 | \$ -            | \$ -                  | \$ -                   |
| 1    | X530BH       | Add: VHF (136-174mHz) 112                                       | \$ 3,200.00     | \$ 3,200.00           | \$ 3,200.00            |
| 1    | CA01948AB    | Add: Conventional Software R/X Only 595                         | \$ 2,000.00     | \$ 2,000.00           | \$ 2,000.00            |
| 1    | CA01946AB    | Add: Conventional Mixed Mode Operation 595                      | \$ -            | \$ -                  | \$ -                   |
| 1    | X265AM       | Add: BR Preselector 150-174mHz 112                              | \$ 500.00       | \$ 500.00             | \$ 500.00              |
| 1    | X153AW       | Add: Rack Mounting Hardware 112                                 | \$ 50.00        | \$ 50.00              | \$ 50.00               |
| 1    | F2979        | MLC8000 Gateway 112                                             | \$ 1,000.00     | \$ 1,000.00           | \$ 1,000.00            |
| 1    | VA00785AA    | Add: Mixed Mode GGM8000 Companion Voting Comparator/Gateway 112 | \$ -            | \$ -                  | \$ -                   |
| 1    | VA00012AA    | Add: 120/240 to + 12VDC Power Adapter 112                       | \$ 50.00        | \$ 50.00              | \$ 50.00               |
| 1    | VA00011AA    | Add: 19" Rack Mount Hardware Kit Cabinet or Rack 112            | \$ 50.00        | \$ 50.00              | \$ 50.00               |
| 1    | TRN7343      | Seven and a Half Foot Rack                                      |                 | \$ -                  | \$ -                   |
| 2    | DSRMP615A    | SPD, Type 3, 120V Rack Mount 15A P 207                          | \$ 258.00       | \$ 258.00             | \$ 516.00              |
| 1    | DS1101990    | SPD, Shielded RJ-45 Jack Single LI 207                          | \$ 140.00       | \$ 140.00             | \$ 140.00              |
| 1    | DSTSJADP     | Rack Mount Ground Bar, 19 IN For TS 207                         | \$ 85.00        | \$ 85.00              | \$ 85.00               |
|      |              |                                                                 |                 | \$ -                  | \$ -                   |
|      |              | FM1417 Southwest Pump Station                                   |                 | \$ -                  | \$ -                   |
| 1    | CLN1856      | 2620-24 Ethernet Switch 147                                     | \$ 2,250.00     | \$ 2,250.00           | \$ 2,250.00            |
| 1    | SQM01SUM0205 | GGM8000 Gateway 147                                             | \$ 4,200.00     | \$ 4,200.00           | \$ 4,200.00            |
| 1    | CA01616AA    | Add: AC Power Supply 147                                        | \$ -            | \$ -                  | \$ -                   |
|      |              |                                                                 |                 | Total:                | \$101,353.00           |



| Qty. | Model        | Description                                                                           | Unit List Price | Unit Discounted Price | Total Discounted Price |
|------|--------------|---------------------------------------------------------------------------------------|-----------------|-----------------------|------------------------|
| 1    | CLN1856      | 2620-24 Ethernet Switch 147                                                           | \$ 2,250.00     | \$ 2,250.00           | \$ 2,250.00            |
| 1    | T7540        | GPW8000 Reciever 112                                                                  | \$ 1,000.00     | \$ 1,000.00           | \$ 1,000.00            |
| 1    | X301AR       | Add: Qty 1 GPW8000 Receiver 112                                                       | \$ -            | \$ -                  | \$ -                   |
| 1    | X530BH       | Add: VHF (136-174MHz) 112                                                             | \$ 3,200.00     | \$ 3,200.00           | \$ 3,200.00            |
| 1    | CA01948AB    | Add: Conventional Software R/X Only 595                                               | \$ 2,000.00     | \$ 2,000.00           | \$ 2,000.00            |
| 1    | CA01946AB    | Add: Conventional Mixed Mode Operation 595                                            | \$ -            | \$ -                  | \$ -                   |
| 1    | X265AM       | Add: BR Preselector 150-174MHz 112                                                    | \$ 500.00       | \$ 500.00             | \$ 500.00              |
| 1    | X153AW       | Add: Rack Mounting Hardware 112                                                       | \$ 50.00        | \$ 50.00              | \$ 50.00               |
| 1    | F2979        | MLC8000 Gateway 112                                                                   | \$ 1,000.00     | \$ 1,000.00           | \$ 1,000.00            |
| 1    | VA00785AA    | Add: Mixed Mode GGM8000 Companion Voting Comparator/Gateway 112                       | \$ -            | \$ -                  | \$ -                   |
| 1    | VA00012AA    | Add: 120/240 to + 12VDC Power Adapater 112                                            | \$ 50.00        | \$ 50.00              | \$ 50.00               |
| 1    | VA00011AA    | Add: 19" Rack Mount Hardware Kit Cabinet or Rack 112                                  | \$ 50.00        | \$ 50.00              | \$ 50.00               |
| 1    | TRN7343      | Seven and a Half Foot Rack                                                            |                 | \$ -                  | \$ -                   |
| 2    | DSRMP615A    | SPD, Type 3, 120V Rack Mount 15A P 207                                                | \$ 258.00       | \$ 258.00             | \$ 516.00              |
| 1    | DS1101990    | SPD, Shielded RJ-45 Jack Single LI 207                                                | \$ 140.00       | \$ 140.00             | \$ 140.00              |
| 1    | DSTSJADP     | Rack Mount Ground Bar, 19 IN For TS 207                                               | \$ 85.00        | \$ 85.00              | \$ 85.00               |
|      |              |                                                                                       |                 | \$ -                  | \$ -                   |
|      |              | Gallagher Water Tower                                                                 |                 | \$ -                  | \$ -                   |
| 1    | CLN1856      | 2620-24 Ethernet Switch 147                                                           | \$ 2,250.00     | \$ 2,250.00           | \$ 2,250.00            |
| 1    | SQM01SUM0205 | GGM8000 Gateway 147                                                                   | \$ 4,200.00     | \$ 4,200.00           | \$ 4,200.00            |
| 1    | CA01616AA    | Add: AC Power Supply 147                                                              | \$ -            | \$ -                  | \$ -                   |
| 1    | CLN1856      | 2620-24 Ethernet Switch 147                                                           | \$ 2,250.00     | \$ 2,250.00           | \$ 2,250.00            |
| 1    | T7540        | GPW8000 Reciever 112                                                                  | \$ 1,000.00     | \$ 1,000.00           | \$ 1,000.00            |
| 1    | X301AR       | Add: Qty 1 GPW8000 Receiver 112                                                       | \$ -            | \$ -                  | \$ -                   |
| 1    | X530BH       | Add: VHF (136-174MHz) 112                                                             | \$ 3,200.00     | \$ 3,200.00           | \$ 3,200.00            |
| 1    | CA01948AB    | Add: Conventional Software R/X Only 595                                               | \$ 2,000.00     | \$ 2,000.00           | \$ 2,000.00            |
| 1    | CA01946AB    | Add: Conventional Mixed Mode Operation 595                                            | \$ -            | \$ -                  | \$ -                   |
| 1    | X265AM       | Add: BR Preselector 150-174MHz 112                                                    | \$ 500.00       | \$ 500.00             | \$ 500.00              |
| 1    | X153AW       | Add: Rack Mounting Hardware 112                                                       | \$ 50.00        | \$ 50.00              | \$ 50.00               |
| 1    | F2979        | MLC8000 Gateway 112                                                                   | \$ 1,000.00     | \$ 1,000.00           | \$ 1,000.00            |
| 1    | VA00785AA    | Add: Mixed Mode GGM8000 Companion Voting Comparator/Gateway 112                       | \$ -            | \$ -                  | \$ -                   |
| 1    | VA00012AA    | Add: 120/240 to + 12VDC Power Adapater 112                                            | \$ 50.00        | \$ 50.00              | \$ 50.00               |
| 1    | VA00011AA    | Add: 19" Rack Mount Hardware Kit Cabinet or Rack 112                                  | \$ 50.00        | \$ 50.00              | \$ 50.00               |
| 1    | TRN7343      | Seven and a Half Foot Rack                                                            |                 | \$ -                  | \$ -                   |
| 2    | DSRMP615A    | SPD, Type 3, 120V Rack Mount 15A P 207                                                | \$ 258.00       | \$ 258.00             | \$ 516.00              |
| 1    | DS1101990    | SPD, Shielded RJ-45 Jack Single LI 207                                                | \$ 140.00       | \$ 140.00             | \$ 140.00              |
| 1    | DSTSJADP     | Rack Mount Ground Bar, 19 IN For TS 207                                               | \$ 85.00        | \$ 85.00              | \$ 85.00               |
| 1    | ANTSYS       | Antenna, AVA5-50FX Transmission line, RF connectors, AC surge protection, and Mounts. | \$ 4,750.00     | \$ 4,750.00           | \$ 4,750.00            |
|      |              |                                                                                       |                 | Total:                | \$134,235.00           |



[illegible]



## DB224-A

**1-port omni exposed dipole antenna, 150–160 MHz, 360° HPBW, fixed electrical tilt**

- Broad response
- Two-piece mast for ease of shipping

### Electrical Specifications

| Frequency Band, MHz                  | 150–160    |
|--------------------------------------|------------|
| Gain, dBi                            | 8.1        |
| Beamwidth, Horizontal, degrees       | 360        |
| Beamwidth, Vertical, degrees         | 16.0       |
| Beam Tilt, degrees                   | 0          |
| VSWR   Return Loss, dB               | 1.5   14.0 |
| Input Power per Port, maximum, watts | 500        |
| Polarization                         | Vertical   |
| Impedance                            | 50 ohm     |

### General Specifications

|                          |               |
|--------------------------|---------------|
| Operating Frequency Band | 150 – 160 MHz |
| Antenna Type             | Omni          |
| Band                     | Single band   |
| Performance Note         | Outdoor usage |

### Mechanical Specifications

|                                 |                                                                                  |
|---------------------------------|----------------------------------------------------------------------------------|
| RF Connector Quantity, total    | 1                                                                                |
| RF Connector Quantity, low band | 1                                                                                |
| RF Connector Interface          | N Male                                                                           |
| Color                           | Silver                                                                           |
| Grounding Type                  | RF connector inner conductor and body grounded to reflector and mounting bracket |
| Radiator Material               | Aluminum                                                                         |
| RF Connector Location           | Bottom                                                                           |
| Wind Loading, maximum           | 560.5 N @ 100 mph<br>126.0 lbf @ 100 mph                                         |
| Wind Speed, maximum             | 130 km/h   81 mph                                                                |

### Dimensions

|                                  |                      |
|----------------------------------|----------------------|
| Length                           | 6477.0 mm   255.0 in |
| Net Weight, without mounting kit | 15.9 kg   35.1 lb    |

### Regulatory Compliance/Certifications

| Agency          | Classification         |
|-----------------|------------------------|
| RoHS 2011/65/EU | Compliant by Exemption |

DB224-A

China RoHS SJ/T 11364-2006  
ISO 9001:2008

Above Maximum Concentration Value (MCV)  
Designed, manufactured and/or distributed under this quality management system



## Included Products

DB365-OS — Pipe Mounting Kit that consists of two clamps for mounting antennas to round members 1.25 - 3.5 in (35 - 89 mm) OD round members.

## \* Footnotes

|                  |                                                                 |
|------------------|-----------------------------------------------------------------|
| Performance Note | Severe environmental conditions may degrade optimum performance |
|------------------|-----------------------------------------------------------------|



## LDF4-50A

**LDF4-50A, HELIAX® Low Density Foam Coaxial Cable, corrugated copper, 1/2 in, black PE jacket**

### Product Classification

|                |                        |
|----------------|------------------------|
| Brand          | HELIAX®                |
| Product Series | LDF4-50A               |
| Product Type   | Coaxial wireless cable |

### Construction Materials

|                          |                           |
|--------------------------|---------------------------|
| Jacket Material          | PE                        |
| Outer Conductor Material | Corrugated copper         |
| Dielectric Material      | Foam PE                   |
| Flexibility              | Standard                  |
| Inner Conductor Material | Copper-clad aluminum wire |
| Jacket Color             | Black                     |

### Dimensions

|                          |                        |
|--------------------------|------------------------|
| Nominal Size             | 1/2 in                 |
| Cable Weight             | 0.15 lb/ft   0.22 kg/m |
| Diameter Over Dielectric | 12.954 mm   0.510 in   |
| Diameter Over Jacket     | 15.875 mm   0.625 in   |
| Inner Conductor OD       | 4.8260 mm   0.1900 in  |
| Outer Conductor OD       | 13.970 mm   0.550 in   |

### Electrical Specifications

|                                 |                                    |
|---------------------------------|------------------------------------|
| Cable Impedance                 | 50 ohm $\pm$ 1 ohm                 |
| Capacitance                     | 23.1 pF/ft   75.8 pF/m             |
| dc Resistance, Inner Conductor  | 0.450 ohms/kft   1.480 ohms/km     |
| dc Resistance, Outer Conductor  | 0.820 ohms/kft   2.690 ohms/km     |
| dc Test Voltage                 | 4000 V                             |
| Inductance                      | 0.190 $\mu$ H/m   0.058 $\mu$ H/ft |
| Insulation Resistance           | 100000 Mohms•km                    |
| Jacket Spark Test Voltage (rms) | 8000 V                             |
| Operating Frequency Band        | 1 – 8800 MHz                       |
| Peak Power                      | 40.0 kW                            |
| Velocity                        | 88%                                |

### Environmental Specifications

|                          |                                      |
|--------------------------|--------------------------------------|
| Installation Temperature | -40 °C to +60 °C (-40 °F to +140 °F) |
| Operating Temperature    | -55 °C to +85 °C (-67 °F to +185 °F) |
| Storage Temperature      | -70 °C to +85 °C (-94 °F to +185 °F) |

### General Specifications

|       |         |
|-------|---------|
| Brand | HELIAX® |
|-------|---------|

LDF4-50A

Ordering Note

CommScope® standard product (Global)

## Mechanical Specifications

|                                     |                         |
|-------------------------------------|-------------------------|
| Bending Moment                      | 3.8 N-m   2.8 ft lb     |
| Flat Plate Crush Strength           | 110.0 lb/in   2.0 kg/mm |
| Minimum Bend Radius, Multiple Bends | 127.00 mm   5.00 in     |
| Minimum Bend Radius, Single Bend    | 50.80 mm   2.00 in      |
| Number of Bends, minimum            | 15                      |
| Number of Bends, typical            | 50                      |
| Tensile Strength                    | 113 kg   250 lb         |

## Note

Performance Note

Values typical, unless otherwise stated

## Standard Conditions

|                                            |                 |
|--------------------------------------------|-----------------|
| Attenuation, Ambient Temperature           | 20 °C   68 °F   |
| Average Power, Ambient Temperature         | 40 °C   104 °F  |
| Average Power, Inner Conductor Temperature | 100 °C   212 °F |

## Return Loss/VSWR

| Frequency Band | VSWR | Return Loss (dB) |
|----------------|------|------------------|
| 680–800 MHz    | 1.13 | 24.30            |
| 800–960 MHz    | 1.13 | 24.30            |
| 1700–2200 MHz  | 1.13 | 24.30            |
| 2300–2700 MHz  | 1.13 | 24.30            |



LDF4-50A

## Attenuation

| Frequency (MHz) | Attenuation (dB/100 m) | Attenuation (dB/100 ft) | Average Power (kW) |
|-----------------|------------------------|-------------------------|--------------------|
| 0.5             | 0.149                  | 0.045                   | 40.00              |
| 1               | 0.211                  | 0.064                   | 36.11              |
| 1.5             | 0.259                  | 0.079                   | 29.46              |
| 2               | 0.299                  | 0.091                   | 25.50              |
| 10              | 0.672                  | 0.205                   | 11.35              |
| 20              | 0.954                  | 0.291                   | 7.99               |
| 30              | 1.172                  | 0.357                   | 6.51               |
| 50              | 1.521                  | 0.463                   | 5.02               |
| 85              | 1.995                  | 0.608                   | 3.82               |
| 88              | 2.031                  | 0.619                   | 3.76               |
| 100             | 2.169                  | 0.661                   | 3.52               |
| 108             | 2.256                  | 0.688                   | 3.38               |
| 150             | 2.673                  | 0.815                   | 2.85               |
| 174             | 2.887                  | 0.88                    | 2.64               |
| 200             | 3.103                  | 0.946                   | 2.46               |
| 204             | 3.135                  | 0.956                   | 2.43               |
| 300             | 3.835                  | 1.169                   | 1.99               |
| 400             | 4.462                  | 1.36                    | 1.71               |
| 450             | 4.749                  | 1.447                   | 1.61               |
| 500             | 5.021                  | 1.53                    | 1.52               |
| 512             | 5.085                  | 1.55                    | 1.50               |
| 600             | 5.533                  | 1.686                   | 1.38               |
| 700             | 6.009                  | 1.831                   | 1.27               |
| 800             | 6.456                  | 1.968                   | 1.18               |
| 824             | 6.56                   | 1.999                   | 1.16               |
| 894             | 6.855                  | 2.089                   | 1.11               |
| 960             | 7.124                  | 2.171                   | 1.07               |
| 1000            | 7.284                  | 2.22                    | 1.05               |
| 1218            | 8.11                   | 2.472                   | 0.94               |
| 1250            | 8.226                  | 2.507                   | 0.93               |
| 1500            | 9.093                  | 2.771                   | 0.84               |
| 1700            | 9.744                  | 2.97                    | 0.78               |
| 1794            | 10.039                 | 3.06                    | 0.76               |
| 1800            | 10.058                 | 3.066                   | 0.76               |
| 2000            | 10.666                 | 3.251                   | 0.72               |
| 2100            | 10.961                 | 3.341                   | 0.70               |
| 2200            | 11.251                 | 3.429                   | 0.68               |
| 2300            | 11.535                 | 3.516                   | 0.66               |
| 2500            | 12.09                  | 3.685                   | 0.63               |
| 2700            | 12.627                 | 3.849                   | 0.60               |
| 3000            | 13.407                 | 4.086                   | 0.57               |
| 3400            | 14.401                 | 4.389                   | 0.53               |
| 3700            | 15.118                 | 4.608                   | 0.50               |
| 4000            | 15.815                 | 4.82                    | 0.48               |
| 5000            | 18.01                  | 5.489                   | 0.42               |
| 6000            | 20.055                 | 6.113                   | 0.38               |
| 8000            | 23.826                 | 7.262                   | 0.32               |
| 8800            | 25.244                 | 7.694                   | 0.30               |

\* Values typical, guaranteed within 5%

## Regulatory Compliance/Certifications

LDF4-50A

**Agency**

RoHS 2011/65/EU  
China RoHS SJ/T 11364-2006  
ISO 9001:2008  
CENELEC

**Classification**

Compliant  
Below Maximum Concentration Value (MCV)  
Designed, manufactured and/or distributed under this quality management system  
EN 50575 compliant, Declaration of Performance (DoP) available



## DB365-OS

**Pipe Mounting Kit that consists of two clamps for mounting antennas to round members 1.25 - 3.5 in (35 - 89 mm) OD round members.**

### General Specifications

|                  |                     |
|------------------|---------------------|
| Mount Type       | Pipe mounts         |
| Application      | Outdoor             |
| Includes         | Brackets   Hardware |
| Package Quantity | 2                   |

### Mechanical Specifications

|               |                  |
|---------------|------------------|
| Color         | Silver           |
| Material Type | Galvanized steel |

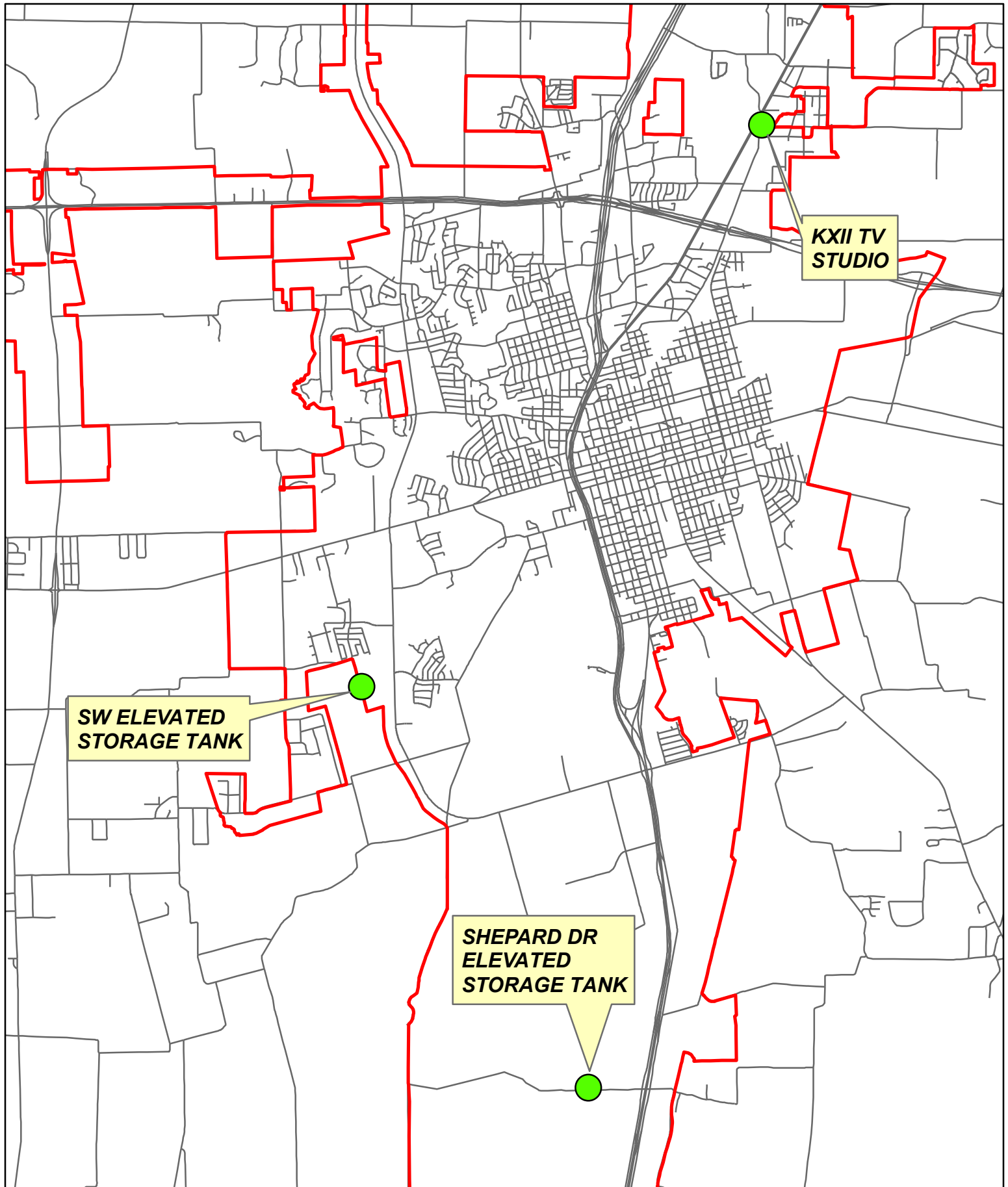
### Dimensions

|                              |                  |
|------------------------------|------------------|
| Compatible Diameter, maximum | 88.9 mm   3.5 in |
| Compatible Diameter, minimum | 31.8 mm   1.3 in |
| Net Weight                   | 3.2 kg   7.0 lb  |

### Regulatory Compliance/Certifications

|                            |                                                                                |
|----------------------------|--------------------------------------------------------------------------------|
| <b>Agency</b>              | <b>Classification</b>                                                          |
| RoHS 2011/65/EU            | Compliant by Exemption                                                         |
| China RoHS SJ/T 11364-2006 | Above Maximum Concentration Value (MCV)                                        |
| ISO 9001:2008              | Designed, manufactured and/or distributed under this quality management system |





## SPD Receiver Sites

1 inch = 6,000 feet





# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

C.5.

**Meeting Date:** 12/18/2017

**Prepared By:** Kevin Winkler, Public Works Manager

**Approved By:** Robby Hefton, City Manager

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**Caption:**

**\* RESOLUTION NO. 6318**

Authorizing the Purchase of a New Elgin Eagle Standard Street Sweeper for the Street Maintenance Department from Kinloch Equipment & Supply, Inc. through the Texas Local Government Purchasing Cooperative (BuyBoard)

**Issue:**

To consider approval of a resolution to purchase a new Elgin Eagle Standard Street Sweeper from the BuyBoard for use within the Street Maintenance Department

**Background:**

The requested purchase is to replace Unit 412 (a 1998 year model street sweeper). This street sweeper is used in maintaining the city streets.

The Texas Local Government Purchasing Cooperative was created to increase the purchasing power of government entities and to simplify their purchasing by using a customized electronic purchasing system called the BuyBoard.

**Origination:**

Department of Public Works

**Financial Consideration:**

The new Elgin Eagle Standard Street Sweeper will be purchased from Kinloch Equipment & Supply, Inc. for \$263,720.00 through the BuyBoard. Funding for this purchase was appropriated in the fiscal year 2017-2018 Street Maintenance Department budget.

**Staff Recommendation:**

It is recommended that staff be authorized to purchase the new Elgin Eagle Standard Street Sweeper through the BuyBoard.

**Alternatives:**

As may be recommended by the City Council



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### **Attachments**

Resolution No. 6318

Kinloch Equipment & Supply Quotation

BuyBoard Interlocal Agreement

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**RESOLUTION NO. 6318**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW ELGIN EAGLE STANDARD STREET SWEEPER FOR THE STREET MAINTENANCE DEPARTMENT FROM KINLOCH EQUIPMENT & SUPPLY, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD); 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 Kinloch Equipment & Supply, Inc., through the Texas Local Government Purchasing Cooperative (BuyBoard), a 2017 Elgin Eagle Standard Street Sweeper at a total price of Two Hundred Sixty-Three Thousand Seven Hundred Twenty Dollars and No Cents (\$263,200.00), in accordance with the provisions of the BuyBoard proposal and the terms and conditions of the Interlocal Participation Agreement, both attached hereto and made a part hereof for all purposes. Any agreements related to the purchase must be approved by the City Attorney. Funds for this purchase are being committed out of the City of Sherman's fiscal year 2017-2018 budget.

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

**PASSED AND APPROVED** on this the \_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF SHERMAN, TEXAS**

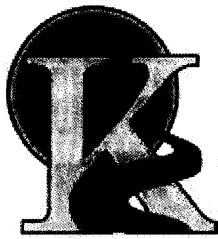
**ATTEST:**

**BY:** \_\_\_\_\_  
**LINDA ASHBY, CITY CLERK**

**BY:** \_\_\_\_\_  
**DAVID PLYLER, MAYOR**

**APPROVED AS TO FORM  
AND CONTENT:**

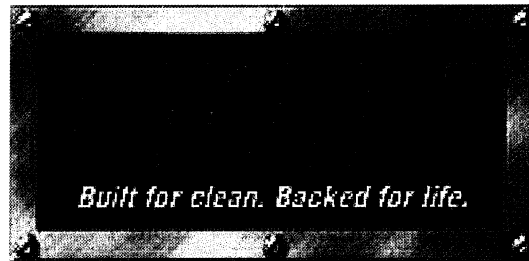
**BY:** \_\_\_\_\_  
**BRANDON S. SHELBY,  
CITY ATTORNEY**



**Kinloch  
Equipment & Supply, Inc.**

**Presents a Proposal Summary**

of the



Eagle

Eagle Broom Street Sweeper with Dual Side Brooms

for

/

Jamey Bryant  
Tel: 940.902.4053

## **PRODUCT DESCRIPTION**

- Hydraulically driven left and right side brooms and variable height, right side dumping, 4.5 cubic yard hopper, sweeper is powder coated from powder coatings chart 2003/N with powder coated gray undercarriage.

## **STANDARD FEATURES**

- Aux-engine;
- Two-stage dry type with restriction indicator (at engine) and precleaner
- Broom side, in-cab reversible, 46 "steel vertical digger 5 segment
- Broom side, pneumatic floating suspension, pneumatic deploy
- Broom, main, 34" diameter, 60" wide prefab disposable
- Camera, Rear with in-cab monitor
- Conveyor, cleated belt, adjustable height
- Conveyor flush out system
- Conveyor raise in reverse
- Conveyor stall alarm
- Dirt shoes, rubber
- Electric backup alarm
- Engine, sweeper, diesel, tier 4 FINAL, 74 HP
- Hopper inspection door
- Hopper, 4.5 cu yd with window and skylight
- Hopper up visual/audible indicator
- Hopper, variable high dump, 38" -10'
- Hopper lift, dual scissors, 10,000 lbs
- Hose, hydrant fill, 16'8" (5080 mm) with strainer and coupling
- Hydraulic oil level gauge and in-cab level light
- Lights, automatic backup
- Lights, combination tail/stop, separate amber signal
- Lights, flood light, one per broom left, right, and main broom (3)
- Manuals, operator and parts
- Rear broom cover and anti-carryover wrap
- Rear broom spray bar
- Reflectors, set of 2
- Sweep resume / raise in reverse
- Tactile controls for all sweep functions
- Tool storage
- Water fill, anti-siphon
- Water level indicator in-cab
- Water Pump, electric diaphragm
- Water tank, molded polyethylene, 360 gallon total nominal capacity
- Sweeper Painted Standard White
- Chassis Painted Standard White
- Red Logo

## **ADDITIONAL FEATURES**

- 2017 M2 Dual Steer
- Right and Left Hand Heated and Remote Controlled Mirrors
- Left Hand Fender Mounted Mirror
- (1) Spare Chassis Key
- Lifeline Hopper System
- Package 1 : Single Rear/Single Hopper Beacon; Incandescent with Guard
- 2 1/2 Lb. Fire Extinguisher

**Factory Total:** \$263,720.00

Price valid for 30 Days from date of 9/7/2017

Product Model: EAGLESTANDARD

Product Model: EAGLESTANDARD

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Proposal Date: 9/7/2017

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Quote Number: 2017-22081

Price List Date: 9/7/2017

P.O. Number:

Payment Terms:

Proposal Notes:

1. Multiple unit orders will be identical to signed proposal. Changes or deviations to any unit of a multiple unit order will require a new signed proposal.
2. Chassis specifications and data codes for customer supplied chassis must be submitted to and approved by Elgin Sweeper Company prior to submittal of customer purchase order
3. All prices quoted are in US Dollars unless otherwise noted.

SIGNED BY:

\_\_\_\_\_ Date: \_\_\_\_\_



## LIMITED WARRANTY

ELGIN SWEEPER COMPANY warrants each new machine manufactured by it against defects in material and workmanship provided the machine is used in a normal and reasonable manner. This warranty is extended only to the original user-purchaser for a period of twelve (12) months from the date of delivery to the original user-purchaser.

ELGIN SWEEPER COMPANY will cause to be repaired or replaced, as the Company, may elect, any part or part of such machine which the Company's examination discloses to be defective in material or workmanship.

Repairs or replacements are to be made at the selling Elgin distributor's location or at other locations approved by ELGIN SWEEPER COMPANY.

The ELGIN SWEEPER COMPANY warranty shall not apply to:

1. Major components or trade accessories such as but not limited to, trucks, engines, tires or batteries that have a separate warranty by the original manufacturer.
2. Normal adjustments and maintenance services.
3. Normal wear parts such as but not limited to, broom filters, broom wire, shoe runners and rubber deflectors.
4. Failures resulting from the machine being operated in a manner or for a purpose not recommended by ELGIN SWEEPER COMPANY.
5. Repairs, modifications or alterations without the consent of ELGIN SWEEPER COMPANY which, in the Company's sole judgment, have adversely affected the machine's stability or reliability.
6. Items subjected to misuse, negligence, accident or improper maintenance.

The use in the product of any part other than parts approved by ELGIN SWEEPER COMPANY may invalidate this warranty. ELGIN SWEEPER COMPANY reserves the right to determine, in its sole discretion, if the use of non-approved parts operates to invalidate the warranty.

Nothing contained in this warranty shall make ELGIN SWEEPER COMPANY liable for loss, injury, or damage of any kind to any person or entity resulting from any defect or failure in the machine.

**TO THE EXTENT LIMITED BY LAW, THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.**

This warranty is also in lieu of all other obligations or liabilities on the part of ELGIN SWEEPER COMPANY, including but not limited to, liability for incidental and consequential damages on the part of the Company or the seller.

ELGIN SWEEPER COMPANY makes no representation that the machine has the capacity to perform any functions other than as contained in the Company's written literature, catalogs or specifications accompanying delivery of the machine.

No person or affiliated company representative is authorized to give any other warranties or to assume any other liability on behalf of ELGIN SWEEPER COMPANY in connection with the sale, servicing or repair of any machine manufactured by the Company.

ELGIN SWEEPER COMPANY reserves the right to make design changes or improvements in its products without imposing any obligation upon itself to change or improve previously manufactured products.

RECEIVED JUN 15 2002

YOUR COPY

INTERLOCAL PARTICIPATION AGREEMENT RECEIVED JUN 15 2002

for the  
Texas Local Government Purchasing Cooperative

This Interlocal Participation Agreement ("Agreement") is made and entered into by and between the Texas Local Government Purchasing Cooperative ("Cooperative"), an administrative agency of cooperating local governments, acting on its own behalf and the behalf of all participating local governments, and the undersigned local government of the State of Texas ("Cooperative Member"). The purpose of this Agreement is to facilitate compliance with state bidding requirements, to identify qualified vendors of commodities, goods and services, to relieve the burdens of the governmental purchasing function, and to realize the various potential economies, including administrative cost savings, for Cooperative Members.

WITNESSETH:

WHEREAS, the Cooperative Members are authorized by Chapter 791, et seq., The Interlocal Cooperation Act of the Government Code ("the Act"), to agree with other local governments to form purchasing cooperatives; and

WHEREAS, the Cooperative is an administrative agency of local governments cooperating in the discharge of their governmental functions; and

WHEREAS, the Cooperative Member does hereby adopt the Organizational Interlocal Agreement, together with such amendments as may be made in the future, reflecting the evolving mission of the Cooperative and further agrees to become an additional party to that certain Organizational Interlocal Agreement promulgated on the 26th day of January, 1998.

NOW, THEREFORE, BE IT RESOLVED that the undersigned Cooperative Member in consideration of the agreement of the Cooperative and the Cooperative Members to provide services as detailed herein does agree to the following terms, conditions, and general provisions.

In return for the payment of the contributions and subject to all terms of this Agreement, the parties agree as follows:

TERMS AND CONDITIONS

1. Adopt Organizational Interlocal Cooperation Agreement. The Cooperative Member by the adoption and execution of this Agreement hereby adopts and approves the Organizational Interlocal Agreement dated January 26, 1998, together with such amendments as may be made in the future and further agrees to become a Cooperative Member.
2. Term. The initial term of this Agreement shall commence at 12:01 a.m. on the date executed and signed and shall automatically renew for successive one-year terms unless sooner terminated in accordance with the provisions of this Agreement. The terms, conditions, and general provisions set forth below shall apply to the initial term and all renewals.
3. Termination.
  - a. By the Cooperative Member. This Agreement may be terminated by the Cooperative Member at any time by thirty (30) days prior written notice to the Cooperative; provided all charges owed to the Cooperative and any vendor have been fully paid.
  - b. By the Cooperative. The Cooperative may terminate this Agreement by:
    1. Giving ten (10) days notice by certified mail to the Cooperative Member if the Cooperative Member fails or refuses to make the payments or contributions as herein provided; or
    2. Giving thirty (30) days notice by certified mail to the Cooperative Member.

- c. **Termination Procedure.** If the Cooperative Member terminates its participation during the term of this Agreement or breaches this Agreement, or if the Cooperative terminates participation of the Cooperative Member under any provision of this Article, the Cooperative Member shall bear the full financial responsibility for any purchases occurring after the termination date, and for any unpaid charges accrued during its term of membership in the Cooperative. The Cooperative may seek the whole amount due, if any, from the terminated Cooperative Member. The Cooperative Member will not be entitled to a refund of membership dues paid.
4. **Payments.**
  - a. The Cooperative Member agrees to pay membership fees based on a plan developed by the Cooperative. Membership fees are payable by Cooperative Member upon receipt of an invoice from the Cooperative, Cooperative Contractor or vendor. A late charge amounting to the maximum interest allowed by law, but not less than the rate of interest under Section 2251.021, et seq., Texas Government Code, shall begin to accrue daily on the 31st day following the due date and continue to accrue until the contribution and late charges are paid in full. The Cooperative reserves the right to collect all funds that are due to the Cooperative in the event of termination by Cooperative Member or breach of this Agreement by Cooperative Member.
  - b. The Cooperative Member will make timely payments to the vendor for the goods, materials and services received in accordance with the terms and conditions of the Invitation to Bid and related procurement documents. Payment for goods, materials and services and inspections and acceptance of goods, materials and services ordered by the procuring party shall be the exclusive obligation of the procuring Cooperative Member.
5. **Cooperative Reporting.** The Cooperative will provide periodic activity reports to the Cooperative Member. These reports may be modified from time to time as deemed appropriate by the Cooperative.
6. **Administration.** Cooperative Member will use the BuyBoard purchasing application in accordance with instruction from the Cooperative; discontinue use upon termination of participation; maintain confidentiality and prevent unauthorized use; maintain equipment, software and testing to operate the system at its own expense; report all purchase orders generated to Cooperative or its designee in accordance with instructions of the Cooperative; and make a final accounting to Cooperative upon termination of membership.
7. **Amendments.** The Board may amend this agreement, provided that notice is sent to each participant at least 60 days prior to the effective date of any change described in such amendment which, in the opinion of the Board, will have a material effect on the Cooperative Members participation in the Cooperative.

#### GENERAL PROVISIONS

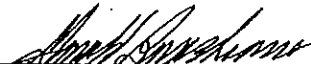
1. **Authorization to Participate.** Each Cooperative Member represents and warrants that its governing body has duly authorized its participation in the Cooperative.
2. **Bylaws.** The Cooperative Member agrees to abide by the Bylaws of the Cooperative, as they may be amended, and any and all reasonable policies and procedures established by the Cooperative.
3. **Compensation.** The parties agree that the payments under this Agreement and all related exhibits and documents are amounts that fairly compensate the Cooperative for the services or functions performed under the Agreement, and that the portion of gross sales paid by participating vendors enables the Cooperative to pay the necessary licensing fees, marketing costs, and related expenses required to operate a statewide system of electronic commerce for the local governments of Texas.
4. **Cooperation and Access.** The Cooperative Member agrees that it will cooperate in compliance with any reasonable requests for information and/or records made by the Cooperative. The Cooperative reserves the right to audit the relevant records of any Cooperative Member. Any breach of this Article shall be considered material and shall make the Agreement subject to termination on ten (10) days written notice to the Cooperative Member.

5. **Coordinator.** The Cooperative Member agrees to appoint a program coordinator who shall have express authority to represent and bind the Cooperative Member, and the Cooperative will not be required to contact any other individual regarding program matters. Any notice to or any agreements with the coordinator shall be binding upon the Cooperative Member. The Cooperative Member reserves the right to change the coordinator as needed by giving written notice to the Cooperative. Such notice is not effective until actually received by the Cooperative.
6. **Current Revenue.** The Cooperative Member hereby warrants that all payments, contributions, fees, and disbursements required of it hereunder shall be made from current revenues budgeted and available to the Cooperative Member.
7. **Defense and Prosecution of Claims.** The Cooperative Member authorizes the Cooperative to regulate the commencement, defense, intervention, or participation in a judicial, administrative, or other governmental proceeding or in an arbitration, mediation, or any other form of alternative dispute resolution, or other appearances of the Cooperative and/or any past or current Cooperative Member in any litigation, claim or dispute, and to engage counsel and appropriate experts, in the Cooperative's sole discretion, with respect to such litigation, claim or disputes. The Cooperative Member does hereby agree that any suit brought against the Cooperative or a Cooperative Member may be defended in the name of the Cooperative or the Member by the counsel selected by the Cooperative, in its sole discretion, or its designee, on behalf of and at the expense of the Cooperative as necessary for the prosecution or defense of any litigation. Full cooperation by the Cooperative Member shall be extended to supply any information needed or helpful in such prosecution or defense. Subject to specific revocation, the Cooperative Member hereby designates the Cooperative to act as a class representative on its behalf in matters arising out of this Agreement.
8. **Governance.** The Board of Trustees (Board) will govern the Cooperative in accordance with the Bylaws. Travis County, Texas will be the location for filing any dispute, claim or lawsuit.
9. **Limitations of Liability.** COOPERATIVE, ITS ENDORSERS (TEXAS ASSOCIATION OF SCHOOL BOARDS, TEXAS ASSOCIATION OF COUNTIES, AND TEXAS MUNICIPAL LEAGUE) AND SERVICING CONTRACTOR (TEXAS ASSOCIATION OF SCHOOL BOARDS) DO NOT WARRANT THAT THE OPERATION OR USE OF COOPERATIVE SERVICES WILL BE UNINTERRUPTED OR ERROR FREE. COOPERATIVE, ITS ENDORSERS AND SERVICING CONTRACTORS, HEREBY DISCLAIM ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, IN REGARD TO ANY INFORMATION, PRODUCT OR SERVICE FURNISHED UNDER THIS AGREEMENT, INCLUDING WITHOUT LIMITATION, ANY AND ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THE PARTIES AGREE THAT IN REGARD TO ANY AND ALL CAUSES OF ACTION ARISING OUT OF OR RELATING TO THIS AGREEMENT, NEITHER PARTY SHALL BE LIABLE TO THE OTHER UNDER ANY CIRCUMSTANCES FOR SPECIAL, INCIDENTAL, CONSEQUENTIAL, OR EXEMPLARY DAMAGES, EVEN IF IT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.
10. **Merger.** This Interlocal Participation Agreement, Terms and Conditions, and General Provisions, together with the Bylaws, Organizational Interlocal Agreement, and Exhibits, represents the complete understanding of the Cooperative, and Cooperative Member electing to participate in the Cooperative.
11. **Notice.** Any written notice to the Cooperative shall be made by first class mail, postage prepaid, and delivered to the Associate Executive Director Financial Planning, Texas Association of School Boards, Inc., P.O. Box 400, Austin, Texas 78767-0400.
12. **Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and venue shall lie in Travis County, Texas.
13. **Warranty.** By the execution and delivery of this Agreement, the undersigned individuals warrant that they have been duly authorized by all requisite administrative action required to enter into and perform the terms of this Agreement.

IN WITNESS WHEREOF, the parties, acting through their duly authorized representatives, sign this Agreement as of the date indicated.

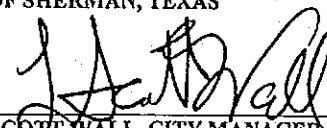
**TO BE COMPLETED BY THE COOPERATIVE:**

TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE, as acting on behalf of all other Cooperative Members

By:  Date: 7-15-02  
Gerald Brashears, Cooperative Administrator

**TO BE COMPLETED BY COOPERATIVE MEMBER:**

CITY OF SHERMAN, TEXAS

By:  Date: 5/28/2002  
L. SCOTT WALL, CITY MANAGER

Coordinator for the Cooperative Member is:

Name: MARYANN WINKLER  
Address: 405 N. RUSK STREET  
SHERMAN, TEXAS 75090  
Phone: (903) 892-7285  
Fax: (903) 891-0255  
Email: PURCH@TEXOMA.NET





# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

C.6.

**Meeting Date:** 12/18/2017

**Prepared By:** Kevin Winkler, Public Works Manager

**Approved By:** Robby Hefton, City Manager

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**Caption:**

**\* RESOLUTION NO. 6319**

Authorizing the Purchase of a New Gomaco GT-3600 REV C. Paver for the Street Maintenance Department from Romco Equipment through the Texas Local Government Purchasing Cooperative (BuyBoard)

**Issue:**

To consider approval of a resolution to purchase a new Gomaco GT-3600 REV C. Paver from the BuyBoard for use within the Street Maintenance Department

**Background:**

The new Gomaco GT-3600 REV C. Paver will be used in the repairing and repaving of city streets.

The Texas Local Government Purchasing Cooperative was created to increase the purchasing power of government entities and to simplify their purchasing by using a customized electronic purchasing system called the BuyBoard.

**Origination:**

Department of Public Works

**Financial Consideration:**

The new Gomaco GT-3600 REV C. Paver will be purchased from Romco Equipment for \$325,223.00 through the BuyBoard. Funding for this purchase was appropriated in the fiscal year 2017-2018 Street Maintenance Department Budget.

**Staff Recommendation:**

It is recommended that staff be authorized to purchase the new Gomaco GT-3600 REV C. Paver through the BuyBoard.

**Alternatives:**

As may be recommended by the City Council

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**Attachments**

Resolution No. 6319

Romco Equipment Quotation

BuyBoard Interlocal Agreement

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**RESOLUTION NO. 6319**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW GOMACO GT-3600 REV C. PAVER FOR THE STREET MAINTENANCE DEPARTMENT FROM ROMCO EQUIPMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD); 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 Romco Equipment through the Texas Local Government Purchasing Cooperative (BuyBoard) a new Gomaco GT-3600 REV C. Paver, at a total price of Three Hundred Twenty-Five Thousand Two Hundred Twenty-Three Dollars and No Cents (\$325,223.00), in accordance with the provisions of the BuyBoard proposal and the terms and conditions of the Interlocal Participation Agreement, both attached hereto and made a part hereof for all purposes. Any agreements related to the purchase must be approved by the City Attorney. Funds for this purchase are being committed out of the City of Sherman's fiscal year 2017-2018 budget.

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

**PASSED AND APPROVED** on this the \_\_\_\_ day of \_\_\_\_\_, 2017.

**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**



GOMACO Corporation  
P.O. Box 151  
Ida Grove, IA 51445 USA  
Phone: 712-364-3347 Fax: 712.364.3986

***The Worldwide Leader in Concrete Paving Equipment***

---

**Date:** November 16, 2017

**Quote To:** City Of Sherman

**Quote From:** Romco Equipment

**Machine Quoted:** GT-3600 REV C.

- Upgrade to 125HP engine
- Added 4-10 Ft. sectional mold with hydraulically adjustable sideplates
- Added 10 ft. center mount kit
- Added 4 additional vibrators
- Removed 4 ft. sidewalk mold with removeable sideplate

| Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Price |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| <p style="text-align: center;"><b>Standard Machine Equipment</b></p> <p><b>4045HF285 John Deere Diesel Engine - 125 hp (93.3 kW) – Tier 3</b></p> <p><b>Fuel Reservoir 44 gal. (166.6 liter)</b></p> <p><b>Hydraulic Oil Reservoir 105 gal. (397.5 liter)</b></p> <p><b>One Oil Cooler</b></p> <p><b>54 in. Wide Sectional Trimmerhead</b></p> <ul style="list-style-type: none"> <li>* with internal hydraulic drive</li> <li>* with 12 in. (305 mm) hydraulic vertical adjustment</li> <li>* with 48 in. (1,219 mm) hydraulic sideshift adjustment</li> </ul> <p><b>One Curb and Gutter Mold</b></p> <ul style="list-style-type: none"> <li>* up to 24 in. (610 mm) wide</li> <li>* includes California style DWCO</li> </ul> <p><b>One 4-10 Ft. Sectional Mold – Open Front or Closed Front</b></p> <ul style="list-style-type: none"> <li>* consisting 2 ft. left hand end section and 2 ft. right hand end section</li> <li>* with 1 ea. 12 in. (305 mm) wide insert, 1 ea. 24 in. (610 mm) wide, and 1 ea. 36 in. (914 mm) wide insert</li> <li>* with hydraulically adjustable sideplates</li> <li>* with adjustable edge slump – both sides</li> <li>* with sectional cross auger assembly</li> </ul> <p><b>Mold Centermount Kit</b></p> <ul style="list-style-type: none"> <li>* includes drawbar to mount in place of trimmerhead, extension for the rear leg, pivoting leg extension, and inner telescoping tube for right leg</li> <li>* for molds up to 10 ft. (3.05 m) wide</li> </ul> <p><b>Nine Hydraulic Vibrators</b></p> <p><b>Six Hydraulic Vibrator Circuits with Individual Variable Controls</b></p> <p><b>Hydraulic Pump System</b></p> <ul style="list-style-type: none"> <li>* two double-stage main hydraulic pumps</li> <li>* one pressure-compensated lift circuit pump</li> </ul> <p><b>G+ Control System</b></p> <ul style="list-style-type: none"> <li>* self-diagnostic system with 6.5 in. (165 mm) anti-glare graphical display</li> <li>* operates in multiple languages</li> <li>* with CAN network controller for front and rear grade, steering and reverse steering with “Smart Cylinder” technology, cross slope and reverse steering</li> </ul> <p><b>Automatic On/Off Control for Vibrators Synchronized with Machine Movement</b></p> |       |



**Three Crawler Tracks - Series One - With Two-Speed Hydraulic Motors**

- \* hydraulically driven and automatic tensioning
- \* 5 ft. 1.4 in. (1.56 m) long
- \* 3 ft. 4.5 in. (1.03 m) center-to-center of sprockets
- \* 11.8 in. (300 mm) wide pads with street grousers
- \* 100:1 gear reduction

**Polyurethane Track Pads**

- \* clip onto metal grousers
- \* 81 pads required - 610-48E86

**Piston-Style Leg Assemblies with 36 in. (914 mm) Stroke Lift Cylinders**

**Power-Swing Pivoting Left Front Track Mount**

**Hydraulically Extendible Right-Side Track and Rear Track Mounts**

**High-Pressure Water System**

- \* includes trigger gun control and adjustable pressure unloader for 0 to 2,000 psi

**Concrete Charging Conveyor and Mount**

- \* hydraulically driven
- \* 14 ft. 10.5 in. (4.53 m) between pulley centers
- \* 24 in. (610 mm) wide belt
- \* variable speed and reversible
- \* lateral swing mount with hydraulic adjustment for charging height

**Hook-and-Go Drawbar & Hold-Down Assembly**

- \* 18 in. (457 mm) pressure-compensated hydraulic vertical adjustment and 6 in. (152 mm) manual vertical adjustment
- \* 48 in. (1,219 mm) maximum hydraulic sideshift

**Modular Electronic Control Panel**

**Fiberglass Engine Shroud and Operator's Console**

- \* improved operator visibility
- \* better access to engine, pumps, and valves
- \* roll top cover for operator's console

**Operator's Station**

- \* engineered for easy monitoring of all hydraulic controls and electronic sensing functions

**Emergency Stop Switches**

**Sensor Line Kit - One Mile Package - Kit No. GT10-129**

- \* 6 - Rolls of 1000 ft. (304.8 m) Sensor Line - 715-35A41
- \* 212 - Line Rods - GT10-005
- \* 212 - Aluminum Cast Clamps with Set Screws - GT10-117
- \* 224 - Line and Winch Support Stakes - GT10-021
- \* 6 - Tension Winches - GT10-049

**GOMACO Umbrella**

\* 54 in. (1,372 mm) square with GOMACO logo

**PRICE**

**\$ 325,223**

**F.O.B.: Ida Grove, Iowa**

**This price is good for 60 days.**

**GOMACO reserves the right to correct all clerical and verbal quote errors**

**Freight from Factory \$10,000**

**We appreciate the opportunity to quote this equipment. If you have any questions, please give me a call at (817-247-8075) or e-mail [khooks@romco.com](mailto:khooks@romco.com).**

**Best Regards,**

**Keith Hooks**

RECEIVED JUN 15 2002

YOUR COPY

INTERLOCAL PARTICIPATION AGREEMENT RECEIVED JUN 15 2002

for the  
Texas Local Government Purchasing Cooperative

This Interlocal Participation Agreement ("Agreement") is made and entered into by and between the Texas Local Government Purchasing Cooperative ("Cooperative"), an administrative agency of cooperating local governments, acting on its own behalf and the behalf of all participating local governments, and the undersigned local government of the State of Texas ("Cooperative Member"). The purpose of this Agreement is to facilitate compliance with state bidding requirements, to identify qualified vendors of commodities, goods and services, to relieve the burdens of the governmental purchasing function, and to realize the various potential economies, including administrative cost savings, for Cooperative Members.

WITNESSETH:

WHEREAS, the Cooperative Members are authorized by Chapter 791, et seq., The Interlocal Cooperation Act of the Government Code ("the Act"), to agree with other local governments to form purchasing cooperatives; and

WHEREAS, the Cooperative is an administrative agency of local governments cooperating in the discharge of their governmental functions; and

WHEREAS, the Cooperative Member does hereby adopt the Organizational Interlocal Agreement, together with such amendments as may be made in the future, reflecting the evolving mission of the Cooperative and further agrees to become an additional party to that certain Organizational Interlocal Agreement promulgated on the 26th day of January, 1998.

NOW, THEREFORE, BE IT RESOLVED that the undersigned Cooperative Member in consideration of the agreement of the Cooperative and the Cooperative Members to provide services as detailed herein does agree to the following terms, conditions, and general provisions.

In return for the payment of the contributions and subject to all terms of this Agreement, the parties agree as follows:

TERMS AND CONDITIONS

1. Adopt Organizational Interlocal Cooperation Agreement. The Cooperative Member by the adoption and execution of this Agreement hereby adopts and approves the Organizational Interlocal Agreement dated January 26, 1998, together with such amendments as may be made in the future and further agrees to become a Cooperative Member.
2. Term. The initial term of this Agreement shall commence at 12:01 a.m. on the date executed and signed and shall automatically renew for successive one-year terms unless sooner terminated in accordance with the provisions of this Agreement. The terms, conditions, and general provisions set forth below shall apply to the initial term and all renewals.
3. Termination.
  - a. By the Cooperative Member. This Agreement may be terminated by the Cooperative Member at any time by thirty (30) days prior written notice to the Cooperative; provided all charges owed to the Cooperative and any vendor have been fully paid.
  - b. By the Cooperative. The Cooperative may terminate this Agreement by:
    1. Giving ten (10) days notice by certified mail to the Cooperative Member if the Cooperative Member fails or refuses to make the payments or contributions as herein provided; or
    2. Giving thirty (30) days notice by certified mail to the Cooperative Member.

- c. **Termination Procedure.** If the Cooperative Member terminates its participation during the term of this Agreement or breaches this Agreement, or if the Cooperative terminates participation of the Cooperative Member under any provision of this Article, the Cooperative Member shall bear the full financial responsibility for any purchases occurring after the termination date, and for any unpaid charges accrued during its term of membership in the Cooperative. The Cooperative may seek the whole amount due, if any, from the terminated Cooperative Member. The Cooperative Member will not be entitled to a refund of membership dues paid.
4. **Payments.**
  - a. The Cooperative Member agrees to pay membership fees based on a plan developed by the Cooperative. Membership fees are payable by Cooperative Member upon receipt of an invoice from the Cooperative, Cooperative Contractor or vendor. A late charge amounting to the maximum interest allowed by law, but not less than the rate of interest under Section 2251.021, et seq., Texas Government Code, shall begin to accrue daily on the 31st day following the due date and continue to accrue until the contribution and late charges are paid in full. The Cooperative reserves the right to collect all funds that are due to the Cooperative in the event of termination by Cooperative Member or breach of this Agreement by Cooperative Member.
  - b. The Cooperative Member will make timely payments to the vendor for the goods, materials and services received in accordance with the terms and conditions of the Invitation to Bid and related procurement documents. Payment for goods, materials and services and inspections and acceptance of goods, materials and services ordered by the procuring party shall be the exclusive obligation of the procuring Cooperative Member.
5. **Cooperative Reporting.** The Cooperative will provide periodic activity reports to the Cooperative Member. These reports may be modified from time to time as deemed appropriate by the Cooperative.
6. **Administration.** Cooperative Member will use the BuyBoard purchasing application in accordance with instruction from the Cooperative; discontinue use upon termination of participation; maintain confidentiality and prevent unauthorized use; maintain equipment, software and testing to operate the system at its own expense; report all purchase orders generated to Cooperative or its designee in accordance with instructions of the Cooperative; and make a final accounting to Cooperative upon termination of membership.
7. **Amendments.** The Board may amend this agreement, provided that notice is sent to each participant at least 60 days prior to the effective date of any change described in such amendment which, in the opinion of the Board, will have a material effect on the Cooperative Members participation in the Cooperative.

#### GENERAL PROVISIONS

1. **Authorization to Participate.** Each Cooperative Member represents and warrants that its governing body has duly authorized its participation in the Cooperative.
2. **Bylaws.** The Cooperative Member agrees to abide by the Bylaws of the Cooperative, as they may be amended, and any and all reasonable policies and procedures established by the Cooperative.
3. **Compensation.** The parties agree that the payments under this Agreement and all related exhibits and documents are amounts that fairly compensate the Cooperative for the services or functions performed under the Agreement, and that the portion of gross sales paid by participating vendors enables the Cooperative to pay the necessary licensing fees, marketing costs, and related expenses required to operate a statewide system of electronic commerce for the local governments of Texas.
4. **Cooperation and Access.** The Cooperative Member agrees that it will cooperate in compliance with any reasonable requests for information and/or records made by the Cooperative. The Cooperative reserves the right to audit the relevant records of any Cooperative Member. Any breach of this Article shall be considered material and shall make the Agreement subject to termination on ten (10) days written notice to the Cooperative Member.

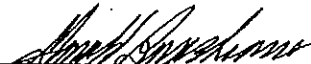
5. **Coordinator.** The Cooperative Member agrees to appoint a program coordinator who shall have express authority to represent and bind the Cooperative Member, and the Cooperative will not be required to contact any other individual regarding program matters. Any notice to or any agreements with the coordinator shall be binding upon the Cooperative Member. The Cooperative Member reserves the right to change the coordinator as needed by giving written notice to the Cooperative. Such notice is not effective until actually received by the Cooperative.
6. **Current Revenue.** The Cooperative Member hereby warrants that all payments, contributions, fees, and disbursements required of it hereunder shall be made from current revenues budgeted and available to the Cooperative Member.
7. **Defense and Prosecution of Claims.** The Cooperative Member authorizes the Cooperative to regulate the commencement, defense, intervention, or participation in a judicial, administrative, or other governmental proceeding or in an arbitration, mediation, or any other form of alternative dispute resolution, or other appearances of the Cooperative and/or any past or current Cooperative Member in any litigation, claim or dispute, and to engage counsel and appropriate experts, in the Cooperative's sole discretion, with respect to such litigation, claim or disputes. The Cooperative Member does hereby agree that any suit brought against the Cooperative or a Cooperative Member may be defended in the name of the Cooperative or the Member by the counsel selected by the Cooperative, in its sole discretion, or its designee, on behalf of and at the expense of the Cooperative as necessary for the prosecution or defense of any litigation. Full cooperation by the Cooperative Member shall be extended to supply any information needed or helpful in such prosecution or defense. Subject to specific revocation, the Cooperative Member hereby designates the Cooperative to act as a class representative on its behalf in matters arising out of this Agreement.
8. **Governance.** The Board of Trustees (Board) will govern the Cooperative in accordance with the Bylaws. Travis County, Texas will be the location for filing any dispute, claim or lawsuit.
9. **Limitations of Liability.** COOPERATIVE, ITS ENDORSERS (TEXAS ASSOCIATION OF SCHOOL BOARDS, TEXAS ASSOCIATION OF COUNTIES, AND TEXAS MUNICIPAL LEAGUE) AND SERVICING CONTRACTOR (TEXAS ASSOCIATION OF SCHOOL BOARDS) DO NOT WARRANT THAT THE OPERATION OR USE OF COOPERATIVE SERVICES WILL BE UNINTERRUPTED OR ERROR FREE. COOPERATIVE, ITS ENDORSERS AND SERVICING CONTRACTORS, HEREBY DISCLAIM ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, IN REGARD TO ANY INFORMATION, PRODUCT OR SERVICE FURNISHED UNDER THIS AGREEMENT, INCLUDING WITHOUT LIMITATION, ANY AND ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THE PARTIES AGREE THAT IN REGARD TO ANY AND ALL CAUSES OF ACTION ARISING OUT OF OR RELATING TO THIS AGREEMENT, NEITHER PARTY SHALL BE LIABLE TO THE OTHER UNDER ANY CIRCUMSTANCES FOR SPECIAL, INCIDENTAL, CONSEQUENTIAL, OR EXEMPLARY DAMAGES, EVEN IF IT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.
10. **Merger.** This Interlocal Participation Agreement, Terms and Conditions, and General Provisions, together with the Bylaws, Organizational Interlocal Agreement, and Exhibits, represents the complete understanding of the Cooperative, and Cooperative Member electing to participate in the Cooperative.
11. **Notice.** Any written notice to the Cooperative shall be made by first class mail, postage prepaid, and delivered to the Associate Executive Director Financial Planning, Texas Association of School Boards, Inc., P.O. Box 400, Austin, Texas 78767-0400.
12. **Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and venue shall lie in Travis County, Texas.
13. **Warranty.** By the execution and delivery of this Agreement, the undersigned individuals warrant that they have been duly authorized by all requisite administrative action required to enter into and perform the terms of this Agreement.



IN WITNESS WHEREOF, the parties, acting through their duly authorized representatives, sign this Agreement as of the date indicated.

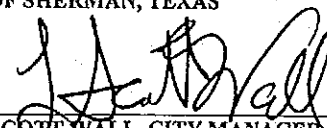
**TO BE COMPLETED BY THE COOPERATIVE:**

TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE, as acting on behalf of all other Cooperative Members

By:  Date: 7-15-02  
Gerald Brashears, Cooperative Administrator

**TO BE COMPLETED BY COOPERATIVE MEMBER:**

CITY OF SHERMAN, TEXAS

By:  Date: 5/28/2002  
L. SCOTT WALL, CITY MANAGER

Coordinator for the Cooperative Member is:

Name: MARYANN WINKLER  
Address: 405 N. RUSK STREET  
SHERMAN, TEXAS 75090  
Phone: (903) 892-7285  
Fax: (903) 891-0255  
Email: PURCH@TEXOMA.NET



# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

C.7.

**Meeting Date:** 12/18/2017

**Prepared By:** Scott Shadden, Director of Developmental Services

**Approved By:** Robby Hefton, City Manager

---

#### **Caption:**

##### **\* RESOLUTION NO. 6320**

Authorizing Execution of an Agreement with Jose Tobar for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 601 South Hazelwood Street

#### **Issue:**

This item is to consider property tax abatement for the construction of a new single-family residence at 601 South Hazelwood 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:**

Jose Tobar, Owner

#### **Financial Consideration:**

A \$75.00 application fee has been received for this residential lot. If granted, the initial abatement for this property will be approximately \$260.40 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. 6320

Residential Tax Abatement Agreement

Application

Warranty Deed

Building Permit

Site Plan

Photo

Location Map

Reinvestment Zone Map

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**RESOLUTION NO. 6320**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOSE TOBAR FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 601 SOUTH HAZELWOOD 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 Jose Tobar subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an agreement with Jose Tobar 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 601 South Hazelwood 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 \_\_\_\_\_, 2017.

**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 **JOSE TOBAR**, hereinafter referred to as OWNER,

**WITNESSETH:**

**WHEREAS**, on the 18<sup>th</sup> 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. 6210) 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 18<sup>th</sup> 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, 2017, and continuing for tax years 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024,



2025 and 2026, 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 2017, sometimes referred to herein as the Base Tax Year.

## **SCHEDULE OF TAXES ASSESSED**

| <b><u>TAX YEAR</u></b> | <b><u>ABATEMENT</u></b> |
|------------------------|-------------------------|
| 2017                   | 100%                    |
| 2018                   | 100%                    |
| 2019                   | 100%                    |
| 2020                   | 100%                    |
| 2021                   | 100%                    |
| 2022                   | 100%                    |
| 2023                   | 80%                     |
| 2024                   | 60%                     |
| 2025                   | 40%                     |
| 2026                   | 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 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025 and 2026, 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 601 South Hazelwood Street, Sherman, Texas, and as more particularly described by the following:

**BEING** Lot 4, Block 7, C. L. Stowe's Addition

**5.01** OWNER agrees that, should he fail to make improvements substantially as described or fail to perform any other term or covenant hereof, CITY shall have the right, after giving notice and opportunity to cure as hereinafter set out, to recapture all tax revenue on said property in the zone lost as a result of this Agreement for the entire term of the Agreement. Such recapture shall mean that all of such property shall be taxed at the full improved value as assessed by the Grayson Appraisal District for all years this Agreement has been in effect. The payment of such recaptured taxes minus any taxes paid by OWNER during the years this Agreement has been in force shall be due January 1 of the next following year and shall be delinquent if not paid on or prior to January 31<sup>st</sup>. 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

Jose Tobar  
2512 S. First St.  
Sherman, TX 75090  
(903) 816-0416

Copy to: Grayson Appraisal District  
512 North Travis Street  
Sherman, Texas 75090  
(903) 893-9673

This Agreement is performable in Grayson County, Texas. Witness our hands on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY:**  
**CITY OF SHERMAN, TEXAS**

**OWNER:**  
**JOSE TOBAR**

**BY:** \_\_\_\_\_  
**ROBBY HEFTON**  
**CITY MANAGER**

**BY:** \_\_\_\_\_  
**JOSE TOBAR**

**ATTEST:**

**BY:** \_\_\_\_\_  
**LINDA ASHBY**  
**CITY CLERK**

**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 **JOSE TOBAR** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein express.

**GIVEN UNDER MY HAND** and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2017 A.D.

\_\_\_\_\_  
**NOTARY PUBLIC IN AND FOR THE**  
**STATE OF TEXAS**

**CITY OF SHERMAN  
APPLICATION FOR RESIDENTIAL TAX ABATEMENT**

**Property Owner:**

Name: Jose Tobar

Mailing Address: 2517 S. First St. Sherman TX 75092

Telephone Number: (903) 816-0416

**Contact (if different than owner):**

Name: Jose Tobar

Mailing Address: 2517 S. First St. Sherman TX 75092

Telephone Number: (903) 816-0416

**Property:**

Physical Address: 601 S. Hazelwood.

Summary Legal Description: Lot: 4 Block: 2 Addition: C. Stowe's

Full Legal Description: Include as an attachment a full legal description with metes and bounds.

**Improvements:**

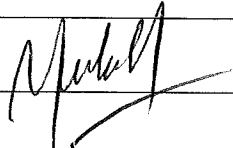
Type of Improvements (please check one). New Construction: ☒ Remodeling: ☐

Estimated Value of Improvements: 70,000

Estimated Date of Start of Construction: 11/13/17

Estimated Date of Completion of Project: 03/13/18

Description of Project: New Construction

Applicant(s): 

Date: 11/13/17.

Date: \_\_\_\_\_



Grayson County  
Wilma Bush  
Grayson County Clerk  
Sherman, Texas 75090



70 2016 00023914

0123511

Instrument Number: 2016-00023914

Recorded On: November 08, 2016

As  
Recordings

Parties: EAST SHERMAN BAPTIST CHURCH

Billable Pages: 2

To TOBAR JOSE EFRAIN ETAL

Number of Pages: 4

Comment: WD

( Parties listed above are for Clerks reference only )

**\*\* Examined and Charged as Follows: \*\***

|                  |       |
|------------------|-------|
| Recordings       | 20.00 |
| Total Recording: | 20.00 |

\*\*\*\*\* 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:**

**Record and Return To:**

Document Number: 2016-00023914

Receipt Number: 463374

Recorded Date/Time: November 08, 2016 03:58:27P

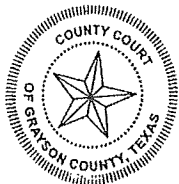
Book-Vol/Pg: BK-OR VL-5903 PG-158

User / Station: G WHITE - Cashiering Station 1

RED RIVER TITLE CO

421 N. CROCKETT 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 Public Records of Grayson County, Texas.

*Wilma Blackshear Bush*

Wilma Blackshear Bush, Grayson County Clerk

0 123511

**"NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER."**

WARRANTY DEED

DATE: November 8, 2016

GRANTOR: EAST SHERMAN BAPTIST CHURCH

GRANTEE AND GRANTEE'S MAILING ADDRESS: JOSE EFRAIN TOBAR and MARIA MAGDALENA MENJIVAR TOBAR, 2517 S. 1st, Sherman, Texas 75090

CONSIDERATION: TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, the receipt of which is hereby acknowledged.

PROPERTY (including any improvements): Being Lot Four (4) in Block Seven (7) of the C. L. Stowe's Addition to the City of Sherman, Texas, as shown by Plat of record in Volume 122, Page 201, Deed Records, Grayson County, Texas.

RESERVATIONS FROM CONVEYANCE:

None

EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is made and accepted subject to any and all outstanding minerals, mineral leases, restrictions, covenants, conditions and easements, if any, relating to the hereinabove described property, but only to the extent that they are still in force and effect, and shown of record in the hereinabove mentioned County and State; and also to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are applicable and enforceable against the hereinabove described property.

Grantor, for the consideration and subject to the reservations from and 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 wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

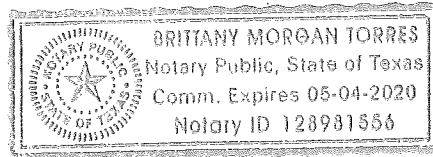
Current ad valorem taxes on said property having been prorated, the payment thereof is assumed by Grantee.

EAST SHERMAN BAPTIST CHURCH

BY: Christopher Carsten  
CHRISTOPHER CARSTEN  
Trustee and Chairman of Deacons

STATE OF TEXAS  
COUNTY OF GRAYSON

This instrument was acknowledged before me on the 8th day of November, 2016, by CHRISTOPHER CARSTEN, Trustee and Chairman of Deacons of EAST SHERMAN BAPTIST CHURCH, on behalf of said church.



Brittany Torres  
Notary Public, State of Texas

PREPARED IN THE LAW OFFICE OF:  
HYNDS & GORDON, P. C.  
500 N. Sam Rayburn Freeway, Suite 200  
Sherman, Texas 75090  
Red River#0123511/db

Bk Vol Pg  
00023913 GR 5903 157

Filed for Record in:  
Grayson County

On: Nov 08, 2016 at 03:58P

As a  
Recordings

Document Number: 00023913

Amount: 48.00

Receipt Number: 443374

By:  
GAIL WHITE

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.

Nov 08, 2016

Wilma Bush, Grayson County Clerk  
Grayson County

Bk Vol Pg  
00023914 GR 5903 158

Filed for Record in:  
Grayson County

On: Nov 08, 2016 at 03:58P

As a  
Recordings

Document Number: 00023914

Amount: 20.00

Receipt Number: 443374

By:  
GAIL WHITE

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.

Nov 08, 2016

Wilma Bush, Grayson County Clerk  
Grayson County

**CITY OF SHERMAN**  
**RESIDENTIAL BUILDING PERMIT**

PERMIT #: 172222      SUBCONTRACTOR: TOBAR PROPERTIES LLC      DATE ISSUED: 11/13/2017

|                  |                              |               |                            |
|------------------|------------------------------|---------------|----------------------------|
| PROJECT ADDRESS: | 601 S HAZELWOOD ST           | LOT #:        | 4                          |
| PARCEL ID:       |                              | BLK #:        | 7                          |
| SUBDIVISION:     | CL STOWE ADDITION            | ZONE ORD:     | R-1 ONE FAMILY RESIDENTIAL |
| ISSUED TO:       | TOBAR PROPERTIES LLC         | CONTRACTOR:   | TOBAR PROPERTIES LLC       |
| ADDRESS:         |                              | ADDRESS:      |                            |
| CITY, ST ZIP:    | SHERMAN TX 75092             | CITY, ST ZIP: | SHERMAN TX 75092           |
| PHONE:           | 903-816-0416                 | PHONE:        |                            |
| PROP.USE:        | ONE FAMILY RESIDENTIAL       | SQ FT:        | 1,200.00                   |
| WORK:            | NEW RESIDENTIAL CONSTRUCTION | BEDROOMS:     | 3                          |
| VALUATION:       | \$ 70,000.00                 | BATHROOMS:    | 2                          |
| OCCP TYPE:       | ONE FAMILY RESIDENTIAL       | STORIES:      | 1                          |
| CNST TYPE:       | WOOD FRAME                   |               |                            |

| FEE CODE | DESCRIPTION                 | AMOUNT          |
|----------|-----------------------------|-----------------|
| BLD10    | RESIDENTIAL STORMWATER MGMT | \$ 25.00        |
|          | <b>TOTAL</b>                | <b>\$ 25.00</b> |

NOTES:

**NOTICE**

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

(SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT)

11/13/17  
DATE

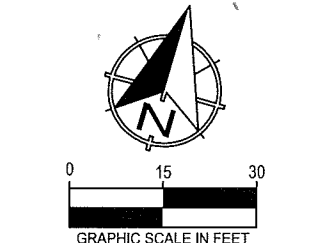
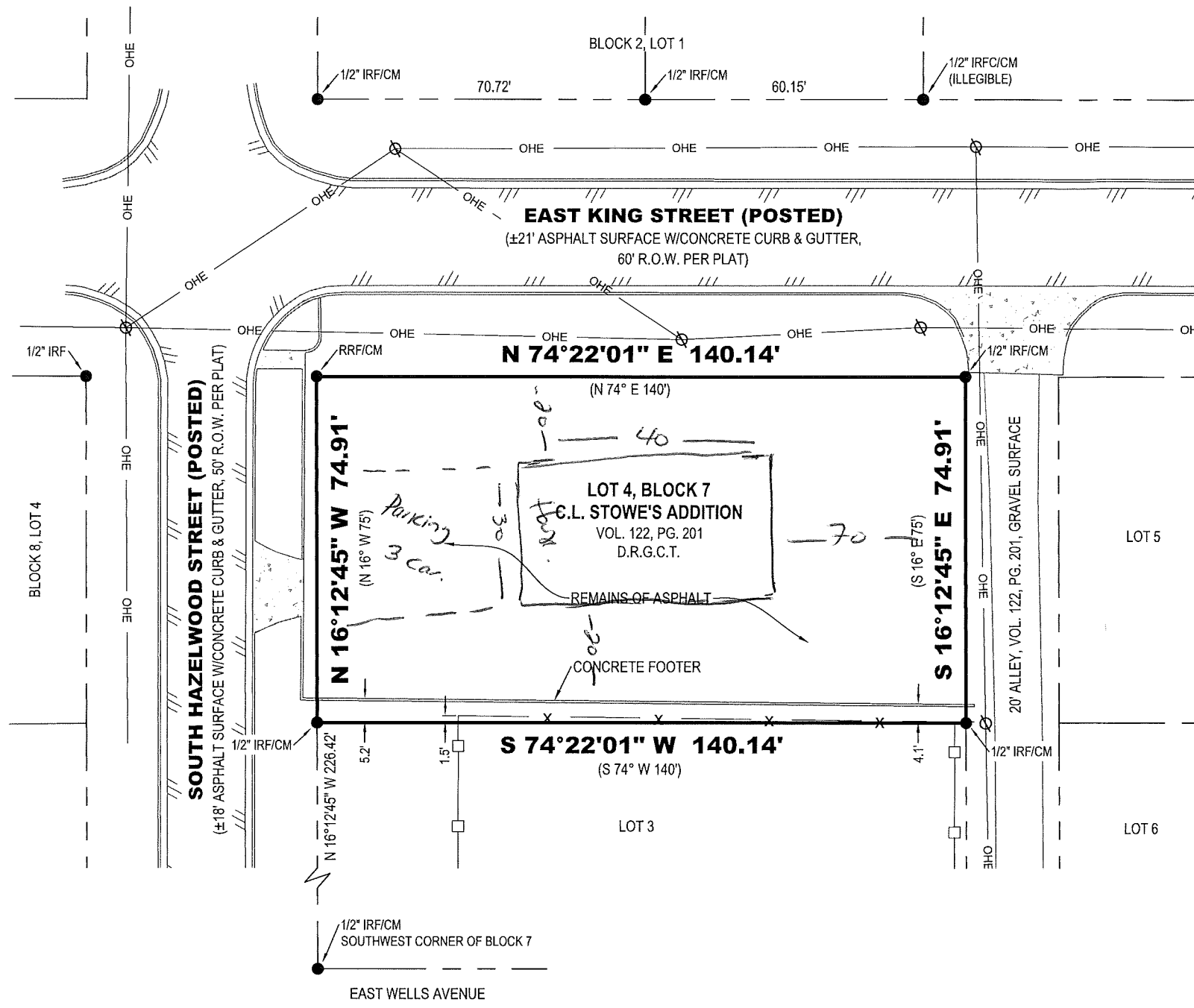
(APPROVED BY) FLOOD PLAIN ADMINISTRATOR

11/13/2017  
DATE

(APPROVED BY) BUILDING & ZONING

11/16/17  
DATE





All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

**LAND DESCRIPTION:**  
BEING Lot FOUR (4) in Block SEVEN (7) of the C.L. STOWE'S ADDITION to the City of Sherman, Texas, as shown by plat of record in Volume 122, Page 201, Deed Records, Grayson County, Texas.

**NOTES ADDRESSING SCHEDULE 'B' EXCEPTIONS:**  
Only those easements and/or other matters of record, as listed in Title Commitment GF No. 0123511, issued by Commonwealth Land Title Insurance Company, countersigned by Red River Title Company, with an effective date of October 19, 2016, and an issued date of October 24, 2016, and relisted below were considered for this Survey. The surveyor did not perform an abstract of title.

10a. The surveyed property is subject to any matter, including but not limited to, easements, roadways and/or building set back lines as shown on the recorded plat of C.L. Stowe's Addition to the City of Sherman, Grayson County, Texas, filed of record in Volume 122, Page 201, of the Plat Records of Grayson County, Texas.

**FLOOD STATEMENT:**  
I have examined the F.E.M.A. Flood Insurance Rate Map for the City of Sherman, Grayson County, Texas, Community Number 485509, effective date 09/29/2010 and that map indicates that this property is within "Non-shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood" as shown on Panel 0290 F of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

**LEGEND**

|            |                                     |
|------------|-------------------------------------|
| ●          | FOUND MONUMENT                      |
| IRF        | IRON ROD FOUND                      |
| IRFC       | IRON ROD FOUND W/PLASTIC CAP        |
| RRF        | RAILROAD SPIKE FOUND                |
| CM         | CONTROLLING MONUMENT                |
| ( )        | DEED OR PLAT CALL                   |
| R.O.W.     | RIGHT-OF-WAY                        |
| D.R.G.C.T. | DEED RECORDS, GRAYSON COUNTY, TEXAS |
| ☒          | UTILITY/POWER POLE                  |
| —          | BOUNDARY LINE                       |
| ---        | ADJOINER LINE                       |
| x          | CHAIN LINK/WIRE FENCE               |
| □          | WOOD FENCE                          |
| ///        | ASPHALT                             |
| OHE        | OVERHEAD ELECTRIC/UTILITY           |



Certify to: Jose Efrain Tobar, East Sherman Baptist Church, Commonwealth Land Title Insurance Company, Red River Title Company;

I, Chris R. Noah, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey has been prepared from an actual on-the-ground survey of the premises depicted hereon and described in the land description attached hereto, conducted under my direction and supervision on 11/02/2016, and there are no discrepancies, conflicts, shortages in area or boundary line conflicts, or any intrusions of visible improvements from adjoining tracts, or protrusions of visible improvements onto adjoining tracts, to the best of my knowledge and belief, except as shown. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying.

*Chris R. Noah*  
Chris R. Noah, R.P.L.S. No. 6585

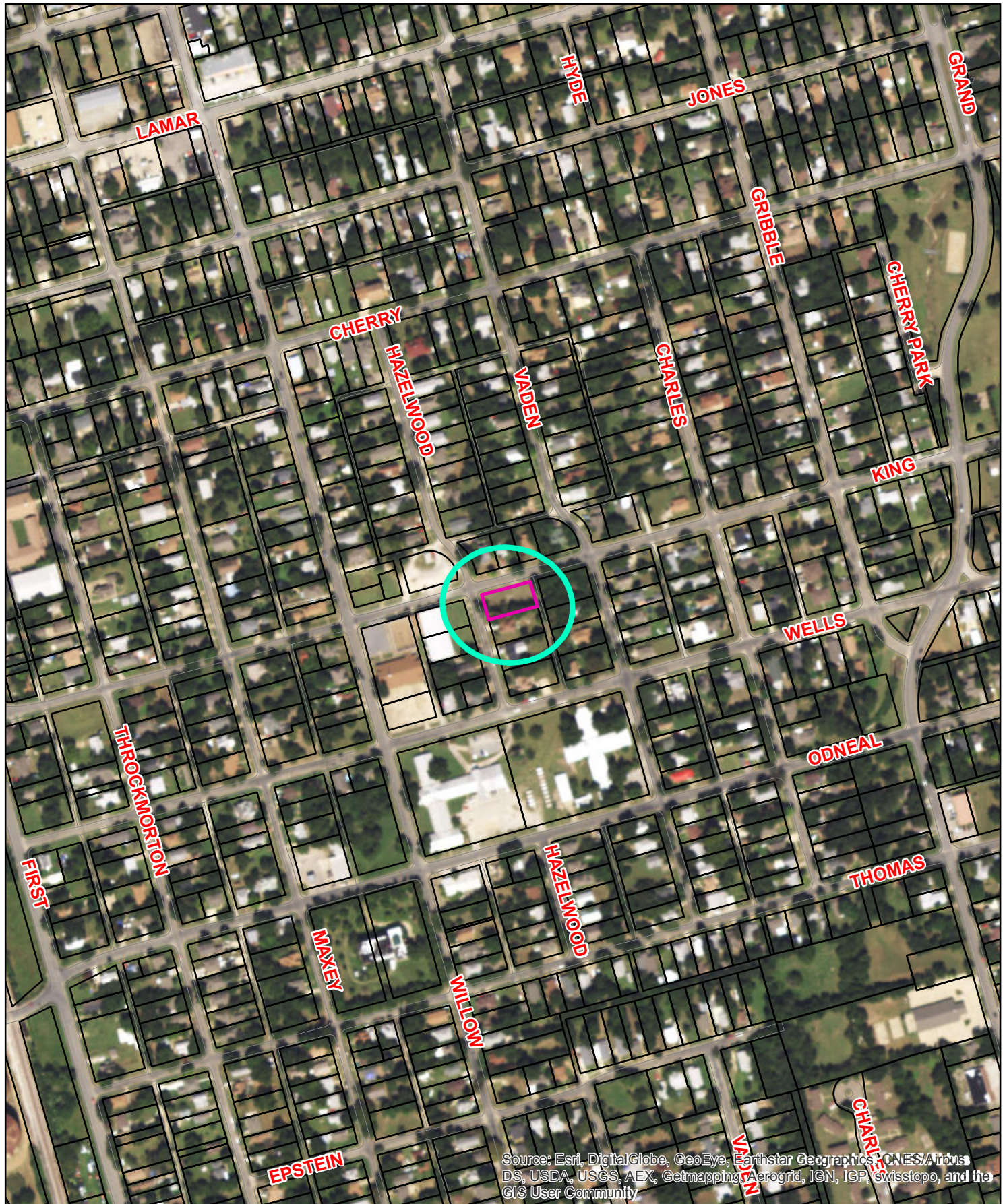
**TITLE SURVEY**  
**C.L. STOWE'S ADDITION**  
**BLOCK 7, LOT 4**  
**600 South Hazelwood Street, Sherman**  
**Grayson County, Texas**

|  |                                                                                                            |                                         |                                   |
|--|------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------|
|  | 83493 N. State Hwy 289, Suite 5<br>Pottsboro, TX 75076<br>www.prestontrailandsurveying.com<br>903-213-0033 |                                         |                                   |
|  | TBPLS Firm No.<br>10194175                                                                                 | Drawn by: CRN<br>Checked by: JEG        | Scale: 1"=30'<br>Date: 11/02/2016 |
|  |                                                                                                            | Project No. 16-0387<br>Sheet No. 1 of 1 |                                   |

## 601 S. Hazelwood







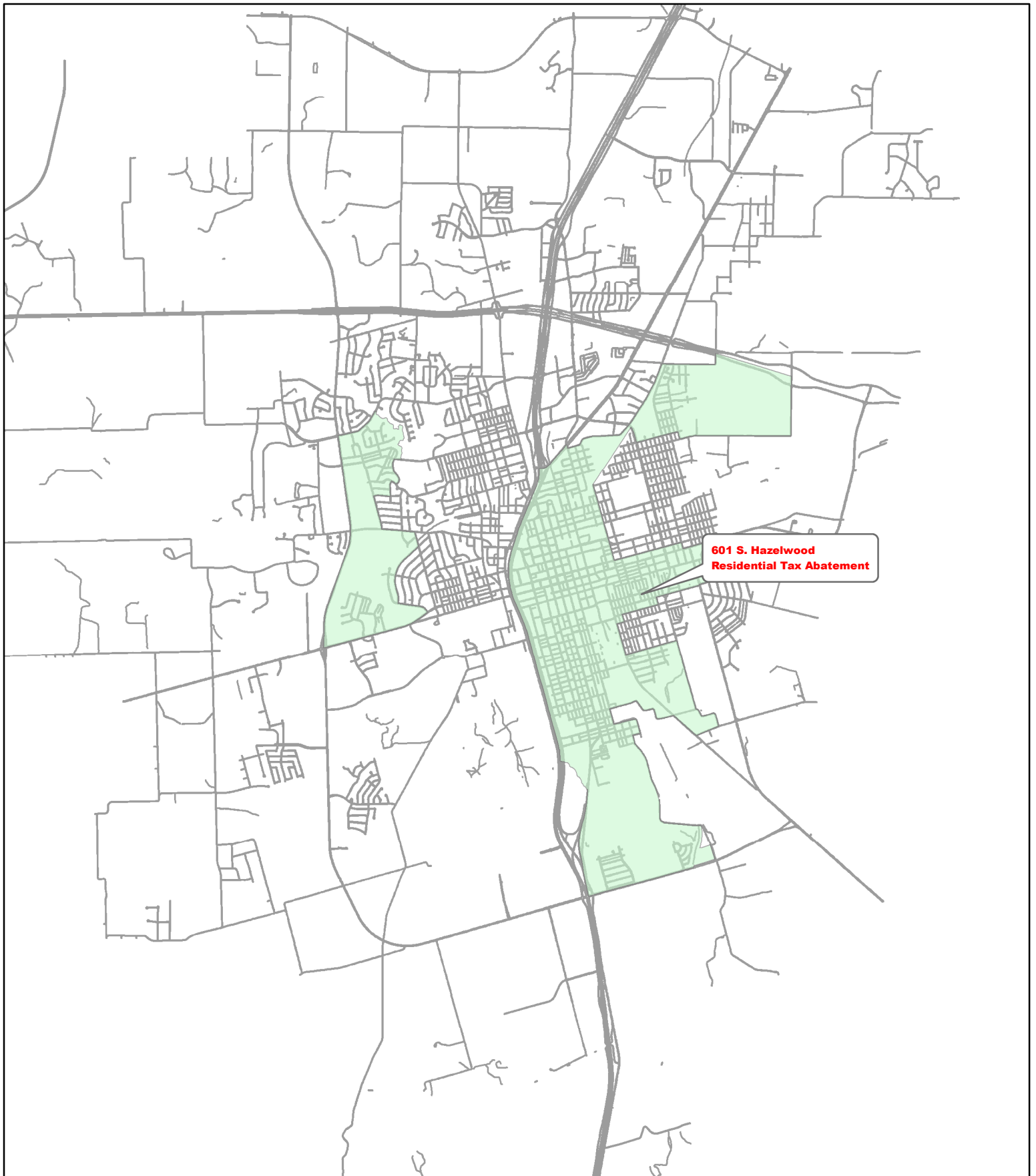
601 S. Hazelwood



1 in = 360 ft

City of Sherman, Texas  
Developmental Services Department





## 601 S. Hazelwood Street Residential Tax Abatement



City of Sherman, Texas  
Developmental Services Department



NOT TO SCALE  
1 inch = 6,000 feet



# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

D.1.

**Meeting Date:** 12/18/2017

**Prepared By:** Mark Gibson, Director of Utilities

**Approved By:** Robby Hefton, City Manager

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**Caption:**

**\* REQUEST TO ADVERTISE**

Annual Supply of Chemicals

**Issue:**

Approval of a request to advertise for our annual supply of chemicals

**Background:**

Periodically, the City requests bids for the supply of our industrial chemical purchases, primarily for use at the Water Treatment Plant and the Wastewater Treatment Plant. Last year, the City and chemical vendors agreed to option the final annual renewal available in the current contract, which is set to expire in February 2018.

**Origination:**

Utilities Administration

**Financial Consideration:**

Funds for the purchases of chemicals were appropriated in the budget for FY 2017-2018. Advertising costs are estimated to be about \$200.00.

**Staff Recommendation:**

It is recommended that the City Council approve the advertising request related to the purchase of the annual supply of chemicals.

**Alternatives:**

As may be directed by the City Council

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# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

D.2.

**Meeting Date:** 12/18/2017

**Prepared By:** Steve Ayers, Assistant City Manager

**Approved By:** Robby Hefton, City Manager

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**Caption:**

**\* REQUEST TO ADVERTISE**

Annual Services for Right-of-Way Finish Mowing

**Issue:**

Requesting permission to advertise to contract for the annual finish mowing of City right-of-ways and related City properties

**Background:**

City staff has contracted for various City-owned properties to be mowed on a periodic basis. City staff requests permission to advertise for public bids to provide finish mowing services of City right-of-way areas.

**Origination:**

Street Maintenance Department

**Financial Consideration:**

Funding for mowing services is approved in the FY 2017-2018 budget. Advertising costs are expected to be about \$200.00.

**Staff Recommendation:**

It is recommended that the Sherman City Council authorize the staff to advertise for bids.

**Alternatives:**

As may be directed by the City Council

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# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

E.1.

**Meeting Date:** 12/18/2017

**Prepared By:** Mark Gibson, Director of Utilities

**Approved By:** Robby Hefton, City Manager

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### **Caption:**

### **CHANGE ORDER NO. 2**

Approving the Greater Texoma Utility Authority's Intent to Execute Change Order No. 2; Sherman Water Treatment Plant Expansion Project; MWH Contractors, Inc.; \$521,535.00 Increase

### **Issue:**

To consider approval of Change Order No. 2 for the Sherman Water Treatment Plant Expansion Project

### **Background:**

Change Order No. 2 addresses six (6) changes to the Water Treatment Plant Expansion Project. Five of the issues relate to routine construction alterations regarding a pipe access, modifications to pump station elevations, a raw water valve modification, light fixture changes, and the addition of seven (7) days to the contract time due to wet weather in August. The total adjustment for these five items is \$39,796.00.

The remainder of the change order is necessary to upgrade the existing Supervisory Control and Data Acquisition (SCADA) System at the existing plant. A replacement of the existing system is required to be able to control and monitor the operation of the new plant from the control room of the existing plant. This upgrade was outside the scope of the existing plant expansion project.

The City has negotiated a scope and price with the instrumentation contractor working on the plant expansion to provide the required upgrades to the existing system. The cost of the SCADA upgrade is \$481,739.00 with no additional days added to the project time.

GTUA General Manager Drew Satterwhite will be present at the meeting to provide any additional information needed and answer any questions.

### **Origination:**

Utility Administration

### **Financial Consideration:**

The Change Order results in a \$521,535.00 increase in the contract amount, yielding a revised contract price of \$24,466,610.00. Funding is available in the Water Treatment Plant construction contingencies to cover the additional cost.

**Staff Recommendation:**

It is recommended that the Greater Texoma Utility Authority's intent to approve Change Order No. 2 be approved.

**Alternatives:**

There are no recommended alternatives.

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**Attachments**

Change Order No. 2

Engineer's Recommendation

GTUA Agenda Communication Form

Aerial Location Map

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**CITY OF SHERMAN  
LAKE TEXOMA WTP EXPANSION**

**CHANGE ORDER NO. 2**

**A. INTENT OF THIS CHANGE ORDER NO. 2**

The intent of this Change Order No. 2 is that the contract entered into by the Greater Texoma Utility Authority on behalf of the City of Sherman and MWH Constructors, Inc. dated February 26, 2017 be modified, clarified and recorded as a matter of permanent record.

**B. DESCRIPTION OF CHANGE ORDER NO. 2**

The required changes to the original contract, along with the associated costs and/or time are described as follows:

**CHANGE ORDER NO. 1**

| Item No. | Description                     | Unit | Time               | Cost/Unit    | Total Amount |
|----------|---------------------------------|------|--------------------|--------------|--------------|
| NA       | August Weather Delays           | LS   | 7                  | \$0.00       | \$0.00       |
| RFC-006  | Access to 84" BW Pipe           | LS   | 0                  | \$18,192.00  | \$18,192.00  |
| RFC-007  | Trench Drain Pump Station Elev. | LS   | 0                  | \$3,766.00   | \$3,766.00   |
| RFC-004  | Raw Water Control Valve         | LS   | 0                  | \$14,814.00  | \$14,814.00  |
| RFC-005  | Meter Vault Light Fixtures      | LS   | 0                  | \$3,024.00   | \$3,024.00   |
| RFC-010  | SCADA Upgrades                  | LS   | 0                  | \$481,739.00 | \$481,739.00 |
|          | TOTAL                           |      | 7<br>Calendar Days |              | \$521,535.00 |

**C. EFFECT OF ADJUSTMENT TO CONTRACT QUANTITIES**

The revised Contract amount is determined as follows:

ORIGINAL CONTRACT AMOUNT ..... \$23,805,000.00  
CHANGE ORDER NO. 1 ..... \$140,075.00  
CHANGE ORDER NO. 2 ..... \$521,535.00  
  
REVISED CONTRACT AMOUNT ..... \$24,466,610.00

**D. EFFECT OF ADJUSTMENT TO CONTRACT TIME**

The revised Contract time is determined as follows:

ORIGINAL SUBSTANTIAL COMPLETION DATE ..... October 15, 2018  
CHANGE ORDER NO. 1 ..... 10-Calendar days  
CHANGE ORDER NO. 2 ..... 7-Calendar days  
  
REVISED SUBSTANTIAL COMPLETION DATE ..... November 1, 2018

ORIGINAL FINAL COMPLETION DATE.....December 14, 2018  
CHANGE ORDER NO. 1.....10-Calendar days  
CHANGE ORDER NO. 2 ..... 7-Calendar days

REVISED FINAL COMPLETION DATE.....December 31, 2018

E. AGREEMENT

Change Order No. 2  
City of Sherman Lake Texoma WTP Expansion  
Page 2

By the signature of their respective duly authorized agents, the Greater Texoma Utility Authority and MWH Constructors, Inc. do hereby agree and append this Change Order No. 2 to the original contract between themselves dated February 26, 2017.

RECOMMENDED BY:  
CH2MHILL

BY: Brian J. Twest

TITLE: Project Manager

DATE: 12/7/17

APPROVED BY:  
GREATER TEXOMA UTILITY AUTHORITY

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

ACCEPTED BY:  
MWH Constructors, Inc.

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_



December 7, 2017

Mark Gibson, P.E.  
Director of Utilities  
City of Sherman  
P.O. Box 1106  
Sherman, TX 75091

Subject: Change Order No. 2

Dear Mark:

Attached is Change Order No. 2 for the Lake Texoma Water Treatment Plant Expansion project for review and approval. This Change Order encompasses the following items:

- Weather Delays - Due to the period of extraordinary rains that hit the site in August, MWH has requested 7 additional days be added to the project schedule. These rains were uncommon for that time of the year and hit the project during a critical phase. Change order will add seven days to the project schedule but no change in cost.
- RFC-006 Access to 84" Blended Water Pipe - The 84" BW line runs between the Membrane Building and the Clearwell. There is a section of line that is lower than both ends and will not dewater by gravity. The City has requested that a pressure rated manhole be added to provide access to the pipe for dewatering should the line be filled with off-spec water or repairs ever be necessary. This access manhole will also be useful as a point of discharge for water during startup. Change Order will add \$18,192 and no additional days to the project.
- RFC-007 Trench Drain Pump Station - It was discovered that the top of the Trench Drain Pump Station is currently set below the ideal finished grade in that area. Field Order No. 3 was issued to increase the height of the pump station by 5 feet. This change order covers the cost of the increased height of the station. Change Order will add \$3,766 and no additional days to the project.
- RFC-004 Raw Water Control Valve - During submittal review it was noted that the raw water valve specified may experience cavitation during certain operating conditions. This could occur when NTMWD begins operation of the 72" raw water line at the proposed higher capacity. To prevent this, the type of raw water valve was changed from a metal seated ball valve to a V-port ball valve which has better cavitation characteristics. It should be noted that the raw water control valve on the existing plant is also susceptible to cavitation in the future. This change order covers

the cost between a metal seated and v-port ball valve. Change Order will add \$14,814 and no additional days to the project.

- RFC-005 Meter Vault Light Fixtures – The light fixtures specified for the meter vaults were designed for an indoor, ceiling mounted application. Due to the wet, corrosive environment and tight spaces an exterior rated, wall mounted fixture is required in the meter vaults. This change order covers the cost between the two types of light fixtures. Change Order will add \$3,024 and no additional days to the project.
- RFC-010 HMI/SCADA Upgrades – Due to the age of the Supervisory Control and Data Acquisition (SCADA) system at the existing plant, a complete replacement of the current system is required to be able to control and monitor the operation of the new plant from the control room of the existing plant. This upgrade was outside of the scope of the existing plant expansion project. The City has negotiated a scope and price with the instrumentation contractor working on the expansion project to provide the required upgrades to the existing system. Change Order will add \$481,739 and no additional days to the project.

I have reviewed the change orders and the associated costs and recommend approval of the change orders. If you have any questions please call.

Sincerely,

CH2M HILL

Brian J. Fuerst, P.E.  
Project Manager

C: Drew Satterwhite/GTUA



## GREATER TEXOMA UTILITY AUTHORITY AGENDA COMMUNICATION

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**DATE:** December 11, 2017

**SUBJECT:** AGENDA ITEM NO. XI

**CONSIDER AND ACT UPON CHANGE ORDER NO. 2 TO THE CONTRACT WITH MWH CONSTRUCTORS FOR THE  
CITY OF SHERMAN LAKE TEXOMA WTP EXPANSION PROJECT**

**ISSUE**

Consider and act upon Change Order No. 2 to contract with MWH Constructors, Inc. for City of Sherman Lake Texoma Water Treatment Plant Expansion Project

**BACKGROUND**

The City of Sherman planned a construction project to expand their existing surface water treatment plant ("WTP") capacity. This project will enable the City of Sherman to continue to meet the water demand needs of future residential and industrial growth. The project included a 10 million gallon per day capacity increase that will utilize reverse osmosis to demineralize the Lake Texoma water supply. The City staff requested the Authority's assistance in obtaining funding through the Texas Water Development Board ("TWDB") Drinking Water State Revolving Fund Program ("DWSRF") to fund these improvements to their WTP.

There were two (2) bids received on November 15, 2015. The low bid was submitted by MWH Constructors in the amount of \$23,805,000. At the January 16, 2017 meeting, the Board authorized the General Manager to award the contract to MWH Constructors in the amount of \$23,805,000 for the construction of the City of Sherman Lake Texoma Water Treatment Plant Expansion Project.

Change Order No. 1 consisted of the following items: 1) The need to over-excavate under the peroxidation basin due to the bedrock layer dropping 10 foot from north to south in the basin and the foundation design relying on contact directly with the bedrock, 2) Additional rebar that the contractor ordered and prepared to reach the bedrock on the membrane building before the geotechnical reports concluded that the piers did not have to touch the bedrock after all, and 3) Additional total pier depth for the piers under the membrane building that needed to be deepened to account for geologic variance not known until the piers were drilled.

Change Order No. 1 increased the contract amount by \$140,075.00 resulting in a revised contract amount of \$23,945,075.00. There were funds available in the contingency line item for this change order.

Change Order No. 2 consists of the following items: 1) Weather Delays resulting in 7 additional days be added to the project schedule, 2) Access to 84" Blended Water Pipe by installing a pressure rated manhole in this section, 3) Increased height of Trench Drain Pump Station, 4) Change Raw Water Control Valve from a metal seated ball valve to a V-port ball valve which has better cavitation characteristics, 5) Change Meter Vault Light Fixtures from indoor to exterior rated wall mounted fixtures, 6) Supervisory Control and Data Acquisition (SCADA) Upgrades. Due to the age of the existing SCADA system, a complete replacement of the current system is required to be able to control and monitor the operation of the new Ultrafiltration and Reverse Osmosis plant from the control room of the existing plant.



## GREATER TEXOMA UTILITY AUTHORITY AGENDA COMMUNICATION

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PAGE 2

### **CONSIDERATIONS**

The majority, 92%, of this change order is for the SCADA upgrades. Staff believes that this item is beneficial to change order into the existing contract due to 1) the sub-contractor agreed not to mark-up their price which they could do per the contract, 2) the City will not have to engage in a separate engineering contract for additional engineering services, and 3) the City will have the same SCADA integrators working on both ends of their system which ensures a smoother startup.

Change Order No. 2 will increase the contract amount by \$521,535.00 resulting in a revised contract amount of \$24,466,610.00. Funds are available in the 2017 DWSRF bond issue to pay for the change order.

### **STAFF RECOMMENDATIONS**

Based upon the project Engineer's recommendation, the staff recommends Board approval of Change Order No. 2 to the contract with MWH Constructors, Inc., for an addition of \$521,535.00, resulting in a revised contract amount of \$24,466,610.00, contingent upon the Sherman City Council's approval.

### **ATTACHMENTS**

Engineer's Recommendation  
Change Order No. 2

### **PREPARED AND SUBMITTED BY:**

---

Drew Satterwhite, P.E., General Manager









# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

F.1.

**Meeting Date:** 12/18/2017

**Prepared By:** Pamela Cloer, Assistant to the City Manager

**Approved By:** Robby Hefton, City Manager

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**Caption:**

**OTHER BUSINESS**

Receive Quarterly Progress Report from Sherman Economic Development Corporation Board Chairman John Sild and SEDCO President John Plotnik

**Issue:**

To receive the Sherman Economic Development Corporation (SEDCO) quarterly progress report from Board Chairman John Sild and SEDCO President John Plotnik

**Background:**

The brief presentation by the SEDCO Board Chairman and SEDCO President will provide the City Council with an overview of SEDCO's activities and accomplishments during the last three (3) months. SEDCO's last update was presented at the City Council's joint meeting with the SEDCO Board on September 25, 2017.

**Origination:**

City Council

**Financial Consideration:**

This presentation is for informational purposes only and has no impact on the City's revenues or expenses.

**Staff Recommendation:**

No action is required of the City Council.

**Alternatives:**

None recommended

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**Attachments**

SEDCO's Quarterly Progress Report

Book of Lists Advertisement

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## REPORTING FORM FOR BOARDS AND COMMISSIONS

Name of Board: Sherman Economic Development Corporation

Name of Chairman: John Sild

Name of Vice Chairman: Brad Douglass

Date of Report to City Council: December 18, 2017

**1. In simple terms and as briefly as possible, please describe the mission of your board.**

- *The mission of the Sherman Economic Development Corporation (SEDCO) is to grow and diversify the Sherman and surrounding area economies through the addition of new jobs and investment.*

**2. Please list the top accomplishments of your board within the past quarter.  
(Please limit the list to five or fewer items).**

- *Since our last report, the SEDCO Board of Directors has approved Economic Development Performance Agreements with GlobiTech, Inc., Combicut, Inc., Elevate Recoveries, LLC, and Robit USA, LLC. The totals of these projects include capital investment (\$10,860,000), jobs (81), and incentives (\$793,100).*
- *On August 31st, SEDCO presented Washington Iron Works with their final incentive payment of \$10,000 towards the addition of 30 full-time jobs at its facility at 400 E Lamar.*
- *On September 25th, the SEDCO Board of Directors and the Sherman City Council approved SEDCO's 2017-2018 Program of Work and Budget at the Annual Joint Meeting. The staff also presented the 2016-2017 Program of Work Results and the 2008-2017 Return on Investment Report.*
- *On October 10th, the SEDCO Board of Directors approved a Purchase and Sale Agreement to sell approximately 23.5 acres in Progress Park II to FedEx Freight, who is planning to invest \$10 million on a new facility and add 45 jobs.*
- *On October 24th, the MEMC building sold to Finisar Corporation, an optical communications company, for approximately \$20 million. The project is expected to bring 500 new jobs to Sherman in partnership with Apple.*
- *On November 1st, SEDCO closed on the purchase of 63.6 acres located west of Panda Sherman Power.*

**3. What are your plans for this board in the next quarter?**

- *As part of SEDCO's efforts to assist our existing industries in filling their open positions, we are launching a National Human Resources Marketing Campaign in January 2018.*
- *The Advanced Manufacturing Program (AMP) is launching a regional advertising campaign on December 22<sup>nd</sup> to create awareness of the program, targeting parents and students.*
- *From January 2<sup>nd</sup>-26<sup>th</sup>, an Austin College student will be interning for SEDCO during the JanTerm. The internship will include working on SEDCO marketing projects, shadowing the staff, and attending meetings and events.*
- *SEDCO will host a Plant Manager's Forum at City Hall on January 10<sup>th</sup>, and our City Manager Robby Hefton will give a State of the City.*
- *On January 16<sup>th</sup>, SEDCO will host the Winter Leadership Breakfast.*
- *On January 17<sup>th</sup>, we will present the IMT Program at Sherman High School to future applicants.*
- *We are planning Manufacturing Tours for January 18th and February 1st for area eighth graders.*
- *The AMP Mid-Year Celebration will be January 24th for the students and their mentors.*
- *January's Safety Leaders Forum will be hosted by Texas Instruments.*
- *SEDCO advertising efforts for the next quarter included the following:*
  - *Dallas Business Journal ads on December 22<sup>nd</sup> (Book of Lists), January 19<sup>th</sup>, February 9<sup>th</sup>, and March 2<sup>nd</sup>*
  - *Continue the CBS Radio advertisements on KRLD 1080 AM*

- CBS Network digital advertising running two months starting January 15<sup>th</sup> for the National HR Marketing Campaign
- Facebook Ad Campaign for the National HR Marketing Campaign
- Continue production of three focused marketing videos and six existing industry videos
- Launch the new SEDCO ad campaign featuring a theme of magic
- President's Reports
- SEDCO will work to compete aggressively for the attraction of new jobs and investments to the city from existing Sherman employers and new companies, both nationally and internationally.
- SEDCO will work closely with companies that have announced new investments in Sherman to ensure they have the support to meet their goals and receive the incentives as identified in the Economic Development Performance Agreements.
- Current infrastructure projects including the Northgate Drive extension and preparing Progress Park VI to show to prospects.

**4. How often did this board meet in the last quarter?**

- The SEDCO Board meets on the second Tuesday of each month and holds special called meetings when needed. Since our last report, the SEDCO Board held three regularly scheduled meetings (October 10<sup>th</sup>, November 14<sup>th</sup>, December 12<sup>th</sup>), one Special Called Meeting (September 12<sup>th</sup>), and the Annual Joint Meeting with City Council (September 25<sup>th</sup>).

**5. In what percentage of those meetings was a quorum of board members present?**

- 100%

**6. Did any member attend less than 75% of those meetings? If so, which member and how often did they attend.**

- No

**7. What other information would your board like to communicate to the City Council? (please be concise in your response).**

- SEDCO is presently working 12 active projects with an estimated \$892,000,000 in investments and 2,304 new jobs.
- SEDCO continued hosting site visits from companies interested in a possible Sherman location and spoke with site selectors, consultants, and real estate professionals interested in learning more about our community.
- SEDCO hosted the Fall Leadership Breakfast on October 17<sup>th</sup>.
- SEDCO hosted the Fall Mentor Breakfast on November 30<sup>th</sup>.
- John Plotnik attended the Society of Industrial and Office Realtors (SIOR) Fall World Conference in Chicago, the quarterly meeting, and site selector luncheon.
- Frank Gadek attended the Industrial Asset Management Council's (IAMC) Professional Forum in Richmond, Virginia.
- Ashton Ghaemi completed the International Economic Development Council's Real Estate Development & Reuse certification course in San Diego, California and the Adobe Illustrator training course in Addison, Texas.
- SEDCO continued the Business Retention and Expansion (BRE) Program with the following:
  - SEDCO sponsored a Sherman Plant Managers Forum on September 13<sup>th</sup> and a Safety Leaders Forum on October 26<sup>th</sup>. Both events were hosted by Panda Sherman Power.
  - On November 9<sup>th</sup>, the Red, White and You Career Fair hosted 42 companies and 221 jobseekers.
  - On November 16<sup>th</sup>, SEDCO hosted a luncheon with 19 HR and Plant Managers to discuss the National HR Marketing Campaign.
  - Existing industry visits for this quarter included 903 Brewers, Consolidated Container Company, Critical Access Billing Services, Commissary Express, Emerson, GlobiTech, Kaiser Aluminum, Mueller Construction Company, Omega Industries, Presco, Progress Rail, Robit USA, Royal Case, Sunny Delight, Synergy Windows and Doors, Talus Payments, Texas Instruments, Tyson, and West.

- SEDCO continued to serve on the Texoma Regional Consortium and assisted with the following:
  - The Advanced Manufacturing Program (AMP) has 42 students enrolled representing Sherman, Denison, Pottsboro and Whitesboro High Schools and Grayson College.
  - SEDCO participated in the Sherman ISD Annual Partners Fair on August 14<sup>th</sup>.
  - On August 18<sup>th</sup>, SEDCO hosted a lunch for the IMT students, company sponsors and mentors as a kick off for the school year.
  - On September 6<sup>th</sup> and 18<sup>th</sup>, SEDCO co-sponsored AMP Mentor Orientations for 42 mentors.
  - Eaton, Emerson, Presco, and Progress Rail have presented Texas Industry Partner grant matching funds to Workforce Solutions Texoma for AMP.
  - On September 26<sup>th</sup>, approximately 70 students, parents, teachers, industry representatives, and regional leaders met for the AMP Mentor-Parent-Student Reception at Grayson College.
  - On December 5<sup>th</sup>, the Whitesboro High School AMP students hosted a reception in honor of their mentors.
  - On December 12<sup>th</sup>, 21 area counselors and career & technology educators met for an Advanced Manufacturing Dual Credit Program - Counselor Lunch and Learn.
  - December 14<sup>th</sup> was the IMT End of Semester Celebration. The mentors, company sponsors, educators, and students gathered for lunch, and the students received IMT logo shirts and jackets and told stories of this semester's experiences.
- SEDCO advertising efforts for this quarter included the following:
  - We launched a new radio advertising campaign with CBS Radio KRLD 1080 AM. These radio spots will run Monday-Friday at 5:25 AM and 6:25 PM over a 26-week period, and each spot leads into the CEO Spotlight with David Johnson.
  - We started a new videography project with Neon Cloud Productions to update our existing industry and marketing videos. The project will include six industry/partner videos and three Sherman videos that will focus on our available sites, workforce, and incentives. Tyson, Presco, 903 Brewers, and the three focused videos have been filmed and are currently in production.
  - On October 20<sup>th</sup>, CBS Radio KRLD AM 1080 and SEDCO hosted a "Your Hometown" event, live from the Old Iron Post. The day was filled with live updates, interviews with industry representatives and community leaders, and a variety of stories from around Sherman.
  - Our marketing mailers this quarter included the "Sherman is stirring up good business" spoons in August and the new "Sherman will knock your socks off" socks in December.
  - SEDCO continued its partnership with Texas Aviation Partners, Grayson County, and Denison Development Alliance on marketing the North Texas Regional Airport.
- SEDCO staff attended the following meetings and events since our last report:
  - 2017 Manufacturing Day Planning Meeting
  - Advanced Manufacturing Program (AMP) Mentoring Committee Meeting
  - AmeriState Christmas Party
  - Austin College Holiday Reception
  - Bank of Texas 23rd Annual Investment Seminar "Economic & Market Outlook"
  - Careers in Texas Industries Week
  - Celebrating Global Entrepreneurship Week
  - Child & Family Guidance Center Board Meeting
  - Child & Family Guidance Center Starfish Benefit
  - Child & Family Guidance Center Strategic Planning Meeting
  - City Council Meeting
  - City of Sherman Announcement
  - City of Sherman Tourism & Main Street Office Grand Opening
  - Coffee with the Mayor
  - HR Group Meeting
  - Industrial Maintenance Technology (IMT) Student, Mentor and Industry Sponsor Meeting
  - Knight Furniture & Mattress Open House
  - Landmark Bank Christmas Party
  - Leadership Sherman Alumni Reunion

- *Leadership Sherman/Congressman Ratcliffe Meeting*
- *Presco Check Presentation for Texas Industry Partnership Matching Grant*
- *Presco's Thanksgiving Luncheon and Scrap Costume Contest*
- *Red, White, and You Career Fair Planning Meeting*
- *Sanders, Motley, Young & Gallardo; Munson & Munson Holiday Party*
- *Sherman Boys and Girls Club Board Meeting*
- *Sherman Chamber Ambassadors Year-End Meeting*
- *Sherman Chamber Events Committee Meeting*
- *Sherman High School Mentor/Mentee Meeting*
- *Sherman Chamber Volunteer Lunch*
- *Sherman ISD Annual Partners Fair*
- *Sherman Rotary*
- *Spring Manufacturing Tour Planning Meeting*
- *Texas Legislative Luncheon*
- *Texoma Health Foundation's Holiday Gathering*
- *TWC Manufacturing Committee Meeting*
- *United Way Check Presentation at the Sherman Boys and Girls Club*



**SHERMAN**  
ECONOMIC DEVELOPMENT CORPORATION

**sedco.org**  
**903.868.2566**





# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

F.2.

**Meeting Date:** 12/18/2017

**Prepared By:** Scott Shadden, Director of Developmental Services

**Approved By:** Robby Hefton, City Manager

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### **Caption:**

#### **\* OTHER BUSINESS**

Final Plat Approval of Sherman Crossroads, Phase II, being 21.5528 acres in the Preston Kitchen Survey, Abstract No. 667 (Sherman Crossroads, LTD, Owners; and Brockette/Davis/Drake, Inc., Surveyor (2800-3600 blocks of South U.S. Highway 75)

### **Issue:**

To consider Final Plat approval of Sherman Crossroads, Phase II, being 21.5528 acres in the Preston Kitchen Survey, Abstract No. 667, located in the 2800-3600 blocks of South U.S. Highway 75

### **Background:**

The property is located in the 2800-3600 blocks of South U.S. Highway 75; the northwest corner of Highway 75 and F.M. 1417 West; just south of the new West Travis Street extension. This is the second phase of the Sherman Crossroads development; and the owners would like to plat the property into one lot for commercial development and dedicate a new street, "Crossroads Boulevard".

### **Origination:**

Sherman Crossroads, LTD (Owners)  
Brockette/Davis/Drake, Inc. (Surveyor)

### **Financial Consideration:**

None

### **Staff Recommendation:**

At the November 21, 2017 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

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### **Attachments**

Location Map

Zoning Map

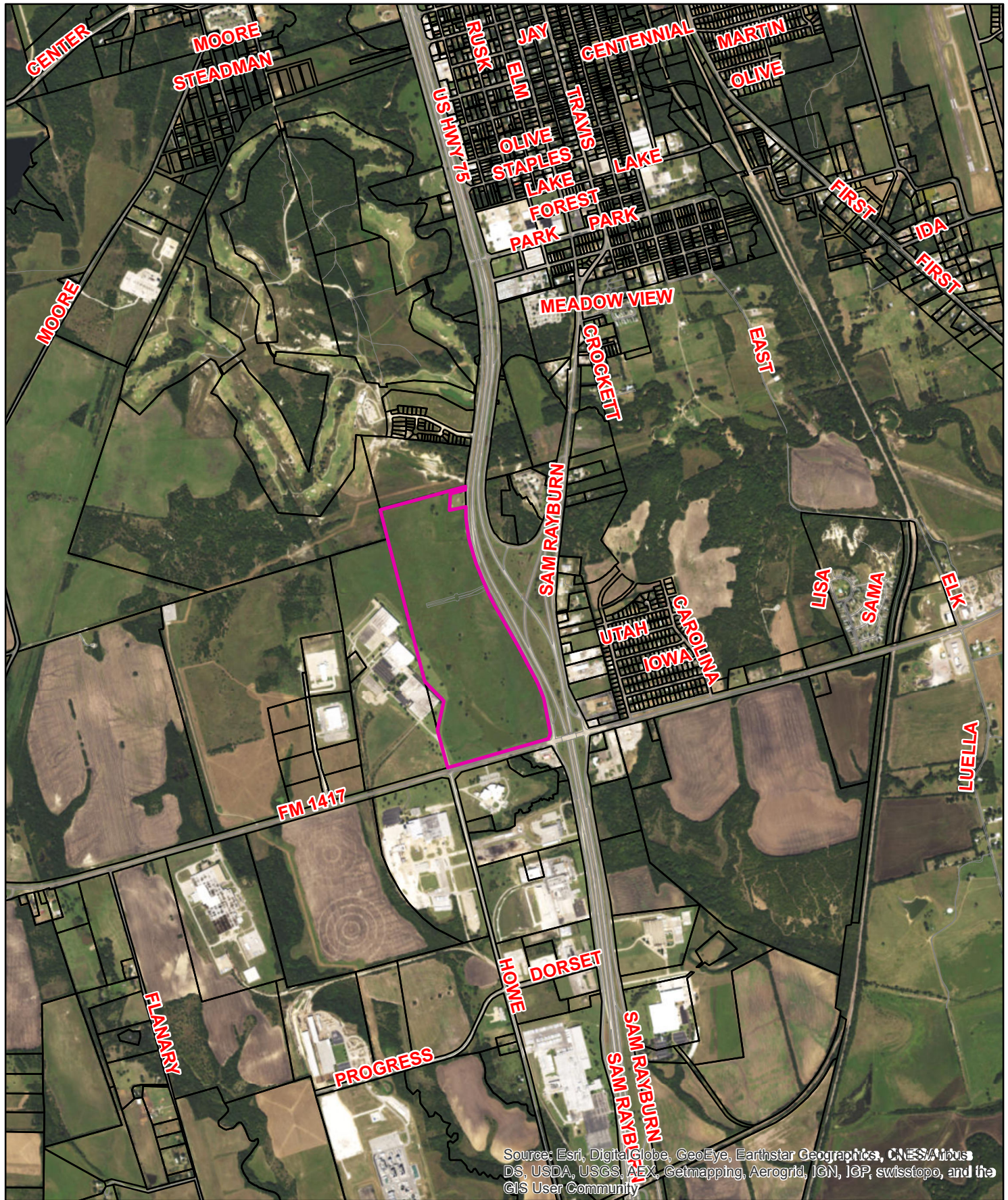
Final Plat

Staff Review Letter

P&Z Communication

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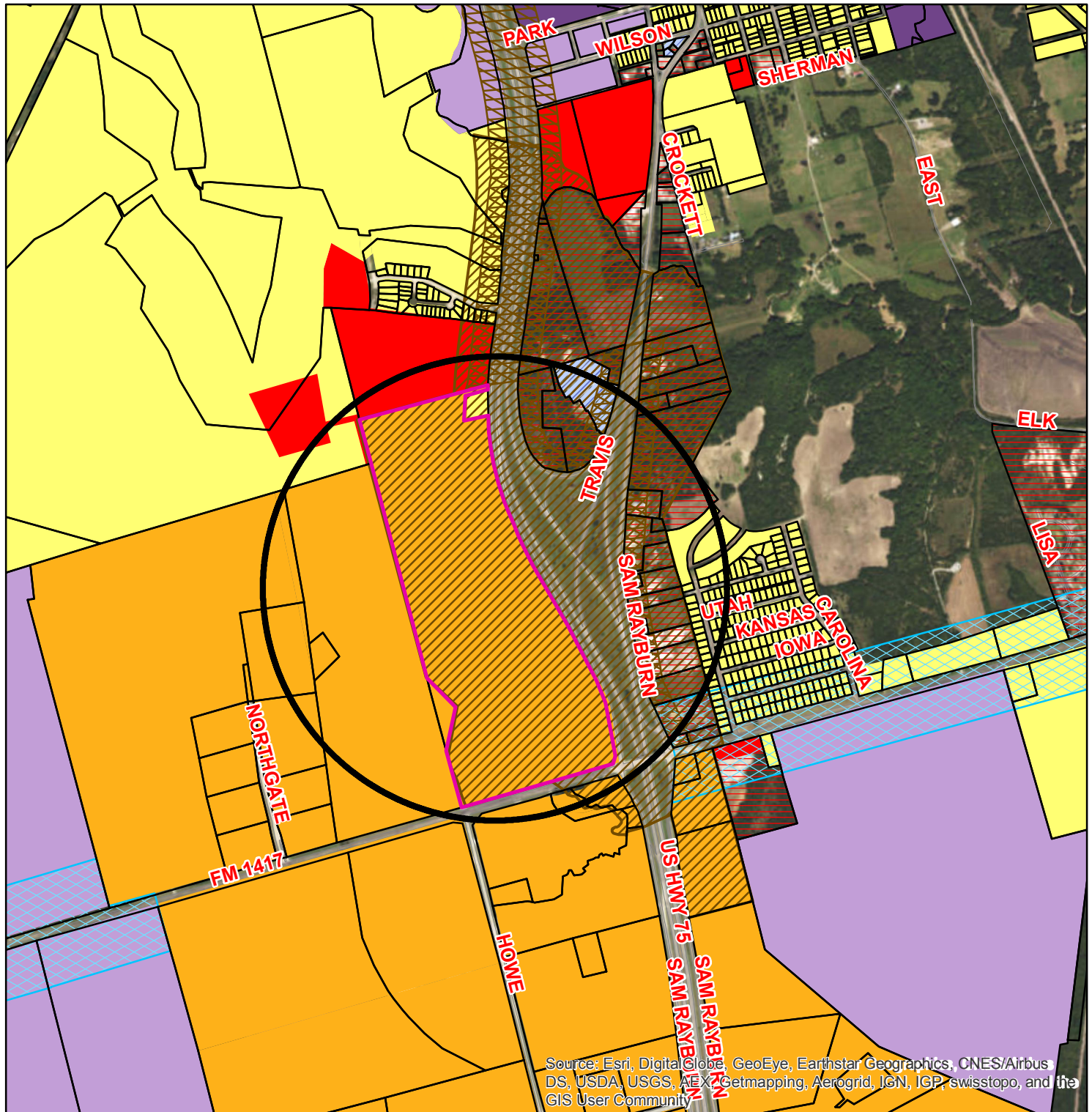


## 2800-3600 Blocks S. U.S. Highway 75



1 in = 2,000 ft





## Zoning - 2800-3600 Blocks S. U.S. Highway 75

### Legend

#### 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

#### Transportation Corridor

#### Representation: ShermGIS.DBO.TransportationCorridor\_Rep

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

#### Zoning Districts

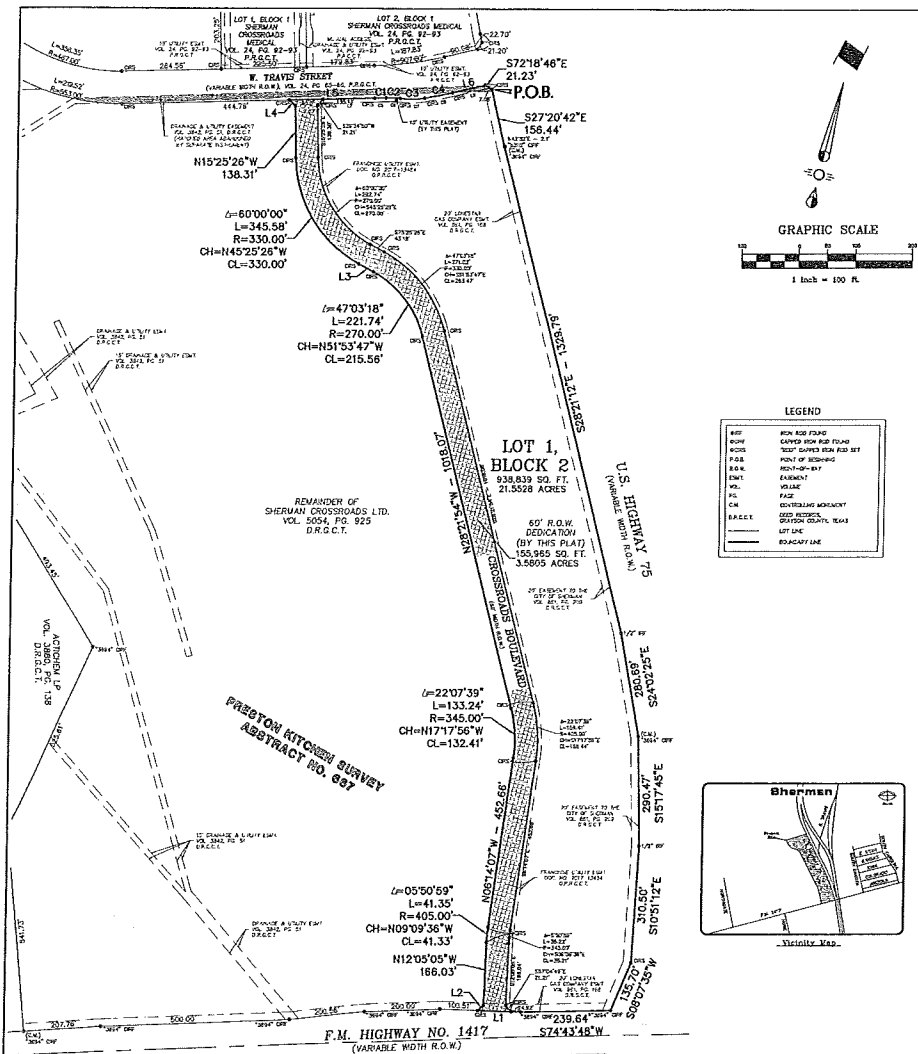
##### Representation: ShermGIS.DBO.ZoningDistrict\_Rep

- 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



1 in = 1,442 ft



**PURPOSE OF PLAT:**  
To create new platted lot.

**NOTES:**

- No portion of the subject property lies within any area of 100-year flood according to FEMA Flood Insurance Rate Map, Community Flood No. 48020Z dated 5, October September 28, 2010. Property is in Zone X.
- Boundaries are based upon the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83), North Central Zone 4202.

©Copyright 2017 Brookette/Davis/Drake, Inc. All Rights Reserved.  
This plat is the property of Brookette/Davis/Drake, Inc.  
Any modification or use of this plat without the express written authorization of Brookette/Davis/Drake, Inc. is prohibited.

**FINAL PLAT**  
**SHERMAN CROSSROADS, PHASE II**  
**LOT 1, BLOCK 2**  
AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS  
BEING A PORTION OF THE REMAINDER OF A 130.479-ACRE TRACT  
AND BEING SITUATED IN THE  
PRESTON KITCHEN SURVEY, ABSTRACT NO. 667  
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

**OWNER:**  
SHERMAN CROSSROADS LTD.  
4650 BELLEVUE ROAD, STE 400  
ADDISON, TEXAS 75001

**SURVEYORS:**  
BROOKETTE/DAVIS/DRAKE, INC.  
Civil & Structural Engineering Surveying  
4144 North Central Expressway, Suite 1100  
Dallas, Texas 75204  
(214) 824-3647  
fax (214) 824-7054

SHEET 1 OF 2 NOVEMBER, 2017 C17083 FP.dwg

# **OWNER'S CERTIFICATE** **STATE OF TEXAS** **COUNTY OF GRAYSON**

WE, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me by the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration expressed and in the capacity therein stated.

WITNESS my hand and \_\_\_\_\_ County, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**SHERMAN CROSSROADS LTD**

**STATE OF TEXAS**  
**COUNTY OF GRAYSON**

WITNESS my hand and \_\_\_\_\_ County, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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**STATE OF TEXAS**  
**COUNTY OF GRAYSON**

# **OWNER'S CERTIFICATE OF DEDICATION** **NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS**

That SHERMAN CROSSROADS LTD, acting by and through its duly authorized agent, does hereby dedicate to the public the herein described road property as SHERMAN CROSSROADS, PHASE II, an addition to the City of Sherman, Grayson County, Texas, being 13.5528 acres situated in and being a portion of the Preston Kitchen Survey, Abstract No. 667, City of Sherman, Grayson County, Texas and does hereby dedicate to the public's use forever, the streets, alleys, paths, right-of-way, school zone and other public places, easements shown thereon.

WITNESS my hand and \_\_\_\_\_ County, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**SHERMAN CROSSROADS LTD**

**STATE OF TEXAS**  
**COUNTY OF GRAYSON**

WITNESS my hand and \_\_\_\_\_ County, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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**STATE OF TEXAS**  
**COUNTY OF GRAYSON**

# **STATE OF TEXAS** **COUNTY OF DALLAS**

**KNOW ALL MEN BY THESE PRESENTS:**  
That I, Stanley Ray Feltz, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the addition regulations of the City of Sherman, Texas.

Registered Professional Land Surveyor, No. 4825  
FEBRUARY, 2017

**STATE OF TEXAS**  
**COUNTY OF DALLAS**

BEFORE ME, the undersigned authority, on this day personally appeared Stanley Ray Feltz, known to me by the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**Notary Public in and for the State of Texas**

**My Commission Expires On:**

**STATE OF TEXAS**  
**COUNTY OF GRAYSON**

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the  
City Planning and Zoning Commission of the City of Sherman, Texas.

**Chairman** **Secretary**

**Accepted by the City Council of the City of Sherman:**

**Mayor** **Date**

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing plat of SHERMAN CROSSROADS, PHASE II is a true and correct copy of the original as it appears on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, and the City Council by formal action then and there adopted has authorized the undersigned, the City Clerk, to place, on when and as set forth in and upon said map or plat, and said City Council further authorized the City Clerk to not the certificate thereof by signing his name as hereinafter subscribed.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2017.

**City Clerk, City of Sherman, Texas**

**Property Line Table**

| Line # | Direction   | Length |
|--------|-------------|--------|
| L1     | S77°30'28"W | 114.92 |
| L2     | N32°55'11"E | 21.21  |
| L3     | N70°25'28"W | 43.18  |
| L4     | N60°25'10"W | 21.21  |
| L5     | N74°35'07"E | 225.13 |
| L6     | N62°43'11"E | 90.19  |
| L7     | N74°35'07"E | 145.13 |
| L8     | N62°43'11"E | 100.20 |

| Curve # | Length | Radius  | Delta      | Chord Direction | Chord Length |
|---------|--------|---------|------------|-----------------|--------------|
| C1      | 30.61  | 993.00  | 001°45'58" | N73°42'07"E     | 30.61        |
| C2      | 37.84  | 216.00  | 010°05'05" | N77°51'41"E     | 37.79        |
| C3      | 65.48  | 235.00  | 015°57'57" | N74°55'15"E     | 65.27        |
| C4      | 73.91  | 1004.00 | 004°13'05" | N64°49'43"E     | 73.90        |
| C5      | 30.92  | 1003.00 | 001°45'58" | N73°42'07"E     | 30.92        |
| C6      | 36.08  | 205.00  | 010°05'05" | N77°51'41"E     | 36.04        |
| C7      | 68.27  | 245.00  | 015°57'57" | N74°55'15"E     | 68.05        |
| C8      | 74.65  | 1014.00 | 004°13'05" | N64°49'43"E     | 74.63        |

**FINAL PLAT**  
**SHERMAN CROSSROADS, PHASE II**  
**LOT 1, BLOCK 2**  
AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS  
BEING A PORTION OF THE REMAINDER OF A 130.479-ACRE TRACT  
AND BEING SITUATED IN THE  
PRESTON KITCHEN SURVEY, ABSTRACT NO. 667  
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

**OWNER:**  
SHERMAN CROSSROADS LTD.  
4650 BELLEVUE ROAD, STE 400  
ADDISON, TEXAS 75001

**SURVEYORS:**  
BROOKETTE/DAVIS/DRAKE, INC.  
Civil & Structural Engineering Surveying  
4144 North Central Expressway, Suite 1100  
Dallas, Texas 75204  
(214) 824-3647  
fax (214) 824-7054

SHEET 2 OF 2 NOVEMBER, 2017 C17083 FP.dwg



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**STAFF REVIEW LETTER**

November 13, 2017

Sherman Crossroads, Ltd.  
4650 Beltline Road, Ste. 400  
Addison, TX 75001

Brockette/Davis/Drake, Inc.  
4144 North Central Expressway, Ste. 1100  
Dallas, TX 75204

Dear Applicants,

The request for approval of the Final Plat of Sherman Crossroads, Phase II has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 21, 2017 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 various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Metes and Bounds description must match drawing.
6. Sewer shall be extended to serve the development and capacity shall be verified for proposed use.
7. Water Pro-Rata will be due at the time of development.
8. A utility, drainage, and grading plan shall be provided and approved by the City Engineer. A site development meeting is recommended.
9. Show Recording information of Abandonment of Drainage and Utility Easement along W. Travis St. (Hatched area)
10. Detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
11. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
12. 2 Mylars must be submitted in 24"x36" size for recording. 1 mylar must be split to be 2-12"x18" pages per Grayson County requirements. 1 page must have the legal description and the other page must have the image. Both mylars must look the same with the exception of the split line down the middle. Both split pages must include the Subdivision Name block. Submit digital image to the Engineering department for approval prior to printing mylars.

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, P.E.,  
Director of Engineering

cc: Robby Hefton, City Manager  
Brandon Shelby, City Attorney  
Danny Fuller, Fire Marshal

Scott Shadden, Director of Development Services  
Mark Gibson, Director of Utilities  
Steve Ayers, Asst. City Manager



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

**Agenda Item No. 16.**

**Meeting Date:** 11/21/2017

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

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

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**Requested Action/Proposed Use:**

**\* 2800-3600 BLOCKS S. U.S. HIGHWAY 75**

The request of Sherman Crossroads, LTD (Owners) and Brockette/Davis/Drake, Inc. (Surveyor) concerning the property located in the 2800-3600 Blocks of South U.S. Highway 75, being 21.5528 acres in the Preston Kitchen Survey, Abstract No. 667, as follows:

***Planning and Zoning Board***

Final Plat approval of Sherman Crossroads, Phase II

**Background:**

The property is located in the 2800-3600 Blocks of South U.S. Highway 75, the northwest corner of Highway 75 and FM 1417 West; just south of the new West Travis Street extension. This is the second phase of the Sherman Crossroads development and the owners would like to plat the property into one lot for commercial development and dedicate a new street (Crossroads Boulevard).

**Adjacent Zoning:**

Blalock Industrial Park

Blalock Commercial Overlay District

**Origination:**

Sherman Crossroads, LTD (Owners)

Brockette/Davis/Drake, Inc. (Surveyor)

**Master Plan Designation:**

Suburban Commercial - Suburban character primarily from reduced site coverage relative to more auto-oriented commercial development. Especially at key community entries and along high-profile corridors, may also involve other criteria to yield less intensive and more attractive development outcomes relative to auto-oriented areas, including higher standards for landscaping (along street frontages and within parking areas), signs, and building design. Range of commercial retail and service uses, at varying scales and intensities depending on the site.

**Number of notices mailed:**

Not required.

**Objections Received:**

0

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**Attachments**

Location Map

Zoning Map

Final Plat

Staff Review Letter

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# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

F.3.

**Meeting Date:** 12/18/2017

**Prepared By:** Scott Shadden, Director of Developmental Services

**Approved By:** Robby Hefton, City Manager

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**Caption:**

**\* OTHER BUSINESS**

Final Plat Approval of Brookstone Garden Homes Addition, being 4.085 acres in the Elizabeth Jones Survey, Abstract No. 625; Joe Gilbert, Owner; Vilbig & Associates, PLLC, Civil Engineer; and Preston Trail Land Surveying, Surveyor [1400-1600 blocks of South F.M. 1417 (Heritage Parkway)]

**Issue:**

To consider Final Plat approval of Brookstone Garden Homes Addition, being 4.085 acres in the Elizabeth Jones Survey, Abstract No. 625, located in the 1400-1600 blocks of South F.M. 1417 (Heritage Parkway)

**Background:**

The property is located in the 1400-1600 blocks of South F.M. 1417 (Heritage Parkway), between Quail Run Road and West Park Avenue. The prospective buyer would like to plat the property into twenty-four (24) lots for residential development of patio homes.

**Origination:**

Joe Gilbert (Owner)  
Vilbig & Associates, PLLC (Civil Engineer)  
Preston Trail Land Surveying (Surveyor)

**Financial Consideration:**

None

**Staff Recommendation:**

At the November 21, 2017 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



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### **Attachments**

Location Map

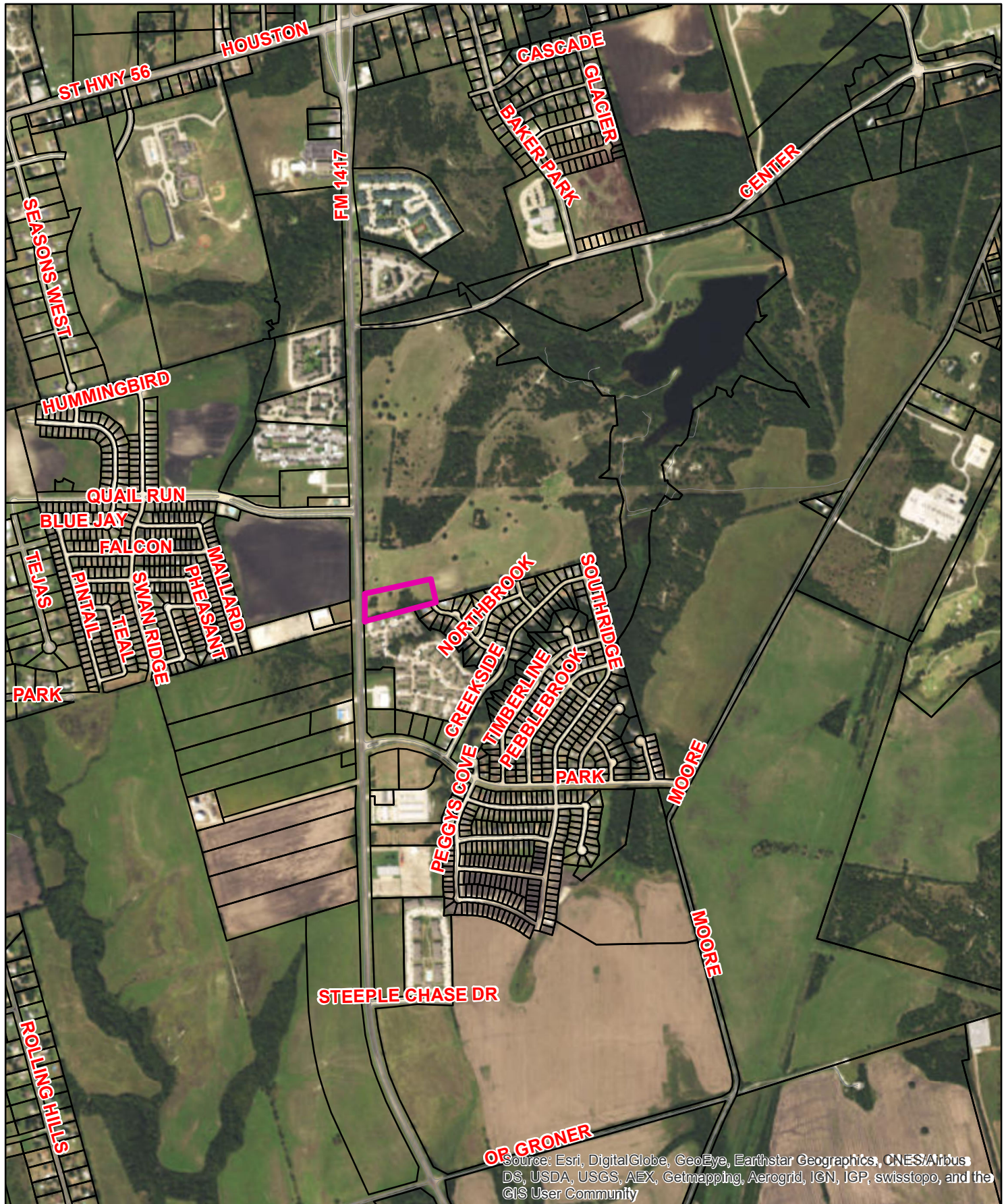
Zoning Map

Final Plat

Staff Review Letter

P&Z Communication

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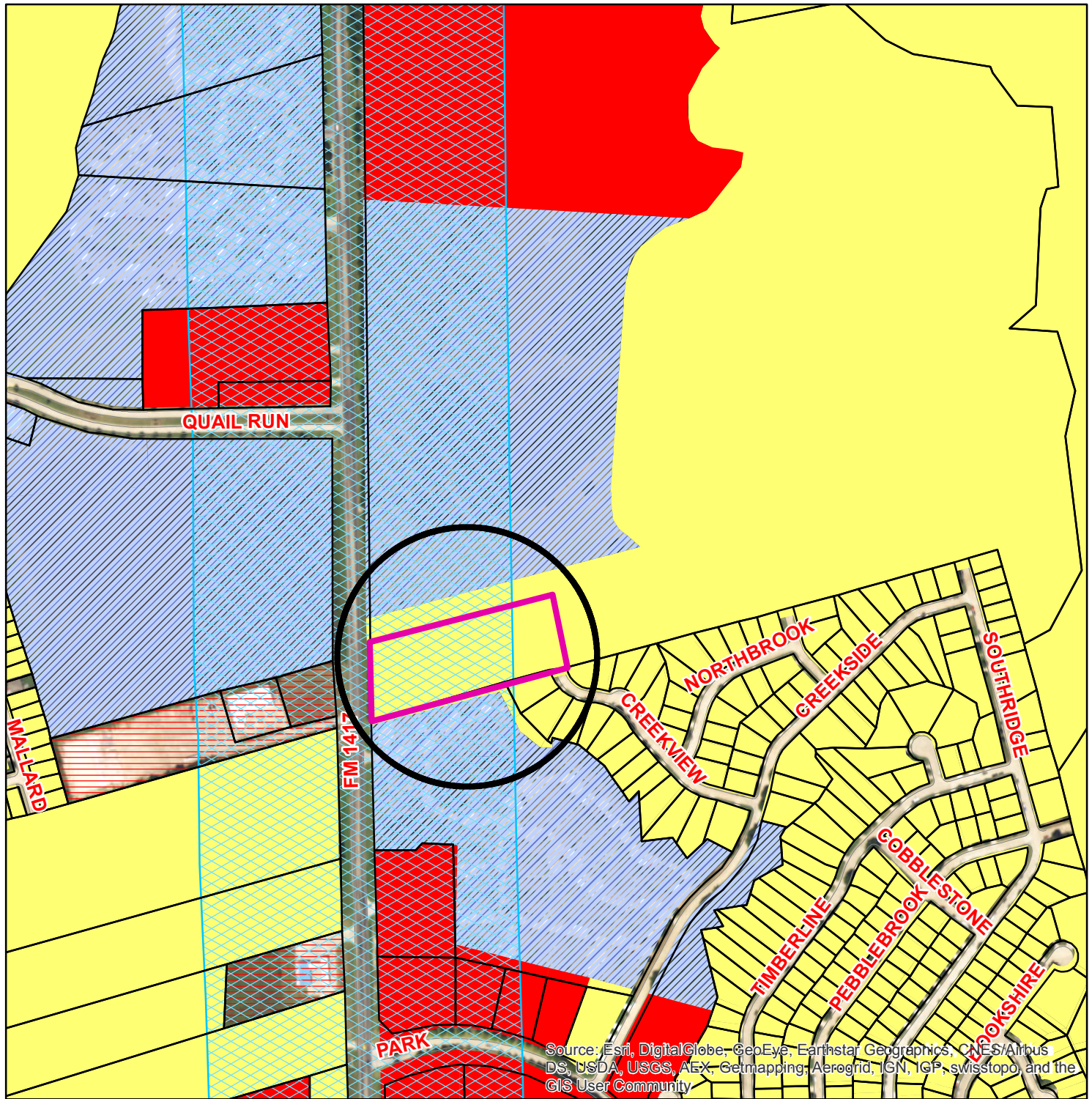
**1400-1600 Blks. S. FM 1417  
(Heritage Parkway)**



NOT TO SCALE

1 in = 1,250 ft





## Zoning - 1400-1600 Blks. S. FM 1417 (Heritage Parkway)

### Legend

- CountyParcels\_Buffer
- ShermGIS.DBO.CountyParcels.selection
- Special Districts Overlay**
- Arts and Cultural District
- Bialock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

### Transportation Corridor Zoning Districts

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691
- Unknown
- BIP Bialock 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



City of Sherman, Texas  
Developmental Services Department



NOT TO SCALE

1 in = 500 ft



**STAFF REVIEW LETTER**

November 13, 2017

Joe E. Gilbert  
801 E. Taylor St.  
Sherman, TX 75090

Preston Trail Land Surveying  
83453 N. S.H. 289, Suite 5  
Pottsboro, TX 75076

Dear Applicants,

The request for approval of the Final Plat of Brookstone Garden Homes Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 21, 2017 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 various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for all streets shall be shown on the plat.
5. Additional Right-of-Way will be required along FM 1417 (Heritage Parkway) for expansion of FM 1417 (Heritage Parkway).
6. Entrances/Exits off of F.M. 1417 (Heritage Parkway) will be Right-in, Right-out only.
7. Water Pro-Rata will be due at the time of development.
8. Sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.
9. Detention in accordance with City criteria is required. Engineering plans shall be provided and approved by the City Engineering Department.
10. Final site plans, utility, drainage and grading plans shall be provided and approved by the City Engineering Department.
11. Development Agreement required for Public Infrastructures.
12. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
13. 2 Mylars must be submitted in 24"x36" size for recording. 1 mylar must be split to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description and the other page must have the image. Both mylars must look the same with the exception of the split line down the middle. Both split pages must include the Subdivision Name block. Submit digital image to the Engineering department for approval prior to printing mylars.



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, P.E.,  
Director of Engineering

cc: Robby Hefton, City Manager  
Brandon Shelby, City Attorney  
Danny Fuller, Fire Marshal

Scott Shadden, Director of Development Services  
Mark Gibson, Director of Utilities  
Steve Ayers, Asst. City Manager



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

**Agenda Item No. 12.**

**Meeting Date:** 11/21/2017

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

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

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**Requested Action/Proposed Use:**

**\* 1400-1600 BLOCKS S. FM 1417 (HERITAGE PARKWAY)**

The request of Joe Gilbert (Owner), Vilbig & Associates, PLLC (Civil Engineer) and Preston Trail Land Surveying (Surveyor) concerning the property located in the 1400-1600 Blocks of South FM 1417 (Heritage Parkway), being 4.085 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows:

***Planning and Zoning Commission***

Final Plat approval of Brookstone Garden Homes Addition

**Background:**

The property is located in the 1400-1600 blocks of South FM 1417 (Heritage Parkway) between Quail Run Road and West Park Avenue. The owner would like to plat the property into twenty-four (24) lots for residential development of patio homes.

**Adjacent Zoning:**

R-1 (One Family Residential) District

R-2 (Multi-Family Residential) District

C-2 (General Commercial) District

**Origination:**

Joe Gilbert Construction, LLC (Owner)

Vilbig and Associates, PLLC (Civil Engineer/Surveyor)

Preston Trail Land Surveying (Surveyor)

**Master Plan Designation:**

Agricultural and Rural – Typically are large parcels that are primarily used for crops or pasture land. These low density regions surrounding the City do not have significant demands on the transportation or utilities network.

**Number of notices mailed:**

Not required.

**Objections Received:**

0

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**Attachments**

Location Map

Zoning Map

Final Plat

Staff Review Letter

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# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

F.4.

**Meeting Date:** 12/18/2017

**Prepared By:** Scott Shadden, Director of Developmental Services

**Approved By:** Robby Hefton, City Manager

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### **Caption:**

#### **\* OTHER BUSINESS**

Final Plat Approval of Sunset Crossing, being 4.742 acres in the J.B. McAnair Survey, Abstract No. 763; Risen Properties, Owner; and Helvey-Wagner Surveying, Surveyor (1600 West Washington Street)

### **Issue:**

To consider Final Plat approval of Sunset Crossing, being 4.742 acres in the J.B. McAnair Survey, Abstract No. 763, located at 1600 West Washington Street

### **Background:**

The property is located at 1600 West Washington Street; the southwest corner of Washington and Sunset Boulevard; it is bound by Washington Street, Sunset Boulevard and Blanton Drive. The property is zoned an R-1 (One Family Residential) District. The owners would like to plat the property into nineteen (19) lots for residential development.

### **Origination:**

Risen Properties (Owners)  
Helvey-Wagner Surveying (Surveyor)

### **Financial Consideration:**

None

### **Staff Recommendation:**

At the November 21, 2017 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

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### **Attachments**

Location Map

Zoning Map

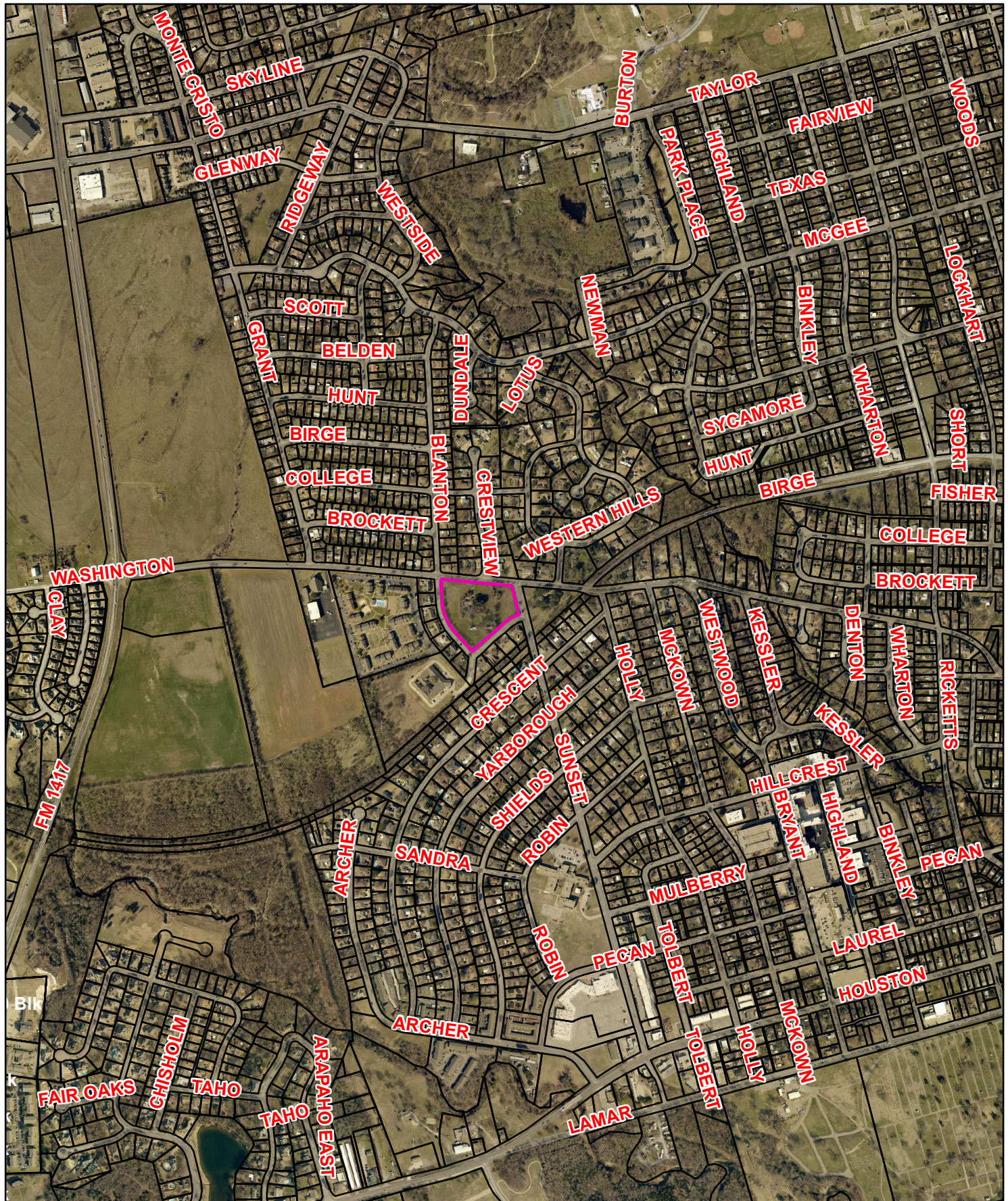
Final Plat

Staff Review Letter

P&Z Communication

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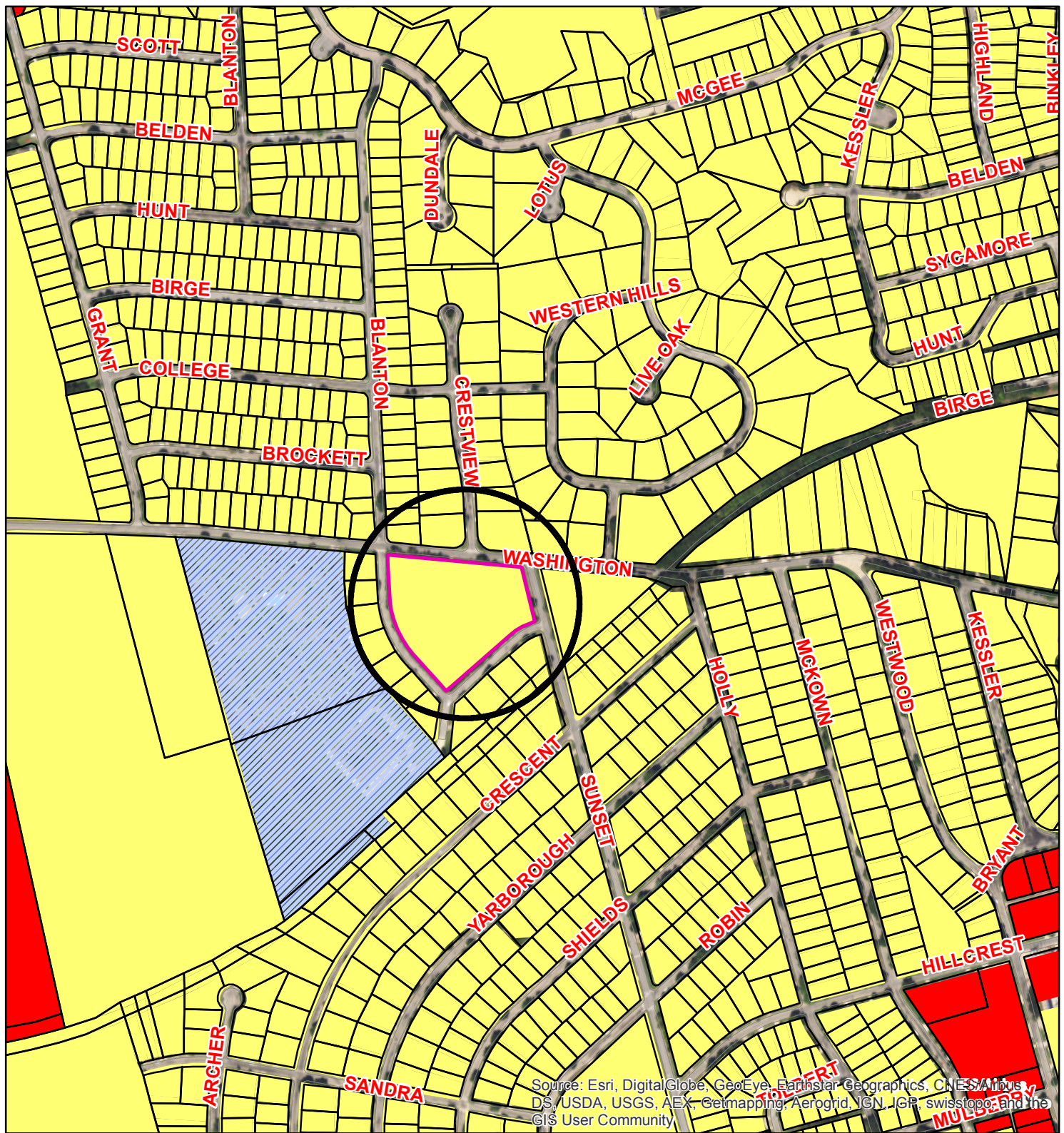


## 1600 W. Washington Sunset Crossing



1 in = 968 ft





## Zoning - 1600 W. Washington

### Legend

#### 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
- Transportation Corridor

#### Representation: ShermGIS.DBO.TransportationCorridor\_Rep

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

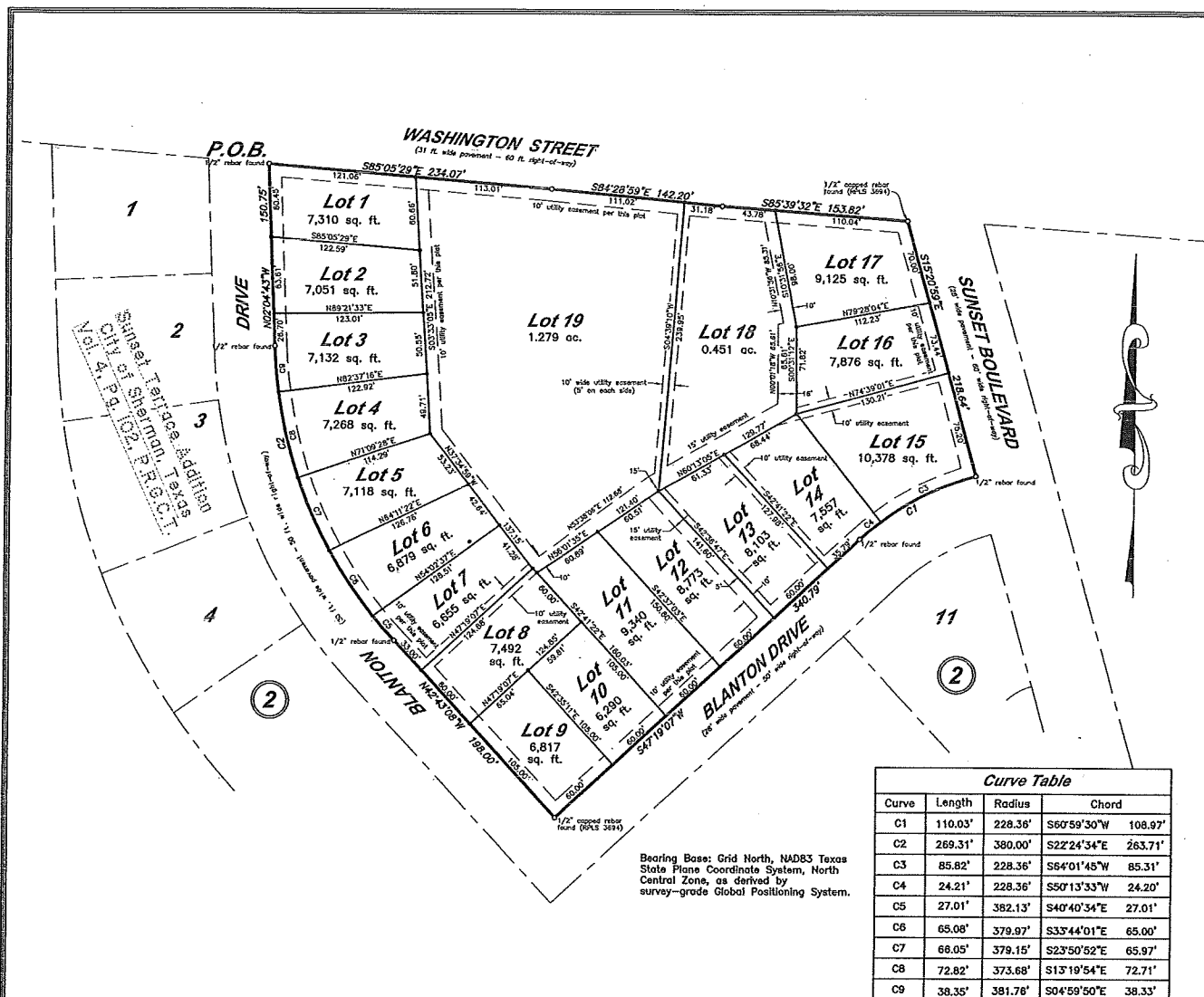
#### Zoning Districts

##### 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





# **Sunset Crossing to the City of Sherman, Texas 4.742 Acres**

in the  
**J. B. McNair Survey  
Abstract No. 763**

## **General Notes:**

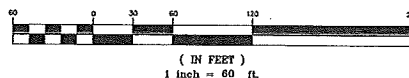
1. Water Supply to be provided by City of Sherman.
2. Sewer service to be provided by City of Sherman.
3. Electrical service is provided by Ocon Electric Delivery Co.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
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. Grayson County 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 herein 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. 4818100270 F, Revised Date: September 29, 2010.
8. Neither Grayson County nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

Helvey-Wagner Surveying, Inc.  
222 W. Main St., Denison, Texas 75020  
Ph: (903) 463-6191 Fax: (903) 463-4088  
Email: helveysurvey@comcast.net  
Texas Board of Professional Land Surveying  
Firm Registration No. 10088100

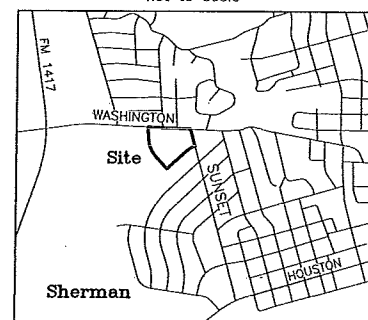
Owner/Developer:  
Risen Properties, LLC  
P.O. Box 3062  
Sherman, Texas 75090

Job No. CGS431017

GRAPHIC SCALE



## **Vicinity Map not to scale**



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**STAFF REVIEW LETTER**

November 13, 2017

Risen Properties, LLC  
P.O. Box 3062  
Sherman, TX 75090

Helvey-Wagner Surveying, Inc.  
222 W. Main St.  
Denison, TX 75020

Dear Applicants,

The request for approval of the Plat of Sunset Crossing has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 21, 2017 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 various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Metes and Bounds description must match drawing.
6. Sewer shall be extended to serve the development and capacity shall be verified for proposed use.
7. Water Pro-Rata will be due at the time of development.
8. A utility, drainage, and grading plan shall be provided and approved by the City Engineer.
9. Detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
10. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
11. 2 Mylars must be submitted in 24"x36" size for recording. 1 mylar must be split to be 2-12"x18" pages per Grayson County requirements. 1 page must have the legal description and the other page must have the image. Both mylars must look the same with the exception of the split line down the middle. Both split pages must include the Subdivision Name block. Submit digital image to the Engineering department for approval prior to printing mylars.



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, P.E.,  
Director of Engineering

cc: Robby Hefton, City Manager  
Brandon Shelby, City Attorney  
Danny Fuller, Fire Marshal

Scott Shadden, Director of Development Services  
Mark Gibson, Director of Utilities  
Steve Ayers, Asst. City Manager





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

**Agenda Item No. 14.**

**Meeting Date:** 11/21/2017

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

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

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**Requested Action/Proposed Use:**

**\* 1600 W. WASHINGTON STREET**

The request of Risen Properties (Owners) and Helvey-Wagner Surveying (Surveyor) concerning the property located at 1600 West Washington Street, being 4.742 acres in the J.B. McAnair Survey, Abstract No. 763, as follows:

***Planning and Zoning Board***

Final Plat approval of Sunset Crossing

**Background:**

The property is located at 1600 West Washington Street, the southwest corner of Washington and Sunset Boulevard; it is bound by Washington Street, Sunset Boulevard and Blanton Drive. The property is zoned an R-1 (One Family Residential) District. The owners would like to plat the property into nineteen (19) lots for residential development.

**Adjacent Zoning:**

R-1 (One Family Residential) District

**Origination:**

Risen Properties (Owners)

Helvey-Wagner Surveying (Surveyor)

**Master Plan Designation:**

Suburban Residential – Increased density and closer building setbacks separate Suburban Residential from Countryside and Estate, but more landscaping and open space distinguish Suburban Residential from Urban and Auto-Urban categories. New suburban subdivisions typically have curvilinear streets and sidewalks, as well as curb and gutter.

**Number of notices mailed:**

Not required.

**Objections Received:**

0

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**Attachments**

Location Map

Zoning Map

Final Plat

Staff Review Letter

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# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

F.5.

**Meeting Date:** 12/18/2017

**Prepared By:** Scott Shadden, Director of Developmental Services

**Approved By:** Robby Hefton, City Manager

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**Caption:**

**\* OTHER BUSINESS**

Final Plat Approval of Terra Bonita Subdivision located in the Extra Territorial Jurisdiction (ETJ) of the City of Sherman, being 8.974 acres in the Elizabeth Rehorse Survey, Abstract No. 1000 and the H.H. Tucker Survey, Abstract No. 1217 (Robert Perry and Dinesh Sriperambudur, Owners; and Helvey-Wagner Surveying, Surveyor (1545 Bennett Road)

**Issue:**

To consider Final Plat approval of Terra Bonita Subdivision located in the ETJ of the City of Sherman, being 8.974 acres in the Elizabeth Rehorse Survey, Abstract No. 1000 and the H.H. Tucker Survey, Abstract No. 1217, located at 1545 Bennett Road

**Background:**

The property is located at 1545 Bennett Road in southeast Sherman in the City of Sherman ETJ. The owners would like to plat the property into four (4) lots.

**Origination:**

Robert Perry and Dinesh Sriperambudur (Owners)  
Helvey-Wagner Surveying (Surveyor)

**Financial Consideration:**

None

**Staff Recommendation:**

At the November 21, 2017 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

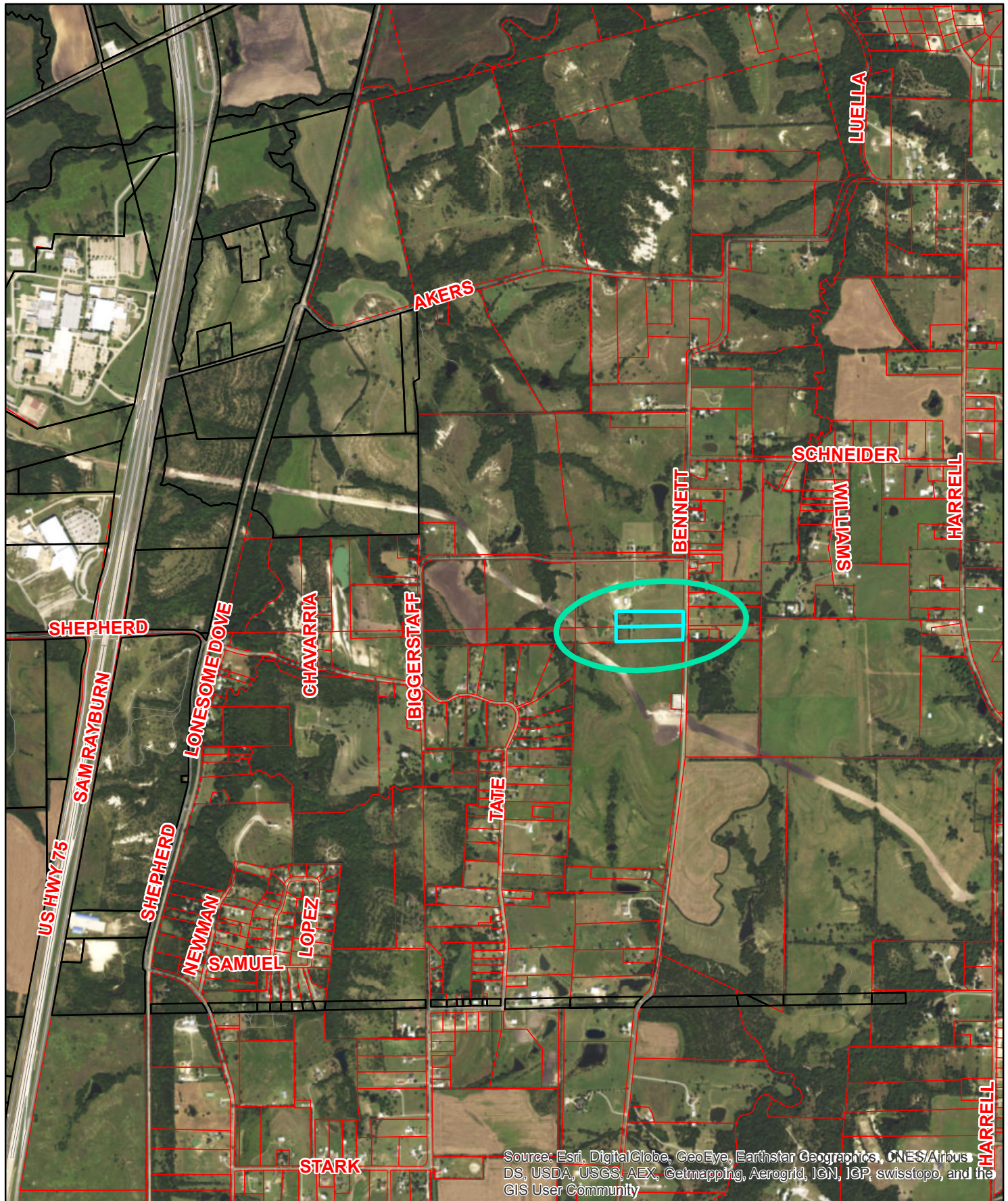
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### **Attachments**

Location Map  
Zoning Map  
Final Plat  
Staff Review Letter  
P&Z Communication

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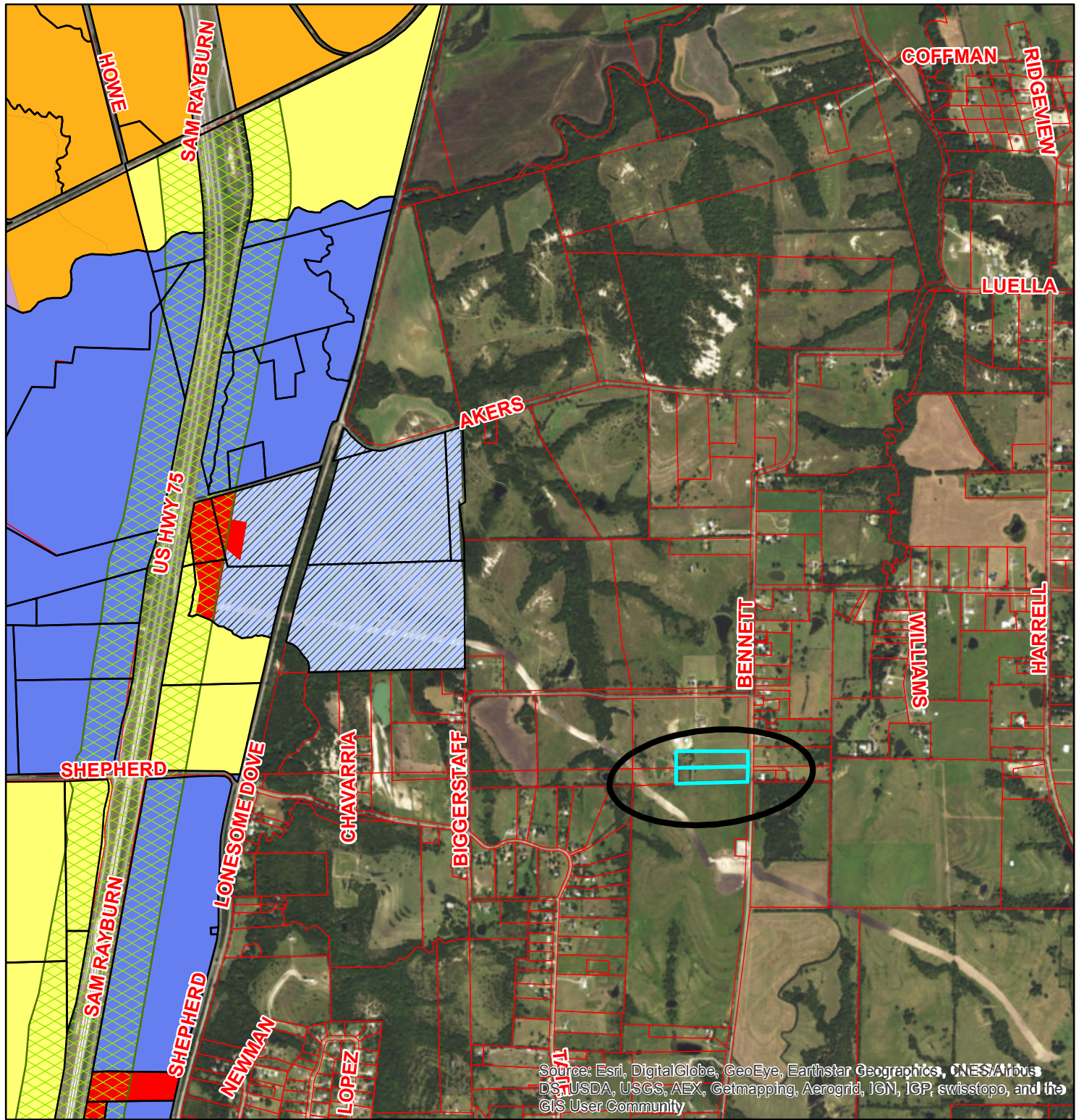


**1545 Bennett Road (ETJ)  
(Terra Bonita Subdivision)**



1 in = 1,802 ft





## Zoning - 1545 Bennett Road (ETJ) (Terra Bonita Subdivision)

### Legend

#### 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      |
| Transportation Corridor             |

| Representation: ShermGIS.DBO.TransportationCorridor_Rep |
|---------------------------------------------------------|
| FM 1417                                                 |
| Sam Rayburn Freeway                                     |
| US Hwy 82 and 75                                        |
| SH 289                                                  |
| FM 691                                                  |

#### 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 |



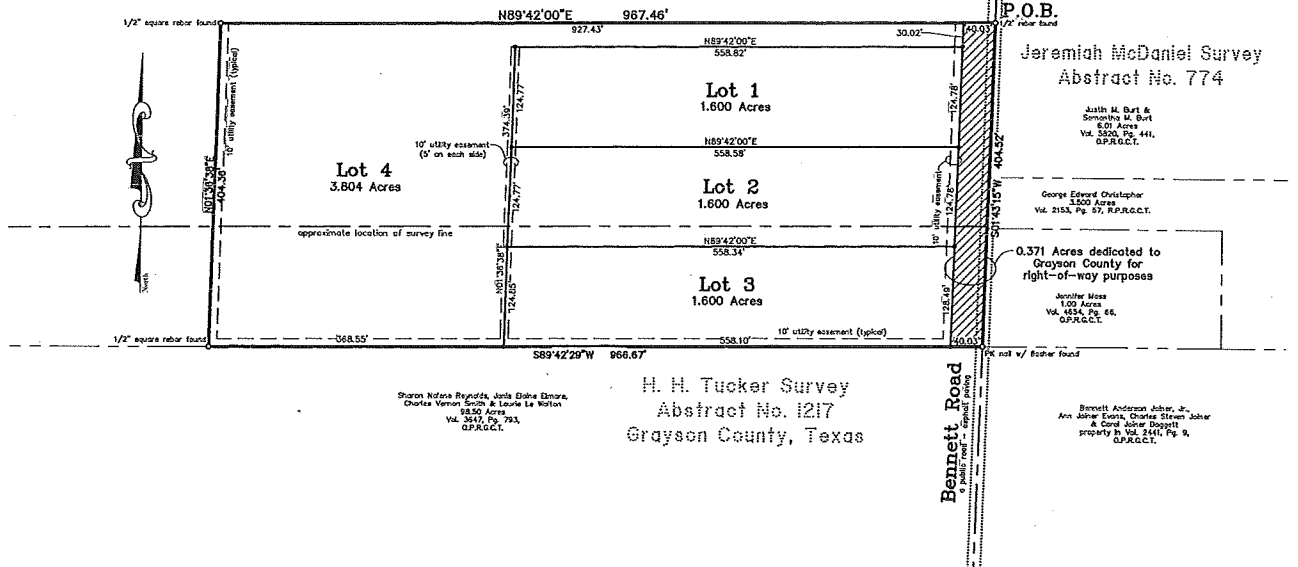
1 in = 1,802 ft

Bearing Base: Geodetic North, W.G.S.  
1984, as derived by survey-grade  
Global Positioning System.

Elizabeth Rehorse Survey  
Abstract No. 1000  
Grayson County, Texas

Joseph Roper  
31.70 Acres  
Vol. 2456, Pg. 52,  
O.P.R.G.C.T.

Russell L. Locke &  
Karl M. Locke  
4.663 Acres  
Vol. 2528, Pg. 117,  
O.P.R.G.C.T.



**Terra Bonita Subdivision**  
to  
**Grayson County, Texas**  
**8.974 Acres**  
in the  
**Elizabeth Rehorse Survey Abstract No. 1000 &  
H. H. Tucker Survey Abstract No. 1217**

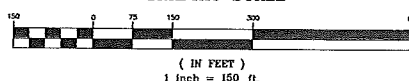
**General Notes:**

1. Water Supply to be provided by Lueda Water Supply Corporation.
2. Sewer service to be provided by on-site sewage facility approved by Grayson County.
3. Electrical service is provided by Grayson-Collin Electric Cooperative.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the roadway 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. Grayson County 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. 48161C0425 F, Revised Date: September 29, 2010.
8. Neither Grayson County nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.
10. Subject property is within City of Sherman's ETJ.

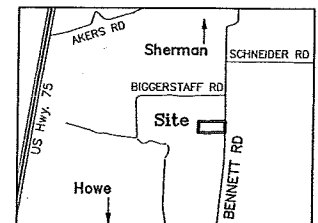
Owners:  
Robert Perry & Dinesh Sriperambudur  
3324 Carriage Circle  
Sherman, Texas

Job No. CGH621017

GRAPHIC SCALE



**Vicinity Map**  
Not to Scale:



Helvey-Wagner Surveying, Inc.  
222 W. Main St., Denison, Texas 75020  
Ph: (903) 463-6191 Fax: (903) 463-4088  
Email: helveysurvey@comcast.net  
Texas Board of Professional Land Surveying  
Firm Registration No. 10088100

S:\Land Projects\8256 Acres Elizabeth Rehorse Survey\04 301515-8256 Acres 2.dwg Layout Plot Date: Oct 26 11 Time: 9:02 AM



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**STAFF REVIEW LETTER**

November 13, 2017

Robert Perry & Dinesh Sriperambudur  
3224 Carriage Circle  
Sherman, TX 75090

Helvey-Wagner Surveying, Inc.  
222 W. Main St.  
Denison, TX 75020

Dear Applicants,

The request for approval of the Plat of Terra Bonita Subdivision has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 21, 2017 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 various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Minimum street frontage of lots is 60.'
6. Metes and Bounds description must match drawing.
7. Private On-Site sewer will be required for all lots.
8. Water will be supplied by Luella Water Supply Corporation.
9. Detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
10. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
11. 2 Mylars must be submitted in 24"x36" size for recording. 1 mylar must be split to be 2-12"x18" pages per Grayson County requirements. 1 page must have the legal description and the other page must have the image. Both mylars must look the same with the exception of the split line down the middle. Both split pages must include the Subdivision Name block. Submit digital image to the Engineering department for approval prior to printing mylars.

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, P.E.,  
Director of Engineering

cc: Robby Hefton, City Manager  
Brandon Shelby, City Attorney  
Danny Fuller, Fire Marshal

Scott Shadden, Director of Development Services  
Mark Gibson, Director of Utilities  
Steve Ayers, Asst. City Manager



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

**Agenda Item No. 15.**

**Meeting Date:** 11/21/2017

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

Clay Mahone, Chairman

Kyle Patterson, Vice-Chairman

Joe Gilbert, Commissioner

Eric Elliott, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

David Downtain, Commissioner

Trish Bridges, Commissioner

---

**Requested Action/Proposed Use:**

**\* 1545 BENNETT ROAD**

The request of Robert Perry and Dinesh Sriperambudur (Owners) and Helvey-Wagner Surveying (Surveyor) concerning the property located at 1545 Bennett Road, being 8.974 acres in the Elizabeth Rehorse Survey, Abstract No. 1000 and the H.H. Tucker Survey, Abstract No. 1217, as follows:

***Planning and Zoning Board***

Final Plat approval of Terra Bonita Subdivision located in the extra territorial jurisdiction (ETJ) of the City of Sherman

**Background:**

The property is located at 1545 Bennett Road in southeast Sherman in the City of Sherman extra territorial jurisdiction (ETJ). The owners would like to plat the property into four (4) lots.

**Adjacent Zoning:**

Outside City

**Origination:**

Robert Perry and Dinesh Sriperambudur (Owners)  
Helvey-Wagner Surveying (Surveyor)

**Master Plan Designation:**

Not included in the Master Plan



**Number of notices mailed:**

Not required.

**Objections Received:**

0

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**Attachments**

Location Map

Zoning Map

Final Plat

Staff Review Letter

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# SHERMAN CITY COUNCIL

## Agenda Communication Form

### City Council Regular Meeting

I.1.

**Meeting Date:** 12/18/2017

**Prepared By:** Linda Ashby, City Clerk

**Approved By:** Robby Hefton, City Manager

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### **Caption:**

#### **APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS**

- (a) Parks and Recreation Advisory Board (3)

### **Issue:**

Rhonda Luckett, Michael Waitt, and Ben Crouse's terms on the Parks and Recreation Advisory Board expired on November 17, 2017. They are all eligible for reappointment, however Ms. Luckett does not wish to be reappointed. Michael Kelly has also applied for service on the Board.

### **Background:**

The Parks and Recreation Advisory Board advises the City Council on long-range planning and the implementation of programs and activities conducted by the Parks and Recreation Department.

### **Origination:**

The appointments originated with the City Clerk's Office.

### **Financial Consideration:**

There is no financial consideration.

### **Staff Recommendation:**

Staff recommends the City Council consider reappointing Michael Waitt and Ben Crouse and appointing Michael Kelly to the Parks and Recreation Advisory Board.

### **Alternatives:**

The alternative is to delay appointments to the Board.

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### **Attachments**

Roster

Fact Sheet

Applicant List

Rhonda Luckett Letter

Michael Waitt Email

Michael Kelly Application

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# MEMBERSHIP ROSTER

## PARKS & RECREATION BOARD

LENGTH OF TERMS: TWO YEARS

Ord. 4112 Consecutive Term Limit (3)\*effective 7/24/89

| MEMBER          | DISTRICT | TERM<br>BEGINS             | TERM<br>EXPIRES        | TERMS  | MEMBERSHIP<br>REQUIREMENTS |
|-----------------|----------|----------------------------|------------------------|--------|----------------------------|
| Brian Jones     | 1        | A 5/19/2015<br>R 5/19/2017 | 5/19/2017<br>5/19/2019 | 1<br>2 |                            |
| Amanda Phillips | 1        | A 3/21/2017                | 3/21/2019              | 1      |                            |
| Sholdon Daniels | 2        | A 5/3/2016                 | 5/3/2018               | 1      |                            |
| Sarah Pierce    | 4        | A 5/3/2016                 | 5/3/2018               | 1      |                            |
| Rhonda Luckett  | 1        | A 11/17/2015               | 11/17/2017             | 1      |                            |
| Michael Waitt   | 1        | A 11/17/2015               | 11/17/2017             | 1      |                            |
| Ben Crouse      | 1        | A 11/17/2015               | 11/17/2017             | 1      |                            |

### NOTE:

Chair:

Vice Chair:

## FACT SHEET

### PARKS AND RECREATION BOARD

Established by ORDINANCE 3181 – MARCH 28, 1977

1. Number of Members: SEVEN (7)
2. Term of Appointment: TWO (2) YEARS
3. Consecutive Term Rule: THREE (3) TERMS – ORDINANCE 4112 (7/24/89)
4. Qualifications for Membership: INTEREST IN PROGRAMS AND ACTIVITIES CONDUCTED BY PARKS AND RECREATION DEPARTMENT. A STUDENT OF SHERMAN HIGH SCHOOL DESIGNATED BY STUDENT COUNCIL, AND THE DIRECTOR OF PARKS AND RECREATION SHALL BE EX-OFFICIO, NON-VOTING MEMBERS
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization  
  
CHAIRPERSON   E   VICE CHAIRPERSON        SECRETARY   A    
  
ELECTED        APPOINTED
7. Departmental Responsibility: PARKS AND RECREATION DEPARTMENT
8. Meeting Date: FIRST WEDNESDAY OF EACH MONTH
9. Attendance Requirements: WILL FORFEIT SEAT BY MISSING 3 CONSECUTIVE MEETING WITHOUT GOOD CAUSE

=====

#### PURPOSE:

To assist in long-range planning and implementation of programs and activities conducted by the Parks and Recreation Department.

#### RESPONSIBILITIES:

Advise concerning future development; to study and make recommendations concerning additional park land or sites; and to recommend means for maximum utilization of facilities.



## APPLICANT LIST

Parks and Recreation Advisory Board

Positions Vacant   3  

| Applicant     | Address       | District | Qualifications                            |
|---------------|---------------|----------|-------------------------------------------|
| Michael Waitt | 706 W. Pelton | 1        | Current Members; Wishes to be Reappointed |
| Ben Crouse    | 301 W. Scott  | 1        | Current Members; Wishes to be Reappointed |
| Michael Kelly | 1211 N. Woods | 1        | LeCrone Law Firm                          |

COMMENTS:

**PUBLIC RECORDS DEPARTMENT**

Phone No. (903) 892-7204

Fax No. (903) 892-7394

October 10, 2017

Rhonda Luckett  
2905 Redbud Trail  
Sherman, Texas 75092



RE: Parks and Recreation Advisory Board

Dear Ms. Luckett:

Your term on the Parks and Recreation Advisory Board expires on November 17, 2017. 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: Theresa Hutchinson, Parks and Recreation Manager

☐ I do wish to be considered for reappointment to this board

☒ I do not wish to be considered for reappointment to this board

\_\_\_\_\_  
Signature

11/17/17  
Date

Please return to: City of Sherman  
City Clerk's Office  
P.O. Box 1106  
Sherman, Texas 75091-1106

**Ashby, Linda**

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**From:** Michael Waitt <mw@903brewers.com>  
**Sent:** Monday, December 11, 2017 3:28 PM  
**To:** Ashby, Linda  
**Cc:** Hutchinson, Theresa  
**Subject:** Parks Board reappointment

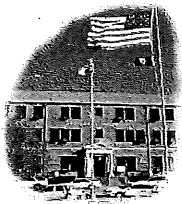
Hello Linda,

Theresa wanted me to get into contact with you about being reappointed to the Parks and Rec board. I am willing to be considered for reappointment and have already spoken with Theresa. If I need to do anything else officially beyond this email, please let me know.

Thanks!

Michael Waitt  
Director of Marketing  
[www.903brewers.com](http://www.903brewers.com)  
[mw@903brewers.com](mailto:mw@903brewers.com)  
940-206-3471





# CITY OF SHERMAN

## APPLICATION FOR BOARD OR COMMISSION MEMBERSHIP

**Return completed application to:**

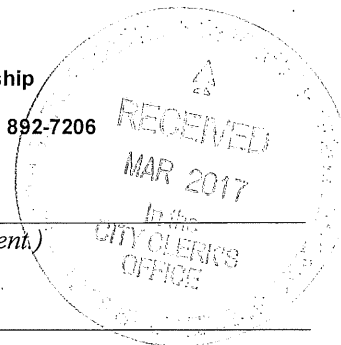
City Clerk's Office  
220 W. Mulberry  
P.O. Box 1106  
Sherman, TX 75091  
Fax: (903) 892-7394

Please type or use black ink

Please complete one application for each board or commission membership

Please limit attachments to two pages

For questions or additional information, call the City Clerk's Office, (903) 892-7206



Name: Michael Kelly  
(Please print legal name and your name as you wish it to appear, if different.)

Name of Board or Commission: Parks & Recreation

☐ Yes, I would be interested in serving on subcommittees that may be formed.

### Personal Information

Home Address: 1211 N. Woods St.  
Mailing Address: \_\_\_\_\_  
Telephone: (214) 418-1983 Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_  
Sherman Resident for 6.5 years County: Grayson  
Drivers License No.: 16509553  
Voter Registration No.: 1146775295 ✓

### Occupational Information

Business Name: Le Crone Law Firm  
Occupation: lawyer  
Address: 123 N. Crockett, Suite 200, Sherman  
Telephone: (903) 813-1900 Fax: (903) 813-1944  
E-Mail: michael@lecronelaw.com

Which Council District do you live in? (see attached map) District 1 ✓

Prior work experience: (please include dates)

Grayson County District Attorney's Office (August, 2009 - June, 2014) - ADA  
Law Office of Michael S. Kelly (March, 2009 - August, 2009) - Solo Practitioner  
alliantgroup, L.P. (March, 2007 - October, 2008) - Senior Associate

Educational Achievement:

High School Graduate? ☒ Yes ☐ No Year Graduated/Left School? 1992 - Mira Mesa High School - CA

Business College, Correspondence School, Adult Education, Other? \_\_\_\_\_

Name of College/University: Cal Poly Pomona ☒ Bachelor's ☐ Master's ☐ PhD

South Texas College of Law

☒ J.D.

Volunteer Work: (please include dates)

This will be my first

Have you ever been convicted of a crime (except for minor traffic offenses that resulted only in a fine)? ☐ Yes ☒ No

If yes, please explain in complete detail. State the nature and approximate date of the conviction, the sentence imposed, whether the sentence has been completed, and any other information you consider to be relevant.

Application held for 12 months from date received

Taxes - NO

Are you presently serving on a City board or commission? ☐ Yes ☒ No

If so, which one? \_\_\_\_\_

Why do you want to become a member of this particular board or commission (how would you use this experience to benefit the City)?

I would like to see our city continue to grow & prosper. I believe a strong pedestrian & bicycle presence will encourage local small business development along with the general welfare of our residents.

Briefly explain what you believe are the three most important issues facing this board or commission and how you believe this board or commission should address each issue?

1) Short term & long term planning (land acquisition / funding)

2) Facilities development - implementing new additions to existing parks and programs, public events, community relationships,

3) Facilities maintenance - Keeping our existing parks & grounds groomed and safe for use

List any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to this board or commission:

avid cyclist, lawyer, and DIY'er, with interest in history, architecture and rehab/renovation

Please specify any business or personal relationships with the City or other activities, which might create a serious conflict of interest or affect your ability to serve if you should be appointed to this board or commission:

None that I'm aware of

Have you attended a meeting of the board/commission you are applying to or talked to anyone currently on the board? ☒ Yes ☐ No

Comments: I thought they were orderly & efficient in addressing the agenda.

#### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Sherman Boards and Commissions, as noted in the overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications, including those received after the posted deadline, will remain on file for one year from the date of receipt.

Signature: Mike Kelly Date: March 10, 2017

In compliance with Chapter 552, Vernon's Texas Codes Annotated (Open Records Law), information provided on this application may be available to the public, upon request.

**Sherman**  
CLASSIC TOWN. BROAD HORIZON.





# SHERMAN CITY COUNCIL

## Agenda Communication Form

**City Council Regular Meeting**

**N.**

**Meeting Date:** 12/18/2017

**Prepared By:** Pamela Cloer, Assistant to the City Manager

**Approved By:** Robby Hefton, City Manager

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**Caption:**

**COUNCIL CALENDAR**

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**Attachments**

2017 Council Calendar

2018 Council Calendar

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# 2017

| JANUARY |    |    |    |    |    |    |
|---------|----|----|----|----|----|----|
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| FEBRUARY |    |    |    |    |    |    |
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| 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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|              |                                                                                                                                  |
|--------------|----------------------------------------------------------------------------------------------------------------------------------|
| 1/2/2017     | New Years Day/Called Council Meeting on 1/3/2017 - Cancelled                                                                     |
| 3/21/2017    | Called Joint Meeting with SISD Board of Trustees                                                                                 |
| 4/21/2017    | Called Budget Planning Mtg in Council Chambers                                                                                   |
| 5/22/2017    | Called Council Meeting for Introduction, PH and Adoption of Annexation Ordinance (459.6 acre tract on Preston Club Drive in ETJ) |
| 6/15-16/2017 | Called Budget Workshop in Council Chambers                                                                                       |
| 7/3/2017     | July 3rd Council Meeting Cancelled                                                                                               |
| 7/31/2017    | Called Council Meeting for 2nd PH of Annexation Ordinance (Kings Ridge on Norwood Street in ETJ)                                 |
| 9/4/2017     | Labor Day/Called Council Meeting on 9/5/2017                                                                                     |

[illegible]

# 2018

| JANUARY |    |    |    |    |    |    |
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| FEBRUARY |    |    |    |    |    |    |
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| 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 |    |    |    |    |    |    |
|----------|----|----|----|----|----|----|
| S        | M  | T  | W  | T  | F  | S  |
|          |    |    |    | 1  | 2  | 3  |
| 4        | 5  | 6  | 7  | 8  | 9  | 10 |
| 11       | 12 | 13 | 14 | 15 | 16 | 17 |
| 18       | 19 | 20 | 21 | 22 | 23 | 24 |
| 25       | 26 | 27 | 28 | 29 | 30 |    |
|          |    |    |    |    |    |    |

| DECEMBER |    |    |    |    |    |    |
|----------|----|----|----|----|----|----|
| S        | M  | T  | W  | T  | F  | S  |
|          |    |    |    |    |    | 1  |
| 2        | 3  | 4  | 5  | 6  | 7  | 8  |
| 9        | 10 | 11 | 12 | 13 | 14 | 15 |
| 16       | 17 | 18 | 19 | 20 | 21 | 22 |
| 23       | 24 | 25 | 26 | 27 | 28 | 29 |
| 30       | 31 |    |    |    |    |    |

[illegible][illegible]