

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, JUNE 4, 2012
5:00 P.M.**

- A.1 [CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN](#)
- A.2 [PLEDGE OF ALLEGIANCE](#)
- A.3 [INVOCATION BY COUNCIL MEMBER JOE N. SMITH](#)
- A.4 [APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 21, 2012](#)

Public Hearing

- B.1 [PUBLIC HEARING](#)
Conduct the Second Public Hearing Concerning the Annexation of 71.671 Acres along Washington Street in the City of Sherman's Extra Territorial Jurisdiction
- B.2 [PUBLIC HEARING](#)
Final Statement/Action Plan for Program Year 2012 Community Development Block Grant

Close Public Hearing and Consider the Consent Agenda

- B.3 [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. 5675](#)
Authorizing Publication of the Proposed Final Statement/Action Plan for the Community Development Block Grant for Fiscal Year 2012; Authorizing Submission of the Block Grant Application; Authorizing Execution of Certain Assurances of Compliance in Connection with the Administration and Conduct of the Community Development Program for Fiscal Year 2012

C.2 [* RESOLUTION NO. 5676](#)

Renewing Guidelines and Criteria for the City of Sherman's Industrial Tax Abatement Program to Promote Development/Redevelopment in Certain Areas of the City

C.3 [* RESOLUTION NO. 5677](#)

Authorizing Execution of a Deed for the Resale of One Tract of Land located at 323 West Rainey within the Sherman City Limits Seized for Delinquent Taxes

Other Business

D.1 [CITIZEN REQUESTS](#)

D.2 [MEDIA QUESTIONS](#)

D.3 [COUNCIL COMMENTS](#)

D.4 [ADJOURNMENT](#)

[COUNCIL CALENDAR](#)



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. A.1

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. A.2

PLEDGE OF ALLEGIANCE

The Honorable Joe N. Smith, Council Member



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. A.3

INVOCATION BY COUNCIL MEMBER JOE N. SMITH



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. A.4

APPROVE MINUTES
OF THE REGULAR CITY COUNCIL MEETING OF MAY 21, 2012

STATE OF TEXAS

§

May 21, 2012

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on May 21, 2012.

MEMBERS PRESENT: MAYOR BILL MAGERS; DEPUTY MAYOR WILLIE STEELE.
COUNCIL MEMBERS HOWETH, PLYLER, SMITH, SOFTLY,
WACKER.

MEMBERS ABSENT: NONE.

CALL TO ORDER

Mayor Magers called the meeting to order at 5:01 p.m. The Pledge of Allegiance and the Invocation were given by Mayor Bill Magers.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of May 7, 2012. Council Member Wacker moved to approve the Minutes as presented; Second by Deputy Mayor Steele. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

PUBLIC HEARING

CONDUCT THE FIRST PUBLIC HEARING CONCERNING THE
ANNEXATION OF 71.671 ACRES ALONG WASHINGTON
STREET IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL
JURISDICTION

Mayor Magers called for the first public hearing on the voluntary annexation of 71.671 acres along Washington Street in the City's extra-territorial jurisdiction.

ANNEXATION
WASHINGTON
STREET

No citizens appeared before the City Council to discuss the annexation of 71.671 acres along Washington Street in the City of Sherman's Extra Territorial Jurisdiction.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Magers introduced Ordinance 5744 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DENYING ATMOS ENERGY CORP., MID-TEX DIVISION'S ("ATMOS MID-TEX" OR "COMPANY") REQUESTED RATE CHANGE; REQUIRING THE COMPANY TO REIMBURSE THE CITY'S REASONABLE RATEMAKING EXPENSES; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL FOR THE ATMOS CITIES STEERING COMMITTEE ("ACSC"); PROVIDING FOR A REPEALER.

ORD 5744
DENYING ATMOS
ENERGY'S RATE
CHANGE

No citizens appeared before the City Council to discuss Ordinance 5744.

Mayor Magers introduced Ordinance 5745 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES, ENTITLED "GENERAL PROVISIONS", AT ARTICLE 1.08, ENTITLED "CEMETERIES", DIVISION 2, ENTITLED "RULES AND REGULATIONS", AT SECTIONS 1.08.031, 1.08.034 AND 1.08.038, AND DIVISION 3, ENTITLED "PERPETUAL CARE FUND; RATES AND CHARGES", AT SECTION 1.08.075(A); PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5745
CEMETERY RATE
CHANGES

No citizens appeared before the City Council to discuss Ordinance 5745.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5744

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DENYING ATMOS ENERGY CORP., MID-TEX DIVISION'S ("ATMOS MID-TEX" OR "COMPANY") REQUESTED RATE CHANGE; REQUIRING THE COMPANY TO REIMBURSE THE CITY'S REASONABLE RATEMAKING EXPENSES; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL FOR THE ATMOS CITIES STEERING COMMITTEE ("ACSC"); PROVIDING FOR A REPEALER.

ORD 5744
DENYING ATMOS
ENERGY'S RATE
CHANGE

Brandon Shelby, City Attorney, explained that the City of Sherman is a part of the Steering Committee, which is in negotiations for a settlement of the rate case. They need additional time so the City is denying the rate increase.

Ordinance 5745

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES, ENTITLED "GENERAL PROVISIONS", AT ARTICLE 1.08, ENTITLED "CEMETERIES", DIVISION 2, ENTITLED "RULES AND REGULATIONS", AT SECTIONS 1.08.031, 1.08.034 AND 1.08.038, AND DIVISION 3, ENTITLED "PERPETUAL CARE FUND; RATES AND CHARGES", AT SECTION 1.08.075(A); PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 5745
CEMETERY RATE
CHANGES

ACTION TAKEN.

Motion by Council Member Smith to approve Ordinance Nos. 5744 and 5745, as presented. Second by Council Member Softly.

VOTING AYE: Howeth, Plyler, Smith, Softly, Steele, Wacker.

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS

ACCEPTANCE OF THE DEPUTY MAYOR'S DISCLOSURE OF A PERSONAL FINANCIAL INTEREST IN THE DOWNTOWN SHERMAN STREETSCAPE IMPROVEMENTS PROJECT

Mayor Magers explained that all members of the City Council are volunteers and have other businesses. Occasionally Council Members will do business with City entities. When that happens, the Council Member has an obligation to disclose the financial interest to both the City Council and the public.

Deputy Mayor Steele has a business that may be awarded a City contract. In doing so, he wants to be forthcoming and make the City Council aware of that possibility.

He asked for a motion to accept Deputy Mayor Steele's disclosure of his personal interest in the contract for the Downtown Sherman Streetscape Improvement Project.

ACTION TAKEN.

Motion by Council Member Smith to accept Deputy Mayor Willie Steele's disclosure of a personal financial interest in the Downtown Sherman Streetscape Improvement Project, as presented. Second by Council Member Howeth.

VOTING AYE: Howeth, Plyler, Smith, Softly, Wacker.

VOTING NAY: None.

ABSTAIN: Steele.

MOTION CARRIED.

RESOLUTIONS

RESOLUTION NO. 5674 -- AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH VESCOR INC. DBA VESSELS CONSTRUCTION FOR CONSTRUCTION OF THE DOWNTOWN SHERMAN STREETSCAPE IMPROVEMENTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH VESCOR INC. DBA VESSELS CONSTRUCTION FOR CONSTRUCTION OF THE DOWNTOWN SHERMAN STREETSCAPE IMPROVEMENTS.

ACTION TAKEN.

Motion by Council Member Wacker to approve Resolution No. 5674, as presented. Second by Council Member Smith.

VOTING AYE: Howeth, Plyler, Smith, Softly, Wacker.

VOTING NAY: None.

ABSTAIN: Steele.

MOTION CARRIED.

CITIZENS REQUESTS

There were no citizens requests.

DEPUTY MAYOR'S
DISCLOSURE FOR
FINANCIAL INTEREST
IN THE DOWNTOWN
STREETSCAPE
IMPROVEMENTS
PROJECT

RES 5674
DOWNTOWN
STREETSCAPE
IMPROVEMENTS

CITIZENS REQUESTS

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

OLD SETTLERS PARK

Mayor Magers said Old Settlers Park has been very busy the past few weeks with baseball and tournaments. He complimented the Parks and Recreation Department for the condition of the fields and the condition of the park itself.

DENISON'S MAYOR ROBERT BRADY

Mayor Magers said tonight marks Mayor Robert Brady's last night as Mayor of Denison, Texas, and he congratulated him on his great service to Denison over the years. He has been a great partner and Sherman and Denison work well together. He wished Mayor Brady well on his retirement. Mayor Magers added that Jared Johnson is the new Mayor of Denison.

Council Member Smith added that Mayor Brady has served Denison for a long time and will continue to serve them behind the scene and continue to move them forward. Council Member Smith said he looked forward to continuing to work with Mayor Brady and with new Mayor Johnson and the City Council.

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.

SECTION 551.074

PERSONNEL MATTERS
CONSIDER THE
QUALIFICATIONS, APPOINTMENT
AND REMOVAL OF MEMBERS TO
BOARDS AND COMMISSIONS:
SHERMAN HOUSING AUTHORITY
(3)

Council Members decided that the Executive Session was not needed.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS:

SHERMAN HOUSING AUTHORITY (3) ACTION TAKEN.

Motion by Deputy Mayor Steele to reappoint Tina Garner, Janet Roy, and Wanda Crook to the Sherman Housing Authority Board for a term from June 1, 2012 to June 1, 2014. Second by Council Member Wacker.

MEDIA QUESTIONS

OLD SETTLERS PARK

DENISON'S MAYOR ROBERT BRADY

EXECUTIVE SESSION

SHERMAN HOUSING AUTHORITY

VOTING AYE: Howeth, Plyler, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at
5:10 p.m.

ADJOURNMENT

MAYOR

CITY CLERK



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. B.1

PUBLIC HEARING

Conduct the Second Public Hearing Concerning the Annexation of 71.671 Acres along Washington Street in the City of Sherman's Extra Territorial Jurisdiction

Issue

To conduct the second public hearing concerning the annexation of 71.671 acres along Washington Street in the City's extra territorial jurisdiction (ETJ), in accordance with state law and the City Charter

Background

It is the City's intention to annex specifically identified individual areas in the City's ETJ, in accordance with state law and the City Charter. At its May 7th meeting, the City Council approved the schedule for annexation of this property, which set the May 21st first public hearing, this second public hearing, and introduction and adoption of the Ordinance to annex the subject property at the June 25th called Council meeting. The first public hearing was held on May 21st as scheduled, with no public comments received.

Origination

City Council

Financial Consideration

City accepts maintenance. The incremental cost of annexing this property is negligible.

Staff Recommendation

It is recommended that the City Council conduct its second public hearing concerning the possible annexation of this property.

Alternatives

As directed by the City Council

Attachments

Annexation Scheduling Plan
Request Letter
Field Notes
Location Map
Municipal Service Plan

Prepared by:
Brandon Shelby, City Attorney

Approved by:
George Olson, City Manager

ANNEXATION SCHEDULING PLAN

Annexation of 71.671 acres along Washington Street

Wednesday, May 9, 2012.....	Send written notice to property owners in the area to be annexed, public or private entities that provide services in that area, and any railroads with a right of way in the area to be annexed. The Department of Engineering Services will prepare a service plan that details the specific Municipal Services that will be provided to the area after it is annexed.
Friday, May 11, 2012.....	Post notice on City's website, newspaper and City Hall for City Council's 1 st Public Hearing on intent to annex. Send written notice to each public school district in the area to be annexed. Send by certified mail a second written notice to any railroads with a right of way in the area to be annexed. Obtain required affidavit of publication from newspaper.
Thursday, May 17, 2012.....	Post notice of 1 st Public Hearing under the Open Meetings Act.
Monday, May 21, 2012.....	City Council's 1 st Public Hearing on intent to annex and service plan.* (Regular Meeting)
Friday, May 25, 2012.....	Post notice on City's website, newspaper and City Hall for City Council's 2 nd Public Hearing on intent to annex. Obtain required affidavit of publication from newspaper.
Thursday, May 31, 2012.....	Post notice of 2 nd Public Hearing under the Open Meetings Act.
Monday, June 4, 2012.....	City Council's 2 nd Public Hearing on intent to annex and service plan.* (Regular Council Meeting)
Thursday, June 21, 2012.....	Post notice on City's website, newspaper and City Hall for introduction of annexation ordinance and adoption of the ordinance. Posting will also be in compliance with the Open Meetings Act.**
Monday, June 25, 2012.....	City Council Public Hearing for introduction and consideration of adoption of annexation ordinance. (Called Council Meeting)**

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

** Special Called Meeting for introduction and consideration of adoption of annexation ordinance must be held after June 24, 2012 and before June 30, 2012 in order to comply with statutory requirements. Changing the date of introduction and consideration impacts the date notice must be published.

Mehrdad Mazaheri, M.D.
The Intralase Center PA
670 W. Campbell Rd, Suite 100, Richardson, TX 75080
Tel: (214) 564-7979

August 30, 2011

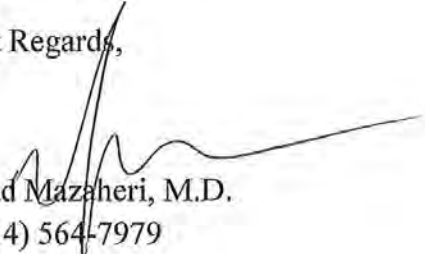
Lisa Whitfield
Department of Engineering
P.O Box 1106,
Sherman, TX 75091
Fax: (903) 870-7802

Re: Annexation for Property ID 261336

Dear Lisa,

I, Mehrdad Mazaheri, am writing this letter in order to request the annexation of all of my property in Grayson County, located at the intersection of Washington Street and SH 289. To my knowledge part of this property was annexed at a previous time. If you may have any questions or help regarding this process please feel free to contact me.

Kindest Regards,


Mehrdad Mazaheri, M.D.
Tel: (214) 564-7979

Legal Description

Situated in the County of Grayson, State of Texas, being a part of the J. Deaver Survey, Abstract No. 348, being a part of the 132.762 acre tract of land described in Exhibit "A" in deed to The Intralasik Center, P. A. of record in Volume 4024, Page 461, of the Official Public Records, Grayson County, Texas, and being more particularly described as follows:

Beginning at a ½" steel rod in Washington Street, said rod being the northeast corner of said 132.762 acre tract;

Thence South 01°44'12" East leaving said road, a distance of 2,010.03 feet to a set ½" steel rod;

Thence South 87°57'43" West a distance of 56.53 feet to a set ½" steel rod;

Thence South 01°44'12" East a distance of 648.31 feet to a ½" steel rod set in the north line of the 160.590 acre tract of land conveyed to Grayson 200, LTD., by deed of record in Volume 3945, Page 427, of said Official Public Records, said rod being the southeast corner of the herein described tract;

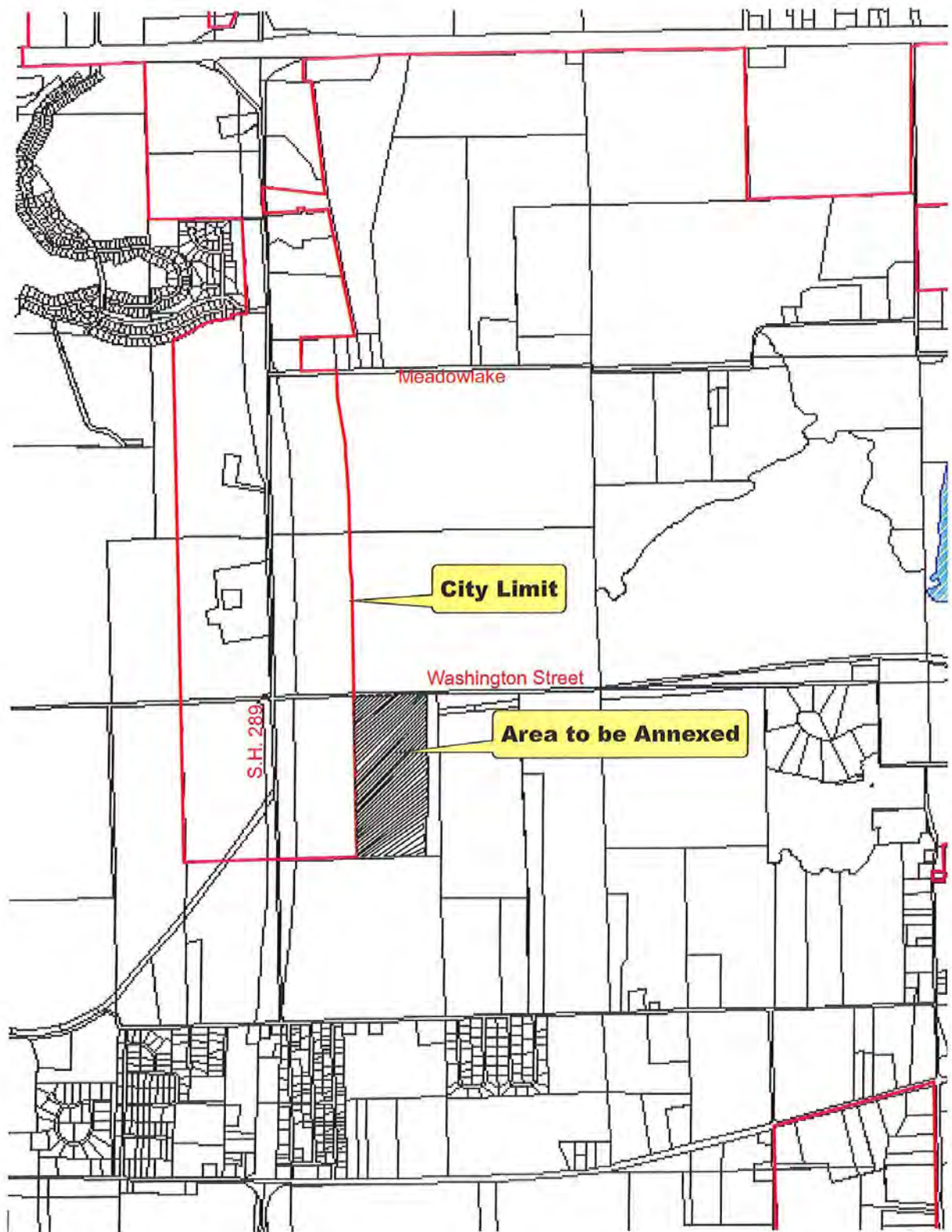
Thence South 88°30'23" West with said north line, a distance of 1134.23 feet to a point, the southwest corner of the herein described tract;

Thence North 01°45'35" West a distance of 1630.60 feet to a point;

Thence North 01°14'23" West a distance of 1025.00 feet to a point in Washington Street and the north line of said 132.762 acre tract;

Thence North 88°39'18" East with said Washington Street, a distance of 1657.85 feet to a spike nail found at an angle point;

Thence North 87°57'43" East continuing with said Washington Street, a distance of 524.69 feet to the Point-of-Beginning and containing 71.671 acres of land.



City of Sherman Municipal Service Plan Washington Street

INTRODUCTION:

The annexation is the site of approximately 71.671 acres along Washington Street lying adjacent to the City of Sherman existing city limits.

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

MUNICIPAL SERVICES TO BE PROVIDED:

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

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

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

STREETS AND BRIDGES: All access points to Washington Street shall meet City of Sherman requirements. Any future streets will be developed by the standard provisions of the Developers Ordinance with future maintenance by the City of Sherman. Street lighting will be established according to city guidelines.

PARKS: No public parks exist in the area to be annexed. Any new park facilities will be developed according to existing City policies as applicable to all city residents.

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

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

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

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

CAPITAL IMPROVEMENTS:

WATER SERVICE: Extensions of existing city mains for future development will be made by standard City of Sherman utility extension methods. All connections to new or existing water mains will be based upon existing City policies as applicable to all city residents as stated in the current codes and ordinances.

SEWER SERVICE: Extensions of any existing sewer facilities of the City of Sherman for existing or future development may be made by standard City of Sherman utility extension methods provided the capacity of the existing appurtenances is not exceeded at the time of development. Use of lift stations and force mains will be required to serve some portions of this area. All connections to new or existing sewer mains will be based upon existing City policies as applicable to all city residents as stated in the current codes and ordinances.



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. B.2

PUBLIC HEARING

Final Statement/Action Plan for Program Year 2012 Community Development Block Grant

Issue

Approval of the Fiscal Year (FY) 2012 Community Development Block Grant Final Statement/Action Plan

Background

Each year, the City of Sherman receives an entitlement grant (Community Development Block Grant) from the U.S. Department of Housing and Urban Development (HUD). We are required to prepare and submit an annual Action Plan, which is a description of the activities that will be undertaken during the coming year to address the needs of our low to moderate income citizens. This Action Plan is based on a five (5) year Consolidated Plan & Strategy developed by City staff and approved by the Sherman City Council. It serves as the City's long term planning tool to address the identified needs of affordable housing, public housing, homelessness, and other non-housing community development needs and activities within the City of Sherman. Over the past five (5) years, the City of Sherman's history of allocations for the Community Development Block Grant is as follows: FY 2007 - \$332,014; FY 2008 - \$321,189; FY 2009 - \$324,495; FY 2010 - \$351,141; and FY 2011 - \$293,001.

Origination

Theresa Caudle, Neighborhood Services

Financial Consideration

The City of Sherman has been allocated \$289,254 in Community Development Block Grant funds from the U.S. Department of Housing and Urban Development to address our various community development needs for low to moderate income citizens during FY 2012.

Staff Recommendation

The staff recommends that the Sherman City Council approve the FY 2012 Community Development Block Grant Final Statement/Action Plan as submitted.

Alternatives

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

Attachments

Memorandum from Theresa Caudle, Community Development Coordinator
FY 2012 Community Development Block Grant Final Statement/Action Plan

Prepared by:
Don Keene, Director of Public Works

Approved by:
George Olson, City Manager



memorandum

DATE: Monday, May 21, 2012
TO: George Olson, City Manager
FROM: Theresa Caudle, CD Coordinator 
SUBJECT: PY 2012 Final Statement/Action Plan

The City of Sherman's Proposed Final Statement/Action Plan of Community Development Objectives with projected use of the funds for Program Year 2012 was published in the Herald Democrat on April 27, 2012. The required 30-day public comment period will conclude on May 29, 2012 and I do not anticipate any public comments on the Proposed Statement of Objectives.

Therefore, we are now ready to proceed with submitting this to the City Council in the form of a Resolution establishing the City of Sherman's PY 2012 Final Statement/Action Plan.

I am requesting that you set this item for public hearing and present the Resolution for consideration and approval by our City Council at the next regular scheduled meeting of June 4, 2012.

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

**CITY OF SHERMAN, TEXAS
FINAL STATEMENT/ACTION PLAN OF
COMMUNITY DEVELOPMENT OBJECTIVES
AND PROJECTED USE OF FUNDS FOR PROGRAM YEAR 2012**

GRANT NO: B-2012-MC-48-0027

The City of Sherman has received notice from the U.S. Department of Housing and Urban Development (HUD) that its entitlement grant for the Community Development Program (CDBG) for fiscal year 2012 is \$289,254.00. These funds will be received on October 1, 2012. Activities that directly benefit low and moderate-income persons will be available citywide. Other activities which have an area benefit will only be available in areas of the city which are populated by a majority of low and moderate-income persons. The City has met citizen participation requirements.

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

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

**COMMUNITY DEVELOPMENT PROGRAM ACTION PLAN
PROGRAM YEAR 2012**

OWNER-OCCUPIED HOUSING REHABILITATION:.....\$169,154

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

FIRST-TIME HOMEOWNERSHIP PROGRAM:.....\$5,000

A program, in cooperation with local lending institutions, to provide technical, educational and financial assistance to low and moderate income first-time homebuyers through a variety of services, including basic closing-cost assistance, at a maximum of \$2,000.

DEMOLITION/CLEARANCE PROGRAM:.....\$30,000

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

PROGRAM ADMINISTRATION:.....\$57,800

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

PUBLIC SERVICE ACTIVITIES:

Sherman Housing Authority:.....\$8,800

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

Texoma Area Paratransit System, Inc.:.....\$12,000

A program that will provide transportation assistance to low and moderate income individuals who reside within the city limits of Sherman including transportation to and from work, to and from school, and to doctor and grocery trips for the elderly.

Grayson County Crisis Center:	\$2,000
A program of activities that will provide emergency assistance to homeless women and children of domestic violence, who at one time, resided within the city limits of Sherman.	
Grayson County Shelter, Inc.:	\$2,000
A program of activities that will provide emergency assistance to homeless individuals and families, who at one time, resided within the city limits of Sherman.	
Child & Family Guidance Center of Texoma:	\$1,000
A program to provide counseling services for family dysfunction, alcohol and substance abuse, domestic violence and sexual abuse for the low and moderate income Sherman residents.	
Boys & Girls Club of Sherman, Inc.:	\$1,500
A program to provide scholarships for the low and moderate income Sherman youth. Scholarship funding will provide the opportunity for low/moderate income youth to participate in organized sports activities that would not otherwise be able to participate.	
TOTAL PROGRAM ALLOCATION:	\$289,254

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

CITY OF SHERMAN COMMUNITY DEVELOPMENT OBJECTIVES

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

The Action Plan of Community Development Objectives and Projected Use of Funds for Program Year 2012 are available in the Community Development Office of the City of Sherman. Any citizen or agency interested in commenting on this Final Statement of Objectives is invited to submit written comments c/o Theresa Caudle, CD Coordinator, City of Sherman, P. O. Box 1106 Sherman, TX 75091-1106. Written comments must be received prior to 5:00 p.m. on Tuesday, July 10, 2012. A summary of comments received will be made a part of the summary of citizen participation of this Plan.



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. B.3

CONSENT AGENDA

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

C.1 * RESOLUTION NO. 5675

Authorizing Publication of the Proposed Final Statement/Action Plan for the Community Development Block Grant for Fiscal Year 2012; Authorizing Submission of the Block Grant Application; Authorizing Execution of Certain Assurances of Compliance in Connection with the Administration and Conduct of the Community Development Program for Fiscal Year 2012

C.2 * RESOLUTION NO. 5676

Renewing Guidelines and Criteria for the City of Sherman's Industrial Tax Abatement Program to Promote Development/Redevelopment in Certain Areas of the City

C.3 * RESOLUTION NO. 5677

Authorizing Execution of a Deed for the Resale of One Tract of Land located at 323 West Rainey within the Sherman City Limits Seized for Delinquent Taxes



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. C.1

*** RESOLUTION NO. 5675**

**Authorizing Publication of the Proposed Final Statement/Action Plan
for the Community Development Block Grant for Fiscal Year 2012; Authorizing
Submission of the Block Grant Application; Authorizing Execution of Certain Assurances
of Compliance in Connection with the Administration and Conduct of
the Community Development Program for Fiscal Year 2012**

Issue

Approval of the Fiscal Year (FY) 2012 Community Development Block Grant Final Statement/Action Plan

Background

Each year, the City of Sherman receives an entitlement grant (Community Development Block Grant) from the U.S. Department of Housing and Urban Development (HUD). We are required to prepare and submit an annual Action Plan, which is a description of the activities that will be undertaken during the coming year to address the needs of our low to moderate income citizens. This Action Plan is based on a five (5) year Consolidated Plan & Strategy developed by City staff and approved by the Sherman City Council. It serves as the City's long term planning tool to address the identified needs of affordable housing, public housing, homelessness, and other non-housing community development needs and activities within the City of Sherman. Over the past five (5) years, the City of Sherman's history of allocations for the Community Development Block Grant is as follows: FY 2007 - \$332,014; FY 2008 - \$321,189; FY 2009 - \$324,495; FY 2010 - \$351,141; and FY 2011 - \$293,001.

Origination

Theresa Caudle, Neighborhood Services

Financial Consideration

The City of Sherman has been allocated \$289,254 in Community Development Block Grant funds from the U.S. Department of Housing and Urban Development to address our various community development needs for low to moderate income citizens during FY 2012.

Staff Recommendation

It is staff recommendation that the Sherman City Council approve the resolution to adopt the Fiscal Year (FY) 2012 Community Development Block Grant Final Statement/Action Plan as submitted.

Alternatives

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

Attachments

Memorandum from Theresa Caudle, Community Development Coordinator

Resolution No. 5675

FY 2012 Final Statement/Action Plan

Prepared by:
Don Keene, Director of Public Works

Approved by:
George Olson, City Manager



memorandum

DATE: Monday, May 21, 2012
TO: George Olson, City Manager
FROM: Theresa Caudle, CD Coordinator 
SUBJECT: PY 2012 Final Statement/Action Plan

The City of Sherman's Proposed Final Statement/Action Plan of Community Development Objectives with projected use of the funds for Program Year 2012 was published in the Herald Democrat on April 27, 2012. The required 30-day public comment period will conclude on May 29, 2012 and I do not anticipate any public comments on the Proposed Statement of Objectives.

Therefore, we are now ready to proceed with submitting this to the City Council in the form of a Resolution establishing the City of Sherman's PY 2012 Final Statement/Action Plan.

I am requesting that you set this item for public hearing and present the Resolution for consideration and approval by our City Council at the next regular scheduled meeting of June 4, 2012.

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

RESOLUTION NO. 5675

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING PUBLICATION OF THE PROPOSED FINAL STATEMENT/ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR FISCAL YEAR 2012; AUTHORIZING SUBMISSION OF THE BLOCK GRANT APPLICATION; AUTHORIZING EXECUTION OF CERTAIN ASSURANCES OF COMPLIANCE IN CONNECTION WITH THE ADMINISTRATION AND CONDUCT OF THE COMMUNITY DEVELOPMENT PROGRAM FOR FISCAL YEAR 2012; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, under the Housing and Community Development Act of 1974, as amended, the City of Sherman is eligible to receive an estimated Two Hundred Eighty-Nine Thousand Two Hundred Fifty-Four Dollars and No Cents (\$289,254.00) for fiscal year 2012, to be expended on eligible activities primarily benefiting low/moderate income families; and

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

WHEREAS, after proper notice was published in the Herald Democrat, a newspaper of general circulation in the City of Sherman, public hearings were held by said Community Development Staff to receive citizen participation and input on April 27, 2012 and June 04, 2012; and

WHEREAS, the City Council, after due consideration of the proposed Community Development Final Statement and of all matters raised at public meetings, is of the opinion that, unless public comment warrants revisions, said final statement should be submitted as the Community Development Application for the City of Sherman for the program year 2012 to the U.S. Department of Housing and Urban Development, in order to secure funding as provided herein;

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

SECTION 1. That the Community Development Final Statement, embodying those projects set forth on Attachment "A", attached hereto and made a part hereof for all purposes, is hereby approved and adopted as the Community Development Plan of the City of Sherman, Texas, for the program year 2012.

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

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

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

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

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

PASSED AND APPROVED on this the ____ day of _____, 2012.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
BILL MAGERS, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

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

Attachment "A"

CITY OF SHERMAN, TEXAS FINAL STATEMENT/ACTION PLAN OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF FUNDS FOR PROGRAM YEAR 2012

GRANT NO: B-2012-MC-48-0027

The City of Sherman has received notice from the U.S. Department of Housing and Urban Development (HUD) that its entitlement grant for the Community Development Program (CDBG) for fiscal year 2012 is \$289,254.00. These funds will be received on October 1, 2012. Activities that directly benefit low and moderate-income persons will be available citywide. Other activities which have an area benefit will only be available in areas of the city which are populated by a majority of low and moderate-income persons. The City has met citizen participation requirements.

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

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

COMMUNITY DEVELOPMENT PROGRAM ACTION PLAN PROGRAM YEAR 2012

OWNER-OCCUPIED HOUSING REHABILITATION:.....\$169,154

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

FIRST-TIME HOMEOWNERSHIP PROGRAM:.....\$5,000

A program, in cooperation with local lending institutions, to provide technical, educational and financial assistance to low and moderate income first-time homebuyers through a variety of services, including basic closing-cost assistance, at a maximum of \$2,000.

DEMOLITION/CLEARANCE PROGRAM:.....\$30,000

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

PROGRAM ADMINISTRATION:.....\$57,800

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

PUBLIC SERVICE ACTIVITIES:

Sherman Housing Authority:.....\$8,800

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

Texoma Area Paratransit System, Inc.:.....\$12,000

A program that will provide transportation assistance to low and moderate income individuals who reside within the city limits of Sherman including transportation to and from work, to and from school, and to doctor and grocery trips for the elderly.

Grayson County Crisis Center:	\$2,000
A program of activities that will provide emergency assistance to homeless women and children of domestic violence, who at one time, resided within the city limits of Sherman.	
Grayson County Shelter, Inc.:	\$2,000
A program of activities that will provide emergency assistance to homeless individuals and families, who at one time, resided within the city limits of Sherman.	
Child & Family Guidance Center of Texoma:	\$1,000
A program to provide counseling services for family dysfunction, alcohol and substance abuse, domestic violence and sexual abuse for the low and moderate income Sherman residents.	
Boys & Girls Club of Sherman, Inc.:	\$1,500
A program to provide scholarships for the low and moderate income Sherman youth. Scholarship funding will provide the opportunity for low/moderate income youth to participate in organized sports activities that would not otherwise be able to participate.	
TOTAL PROGRAM ALLOCATION:	\$289,254

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

CITY OF SHERMAN COMMUNITY DEVELOPMENT OBJECTIVES

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

The Action Plan of Community Development Objectives and Projected Use of Funds for Program Year 2012 are available in the Community Development Office of the City of Sherman. Any citizen or agency interested in commenting on this Final Statement of Objectives is invited to submit written comments c/o Theresa Caudle, CD Coordinator, City of Sherman, P. O. Box 1106 Sherman, TX 75091-1106. Written comments must be received prior to 5:00 p.m. on Tuesday, July 10, 2012. A summary of comments received will be made a part of the summary of citizen participation of this Plan.



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. C.2

*** RESOLUTION NO. 5676**

Renewing Guidelines and Criteria for the City of Sherman's Industrial Tax Abatement Program to Promote Development/Redevelopment in Certain Areas of the City

Issue

To renew the guidelines and criteria established for the City of Sherman's Industrial Tax Abatement Program

Background

Tax Code, Chapter 312, Section 312.002 requires the City to renew its Industrial Tax Abatement Program guidelines and criteria every two years. The last renewal was approved at the June 7, 2010 Council meeting. This program, which began on July 18, 1988 with the City Council's adoption of Resolution No. 2455, is intended to promote industrial development and the creation of jobs. No changes are proposed to the current guidelines and criteria.

Origination

Assistant City Manager/CFO

Financial Consideration

There is no immediate impact to approving guidelines and criteria for the Industrial Tax Abatement Program. The impact of a particular abatement is judged when the abatement agreement is presented to the City Council.

Staff Recommendation

The staff recommends that the City Council approve the resolution.

Alternatives

The Council could decide not to participate in the Industrial Tax Abatement Program.

Attachments

Resolution No. 5676

Prepared by:
Robby Hefton, Assistant City Manager/CFO

Approved by:
George Olson, City Manager

RESOLUTION NO. 5676

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RENEWING GUIDELINES AND CRITERIA FOR THE CITY OF SHERMAN'S INDUSTRIAL TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT/REDEVELOPMENT IN CERTAIN AREAS OF THE CITY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, by Resolution No. 5494, passed and approved on June 7, 2010, the City of Sherman declared its eligibility and intention to participate in the Tax Abatement Program to promote development/redevelopment in certain areas of the City and adopted Tax Abatement Guidelines and Criteria for use in all Tax Abatement Programs; and

WHEREAS, the City of Sherman is required to renew the guidelines and criteria adopted for this program every two years;

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

SECTION 1. That the City Council of the City of Sherman, Texas, hereby renews the following Tax Abatement Guidelines and Criteria for use in all Tax Abatement Programs, as required by law:

CITY OF SHERMAN'S RENEWED TAX ABATEMENT GUIDELINES AND CRITERIA

1. A tax abatement agreement must be reasonably likely to contribute to the retention or expansion of primary employment or to attract a primary employer to make a major capital investment that will benefit the City of Sherman's economic development. Primary employers are those companies whose sales, service and shipments are ultimately used in statewide, national or international markets.
2. A tax abatement agreement will not be entered into where a company is only changing its location within Grayson County, without increasing the number of employees, significantly expanding the facilities, or unless failure to grant such abatement would mean the loss of the business operation in Grayson County.
3. Tax abatement agreements will be considered for both new facilities and structures and for the expansion or modernization of existing facilities and structures.
4. The City Council of the City of Sherman will approve or deny a tax abatement request based upon the subjective evaluation of the following guidelines and criteria. The Council may consider any advisory recommendations received from the Tax Reinvestment Advisory Committee as it may choose:

- Employment Impact

How many jobs will be created by this project?

How many current jobs will be retained by this project?

What types of jobs will be created or retained?

What will the annual total payroll of the created and/or retained jobs be, in current dollars and projected for each of the next five years?

- Fiscal Impact

How much real and personal property will be added to the tax rolls, for each tax year covered by the abatement agreement?

What is the economic life to the additional property?

What effect will this project have on existing businesses or facilities?

What is the total budget for this project, projected for each year covered by the abatement agreement?

What capital expenditures will the project require of the City of Sherman?

- Community Impact

What effect would the project have on the local housing market?

Is the project compatible with existing long-range or comprehensive plans?

What is the environmental impact of the project?

SECTION 2. That these Renewed Tax Abatement Guidelines and Criteria shall be effective immediately upon the passage of this resolution.

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

PASSED AND APPROVED on this the ____ day of _____, 2012.

CITY OF SHERMAN, TEXAS

BY: _____
BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. C.3

*** RESOLUTION NO. 5677**

**Authorizing Execution of a Deed for the Resale of One Tract of Land located
at 323 West Rainey within the Sherman City Limits Seized for Delinquent Taxes**

Issue

The attached resolution authorizes acceptance of a bid and execution of a deed for the resale of one vacant tract of land located within Sherman's city limits due to unpaid property taxes.

Background

Grayson County struck from the tax rolls a tract of vacant real property located within Sherman's city limits at 323 West Rainey, as trustee for all taxing entities involved. Subsequently, the Grayson County Tax-Assessor and Collector has received an offer of \$4,000.00 for the vacant tract of land and is seeking the City Council's approval for the sale, including the acceptance of the bid received and the execution of a deed to the new property owners.

Origination

Assessor and Collector of Taxes for Grayson County

Financial Consideration

The proceeds of the sale would be applied to the cost of the sale and the delinquent taxes, with the City of Sherman receiving its pro-rata share. The sale would also return the property to the tax rolls.

Staff Recommendation

The staff recommends approval of this resolution.

Alternatives

The City Council could deny this resolution.

Attachments

Resolution No. 5677

Letter from Tax Assessor-Collector John Ramsey dated May 7, 2012, with attachments

Aerial View of Property

Photographs of Property

Prepared by:
Robby Hefton, Assistant City Manager/CFO

Approved by:
George Olson, City Manager

RESOLUTION NO. 5677

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEED FOR THE RESALE OF ONE TRACT OF LAND LOCATED AT 323 WEST RAINEY WITHIN THE SHERMAN CITY LIMITS SEIZED FOR DELINQUENT TAXES; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, one tract of real property located at 323 West Rainey within the Sherman city limits has been struck-off/sold to Grayson County, Grayson County College, City of Sherman, and Sherman Independent School District for delinquent taxes; and

WHEREAS, Grayson County, Grayson County College, City of Sherman, and Sherman Independent School District desire to sell this property and thereby place it back on the tax rolls; and

WHEREAS, Grayson County has received an offer to purchase the tract as described in the attached documentation; and

WHEREAS, the funds received pursuant to this sale shall be distributed according to the Texas Property Tax Code; and

WHEREAS, the City of Sherman believes the sale of this property for the price listed is in the best interests of the City;

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

SECTION 1. That the tract of property described in the attached documentation is available for sale free of all tax liens held by the City of Sherman and may be sold for any offer accepted by Grayson County, Grayson County College, City of Sherman, and Sherman Independent School District.

SECTION 2. That the Mayor, as the presiding officer of the City of Sherman, is hereby authorized, subject to all documents being properly completed and approved as to form and content by the City Attorney, to execute any deed or deeds on behalf of the City of Sherman necessary to complete the sale of said property in conformance with this resolution and without further approval by this governing body.

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

PASSED AND APPROVED on this the ____ day of _____, 2012.

CITY OF SHERMAN, TEXAS

BY: _____
BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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



OFFICE OF

JOHN W. RAMSEY

ASSESSOR AND COLLECTOR OF TAXES
GRAYSON COUNTY
www.co.grayson.tx.us

COURTHOUSE
100 W. HOUSTON • SUITE 11
P.O. BOX 2107
SHERMAN, TEXAS 75091-2107

(903) 892-TAXS (8297)
(903) 893-VOTE (8683)
(903) 813-4225 (AUTO)
Fax: (903) 893-4973
e-mail: ramseyj@co.grayson.tx.us

TO: Judge Drue Bynum, Grayson County, Commissioner Johnny Waldrip, Pct. 1, Commissioner David Whitlock, Pct. 2, Commissioner Jackie Crisp, Pct. 3, Commissioner Bart Lawrence, Pct. 4

Mr. Giles Brown, Vice President Business Services, Grayson County College

✓ Mr. Robby Hefton, Assistant City Manager/Chief Financial Officer, City of Sherman

Mr. Randy Reid, Assistant Superintendent of Business and Finance Services, Sherman ISD

FROM: John Ramsey

DATE: May 7, 2012

SUBJECT: Bid Proposal on unsold property from February 2012 Sheriff Sale

I recently received the attached offer from Mary Diaz to purchase a property that did not sell at the February 2012 Sheriff Sale. The property is presently exempt from taxes while it is owned by the taxing entities. The attached documentation provides the description, appraisal district value and the minimum bid for the property. Also attached is the bid amount from Mrs. Diaz and a map showing the location of the property.

Please present the enclosed Resolution to your jurisdiction at the next available meeting for consideration. Once a decision has been made by your governing body, please send a copy of the meeting minutes with your decision to this office. Also, please send back the signed Resolution if the sale has been approved.

Thank you.

JR:kb

enclosure:

April 5, 2012

John Ramsey
Assessor & Collector of Taxes
Grayson County
P. O. Box 2107
Sherman, TX 75091-2107

RE: Property ID R166270

Dear Mr. Ramsey,

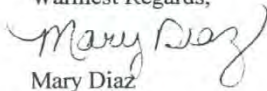
My name is Mary Diaz, my husband and I have resided at 327 W. Rainey for over 20 years and have raised our children here. Several months back, the lot next to ours went up for sale in the Sheriffs Sale. It was not sold and the home on the lot has since been demolished.

We have an interest in purchasing the lot and enclosed you will find our offer. We are hard working blue collar citizens and we would love the opportunity to own the lot.

My parents have become increasingly ill this past year and they are very low income, they depend on much of my assistance on a daily basis. If you accept my bid, my life would be simplified by eventually allowing my parents to live in my existing home and planning to build on the lot for my husband and I.

This would definitely make it easier for me to efficiently care for both of them. The hardship that I have endured in taking care of ailing parents has been very difficult on me. I hope and pray that you will accept our bid. I thank you for your time and attention and anxiously look forward to your response.

Warmest Regards,


Mary Diaz

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



CASHIER'S CHECK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

9198907911 ²⁵⁻³
440

Date 04/05/2012

Remitter MARY DIAZ

Pay: FOUR THOUSAND DOLLARS AND 00 CENTS

Pay To The Order Of JOHN RAMSEY

\$ *****4,000.00 ***

Drawer: JPMORGAN CHASE BANK, N.A.

Michael Andrews
Senior Vice President
JPMorgan Chase Bank, N.A.
Columbus, OH



⑈9198907911⑈ ⑆044000037⑆ 758661375⑈

CAUSE #	ORIGINAL OWNER NAME	PROPERTY ID#	ADDRESS	ISD	LEGAL DESCRIPTION	STRUCK \$	STRK DATE	SS DEED
07-3216	RUBY LEONA CASBEER	S048-2314002	323 W RAINEY, SHERMAN	SH	Wyricks O F (Rpl Moore Hrs), Block 9, Lot 8	\$ 7,342.00	02/07/12	02/24/12

start 5048-2314002 Real Inbox - Microsoft ... The Gospel Statio... GRAYSON - ArcRe... 3:36 PM

S048-2314002 Real

File View Tools Centers Help

ORION

Forms Calculate Apply Save Exit

Appraisal Collections

★ **S048-2314002 Real**

R166270 Legal WYRICKS O F(RPL MOORE HRS), BLOCK 9, LOT 8 Owner CASBEER RUBY LEONA ESTATE(0020088 Tax Year 2011 Situs 323 W RAINEY SHERMAN As Of < 02/10/2012 >

General Information Prev Next

NBHD
Total Acres N/A
Exemptions
Map ID

Print Appraisal Card

Mailing Address

Owner CASBEER RUBY LEONA ESTATE
Address 3327 DOROTHY LN
WYLIE, TX 75098

Taxing Units CSH, GRA, JRC, SSH

SSH Sherman School
CSH Sherman City
JRC Grayson College
GRA Grayson County

Images

No Images Exist

Property Value

Value Method	N/A
Land Value	N/A
Building Value	N/A
Final Value	N/A

Assessment Values Supplements

Improvement HS	\$4,282
Improvement NHS	\$0
Land HS	\$3,060
Land NHS	\$0
HS Cap Adjust	\$0
Ag Market	\$0
Ag Use	\$0
Timber Market	\$0
Timber Use	\$0
Late Ag Loss	\$0
Total Market	\$7,342
Total Assessed	\$7,342

STRUCK OFF TO COUNTY

Legacy ID R166270

5/4/2012 3:36pm Messages

Aerial View of Property



Sherman
CLASSIC TOWN. BROAD HORIZON.

Engineering Dept.

LOCATION MAP
323 W Rainey
Property ID 166270



Photographs of Property

323 West Rainey





SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. D.1

CITIZEN REQUESTS

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. D.2

MEDIA QUESTIONS

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. D.3

COUNCIL COMMENTS

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. D.4

ADJOURNMENT

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-4-2012

Subject: Agenda Item No. N/A

COUNCIL CALENDAR

2012

CITY COUNCIL MEETINGS

JANUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			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			

MARCH

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

APRIL

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

MAY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

JUNE

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					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

JULY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

AUGUST

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

SEPTEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

OCTOBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

NOVEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				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

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						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					

01/02/12 - January 2nd Council meeting cancelled
01/16/12 - M.L.K., Jr. Birthday / Regular Council Meeting
02/20/12 - Washington's Birthday / Regular Council Meeting
04/02/12 - April 2nd Council meeting cancelled
04/20/12 - 12 Noon Budget Planning Meeting in Council Chambers
06/21-22/12 - Budget Workshop in Council Chambers
06/25/12 - 12 Noon Called Meeting for Annexation Ordinance
(71.671 acres on Washington Street)
09/03/12 - Labor Day / Called Council Meeting on 09/04/12