

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, MAY 19, 2014
5:00 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. PLEDGE OF ALLEGIANCE LED BY COUNCIL MEMBER RYAN JOHNSON**
- A. 3. INVOCATION BY COUNCIL MEMBER RYAN JOHNSON**
- A. 4. APPROVE MINUTES OF THE CALLED CITY COUNCIL (BUDGET PLANNING) MEETING OF APRIL 18, 2014 AND THE REGULAR CITY COUNCIL MEETING OF MAY 5, 2014**

Public Hearing

- B. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5816**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the R-2 (Multi-Family Residential) District and C-1 (Retail Business) District in the 5600-5800 Blocks of North FM 1417 (Heritage Parkway) (Grayson County Airport Partners, Rex Glendenning, Owners; Teague Nall & Perkins, Chris Schmitt, Representative; and Helvey & Associates, Inc., Surveyors)
- B. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5817**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-O (Office) District at 927 and 929 West Birge Street (TX CREI Corporation, Owners; and Andy Beeghly, Representative)

Close Public Hearing and Consider Adoption of Ordinances

- B. 3. ADOPTION OF ORDINANCES**
Consider Adoption of Ordinance Numbers: 5816 and 5817
- B. 4. 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. 5856*

Authorizing Execution of a Developer's Agreement with West Canyon Creek Estates, LTD. for Construction of Public Facilities in the West Canyon Creek Estates, Section One, to the City of Sherman

Requests to Advertise

D. 1. ** REQUEST TO ADVERTISE*

State Highway 289 Sewerline "A"

D. 2. ** REQUEST TO ADVERTISE*

South Sherman Relief Sewer

D. 3. ** REQUEST TO ADVERTISE*

Cherry Park Pump Station Rehabilitation

D. 4. ** REQUEST TO ADVERTISE*

Eastside Outfall Return Sewer

Other Business

E. 1. **OTHER BUSINESS**

Receive Police Chief Otis Henry's Presentation on Texting/Distracted Driving

E. 2. ** OTHER BUSINESS*

Final Plat Approval of Pebblebrook South, Phase II, being 8.663 acres in the Elizabeth Jones Survey, Abstract No. 625; Walt DeRonde, Owner; Greg Edwards Engineering Services, Engineer; and Cox Land Surveying Company, Surveyors (2200-2300 Blocks of Peggey's Cove, 2200-2300 Blocks of Southridge Lane, and 3400-3500 Blocks of Dartmouth Lane)

F. **CITIZEN REQUESTS**

G. **MEDIA QUESTIONS**

H. **COUNCIL COMMENTS**

I. **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 May 15, 2014 at 1:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 15th day of May, 2014
City of Sherman, Texas

City Clerk

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

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

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

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

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

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

Mayor

Carolyn S. Wacker

Deputy Mayor

Robert G. Softly

Council Members

Ryan Johnson, Council-At-Large, PL #1

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

Lawrence Davis, Council – District #1

Robert G. Softly, Council – District #2

Tom Watt, Council – District #3

David Plyler, Council – District #4



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. A. 4.

Meeting Date: 05/19/2014

Prepared By: Linda Ashby, City Clerk

Approved By: George Olson, City Manager

Caption:

APPROVE MINUTES OF THE CALLED CITY COUNCIL (BUDGET PLANNING) MEETING OF APRIL 18, 2014 AND THE REGULAR CITY COUNCIL MEETING OF MAY 5, 2014

Attachments

April 18, 2014 Called Meeting

Budget Planning Presentation

May 5, 2014 Meeting

Community Services Presentation

STATE OF TEXAS §
 April 18, 2014
COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Called Meeting of the Sherman City Council was begun and held in the City Council Chambers on April 18, 2014.

COUNCIL MEMBERS PRESENT: Mayor Cary Wacker; Deputy Mayor Robert Softly.
Council Members Davis, Johnson, Plyler, Sofey.

COUNCIL MEMBERS ABSENT: Council Member Watt.

CITY STAFF PRESENT: George Olson, City Manager; Robbie Hefton, Assistant City Manager/CFO; Brandon Shelby, City Attorney; Don Keene, Director of Community and Support Services; Mark Gibson, Director of Utilities; Scott Shadden, Development Services Director; Clay Barnett, Director of Public Works and Engineering; J.J. Jones, Fire Chief; Otis Henry, Police Chief; Mary Lawrence, Controller; Kevin Winkler, Parks and Recreation Director; Tammy Davis, Support Services Manager; Jim Cross, Assistant Public Works Director; Lisa Whitfield, Engineering and Development Coordinator; Joe Gandillon, Systems Coordinator; Pam Cloer, Assistant to the City Manager; Linda Ashby, City Clerk.

PURPOSE: Call to Order, Quorum Determined, Meeting Declared Open

Proclamation
"Texoma Earth Day Festival Day" – April 26, 2014

Public Hearing
Introduction and Public Hearing of Ordinance No. 5814
Deleting in its Entirety Article 13.02 of Chapter 13 of the Code of Ordinances and Adopting a New Water Conservation and Drought Contingency and Water Emergency Response Plan

Adoption of Ordinances
Consider Adoption of Ordinance Number: 5814

Budget Planning
Financial Update and Council Input for 2014-2015 Budget Year

Adjournment

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

Mayor Wacker called the meeting to order at 11:32 p.m., declared a quorum present, and opened the Called City Council Meeting. She said the Monday, April 21, 2014 City Council Meeting had been cancelled and a couple of items were added to this agenda.

PROCLAMATION

"TEXOMA EARTH DAY FESTIVAL DAY" – APRIL 26, 2014

Mayor Wacker presented a proclamation to Amy Hoffman-Shehan, Representative of the Texoma Earth Day Festival, designating April 26, 2014 as "Texoma Earth Day Festival Day."

COUNCIL MINUTES – APRIL 18, 2014

Ms. Hoffman-Shehan said this is the 6th year for the Texoma Earth Day Festival, spearheaded by the “Green Team” from the Red River Unitarian Universalist Church, along with more than 30 other organizations. She outlined events at the festival including workshops, recycling, children’s events, demonstrations, and keynote speaker Dan Lepinski, who lived “off-grid” with his family in Wisconsin for eight years.

She said the Texoma Earth Day Festival also received the “Community Inspiration” award for 2014, from the Interfaith Power & Light Cool Congregations challenge. Ms. Hoffman-Shehan thanked the City Council for the proclamation and invited volunteers to participate in the event.

Mayor Wacker added that this was the thirteenth year of the City of Sherman’s curbside recycling program and the City has a strong commitment to recycling.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Wacker introduced Ordinance 5814 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DELETING IN ITS ENTIRETY ARTICLE 13.02 OF CHAPTER 13 OF THE CODE OF ORDINANCES AND ADOPTING A NEW WATER CONSERVATION AND DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

No citizens appeared before the City Council to discuss Ordinance 5814.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5814

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DELETING IN ITS ENTIRETY ARTICLE 13.02 OF CHAPTER 13 OF THE CODE OF ORDINANCES AND ADOPTING A NEW WATER CONSERVATION AND DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Mark Gibson, Director of Utilities, asked the City Council to consider a revision to the City’s Drought Contingency Plan that has been in effect since 1999, as required by the Texas Commission on Environmental Quality and the Texas Water Development Board. The revision must be completed every five years. He addressed changes in the plan, including a more viable, per capita, water consumption amount.

Mayor Wacker said Sherman has plenty of access to water and that is very valuable to the citizens. Mr. Gibson said the more water is conserved and the more efficiently it is used, the longer the supply will last. It is estimated that Sherman’s supply is currently good through 2050 or 2060.

ACTION TAKEN.

Motion by Deputy Mayor Softly to approve Ordinance No. 5814, as presented. Second by Council Member Plyler.

VOTING AYE: Davis, Johnson, Plyler, Sofey, Softly.

VOTING NAY: None.

MOTION CARRIED.

COUNCIL MINUTES – APRIL 18, 2014

FINANCIAL UPDATE AND COUNCIL INPUT FOR 2014-2015 BUDGET YEAR

Mayor Wacker said for six or seven years, the City has worked hard to maintain a lean and efficient response to the economic recession. Revenue has been down and there were many “tough” calls, including using excess reserves and “shelving” many infrastructure plans. She felt last year was one of the toughest years and as a result, the City has a new budget and operational base line from which to work, and a clear focus of what is important and strategic for Sherman's future success.

She felt they are now seeing some signs of economic improvement and things look promising, with some growth and expansion. The Council has already received information on some of the most critical projects that will be addressed going forward. She said the policy decisions that the Council will make this year, will affect the well being of Sherman for many years to come. Today's meeting is information and will set the stage for the full budget discussion in June. No decisions will be made today.

George Olson, City Manager, said the Council had some tough decisions to make and had heard what the staff felt were the top five critical issues facing the City. There are also other critical issues that need to be addressed to maintain the City as we want it to be. This meeting is not to establish the budget, but the staff is asking for direction.

He said he is proud of what the City has done during this recession. Most recessions last 12 to 18 months, but this one has continued for six or seven years. Sherman still provides the leadership in the Texoma region and we want to be sure that continues and we move forward. Mr. Olson said none of the items brought forward for the budget are “wants.” The staff is focusing on “needs” for sustaining this community moving forward. To do that, the Council must make tough decisions. With the Council's direction, the staff will present a proposed budget in June.

FY2014 Financial Update

Robby Hefton, Assistant City Manager/CFO, presented current year highlights of the various funds. In the General Fund, 2013 ended up better than projected, mainly due to the “front end” of the Panda Energy construction. Construction started in June 2013 and continued in 2014. The net benefit to the City was about \$900,000, which is a \$1.8 million positive swing for the General Fund, versus what was projected.

Expenses are also slightly down in the General Fund, compared to budget, mainly due to open positions, such as those at the Police Department. They are holding a test tomorrow for police officers and 149 applicants have registered. Open positions create good budget performance. Ending reserves for the General Fund for fiscal year 2014 are projected to be at \$8.6 million or 103 days.

In the Utility Fund, ending reserves are slightly lower than projected and revenues are higher. Ending reserves for fiscal year 2014 are projected to be at \$5 million or 83 days.

In the Solid Waste Fund, 2013 ended up close to the projection and 2014 looks better, primarily due to the Panda Energy construction. Net revenues are projected to be up \$400,000 or at 110 days.

Capital Improvement Program Fund balances in the General Fund will end at about \$300,000 and in the Utility Fund at about \$900,000 at the end of 2014. These funds will be pooled with the “one time” money and distributed to other projects.

Mr. Hefton highlighted several budgetary areas in the different funds. In the General Fund, sales tax is at \$14.3 million. Originally \$13.1 million was budgeted, but at that time the City didn't have the foresight of the Panda Energy project. Sales tax ended in 2013 at about \$13.3 million, so the net

COUNCIL MINUTES – APRIL 18, 2014

increase in sales tax is about \$1 million, versus 2013. That number will go back down because the activity at Panda Energy is trailing off.

Franchise taxes are up, primarily due to the electric utilities and the cold winter. Years ago when the electric market deregulated, for cities, the only way that electric franchise taxes would increase was based on demand and not on rates. Therefore, Oncor could drastically increase their rates and the City would still receive the same franchise revenue because that fee is based on demand. Sherman's increase in franchise tax is about \$150,000 versus budget.

Mr. Hefton said that, due in part to the open positions at the Police Department, there was also a reduction in traffic fines and court costs. That line item is projected to be down about \$500,000. The net of that effect is a positive swing of about \$900,000 from about \$30.8 million to \$31.7 million.

As for expenses, there was an adjusted budget of about \$30.9 million and the staff is projecting a \$30.3 million or \$30.4 million range. Most of the \$500,000 positive variance is in the personnel line item for the open positions. Mr. Hefton explained that the City has just over 400 employees, and they have to budget as if those positions will be filled the entire year. Inevitably, some of those positions will be open at some time, but each position must still be funded. The baseline budget must be based on the assumption that the positions will be filled all year.

The General Fund ending balance is projected at \$8.6 million or 103 days. That balance will be drawn down to a normal level when that one-time money is used for some one-time projects.

Revenue is projected to be up slightly in the Utility Fund. All the numbers weren't in when the budget was built so the actual sewer revenues ended up greater in 2013 than was budgeted. Because projections are based on what actually happens, the staff projected that sewer revenues would be greater by about \$200,000 than was projected, because 2013 ended up about \$200,000 more than was projected. Therefore, the Utility Fund should be about \$400,000 net to the positive on revenue.

Mr. Hefton said the staff planned to spend down fund balance by about \$2.7 million in the budget, but it will be closer to \$1.6 million because of some additional revenue and savings on several line items. Maintenance and repair is one of the biggest variances, which includes maintenance and repairs at the Water Treatment Plant, Wastewater Treatment Plant, small water lines, and water main breaks. Normally the City also budgets for at least one major water well repair or rehabilitation, which costs \$250,000 or \$300,000. Up to this point there have not been any repairs that weren't budgeted. That means there is currently a savings of \$200,000.

The net effect for the Utility Fund is an ending fund balance of 83 days, with revenues under expenditures by about \$1.6 million.

The Solid Waste Fund has some positive one-time revenues primarily from Panda Energy. They have used a lot of commercial solid waste services. There are also another couple of industries that have "ramped up" and had some impact. The expenses of the Solid Waste Fund are tracking where projected and the staff expects to end the year with a fund balance of about \$1.7 million, or 109/110 days. Normally the fund would be in the \$1.2 million range so that is about \$400,000 or \$500,000 more than projected.

Critical Issues Recap

Mr. Hefton said beginning in January 2014, the staff and Council began discussing several critical issues. Mr. Olson had originally asked the directors to think about their operations over the next three to seven years, and outline the critical needs they would have that, if not taken care of, would be major problems for the City. From that exercise, a list of 30 to 40 different items, both large and small,

COUNCIL MINUTES – APRIL 18, 2014

expensive and not so expensive, and some operational, was developed. That list was then prioritized to delineate what the most critical issues were that needed to be addressed now to avoid interruptions in service or other adverse impacts.

These issues were recently discussed in the budget meetings with the City Council. The first issue was stormwater management projects and a related fee. A study was completed a year or two ago from the stormwater consultants. They developed a plan of projects and policies that might help the City manage their stormwater issues. The focus is on the “reasonable” things that can be done to help mitigate some of the damage. A list of \$55 million of projects was identified, and even though those can't be done now, the City can take “baby steps.”

The first step that was identified that might be reasonable for the City was to consider a Stormwater Fee Study, which would cost \$150,000 to \$200,000. This is required by the State prior to the City levying any fee, to assure that it is equitable and has a reasonable bases for distributing the costs.

The need was also discussed for another fire station and/or relocating one or more current fire stations. Sherman's concentration of people is now to the north with the retail base at U.S. Hwy 75 and U.S. Hwy 82, and that is also where the call volumes have increased. Coverage is also missing in this area because of the proximity of the current stations. The next location for a fire station might be closer to that corridor so those needs could be addressed.

An additional station would also need to be staffed with three officers, at a minimum. Three positions actually means nine people because they work three shifts. Nine people would cost \$700,000 just for the cost of the employees. Utilities, insurance, trucks, apparatus, and equipment would be an additional cost. An additional station would need to be staffed and funded. A first smaller step would be site location, which might be possible during the next year.

A project for the Utility Fund would be the Water Treatment Plant expansion. In an earlier presentation, ground water and surface water were discussed. The ground water is increasingly more regulated by the State. Currently the Water Treatment Plant capacity is 10 million gallons per day, and on hot days the City is reaching 8 and 9 mgd.

The issue is more critical because the City has a dual system with ground and surface water. If one of the supplies is down in the summer when the demand is 14 to 16 mgd, there is no way to supply everyone with water from one system. The well system currently has 24 wells.

Another reason this is critical is that Panda Energy will be coming online. The City is currently providing them with raw water, but in the next month or two the contract for a redundant supply of treated water will end. The contract guarantees them 4.5 mgd of water. Because of these risks, it is time to begin thinking about expansion of the Water Treatment Plant.

Mr. Hefton said expansion of the plant would be a three year process. If the engineers began the design work today, the City would not be generating water from the plant for three years. He added that the staff is looking at a reverse osmosis system, which is as efficient as the existing technology, but there are multiple providers of the equipment and maintenance. This system would allow for multiple vendors, which would help keep the costs down through competition.

Another critical issue is the capital, fleet, and CIP's, which have no ongoing source for funding. Fund balances have been reduced over the last several years to fund these items and now there is no dedicated funding source for future costs. This doesn't include just water lines and street improvements. It also includes replacing trucks, fire engines, garbage trucks, backhoes, and general equipment.

COUNCIL MINUTES – APRIL 18, 2014

The last critical issue was staffing and compensation, especially the pressure in the Police Department entry and patrol ranks, and the need for an adjustment to make the job more attractive to recruits. Mr. Hefton said Sherman can't compete with McKinney or Allen on a monetary basis, but hopefully the community is close enough that someone in that market might consider Sherman.

This item also includes funding to keep up with inflation "across the board" in all jobs. A staff survey was completed, tracking every single position at the City and compared it with peer cities, and created a graph with the median, the low, and the high. The goal was to be in the center. There may be a few positions that need "tweaking."

FY2015 Budget Planning and Sustainability Discussion

Mr. Hefton said the departments are already working on the detailed line items for their budget, and the input should be complete by May 5, 2014. The Public Works departments are already thinking about the Five-Year CIP plan, such as street improvements, street expansions, or water line replacements.

Several years ago, the Council made the decision to use the available fund balance to draw down before any other significant changes were made, and to look at the City "as a whole." The three major funds are the General Fund, the Utility Fund, and the Solid Waste Fund. Those funds stand alone. The Utility Fund is funded through rates to the water and sewer users and the Solid Waste Fund is funded through rates to the commercial, residential and recycling solid waste customers. The General Fund isn't funded by user fees but by taxes, and includes general services that benefit the entire population, such as parks, libraries, senior citizen centers, and fire and police protection.

Over the last few years, where there is extra money or good budget performance in one fund, that additional has been used to help "prop up" other funds. Since about 2010 it has been the Utility Fund helping to prop up the General Fund. The Utility Fund has had a temporary good budget performance because the debt service on several things has been down versus what is typically expected.

Mr. Hefton said they also want to get the Council's direction on the critical issues that were previously discussed. He said there were some challenges on the General Fund, which has been propped up by transfers from the Utility Fund since about 2011. There will always be transfers from the Utility Fund to the General Fund because that fund provides services to the Utility Fund just like it does to other utility services. Utilities such as Atmos, Verizon, and Oncor all pay a franchise fee to the City. Therefore the City of Sherman Utilities pay a franchise fee to the City too, and it's called a transfer. The transfer is from the Utility Fund to the General Fund.

Transfers are normal and there will always be transfers, said Mr. Hefton. But during the last few years there have been extra transfers that have really propped up the General Fund. The ability to transfer these additional funds is really about done. Debt Service in the Utility Fund is projected to increase. If the City Council authorizes the staff to begin the process for the Water Treatment Plant expansion that is about a \$15 million to \$17 million project. On a 20 year debt, that is about \$1.1 million to \$1.2 million per year in additional debt service. There are also some other known improvements that will be required by the State.

The largest future project is probably the Nutrient Removal Process at the Wastewater Treatment Plant. The State has already said that it will be required, but they haven't specified what the required levels of nutrients will be. He estimated that the Nutrient Removal Process project will be a "multi-million dollar" project.

Currently the Utility Fund debt service is at \$4 million to \$4.5 million, but with the addition of these projects, it will increase to the \$5.5 million to \$6 million plus range, where it normally is.

COUNCIL MINUTES – APRIL 18, 2014

Beginning in 2016, the projected deficits in the General Fund will be in the \$1.5 million to \$1.6 million range. On the tax rate, this equates to needing a little over \$0.06, or increasing the tax rate to about \$0.41 per \$100 valuation. Mr. Hefton said these projections do include the Panda Energy effect.

He added that the staff will need direction on several decisions so they can prepare a plan based on the Council's thoughts and taking into consideration the departmental input. He reiterated the funds available and sources of the funds that are one-time in nature, such as the Panda extra money and the good budget performance in 2013. There is about \$1.6 million in the General Fund that should be transferred out for one-time uses. It is non-recurring.

From a financial standpoint, Mr. Hefton said a good use is to transfer that money to fund items such as the General Fund CIP and complete the street program. Currently 2015 will be the last full year of the "second round" of the street program. There is about \$1.2 million in street projects that the City Council committed too when the Street Sales Tax passed. There should also be several other smaller projects that could be completed. The fund balances should return to normal levels.

Mr. Hefton said one of the tools that the City has to help balance the General Fund budget includes using the Utility Fund or other funds to help prop up the General Fund. To do this, the City would have to increase rates, using utility rates to help fund General Fund things.

The second tool is property taxes. Each year the City relies on tax growth from new property added to the tax rolls, an increase in valuation, or a tax rate increase. Last year there was a decrease in the overall valuations. The only one of these that the Council has control over is the property tax rate.

The third tool is cuts in expenses or services. Mr. Hefton said the City staff is looking every year at ways to do things more efficiently. He added that sometimes things are "cut to the bone" and it becomes hard to do the job. The City is "in that place" in several areas. By service cuts, he meant cuts in service that would actually be felt by the citizens.

He explained the several years of savings to the debt service that was used to fund projects by transfers out into other funds. The debt service is now increasing and that additional money is not available for other projects.

Mr. Hefton presented the general services hierarchy and outlined the most essential services that were offered by the City. The most important service is public safety, followed by streets, administration, and finally community services. Any service cuts would come from the bottom of the hierarchy and move up.

He addressed several potential cuts as examples if that was the Council's direction. An annual net savings of \$200,000 could be realized if The Splash was closed; \$100,000 could be saved if there was less mowing or grounds maintenance at the parks and cemetery; approximately \$50,000 could be saved with the reduction of one administrative person; \$150,000 could be saved with reduced Library hours; and money could be saved with reduced Senior Center hours. These items would be noticed by users and the public.

Mr. Hefton presented a statewide survey by the Texas Municipal League that gives a tax rate comparison for cities with a population between 30,000 and 50,000. The average and the median of the peer group is about \$0.59. Sherman offers as many or more amenities as compared to the other cities in the peer group. Sherman's tax rate is currently \$0.348. The average tax rate is currently about 70% higher than Sherman, and Mr. Hefton said we lack about \$0.24 to get to the peer rate.

COUNCIL MINUTES – APRIL 18, 2014

Mr. Hefton said every year the City is required by law to calculate the effective tax rate, which is the rate that would be needed to generate the same revenue as the previous year. This takes into effect changes in the valuations, however new property is excluded from the calculations. From this calculation they also generate a rollback rate. With the rollback rate, the State says they recognize that property taxes are one of the only mechanisms that cities have to regulate revenue, but there is a cap on the amount that revenues can be increased from one year to the next. This cap is set at 8%. Therefore, the effective rate plus 8% is about all a City can do without generating a Rollback Election. A Rollback Election allows the citizens to decide if they want to adopt a higher property tax rate. Mr. Hefton said the 8% would equate to about \$550,000 in revenue, based on the current tax base.

He continued to explain that property tax revenue is affected in three ways. The first is through valuations, including new property. The second is sales tax in lieu of property tax. In Sherman, one-half of the \$0.02 of sales tax, or \$0.01, goes to sales tax in lieu of property tax, and when the effective rate is figured, it includes the effect of sales tax in lieu of property tax. Normally, sales tax usually tracks at 1% or 2% growth and the impact on the effective rate and rollback rate is very minimal.

This year it is very pronounced because of the “huge bubble” the City has had from Panda Energy. Of the bump in sales tax, about \$300,000 relates to sales tax in lieu of property tax. The staff is using their own internal numbers, since the official numbers are not available from the Grayson Appraisal District this early. Mr. Hefton said based on everything that is known, including the “Panda Effect” of the property value that is coming on line, the effect of the sales tax in lieu of property tax will lower the \$550,000 that the City would normally get from property taxes and sales tax in lieu of property tax by about half. Where normally a rollback rate for the \$0.34 tax rate would be about \$0.045 to \$0.05, for the City that number will probably be about \$0.025.

Mr. Hefton presented a “what-if” scenario, if tax rates were increased close to the maximum of about \$0.024, before a rollback, or \$0.062 over three years.

He asked for Council input for items that had been discussed for the 2015 Budget, and how they felt about service cuts, a tax rate increase, and an increase in Utility Fund rates to continue propping up the General Fund.

Council Member Davis asked about the General Fund history and verified that the \$1.2 million increase in revenue from 2012 to 2013 was mainly from Panda Energy. Mr. Hefton said the front end of the Panda Effect was in 2013 and the back end in 2014. They have already started to trail off on the sales tax. They started moving dirt in November or December of 2012, but most sales tax revenue was seen in 2013. There was also some additional revenue growth in 2012-2013 from traffic fines, the normal 1% to 2% annual sales tax growth, and an increase from property tax valuations.

Council Member Davis confirmed that there was another \$1 million increase in revenue from 2013 to 2014, mostly due to Panda Energy. He asked why the projected growth from 2014 to 2015 was negative. Mr. Hefton said you “back out” the one-time direct and indirect growth from Panda Energy. The Panda Effect was discussed in more detail and Mr. Hefton explained how the assumptions were made.

Mr. Hefton said the City hopes and plans for sales tax revenue growth, and will probably have a 2% to 3% estimated growth in sales tax revenue for 2015. Retail is only about 60% to 65% of what makes up the sales tax revenue. Industries, utility companies, and construction companies also contribute to sales tax.

Mayor Wacker asked the Council to think about where they were going to go and the direction that was needed for the staff to help them accomplish what they wanted to accomplish for next year. She said

COUNCIL MINUTES – APRIL 18, 2014

they had talked about a very modest tax rate increase so they can move forward. Even though the budget is only planned for a year at a time in government, the infrastructure and major improvement needs take a long time for fulfillment. Over the last several years there have not been any big CIP projects and virtually nothing has been done on the five-year plan, except for some smaller critical projects. The big projects have not been completed for five or 10 years. Projects, such as the Water Treatment Plant are expensive and the City is at a point that if they don't move forward now, it will be very costly. She felt the City needed to begin moving forward in small increments to do what needed to be done.

Mr. Hefton said the projections are based on "what's on the ground today" and do not include an increase in the level of service, adding services, or even doing what we're doing better. Mayor Wacker said the proposed projects are not just a "wish list" but are real scenarios that are happening in the community that must be addressed.

Council Member Johnson asked what the total cost was for the CIPs that the staff was looking at. Mr. Hefton said it was still being developed, but last year, for the General Fund, over the next five years there was approximately \$22 million to \$25 million, and included two projected fire stations, other street projects, storm drainage items, and parks improvements. He said the staff feels little steps can be done on each project with the money they currently have. The staff expects to have about \$1.5 million available to do the streets and some other projects, as well as a little money for the proposed critical needs.

Council Member Davis asked about the "one-time money." Mr. Hefton said if nothing new is done from the proposed critical needs, the staff estimates they would still need \$1.5 million. From a finance standpoint, that \$1.5 million should come from the General Fund because that's where the money is generated. The staff would propose \$1.6 million to do the \$1.5 million projects, even if they don't do any of the other critical needs projects. Council Member Davis confirmed that the \$1.6 million would come from the additional fund balance that has built up in the General Fund over the last two years from Panda. This would bring the fund balance down into the 80s for days.

Mayor Wacker said the City normally has a 2% growth rate, but can't always depend on that. Mr. Hefton reiterated that the transfers are the big difference. Those have increased substantially, but will not happen anymore. Everything else held equal, the City is down by about \$1.5 million, just on the transfers. Even if expenses are held flat, it is known that revenues will decrease by \$1.5 million per year. Which is the problem that needs to be solved.

Mayor Wacker said these things need to be projected out each year and worked on incrementally, because otherwise the City will get big drops and need drastic measures to change. This way you can manage the issues and spread them out. Mr. Hefton said one of the main uses of fund balance is a smoothing effect. If it is known that there will be a need in the future to increase rates, then it is better to do a small increase each year rather than a large increase.

Mr. Olson said the staff is not saying what the tax rate needs to be, that will be discussed in June. But the staff needs to know how to build the budget, whether it will be from service cuts, through a tax rate increase, or through a utility rate increase. He said the General Fund is an ongoing cost. You can use the one-time money to balance but you aren't supporting your expenses, you're just putting off the inevitable.

In order to build the budget, the staff needs to know if it is one of the three tools, or a combination of the tools. Mr. Hefton said most of the critical needs projects are the one-time money items, however the staff still needs direction.

COUNCIL MINUTES – APRIL 18, 2014

Council Member Sofey confirmed that the \$200,000 stormwater study would not include updating the floodplain maps so they more accurately display the flood plain. If the money is spent on the study, they will give direction to the City on how to assess the fees to correct the stormwater problem. Clay Barnett, Director of Public Works and Engineering, said the consultant will give the City a work program with a series of projects that can be funded with the fees. Mr. Hefton said the study cost \$350,000 to \$400,000, but the City received a grant for 50% of the cost. From a CIP standpoint, the City has done some culvert work or small drainage improvements.

Council Member Sofey confirmed that the last fire station upgrade was a long time ago and that there will be no choice for expansion of the Water Treatment Plant. He said the City is “getting by” on a lot of things, and he is proud of what has been done. The City has done well to maintain what they have but a “band-aid” has been put on a lot of things.

Council Member Sofey said he doesn’t necessarily want to raise taxes, and he does think the economy will get better, but he doesn’t want to cut any of the amenities either. Those are some of the things that make Sherman a “cool” place to be. He said, considering where Sherman is on the tax scale, the direction would be to move forward and look at a reasonable, marginable, less than rollback, tax increase.

Council Member Plyler agreed, adding the ultra low tax rate that Sherman has been carrying is getting to the point of being irresponsible with the citizens. They expect the City Council to do what’s right for the City, and if we start closing The Splash and these other amenities, then the Council fails in their duty. Sometimes being responsible means increasing taxes modestly, and that’s not unreasonable.

He said he doesn’t see a lot of people coming to Sherman because of the low tax rates, but you hear of people leaving because Sherman doesn’t have the amenities they want. We owe it to the citizens to look at a budget that is responsible, keeps the City from having deficits, and will allow the kind of amenities and services that the citizens expect.

Mr. Olson asked the Council if they wanted to move forward with the projects with the one-time money and build a budget around those projects. Council Member Johnson said he would like to see a budget with these one-time projects, and would like to see it with a tax increase and without a tax increase. He wanted to see options.

Council Member Davis said there was extra money in 2013 and in 2014, and he felt some of these projects could be done with that money. Taxes were increased last year by eight plus percent and the proposal is to do the same thing this year. He said that was “difficult to swallow.” He felt a budget could be made, including these projects, and then see what the budget looks like next year. He didn’t feel that “the world will end” if the Council doesn’t increase taxes this year.

Council Member Plyler said that can be done, but then the following year, the City would be in a deeper hole. Council Member Davis said they are only projecting what the revenue will be. Council Member Sofey said the economy could go down. Council Member Plyler said they could then be looking at a rollback Election and if it doesn’t pass, the City would have to cut services. Council Member Plyler said that would be a gamble and he didn’t feel the citizens would want the Council to do that, and didn’t feel it was a wise fiduciary policy.

Mayor Wacker said on a \$100,000 house, a \$0.01 tax increase would be \$10 per year. Council Member Davis asked what about a \$10 million business or a \$100 million business. He felt a tax increase would be hard on businesses.

COUNCIL MINUTES – APRIL 18, 2014

Council Member Sofey said it's not so much what the actual increase will cost, that is a factor, but those \$10 million businesses won't be here if the City can't provide services to them.

Mayor Wacker said rather than talking about what the rate should be, the Council needs to look at what it takes to keep from going into a deficit budget situation and having to reduce reserves to an uncomfortable level. She felt the Council was in agreement to see what the budget would look like if the Council moved forward on the projects. It's the value of what is delivered to the citizens going forward. If the Council does nothing, it will either be more costly in the future or they will fail in some area. She added that Sherman wants to be a City that provides an excellent level of service and sets the stage for business success and for living in a safe and comfortable community. The Council wants to look at those options both with no tax increase and with incremental tax increases. They can then consider taking some of the critical steps to insure that they are successful.

Mr. Hefton said the proposed projects were staff driven, and he asked if the Council had any other items that should be discussed. Council Member Davis verified that these were the most pressing needs as determined by the staff. Mr. Olson said those projects were felt to be the most important from an operational perspective of the City. He said there are tough decisions to keep moving forward, and none of the projects will be completed in one year. He felt these had to be addressed before a point is reached of going backwards.

Council Member Plyler said they haven't really addressed the City-wide staffing and compensation. He asked to look at a cost of living adjustment or some market adjustments that might be needed for employees.

Mr. Hefton reminded Council Members that the Street Sales Tax Election, which has been a four year program, approved by voters, will be up for renewal in November 2015. It generates about \$1 million a year that would otherwise come out of the General Fund, and increase the deficit. It is vital to the City from an operational standpoint. He added that the State has now made the term for eight years instead of four years. Council Member Sofey verified that the City would only have to wait one year to bring it back if it's not approved at that Election. Mr. Hefton said with the completion of the current program, the City will have completed almost 30 miles of mill and overlay on streets, with that process.

Budget Calendar

Mr. Hefton presented the budget calendar adding that the Budget Workshop is proposed for June 18 and 19, 2014. He also presented the other dates involved in the budget approval process. He said if the tax rate does increase, there will be additional public hearings and approvals related to the tax rate.

ADJOURNMENT

There being no further business to come before the City Council, motion was duly made and approved to adjourn the Called Meeting at 1:34 p.m.

MAYOR

ATTEST

CITY CLERK



FY2015 Budget Planning Meeting

Meeting Agenda

FY 2014 Financial Update

Critical issues recap

FY2015 Budget planning and sustainability discussion

Budget Calendar

Current Year Highlights

General Fund

- FY2013 ending reserves up \$900k +
- FY2014 net revenues up ~\$900k (sales tax less decreased fines/fees)
- FY2014 expenses down vs budget slightly (open positions, esp.)
- Ending reserves for FY14 at \$8.6 million (103 days)

Utility Fund

- FY2013 ending reserves slightly lower than projections (\$200k)
- FY2014 revenue up \$200k vs budget
- Ending reserves for FY14 at \$5.0 million (83 days) ³

Current Year Highlights

Solid Waste Fund

- FY2013 ending reserves = projections
- FY2014 revenues up vs. budget (\$400k +/-)
- Ending reserves at 110 days

CIP Fund Balances at 9/30/14:

- General \$300k
- Utility \$900k

City of Sherman
GENERAL FUND
2014 -2015 Annual Budget

	Actual 2012-2013	Adjusted Budget 2013-2014	Projected 2013-2014
Beginning Fund Balance	\$ 6,952,308	\$ 6,144,829	\$ 7,220,474
Revenues			
Property Taxes	6,026,008	6,432,500	6,452,500
Sales Taxes	13,337,682	13,069,000	14,350,000
Franchise Taxes	2,813,085	2,744,000	2,904,000
Other Taxes	115,903	125,000	125,000
Fines & Forfeitures	842,241	1,149,140	627,000
Recreation	299,821	286,300	301,000
Permits & Licenses	253,801	292,730	245,000
Rentals	63,784	63,295	63,000
Cemetery Sales and Services	128,405	200,700	200,000
Sales & Services	542,474	546,000	548,000
Ambulance Services	1,439,851	1,380,000	1,380,000
Interest	19,350	55,000	55,000
Grants and Miscellaneous	444,600	195,800	186,100
Total Revenues	26,327,005	26,539,465	27,436,600
Transfers In	3,670,766	4,311,000	4,311,000
Total Receipts	29,997,771	30,850,465	31,747,600
Total Funds Available	36,950,079	36,995,294	38,968,074
Expenditures			
Personnel	21,009,606	21,702,978	21,360,000
Supplies	1,369,913	1,445,191	1,396,000
Maintenance	1,059,014	1,405,015	1,330,000
Utilities	1,341,615	1,439,656	1,380,000
Contract Wages	166,670	231,410	189,000
Technology Services	469,156	496,870	496,870
Debt Service	69,431	-	-
Contractual and Sundry Services	1,441,693	1,599,932	1,540,000
Vehicle Usage	1,329,165	1,419,140	1,505,000
Equipment and Buildings	325,474	272,913	273,000
Transfer Out to Other Funds	-	-	-
Transfer Out to Fleet Fund	1,147,868	889,075	889,075
Total Expenditures	29,729,605	30,902,180	30,358,945
Excess Receipts over Expenditures	268,166	(51,715)	1,388,655
Ending Fund Balance	\$ 7,220,474	\$ 6,093,114	\$ 8,609,129
	88.65	71.97	103.51

City of Sherman
UTILITY FUND
2014 -2015 Annual Budget

	Actual 2012-2013	Adjusted Budget 2013-2014	Projected 2013-2014
Beginning Reserve	\$ 6,517,424	\$ 6,848,028	\$ 6,606,199
Revenues			
Water Revenues	11,574,956	12,132,000	12,158,000
Sewer Revenues	6,668,455	6,654,000	6,884,000
Laboratory Charges	121,219	125,100	128,000
Service & Penalties	532,541	494,000	540,000
Interest	21,338	16,000	11,000
Intergovernmental	518,962	453,092	550,726
Miscellaneous	140,851	85,700	85,700
Total Revenues	19,578,322	19,959,892	20,357,426
Transfers-in	123,700	135,000	135,000
Total Receipts	19,702,022	20,094,892	20,492,426
Total Funds Available	26,219,446	26,807,920	27,098,625
Expenses			
Personnel	4,551,845	4,742,293	4,819,000
Supplies	929,885	1,033,612	945,000
Maintenance & Repair	1,588,472	1,960,323	1,754,000
Utilities	2,218,568	2,675,900	2,360,000
Computer Services	68,994	67,730	67,500
Debt Service	4,572,014	4,695,608	4,625,505
Contract Wages	47,081	124,000	60,000
Contractual & Special Services	1,868,248	1,565,720	1,565,000
Vehicle Usage	263,691	282,110	273,000
Other	272,344	476,711	439,000
Capital Expenses	59,310	8,530	8,500
Total Expenses	16,440,452	17,632,537	16,916,505
Transfers Out			
General Fund-Franch & Admin	1,602,000	1,643,000	1,643,000
General Fund-Other	1,442,000	2,057,000	2,057,000
Others	128,795	1,440,000	1,440,000
Total Transfers Out	3,172,795	5,140,000	5,140,000
Total Expenses and Transfers	19,613,247	22,772,537	22,056,505
Excess Revenues over Expenditures	88,775	(2,677,645)	(1,564,079)
Ending Reserve	\$ 6,606,199	\$ 4,170,383	\$ 5,042,120
	122.94	66.84	83.44

City of Sherman
SOLID WASTE FUND
2014 -2015 Annual Budget

	Actual 2012-2013	Original Budget 2013-2014	Projected 2013-2014
Beginning Fund Balance	\$ 1,141,483	\$ 1,342,857	\$ 1,405,087
Revenues			
Solid Waste Fees	5,327,724	5,392,390	5,808,000 ▼
Service Penalties	51,635	47,000	49,000
Interest	921	500	1,500
Miscellaneous	126,957	92,000	100,000
Total Revenues	5,507,237	5,531,890 ▲	5,958,500
Total Funds Available	6,648,720	6,874,747	7,363,587
Expenses			
Personnel	1,375,134	1,545,863	1,468,000
Supplies	100,989	113,625	106,000
Maintenance & Repair	48,057	60,440	55,000
Utilities	21,895	32,600	24,000
Contract Wages	-	2,080	-
Computer Services	10,349	12,900	12,900
Solid Waste Debt Service	35,210	-	-
Contractual & Sundry Services	1,432,819	1,452,372	1,441,000
Vehicle Usage	1,037,660	1,076,410	1,132,000 ▼
Capital Expenses	-	55,000	55,000
Transfers Out-Other	-	-	-
Transfers Out-Franchise & Admin	737,766	746,000	746,000
Transfers Out-Fleet	443,754	622,244	622,000
Total Expenses	5,243,633	5,719,534	5,661,900
Excess Receipts over Expenditures	263,604	(187,644)	296,600
Ending Fund Balance	\$ 1,405,087	\$ 1,155,213	\$ 1,701,687
	97.81 ▲	73.72 ▲	109.70

Critical Issues Recap

Stormwater management projects & related fee

- Projects identified from Stormwater Management Plan
- Stormwater fee study is required (state law) before establishing a fee

Fire station(s)

- Demographics have changed based on changing city footprint/development
- Additional station would require additional people

WTP expansion

- Need for expansion is now
- Expected cost of 10 MGD is \$17 mm

Capital/Fleet/CIPs

- Ongoing funding source needed
- Projected needs relate to ongoing fleet/equipment replacement and taking care of “what we got”

Staffing and compensation

- PD entry/patrol pay structure
- Funding to keep up with inflation and stay in the market across the board

Budget Process Focus

FY2015 Operating Budget & FY2015-19 CIP

Intermediate Term sustainability (3 – 5 years)

- General fund deficit management
- Interfund transfers

Steps forward on critical issues

- WTP expansion
- Stormwater
- Staffing and compensation
- Fire station(s)

Budget Planning Overview

- The “ISSUE” is the General Fund
 - Since 2011 has been “propped up” by the Utility Fund via xfers
 - With WTP Expansion and Nutrient Removal project on the horizon, transfers from Utility back to normal @ \$2.5mm +/-
 - Projected **deficits** in FY2016 forward are \$1.6 mm, assuming 2% growth in expenses and revenues annually
 - \$1.6 million deficit equates to \$.064/\$100 (~\$.41/\$100)
 - Projections include PANDA effect

One time money uses

Sources

General Fund - \$1.6 million

- Favorable budget
- PANDA construction

General CIP - \$300k

Solid Waste Fund - \$500k

- PANDA construction

Uses

Stormwater fee study \$200k

Fire station land purchase \$300k

Group Health \$400k

General CIP needs \$1.5 million
(completing street program)

General Fund Operating History & Projections

(Actuals thru 2013, Projected 2014 +)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Beginning reserves	\$ 7,088	\$ 8,393	\$ 7,294	\$ 5,259	\$ 4,903	\$ 6,090	\$ 6,952	\$ 7,220	\$ 8,609	\$ 5,880	\$ 4,268	\$ 2,352
Revenue	26,446	26,182	24,933	24,745	26,166	25,062	26,327	27,437	27,363	27,934	28,396	28,847
Transfers In	2,000	2,095	2,462	2,799	3,138	3,207	3,671	4,311	2,945	2,358	2,372	2,384
TOTAL Revenue	28,446	28,277	27,395	27,544	29,304	28,269	29,998	31,748	30,308	30,292	30,768	31,231
Expenses	25,644	27,613	26,772	27,545	27,734	27,003	28,257	29,197	31,922	30,767	31,374	31,993
Fleet/Capital	1,497	1,763	2,659	354	383	405	1,473	1,162	1,115	1,137	1,310	843
TOTAL Expenses	27,141	29,376	29,431	27,899	28,117	27,408	29,730	30,359	33,037	31,904	32,684	32,836
Excess/(Deficit)	1,305	(1,099)	(2,036)	(355)	1,187	861	268	1,389	(2,729)	(1,612)	(1,916)	(1,605)
Ending reserves	\$ 8,393	\$ 7,294	\$ 5,258	\$ 4,904	\$ 6,090	\$ 6,951	\$ 7,220	\$ 8,609	\$ 5,880	\$ 4,268	\$ 2,352	\$ 747
	113	91	65	64	79	93	89	104	65	49	26	8

Assumptions:

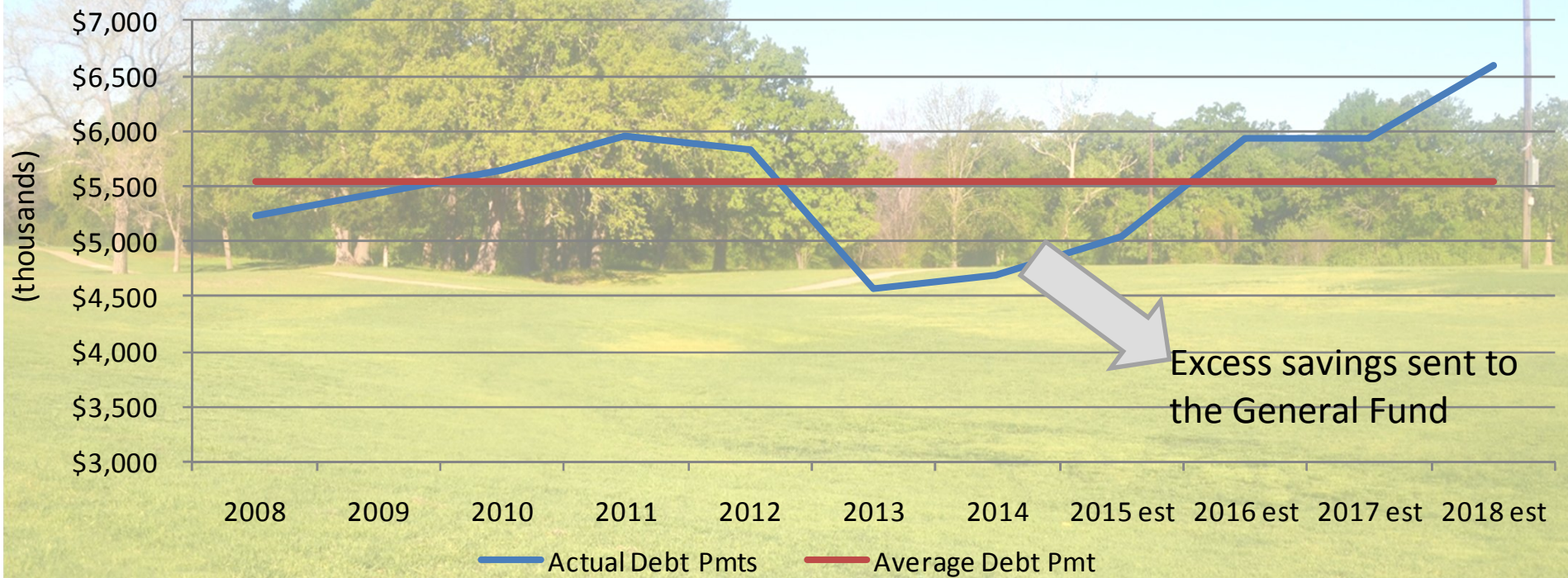
FY2015 expenses include xfer out for CIP's

PANDA property tax effect included

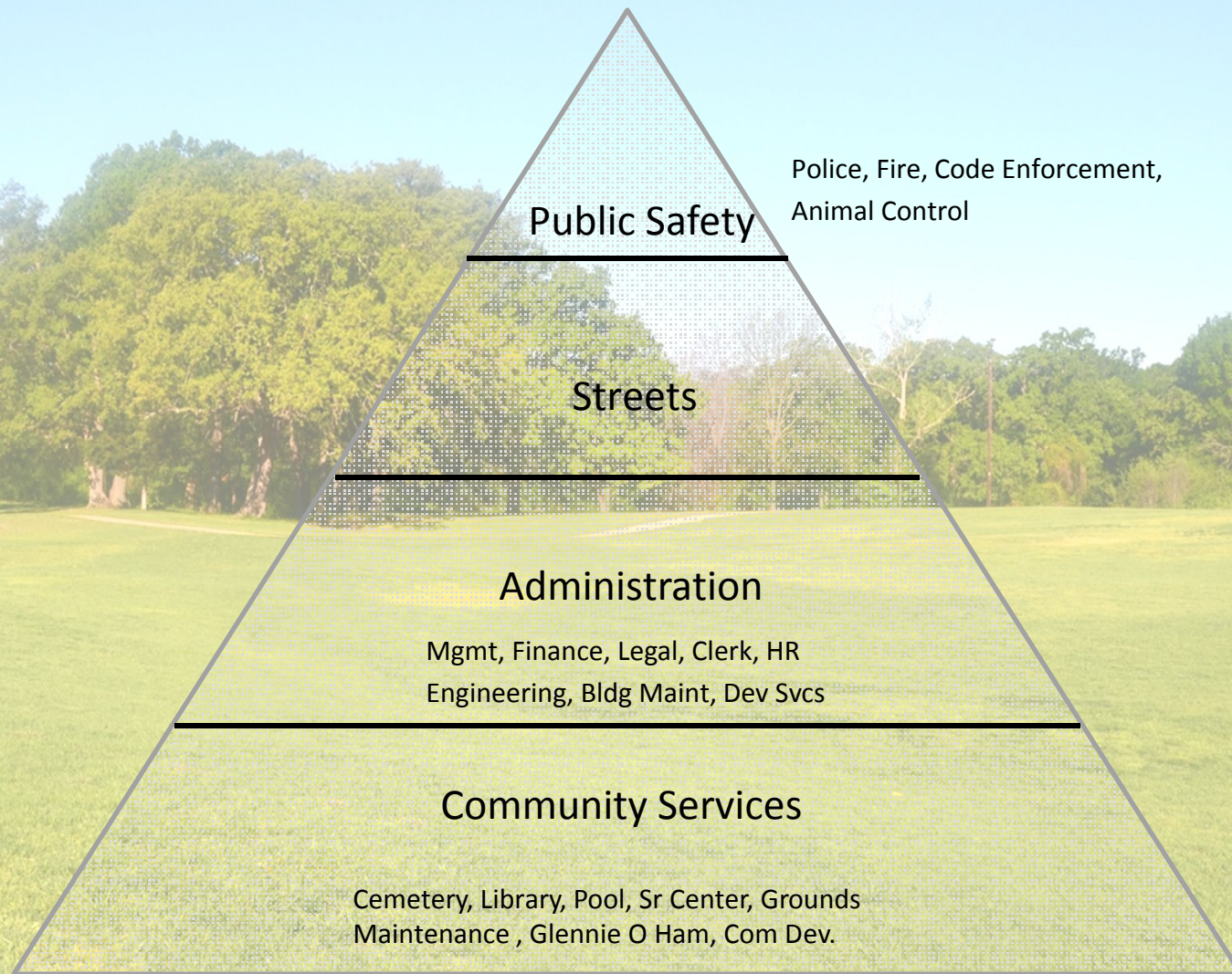
2% growth in property tax base, sales tax revenues, & other revenues

2% growth in expenses, excl. CAPEX

Utility Debt Service History



General Services Hierarchy



Potential Cuts Examples

Close Splash – annual net savings \$200k +/-

Mowing/grounds maintenance at parks/cemetery \$100k

Administrative personnel (1 pos = \$50k)

- Reduce support staff
- Phone answering system to pick up slack
- Offices closed at lunchtime

Reduced Library hours - \$150k +/-

Reduced Senior Center hours

Tax Rate Comparison (30k – 50k pop)

City	Pop	Net Taxable per capita	Net Tax per capita	Total Net Taxable	Gross Tax Rate	Municipal Utilities and Facilities	City Sales Tax Rate
Wylie	44,267	\$ 54,597	\$ 483	\$ 2,416,825,532	0.8839000	CE L MB PK S SC W	2.00%
Copperas Cove	33,374	\$ 33,867	\$ 263	\$ 1,130,292,202	0.7774000	C CE GC L MB S SC SL SP W	1.50%
San Juan	37,000	\$ 21,496	\$ 159	\$ 795,359,955	0.7386000	L MB PH PK S SP W	2.00%
La Porte	34,537	\$ 55,002	\$ 391	\$ 1,899,592,938	0.7100000	AP CE GC MB PK S SC SL SP W	1.75%
Haltom City	43,376	\$ 36,415	\$ 255	\$ 1,579,547,177	0.6999900	AM CE L MB PK S SC W	1.75%
Burleson	39,010	\$ 64,331	\$ 444	\$ 2,509,544,329	0.6900000	C CE GC L MB PK S SC SL SP W	2.00%
The Colony	44,704	\$ 51,607	\$ 350	\$ 2,307,050,778	0.6775000	CE L MB PK S SC SP W	2.00%
Coppell	40,022	\$ 130,676	\$ 833	\$ 5,229,929,021	0.6375000	C L LK M MB PK S SC SP W	1.75%
Friendswood	37,931	\$ 65,977	\$ 390	\$ 2,502,557,278	0.5914000	L LK MB PK S SC SP W	1.50%
Nacogdoches	34,047	\$ 40,938	\$ 231	\$ 1,393,825,410	0.5639000	AP C L LK M MB P PK S SL W	1.00%
Farmers Branch	31,300	\$ 122,856	\$ 680	\$ 3,845,391,617	0.5531000	C L MB PK S SC SL SP W	1.00%
Rockwall	39,957	\$ 82,829	\$ 416	\$ 3,309,591,376	0.5025000	AP C CE MB P PK S SC SP W	1.50%
Schertz	34,883	\$ 79,634	\$ 396	\$ 2,777,870,492	0.4974000	CE L MB PK S SC SP W	1.50%
Bedford	48,150	\$ 62,434	\$ 309	\$ 3,006,179,994	0.4948303	L LK MB PK S SC SP W	2.00%
Keller	41,923	\$ 101,441	\$ 449	\$ 4,252,692,266	0.4421900	L MB PK S SC SL SP W	2.00%
Huntsville	39,666	\$ 28,614	\$ 120	\$ 1,135,000,000	0.4206000	AP C CE L MB P PK S SL SP W	1.50%
Sherman	39,122	\$ 64,085	\$ 223	\$ 2,507,117,428	0.3480000	AM AP C CE L MB PK S SC SL SP W	2.00%
Grapevine	48,854	\$ 127,866	\$ 438	\$ 6,246,787,751	0.3425000	CE GC L MB PK S SC SP W	2.00%
Peer average		\$ 68,037	\$ 379	\$ 2,713,619,752	0.5872950		1.71%

Note: Sherman “net taxable” adjusted for PANDA impact

AM—Auditorium; AP—Airport; C—Cemetery; CE—Civic/Community/Convention Center; E—Electric System; FG—Fairgrounds; GC—Golf Course; GS—Gas System; H—Hospital; HR—Boat Harbor; J—Jail; L—Library/Museum; LK—Lake; M—Market; MB—Municipal Building/City Hall; P—Parking Lot; PH—Public Housing Units; PK—Parks and Recreation; S—Sewer System; SC—Senior Center; SL—Solid Waste Disposal System; SP—Swimming Pool; T—Transit Bus System; TB—Toll Bridge; W—Water System; ZO—Zoo; ZZ—Other

Tax Survey Takeaways

- Sherman is approximately average in its:
 - Net taxable value per capita vs. peers
 - Net taxable value vs. peers
- Sales tax rate of 2% is higher than average of 1.71%
- Peer average rate is about \$.24/\$100 (70%) higher than Sherman
- Sherman has more amenities than peers
- Summary – citizens are getting big bang for buck

Effective/Rollback Rate Issues

Tax Rate Reminders:

- Effective tax rate = rate needed to generate the same property tax revenue next year as this year, based on property currently on the rolls
- Rollback rate = 8% more than effective rate = 8% more revenue (\$550k)
- Property tax revenue is increased thru:
 - property tax valuations/new property
 - sales tax in lieu of property (ILOP) tax
 - tax rates
- So, law allows City to raise rates to increase revenues, but capped at 8% annually, and adjusted for increase in valuations and sales tax ILOP
- All else equal, Rollback cap is 4.5¢ - 5¢

What we're facing:

- Non-recurring “bubble” of PANDA sales tax has a negative (lowering) effect on effective and rollback tax rate for FY2015 by about 2.5¢ - 3¢

Tax Rate Increase “What-if “

(\$.062 over three years)

	2011	2012	2013	2014	2015	2016	2017	2018
Beginning reserves	\$ 4,903	\$ 6,090	\$ 6,952	\$ 7,220	\$ 8,609	\$ 6,472	\$ 5,902	\$ 5,383
Revenue	26,166	25,062	26,327	27,437	27,955	29,126	29,943	30,369
Transfers In	3,138	3,207	3,671	4,311	2,945	2,358	2,372	2,384
TOTAL Revenue	29,304	28,269	29,998	31,748	30,900	31,484	32,315	32,753
Expenses	27,734	27,003	28,257	29,197	31,922	30,917	31,524	32,143
Fleet/Capital	383	405	1,473	1,162	1,115	1,137	1,310	843
TOTAL Expenses	28,117	27,408	29,730	30,359	33,037	32,054	32,834	32,986
Excess/(Deficit)	1,187	861	268	1,389	(2,137)	(570)	(519)	(233)
Ending reserves	\$ 6,090	\$ 6,951	\$ 7,220	\$ 8,609	\$ 6,472	\$ 5,902	\$ 5,383	\$ 5,150
	79	93	89	104	72	67	60	57
Tax Rate	0.32	0.32	0.32	0.348	0.372	0.396	0.41	0.41
Tax Rate change				0.028	0.024	0.024	0.014	0

Assumptions:

FY2015 expenses include xfer out for CIP's

PANDA property tax effect included

2% growth in property tax base, sales tax revenues, & other revenues

2% growth in expenses, excl. CAPEX

Note: This is to fund current level of service; future CIPs/debt would be funded through savings and/or additional rate increases and/or cuts

Direction – FY2015+???

(Long term sustainability)

- General Fund – appetite for:
 - Service cuts?
 - Tax rate increase ?
 - Raise rates in Utility Fund to continue propping up?

Direction – FY2015??

Stormwater

- Fee study??

Fire Station

- Site location/purchase??

WTP Expansion

- Pursue plant expansion & issue debt??

CIP's

- Finish four year street maintenance program ?

Staffing/Compensation

- PD entry/patrol pay scale ??
- Employees (city-wide) ??

OTHER COUNCIL DIRECTION??

Other Upcoming Challenge

- Street sales tax election in Nov. 2015 to renew
 - Eight year term
 - For existing streets only
 - Approx. \$1 million/year revenue source
 - Will have mill/overlay nearly 30 miles in past eight years, in addition to improvements to Downtown, Sherman commons, and other
- Vital that we continue to keep priority on maintaining good streets/thoroughfares

A photograph of a golf course green. In the background, there is a dense line of trees with green foliage. To the right, a tall, dark light pole with multiple lamps at the top stands against a clear blue sky. The foreground is a well-maintained green lawn.

Budget Calendar

PROPOSED BUDGET CALENDAR FISCAL YEAR 2014-2015

Noon Meeting Series	Feb – March, 2014
Budget Planning Meeting with City Council	April 18, 2014
Budget Workshop*	June 18-19, 2014
Present Draft Budget to Council	July 21, 2014
Introduce Budget Ordinance	August 4, 2014
Final Action on Budget Ordinance Introduce Tax Rate Ordinance	August 18, 2014
Final Action on Tax Rate Ordinance	September 2, 2014

Notes:

Meeting times to be confirmed after the Budget Calendar is approved.

* This is expected to be a one-day Workshop; but an additional day is scheduled as a placeholder in case more time is needed.

STATE OF TEXAS

§

May 5, 2014

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 5, 2014.

MEMBERS PRESENT:

MAYOR CARY WACKER; DEPUTY MAYOR ROBERT
SOFTLY.

COUNCIL MEMBERS DAVIS, JOHNSON, PLYLER, WATT.

MEMBERS ABSENT:

COUNCIL MEMBER SOFEY.

CALL TO ORDER

Mayor Wacker called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Council Member Lawrence Davis.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of April 7, 2014. Deputy Mayor Softly moved to approve the Minutes as presented; Second by Council Member Plyler. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

PROCLAMATIONS

"MENTAL HEALTH AWARENESS MONTH" – MAY 2014

Mayor Wacker presented a proclamation to Brent Phillips-Broadrick, Mental Health Clinical Director, and Rebecca Chase, Crisis Specialist, from the Texoma Community Center, designating May 2014 as "Mental Health Awareness Month."

MENTAL HEALTH
AWARENESS MONTH

Mr. Phillips-Broadrick thanked the Mayor and City Council for the proclamation and for shedding light on the issues of mental illness and mental health.

Mayor Wacker said the City of Sherman also has an appointed representative that serves on the board of the Texoma Community Center. She introduced Dr. Thomas Nuckols, 2341 Canyon Creek, as the City's representative.

Dr. Nuckols said for many years the challenge of the Texoma Community Center was an increased population, reduced funds, and continuing to be the safety net for citizens. A National policy is now moving the center toward equity between mental health and physical health, with increased funds that will enable the Texoma Community Center to increase services and be more effective.

He invited the Council to attend a forum on May 10, 2014 at Grayson County United Way to discuss some exciting developments with the organization.

“NATIONAL TRAVEL AND TOURISM WEEK” – MAY 3-11, 2014

**TRAVEL &
TOURISM WEEK**

Council Member Plyler presented a proclamation to Diana Adair, Tourism Manager, designating May 3 through 11, 2014 as “National Travel and Tourism Week.”

Ms. Adair thanked the Mayor and City Council for the proclamation and for drawing attention to the role tourism plays at the state and local level.

The Sherman Department of Tourism has been focused on partnering with local non-profits to help support and promote events that will draw visitors to Sherman.

In recognition of “National Travel and Tourism Week” the Department of Tourism is partnering with the Sherman Chamber of Commerce, the Denison Chamber of Commerce, and a number of other non profits to greet visitors at the Travel Information Center in Denison on May 9, 2014, from 11:00 a.m. until 2:00 p.m.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Wacker introduced Ordinance 5815 and called for a public hearing:

**ORD 5815
DENYING ATMOS
ENERGY RATE
INCREASE**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DENYING THE RATE INCREASE REQUESTED BY ATMOS ENERGY CORP., MID-TEX DIVISION UNDER THE COMPANY’S 2014 ANNUAL RATE REVIEW MECHANISM FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; REQUIRING THE COMPANY TO REIMBURSE CITIES’ REASONABLE RATEMAKING EXPENSES PERTAINING TO REVIEW OF THE RRM; AUTHORIZING THE CITY’S PARTICIPATION WITH ATMOS CITIES STEERING COMMITTEE IN ANY APPEAL FILED AT THE RAILROAD COMMISSION OF TEXAS BY THE COMPANY; REQUIRING THE COMPANY TO REIMBURSE CITIES’ REASONABLE RATEMAKING EXPENSES IN ANY SUCH APPEAL TO THE RAILROAD COMMISSION; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE STEERING COMMITTEE’S LEGAL COUNSEL; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE.

Brandon Shelby, City Attorney, explained that the City is a member of the Atmos Cities Steering Committee and they negotiated on the City’s behalf with Atmos Mid-Tex. In February 2014, Atmos filed for a rate increase under the rate review mechanisms. They sought \$45.7 million in rate increases.

The Steering Committee has been negotiating with them for a smaller increase, but the legal representation hasn’t been able to reach an agreement with Atmos. This ordinance will deny a rate increase, which will probably lead to an appeal before the Railroad Commission. The Steering Committee legal counsel will represent the cities in the appeal.

No citizens appeared before the City Council to discuss Ordinance 5815.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5815

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DENYING THE RATE INCREASE REQUESTED BY ATMOS ENERGY CORP., MID-TEX DIVISION UNDER THE COMPANY'S 2014 ANNUAL RATE REVIEW MECHANISM FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES PERTAINING TO REVIEW OF THE RRM; AUTHORIZING THE CITY'S PARTICIPATION WITH ATMOS CITIES STEERING COMMITTEE IN ANY APPEAL FILED AT THE RAILROAD COMMISSION OF TEXAS BY THE COMPANY; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES IN ANY SUCH APPEAL TO THE RAILROAD COMMISSION; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE.

ORD 5815
DENYING ATMOS
ENERGY RATE
INCREASE

ACTION TAKEN.

Motion by Council Member Johnson to approve Ordinance No. 5815, as presented. Second by Council Member Plyler.

VOTING AYE: Davis, Johnson, Plyler, Softly, Watt.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 5854 – ACCEPTING THE CONTRACT WITH JERRY PAUL HIGGINS, LTD. AS COMPLETE FOR THE WASTEWATER TREATMENT PLANT EAST BAR SCREEN REPLACEMENT PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ACCEPTING THE CONTRACT WITH JERRY PAUL HIGGINS, LTD. AS COMPLETE FOR THE WASTEWATER TREATMENT PLANT EAST BAR SCREEN REPLACEMENT PROJECT.
CONSENT AGENDA.

RES 5854
WWTP BAR SCREEN
REPLACEMENT

RESOLUTION NO. 5855 – AUTHORIZING EXECUTION OF A DEVELOPER'S AGREEMENT WITH DGR DEVELOPMENT GROUP, LTD. FOR CONSTRUCTION OF PUBLIC FACILITIES IN THE O'HANLON RANCH PHASE IV ADDITION TO THE CITY OF SHERMAN

RES 5855
O'HANLON RANCH
PHASE IV ADDITION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPER'S AGREEMENT WITH DGR DEVELOPMENT GROUP, LTD. FOR CONSTRUCTION OF PUBLIC FACILITIES IN THE O'HANLON RANCH PHASE IV ADDITION TO THE CITY OF SHERMAN.
CONSENT AGENDA.

OTHER BUSINESS

CONSIDER REQUEST OF THE 2014 NEIGHBORHOOD RECREATIONAL COMMITTEE TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE ANNUAL "JUNETEENTH CELEBRATION" AND "JUNETEENTH PARADE" ON SATURDAY, JUNE 14, 2014

**CLOSE STREETS FOR
JUNETEENTH
CELEBRATION**

The City Council approved the request of the 2014 Neighborhood Recreational Committee to temporarily close certain streets for the Annual "Juneteenth Celebration" and "Juneteenth Parade" on Saturday, June 14, 2014.

The event will be held at Martin Luther King, Jr. Park and will require that East Street, between Vernon Holland Street and College Street be closed with barricades. The parade will follow a specific route and will require traffic control and barricades. Accessibility for emergency vehicles must be maintained at all time through both events.
CONSENT AGENDA.

RECEIVE A COMMUNITY SERVICES PRESENTATION FROM DIRECTOR OF COMMUNITY AND SUPPORT SERVICES DON KEENE

**COMMUNITY
SERVICES
PRESENTATION**

Don Keene, Community and Support Services Director, presented a report on several of the City's community services, including Parks and Recreation, Parks and Grounds Maintenance, the Senior Center, the Library, Cemetery Services, and Tourism. He said it was an exciting and challenging time for the Community Services Departments. He said the City tries to provide services and opportunities for a wide range of citizens.

In the Parks and Recreation Department, one of the main attractions is The Splash, which opens Memorial Day weekend. During the 2013 season, there were 36,553 visitors to the facility, including during special events such as Splash Into Summer, Father's Day, and Water WERKS.

There are also about 205 classes and activities offered through the Parks and Recreation Department annually for all ages of participants. Many classes are advertised in the Quarterly Recreation Guide and through the City's website. He described several types of classes.

Mr. Keene said the Taylor Street Complex has allowed the City to expand the offerings and classes to include children's clinics, basketball, volleyball, pickleball, and the Sherman Walking Club.

State Softball Tourney

Mr. Keene said the staff is also excited about the 10 and under State Softball Tournament. He introduced Matt Hubert, Athletic Coordinator, to discuss the event.

Mr. Hubert said the 10 and under State Softball Tournament will be held July 13 through 18, 2014, at Old Settlers Park. This is the second year that Sherman Youth Sports Association has been under the governing rules of Texas Teenage Softball Rules.

In August 2013, Mr. Hubert went to Hillsboro, Texas to put in a bid for the State Tournament. Age groups for softball range from six and under through high school age. More teams travel with the 10 and under age group and more families travel with those teams.

During the week of the State Tournament, other events and activities planned include movies in the park, Hot Summer Nights, Monday Madness, The Splash, Hawn Spray Grounds, and all the Sherman parks and facilities.

While in Hillsboro, Mr. Hubert was also able to petition for the 2015 Texas Teenage Softball State Conference, which Sherman will now be hosting in the Summer of 2015.

Mayor Wacker congratulated the Parks and Recreation Department on landing these events in Sherman. Mr. Keene also recognized the work of Mr. Hubert and the Parks and Recreation staff in getting that tournament.

Those kinds of activities require facilities and Mr. Keene introduced the Parks and Grounds Maintenance Department.

The City has 30 sports fields with different requirements for multiple sports, various ages, and different dimensions. Each field must be prepped with the correct dimensions and requirements for each game. There are approximately 2,700 games per year including those for youth, high school, collegiate, and adult. There are also numerous leagues, games, practices, and tournaments.

The City also maintains 458 acres in 22 parks, which must be cleaned, mowed, trimmed, and repaired. Another 28 acres is maintained in 20 City properties. The City is also being more proactive on inspections and repairs.

Mr. Keene said the City maintains a Senior Center for citizens over 50 years of age, with an average of 140 participants per day. The Center sponsors 44 daytime and nine evening activities, and over 100 special events. Lunch for participants is also provided through Meals on Wheels. He also outlined several special events that will be held throughout the summer. He added that more activities are planned for the Senior Center this year than were held last year.

COUNCIL MINUTES – MAY 5, 2014

Mr. Keene also discussed the Public Library, saying in a typical year there will be over 100,000 visits, with 196,000 total circulations by checking out a book or an eBook. There are 12 ongoing programs with approximately 13,000 to 14,000 participants each year.

This summer the Library will sponsor three new events including It's Elementary, which explores the Scientific Method through simple and fun experiments; SPLAT! which is the Sherman Public Library Advisory Teens, who provide assistance and input on various Library programs; and a Father's Day Pajama Story Time.

Mr. Keene said the Cemetery Services Department provides approximately 150 burial services annually and maintains over 120 acres and 30,000 grave markers. The City also provides special maintenance on holidays.

He added that in 15 to 20 years, the Cemetery will be running out of space. The staff is currently looking at some build-out plans for the future.

The Tourism Department continues to work with non-profit organizations to promote activities and events. Currently there are 27 events scheduled in Kidd-Key Auditorium for 2014. Last year there were 13 events scheduled. Events scheduled this year include an InterUrban Film Festival, Snow White Ballet, Three Sisters – Original Musical, Rankin Brothers, and the Sherman Symphony Orchestra.

Over 250 events are scheduled in the Municipal Ballroom or on the Grounds for 2014, including both community events and private events.

The 5th Annual Lights on the Lake will be held July 3, 2014 at Pecan Grove Park. More details will be available soon. This year the Arts Festival and Hot Summer Nights are being coordinated by the Sherman Chamber of Commerce. He added that the City continues to look for other tourism opportunities to partner with the Chamber of Commerce.

Arts Fest and Hot Summer Nights

Lauren Roth, Events Coordinator, Sherman Chamber of Commerce, presented information on the Arts Festival and Hot Summer Nights.

Ms. Roth said currently the Chamber is focused on Hot Summer Nights, but will have more information in the next couple of months about the Arts Festival. She thanked the City Council, the Parks and Recreation Department, and the Tourism Department for working with the Chamber and supporting their efforts to take on Hot Summer Nights.

This year the two title sponsors will be Knight Furniture and Landmark Bank. They are also partnering with KXII-TV, Hot

107, KMKY, KLLA, KMD, and the Herald Democrat for media.

There will be a change in the location for some of the concerts this year. The June concerts will be held on the Municipal Grounds, but the July concerts will be held at Pecan Grove Park.

She said the sponsors had requested demographic information from the attendees. This year a gift basket will be given away at each Hot Summer Nights concert and those attending will complete a ticket which includes their age range, gender, and zip code. This will help determine the number attending from outside Grayson County or from out of Sherman.

Mr. Keene said the staff continues to work hard to serve the citizens and provide them with opportunities in the coming year.

Council Member Watt said he has seen firsthand as a “civilian” the service that the Parks and Recreation Department displays and said if Mr. Hubert is representative of the department, we are in good shape. Mayor Wacker added that the City has an incredible Parks and Recreation staff and recognized them for their effort.

APPROVE QUARTERLY INVESTMENT REPORT FOR PERIOD ENDING MARCH 31, 2014

Mary Lawrence, Controller, presented the Quarterly Investment Report for the period ending March 31, 2014.

**QUARTERLY
INVESTMENT REPORT**

The balances for the City’s investments have increased by about \$2.1 million, due to the seasonal collection of property taxes. The maturity of the portfolio lengthened because of purchases made during the quarter. The yield was 0.42%, above the benchmark of 0.13%.

ACTION TAKEN.

Motion by Council Member Watt to approve the Quarterly Investment Report for the period ending March 31, 2014, as presented. Second by Deputy Mayor Softly.
VOTING AYE: Davis, Johnson, Plyler, Softly, Watt.
VOTING NAY: None.
MOTION CARRIED.

**CITIZENS REQUESTS
JUNETEENTH CELEBRATION**

Reverend Charles Brown appeared representing the Neighborhood Recreational Committee. He said the Firemen and the Policemen were a part of the Juneteenth Celebration, but he invited the Mayor and City Council to also participate. He added that a car would be provided for the Mayor to participate in the parade, if she would like. He also invited all Council Members.

**JUNETEENTH
CELEBRATION**

COUNCIL MINUTES – MAY 5, 2014

Reverend Brown said the Rotary Club was involved this year and he would like to encourage City involvement for the Juneteenth Parade.

The event starts at 11:00 a.m. on Saturday, June 14, 2014. This year, Denison citizens will participate in the Sherman parade and Sherman citizens will participate in the Denison parade. He also encouraged participation from all races to make this a great celebration.

MEDIA QUESTIONS

JUNETEENTH CELEBRATION

Nate Strauch, Reporter for the Herald Democrat, verified that the Juneteenth Parade would begin at 11:00 a.m. on Saturday, June 14, 2014.

**JUNETEENTH
CELEBRATION**

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

SHERMAN HIGHER EDUCATION FINANCE CORPORATION

(7)

ACTION TAKEN.

Motion by Deputy Mayor Softly to reappoint Dr. Al Hambrick, Rad Richardson, Jerry Chapman, Delinda Lough, George Rowland, and Paul Bean, and to appoint Anna Laura Page to the Sherman Higher Education Finance Corporation Board of Directors for a term from April 18, 2014 to April 18, 2016. Second by Council Member Watt.

VOTING AYE: Davis, Johnson, Plyler, Softly, Watt.

VOTING NAY: None.

MOTION CARRIED.

**SHERMAN HIGHER
EDUCATION
FINANCE CORP.**

COUNCIL COMMENTS

SHER-DEN MALL PROPERTY

Council Member Watt said he recently noticed how good the old Sher-Den Mall property looks, since the two remaining buildings have been removed. He thanked Scott Shadden, Director of Development Services, and Brandon Shelby, City Attorney, for their work with the Substandard Structure Ordinance.

**SHER-DEN
MALL PROPERTY**

EXPRESSIONS OF LOVE AND SYMPATHY

Deputy Mayor Softly thanked the Mayor, City Council, and everyone for their kind expressions in the loss of his Mother, who passed away at 96 years of age.

**EXPRESSIONS OF
LOVE & SYMPATHY**

GREAT COMMUNITY

Council Member Plyler thanked the Parks Department and the Library for their hard work with very little budget, as well as the Juneteenth Celebration, everything that makes this such a great community in which to live.

GREAT COMMUNITY

GREAT COMMUNITY

Council Member Johnson agreed with Council Member Plyler and thanked Mr. Keene and the staff involved, for all they do to make the City great.

GREAT COMMUNITY

GREAT COMMUNITY

Council Member Davis said the presentation tonight and the community participation shows what a good community we live in.

GREAT COMMUNITY

GREAT COMMUNITY

Mayor Wacker said it takes lots of good ideas and everyone working together. She said there are many in the audience that are working for a better community and it is appreciated.

GREAT COMMUNITY

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:
RECEIVE THE CITY ATTORNEY'S
BRIEFING ON PENDING OR
CONTEMPLATED LITIGATION

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:48 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:34 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

OPEN MEETING

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:34 p.m.

ADJOURNMENT

MAYOR

CITY CLERK

A group of approximately 15 children and two adults are sitting on a light-colored floor in a gymnasium, engaged in a building block activity. The children are of various ages, mostly between 5 and 10 years old. They are wearing casual clothing like t-shirts and jeans. Two adults, men, are also present, one on the left and one in the center, both looking down at the blocks. The background shows gym equipment, including a red mat and a table. The text "City of Sherman Community Services Update" is overlaid in the center of the image.

City of Sherman Community Services Update

5/5/14

Community Services

- Parks & Recreation
- Parks/Grounds Maintenance
- Senior Center
- Library
- Cemetery Services
- Tourism





Parks & Recreation

Splash

- Opens Memorial Day weekend
- 2013 - 36,553 visitors
- Special Events
 - Splash Into Summer, Father's Day, Water WERKS

Activities

- 205 classes and activities for all ages offered over the year
- Quarterly Recreation Guide
 - Pee Wee Jump Start, Lego Mindstorm, Women's Self Defense, Line Dancing, Shutterbug Club, Softball Leagues
- Taylor St. Complex
 - Children's clinics, basketball, volleyball, pickleball, Sherman Walking Club
- 10u State Tourney (update by Matt Hubert)

Parks and Grounds Maintenance

- 30 sports fields
 - Multiple sports, ages, and dimensions
 - Fertilize, weed, mow, till, drag, mark, set bases
 - 2,700 games per year (youth, high school, collegiate, adult)
 - Leagues, games, practices, and tournaments
- 22 parks / 458 acres
 - Clean, mow, trim, repair
 - 152 completed repairs YTD
 - Inspection/repair ongoing
- 20 city properties / 28 acres

Senior Center

A year at the Senior Center...

- Average 140 activity participants per day
- 44 daytime and 9 evening activities
 - Exercise classes, dance classes, Recipe Club, Sewing Club, AARP Defensive Driving, Texoma Wood Carving, computer classes
- Over 100 special events
 - Music concerts, Senior Appreciation Day, Trunk or Treats, Veterans Supper
- Lunch - Meals on Wheels

Special Events This Summer...

Pecan Grove Park Outing: June 2

Senior Dance: June 3

Backyard BBQ: July 1

Ice Cream Social: July 22

Senior Carnival: August 5



Library

A Year at the Library...

- Over 100K visits
- 196K total circulations (92K children, 104K adult)
- 12 ongoing programs
 - Participation: 10,115 children, 3,355 adults
 - Reading Club, Read to Win, Pajama Story Time, Reading Buddies

New this Summer...

- It's Elementary: June 12 - Aug 14
- SPLAT! : June 26, July 17, Aug 21
- Father's Day Pajama Story Time: Aug 12

Cemetery Services

- Approximately 150 burial services per year
- 120 acres
- Over 30,000 grave markers
- Special maintenance on holidays
- Build-out plans in progress



Tourism

Kidd Key Auditorium

- 27 events scheduled for 2014
 - InterUrban Film Festival: May 16-17
 - Snow White Ballet: June 6
 - Three Sisters – Original Musical: Aug 29-30
 - Rankin Brothers: Aug 2, Dec 13
 - Sherman Symphony Orchestra

Municipal Ballroom and Grounds

- Over 250 events scheduled for 2014
 - Community Events (dances, fund raisers, meetings)
 - Private Events (weddings, receptions, reunions)

5th Annual Lights on the Lake – July 3rd

Arts Fest & Hot Summer Nights

- Coordinated by Sherman Chamber of Commerce
(Presentation by Lauren Roth)
- We continue to look for other opportunities to partner with the Chamber of Commerce on tourism activities



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 1.

Meeting Date: 05/19/2014

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: George Olson, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5816

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the R-2 (Multi-Family Residential) District and C-1 (Retail Business) District in the 5600-5800 Blocks of North FM 1417 (Heritage Parkway) (Grayson County Airport Partners, Rex Glendenning, Owners; Teague Nall & Perkins, Chris Schmitt, Representative; and Helvey & Associates, Inc., Surveyors)

Issue:

To consider the request from Grayson County Airport Partners, Rex Glendenning (Owners), Teague Nall & Perkins, Chris Schmitt (Representative) and Helvey & Associates, Inc. (Surveyors) for a zone change and conceptual site plan approval from an R-A (Single Family Agricultural) District to an R-2 (Multi-Family Residential) District and a C-1 (Retail Business) District concerning the property in the 5600-5800 blocks of North FM 1417 (Heritage Parkway):

- **Tract 1** - Being 34.52 acres in the S.C. Royal Survey, Abstract No. 1047 - Zone change and conceptual site plan approval under Ordinance No. 2280, Section 12, from an R-A (Single-Family Agricultural) District to an R-2 (Multi-Family Residential) District.
- **Tract 2** - Being 41.24 acres in the S.C. Royal Survey, Abstract No. 1047 - Zone change and conceptual site plan approval under Ordinance No. 2280, Section 12, from an R-A (Single-Family Agricultural) District, C-1 (Retail Business) District and C-2 (General Commercial) District to a C-1 (Retail Business) District.

Background:

The property is located in the 5600-5800 blocks of North FM 1417 (Heritage Parkway); the southwest corner of North FM 1417 (Heritage Parkway) and Grayson Drive (FM 691). The property was annexed into the City limits of Sherman at the September 9, 2013 City Council Meeting as an R-A (Single-Family Agricultural) District.

The owners are requesting a zone change on two tracts; 34.52 acres to an R-2 (Multi-Family Residential) District and 41.24 acres as a C-1 (Retail Business) District. The site plans are conceptual and will require site plan approval before developing the property.

Origination:

Grayson County Airport Partners, Rex Glendenning (Owners)
Teague Nall & Perkins, Chris Schmitt (Representative)
Helvey & Associates, Inc. (Surveyors)

Financial Consideration:

None

Staff Recommendation:

At the April 22, 2014 regular meeting, the Planning and Zoning Commission voted 9/0 to approve the zone change.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5816

Location Map

Zoning Map

Photo

Survey

Conceptual Site Plan

FM 691 Roadway Alignment Schematic

Conceptual Elevations

P&Z Communication

Staff Review Letter R-2

Staff Review Letter C-1

ORDINANCE NO. 5816

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 R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT AND C-1 (RETAIL BUSINESS) DISTRICT IN THE 5600-5800 BLOCKS OF NORTH FM 1417 (HERITAGE PARKWAY) (GRAYSON COUNTY AIRPORT PARTNERS, REX GLENDENNING, OWNERS; TEAGUE NALL & PERKINS, CHRIS SCHMITT, REPRESENTATIVE; AND HELVEY & ASSOCIATES, INC., SURVEYORS); 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 R-2 (Multi-Family Residential) District and C-1 (Retail Business) District in the 5600-5800 blocks of North FM 1417 (Heritage Parkway), and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

TRACT 1 **R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT**

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the S.C. Royal Survey, Abstract No. 1047, and being a part of the 76.913 acre tract of land conveyed from D.R. Cameron & Associates, Inc. to Grayson County Airport Partners, LTD by Special Warranty Deed recorded in Volume 4135, Page 513, Official Public Records, Grayson County Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a point at the Southwest corner of said 76.193 acre tract, said point being South 88 deg. 06 min. 49 sec. East, 3.10 ft. from a ½ inch rebar found;

THENCE North 02 deg. 11 min. 32 Sec. East, with a West line of said 76.913 acre tract, a distance of 1077.55 ft. to a ½ inch rebar at the most Westerly Northwest corner of said 76.913 acre tract and the Southwest corner of a 1.22 acre tract;

THENCE South 87 deg. 47 min. 21 sec. East, with a North line of said 76.913 acre tract and the South line of said 1.22 acre tract, a distance of 325.00 ft. to a ½ inch rebar at an Ell corner of said 76.913 acre tract and a Southeast corner of said 1.22 acre tract;

THENCE North 02 deg. 11 min. 32 sec. East, with a West line of said 76.913 acre tract and the East line of said 1.22 acre tract, a distance of 260.00 ft. to a ½ inch rebar at the most Northerly Northwest corner of said 76.913 acre tract and at the Northeast corner of said 1.22 acre tract and in the South line of a "called" 0.99 acre tract;

THENCE South 87 deg. 47 min. 21 sec. East, with a North line of said 76.913 acre tract and the South line of said 0.99 acre tract, a distance of 1015.73 ft. to a point at the beginning of a non-tangent curve;

THENCE in a Southeasterly direction, with a non-tangent curve to the right having a radius of 900.00 ft. (Chord bears South 51 deg. 54 min. 54 sec. East, 286.93 ft.), an arc length of 288.16 ft. to a point at the end of said curve;

THENCE South 42 deg. 44 min. 31 sec. East, a distance of 50.00 ft. to a point;

THENCE South 47 deg. 15 min. 08 sec. West, a distance of 591.12 ft. to the point at the beginning of a curve;

THENCE in a Southwesterly direction, with a curve to the left having a radius of 1000.00 ft. (Chord bears South 32 deg. 51 min. 54 sec. West, 496.93 ft.), an arc distance of 502.19 ft. to a point at the end of said curve;

THENCE South 18 deg. 28 min. 42 sec. West, a distance of 295.86 ft. to a point in the South line of said 76.913 acre tract;

THENCE North 88 deg. 06 min. 49 sec. West with the South line of 76.913 acre tract, a distance of 853.61 ft. to the **PLACE OF BEGINNING and containing 34.52 ACRES of land.**

TRACT 2
C-1 (RETAIL BUSINESS) DISTRICT

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the S.C. Royal Survey, Abstract No. 1047, and being a part of the 76.913 acre tract of land conveyed from D.R. Cameron & Associates, Inc. to Grayson County Airport Partners, LTD by Special Warranty Deed recorded in Volume 4135, Page 513, Official Public Records, Grayson County Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a concrete monument found in the West line of F.M. Highway 1417, at the Southeast corner of said 76.913 acre tract of land;

THENCE South 87 deg. 38 min. 43 sec. West, with the South line of said 76.913 acre tract, a distance of 15.39 ft. to an angle in said line;

THENCE North 88 deg. 06 min. 49 sec. West, continuing with the South line of said 76.913 acre tract, a distance of 1723.85 ft. to a point;

THENCE North 18 deg. 28 min. 42 sec. East, a distance of 295.86 ft. to a point at the beginning of a curve;

THENCE in a Northeasterly direction with a curve to the right having a radius of 1000.00 ft. (*Chord bears North 32 deg. 51 min. 54 sec. East, 496.93 ft.*), an arc distance of 502.19 ft. to a point at the end of said curve;

THENCE North 47 deg. 15 min. 08 sec. East, a distance of 591.12 ft. to a point at the beginning of a curve;

THENCE in a Northeasterly direction with a curve to the right having a radius of 1000.00 ft. (*Chord bears North 57 min. 33 sec. 49 sec. West, 357.99 ft.*), an arc distance of 359.93 ft. to a point in the North line of said 76.913 acre tract and in the South line of a "called" 0.99 acre tract;

THENCE South 87 deg. 47 min. 21 sec. East, with the North line of said 76.913 acre tract and the South line of said 0.99 acre tract, a distance of 537.24 ft. to a 112 inch rebar at the intersection of the south line of F.M. Highway 691 and the West line of said F.M. Hwy. 1417, at an angle point of said 76.913 acre tract;

THENCE South 46 deg. 21 min. 00 sec. East, with said rights-of-way and a Northeast line of said 76.913 acre tract, a distance of 194.84 ft. to a concrete monument at the Northeast corner of said 76.913 acre tract;

THENCE South 01 deg. 53 min. 00 sec. West, with the West line of said F.M. Hwy. 1417 and the East line of said 76.913 acre tract of land, a distance of 1192.80 ft. to the **PLACE OF BEGINNING and containing 41.24 ACRES of land.**

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

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

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

INTRODUCED on this the _____ day of _____, 2014.

ADOPTED on this the _____ day of _____, 2014.

EFFECTIVE DATE on this the _____ day of _____, 2014.

CITY OF SHERMAN, TEXAS

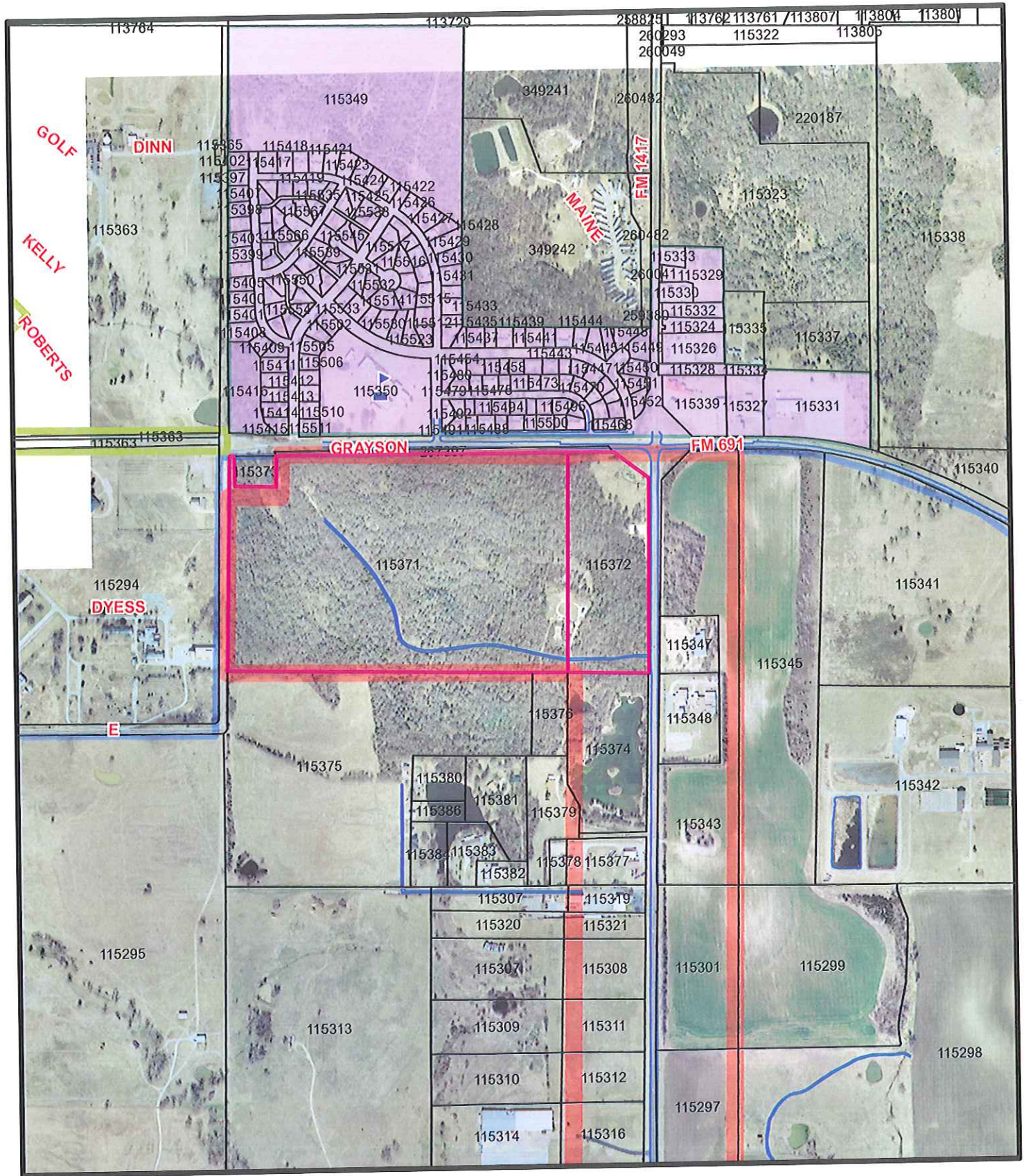
BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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



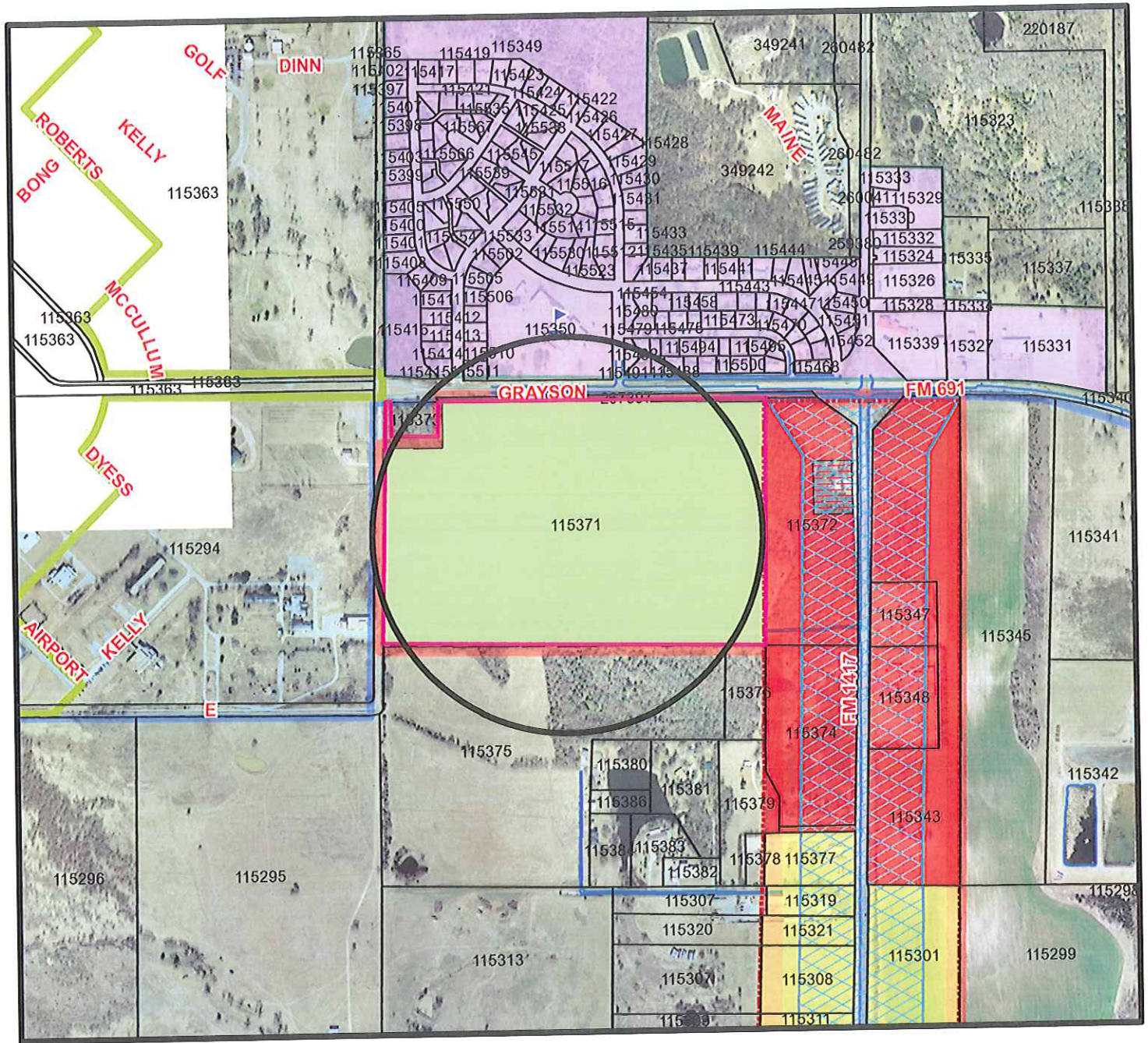
5600-5800 Blks N. FM 1417 (Heritage Parkway)

City of Sherman, Texas
Developmental Services Department

Sherman
CLASSIC TOWN. BROAD HORIZON.



1 inch = 784 feet



Zoning - 5600-5800 N. FM 1417 (Heritage Parkway)

Legend

	O 1 HIGHWAY 75 & 82 OVERLAY DISTRICT		C-2 General Commercial District
	O 1.1 FM 1417 OVERLAY DISTRICT		M-1 Light Manufacturing District
	O 1.2 SAM RAYBURN FREEWAY OVERLAY DISTRICT		R-A Single Family Agricultural District
	CBD DOWNTOWN BUSINESS DISTRICT		SF-1 Single Family Residential District
	CPO COLLEGE PARK OVERLAY DISTRICT		M-1.5 Medium Manufacturing District
	A & C ARTS & CULTURAL OVERLAY DISTRICT		M-2 Heavy Manufacturing District
	CO Office District		MH Manufacturing Housing District
	R-1 One Family Residential District		Blalock Commercial District
	R-2 Multi-Family Residential District		BIP Blalock Industrial Park
	C-1 Retail Business District		



5600-5800 N. FM 1417





EXHIBIT A
(CONCEPTUAL SITE PLAN)

MULTI-USE DEVELOPMENT MASTER PLAN

SHERMAN, TEXAS



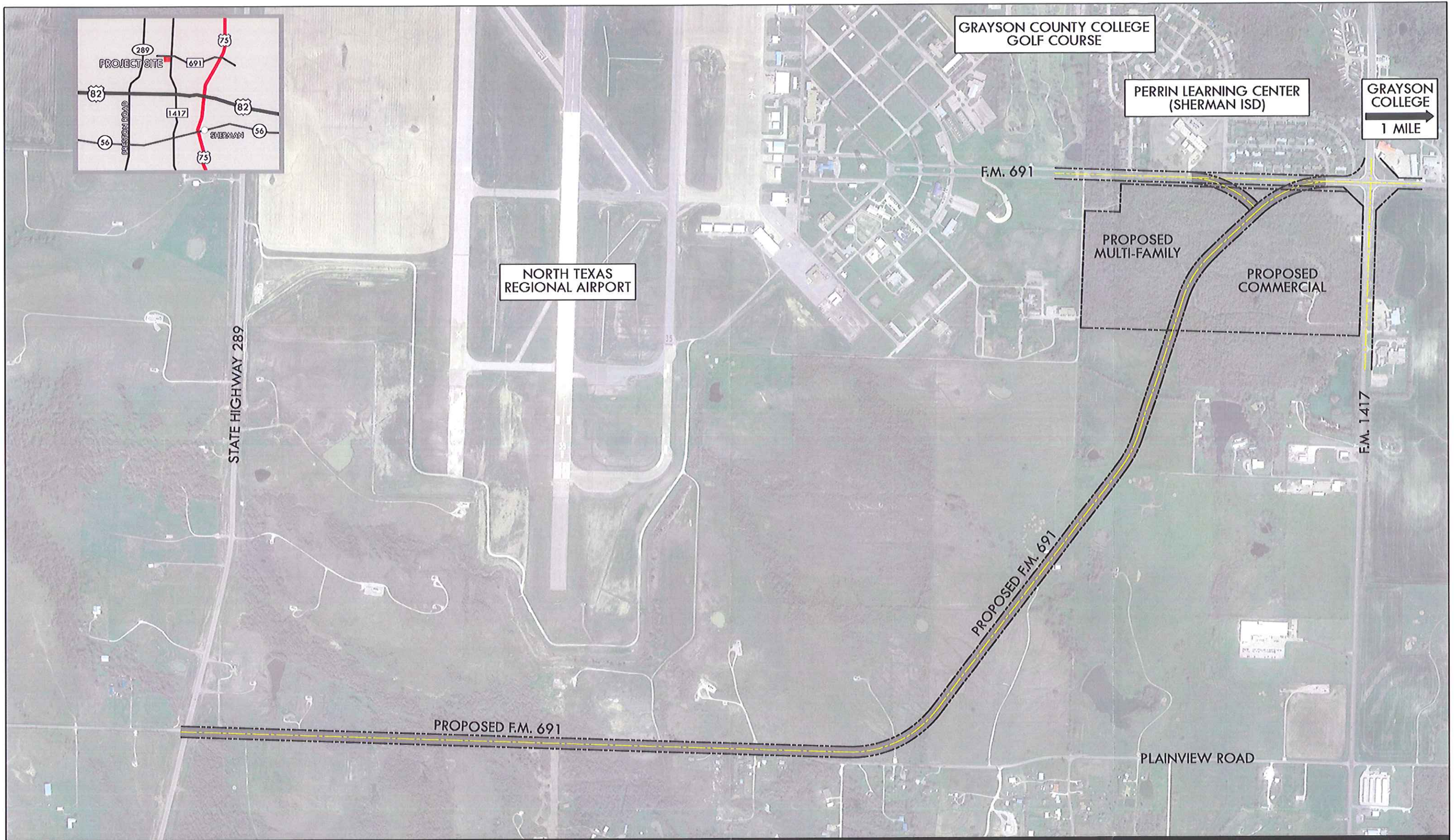


EXHIBIT B
(F.M. 691 ROADWAY ALIGNMENT SCHEMATIC)
MULTI-USE DEVELOPMENT MASTER PLAN
SHERMAN, TEXAS





**Multi-Family Concept
Frisco, TX**



**Multi-Family Concept
Frisco, TX**



Multi-Family Concept
Frisco, TX



**Retail Commercial Concept
Celina, TX**



**Retail Commercial Concept
Celina, TX**



**Retail Commercial Concept
Celina, TX**



Retail Commercial Concept
Celina, TX



**Retail Commercial Concept
Frisco, TX**



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

Agenda Item No. 11.

Meeting Date: 04/22/2014

Prepared by: Patsy Reeves, Developmental Services Admin Secretary

Approved by: Scott Shadden, Director of Development Services

Commissioners: Don Hicks, Chairman

Joe Gilbert, Vice-Chairman

Brad Morgan, Commissioner

Ron Barton, Commissioner

Ryan Michael Kreck, Commissioner

Sam Thorpe, Commissioner

Ronnie Dutton, Commissioner

Dr. Alan Scheibmeir, Commissioner

Andrew Olmstead, Commissioner

Requested Action/Proposed Use:

5600-5800 BLOCKS N. FM 1417 (HERITAGE PARKWAY)

The request of Grayson County Airport Partners, Rex Glendenning (Owners), Teague Nall & Perkins, Chris Schmitt (Representative) and Helvey & Associates, Inc, (Surveyors) concerning the property located in the 5600-5800 Blocks N. FM 1417 (Heritage Parkway), as follows:

Planning and Zoning Board

- **Tract 1** - Being 34.52 acres in the S.C. Royal Survey, Abstract No. 1047 - Zone change and conceptual site plan approval under Ordinance No. 2280, Section 12, from an R-A (Single-Family Agricultural) District to an R-2 (Multi-Family Residential) District.
- **Tract 2** - Being 41.24 acres in the S.C. Royal Survey, Abstract No. 1047 - Zone change and conceptual site plan approval under Ordinance No. 2280, Section 12, from an R-A (Single-Family Agricultural) District, C-1 (Retail Business) District and C-2 (General Commercial) District to a C-1 (Retail Business) District.

Background:

The property is located in the 5600-5800 blocks of N. FM 1417 (Heritage Parkway); the southwest corner of N. FM 1417 (Heritage Parkway) and Grayson Drive (FM 691). The property was annexed into the City limits of Sherman at the September 9, 2013 City Council Meeting as an R-A (Single-Family Agricultural) District.

The owners are requesting a zone change on two tracts; 34.52 acres to an R-2 (Multi-Family Residential) District and 41.24 acres as a C-1 (Retail Business) District. The site plans are conceptual and will require site plan approval before developing the property.

Adjacent Zoning:

C-1 (Retail Business) District

Origination:

Grayson County Airport Partners, Rex Glendenning (Owners)
Teague Nall & Perkins, Chris Schmitt (Representative)
Helvey & Associates, Inc, (Surveyors)

Master Plan Designation:

Industrial – This character type typically has very large lot sizes with large buildings that are used for industrial purposes. A lot may have any number of buildings or storage facilities. Parking lots are necessary for employees and rail access may be necessary to ship/receive materials.

Number of notices mailed:

4

Objections Received:

0

Attachments

Location Map

Zoning Map

Photo

Survey

Conceptual Site Plan

FM 691 Roadway Alignment Schematic

Conceptual Elevations

Staff Review Letter C-1

Staff Review Letter R-2

STAFF REVIEW LETTER

April 16, 2014

Grayson County Airport Partners
Rex Glendenning
12400 Preston Rd., Ste. 100
Frisco, TX 75033

TNP
Chris Schmitt
17304 Preston Rd., Ste. 1340
Dallas, TX 75252

Helvey & Associates Surveying, Inc.
222 W. Main St.
Denison, TX 75020

Dear Applicants:

The request for a zone change from an R-A (Single-Family Agricultural) District to an R-2 (Multi-Family Residential) District concerning the property in the 5600-5800 Blocks N. FM 1417 (Heritage Parkway) is scheduled to be heard by the Planning and Zoning Board on April 22, 2014 in the City Council Chambers, City Hall at 220 West Mulberry. The meeting will begin at 5:00 P.M.

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-2 (Multi-Family Residential) District and the Residential Tree and Landscaping Ordinance must be followed. Wall finishes shall be masonry or masonry veneer.
2. A minimum 6' masonry perimeter wall shall be provided to surround the development unless an exception is granted.
3. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
4. Parking is permitted on paved surfaces only.
5. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9'x20'.
6. No permanent structures shall be placed within the utility easements without an encroachment easement approved by the City Council.
7. Approval does not grant or allow any variance from any Federal Aviation Administration or North Texas Regional Airport conditions and/or regulations.
8. This site plan is conceptual in nature; a more detailed site plan will require approval from the Planning and Zoning Commission.

Engineering

9. Platting of the property is required.
10. The developer will be required to extend the water main and sewer main to serve the development.
11. The alignment of the proposed FM 691 must be reviewed by TxDOT for approval.
12. The roads to access FM 1417 (Heritage Parkway) and FM 691 must meet TxDOT's distance criteria.
13. Detention in accordance with City criteria is required.
14. The City of Denison must review Grayson Drive for access and alignment.

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: George Olson, City Manager
Mark Gibson, Director of Utilities
Clay Barnett, Dir. of Public Works and Engineering

Jamie Baggs, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator

STAFF REVIEW LETTER

April 16, 2014

Grayson County Airport Partners
Rex Glendenning
12400 Preston Rd., Ste. 100
Frisco, TX 75033

TNP
Chris Schmitt
17304 Preston Rd., Ste. 1340
Dallas, TX 75252

Helvey & Associates Surveying, Inc.
222 W. Main St.
Denison, TX 75020

Dear Applicants:

The request for a zone change from an R-A (Single-Family Agricultural) District to a C-1 (Retail Business) District concerning the property in the 5600-5800 Blocks N. FM 1417 (Heritage Parkway) is scheduled to be heard by the Planning and Zoning Board on April 22, 2014 in the City Council Chambers, City Hall at 220 West Mulberry. The meeting will begin at 5:00 P.M.

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

Zoning

1. All aspects of the C-1 (Retail Business) District, the O-1.1 (FM 1417) Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. A minimum 6' screening is required abutting residentially zoned property.
3. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
4. Parking is permitted on paved surfaces only; concrete or asphalt.
5. No permanent structures shall be placed within the utility easements without an encroachment easement approved by the City Council.
6. Approval does not grant or allow any variance from any Federal Aviation Administration or North Texas Regional Airport conditions and/or regulations.
7. This site plan is conceptual in nature; a more detailed site plan will require approval from the Planning and Zoning Commission.

Engineering

8. Platting of the property is required.
9. The developer will be required to extend the water main and sewer main to serve the development.
10. The alignment of the proposed FM 691 must be reviewed by TxDOT for approval.
11. The roads to access FM 1417 (Heritage Parkway) and FM 691 must meet TxDOT's distance criteria.
12. Detention in accordance with City criteria is required.
13. The City of Denison must review Grayson Drive for access and alignment.

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: George Olson, City Manager
Mark Gibson, Director of Utilities
Clay Barnett, Dir. of Public Works and Engineering

Jamie Baggs, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 2.

Meeting Date: 05/19/2014

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: George Olson, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5817

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-O (Office) District at 927 and 929 West Birge Street (TX CREI Corporation, Owners; and Andy Beeghly, Representative)

Issue:

To consider the request from TX CREI Corporation (Owners) and Andy Beeghly (Representative) for a zone change and site plan approval from an R-1 (One Family Residential) District to a C-O (Office) District concerning the property at 927 and 929 West Birge Street, being Lot 1 of the E.L. Benzel Addition and part of the J.B. McAnair Survey, Abstract No. 763

Background:

The property is located at 927 and 929 West Birge Street, the northeast corner of Birge and Ricketts Streets. The property has been used as a convenience store and laundrymat/cleaners in the past but is zoned an R-1 (One Family Residential) District, which is considered an existing non-conforming use. A request to change the zoning to a C-1 (Retail Business) District was denied at the May 21, 2013 Planning and Zoning Commission Meeting; it was appealed to the City Council at the June 17, 2013 Meeting; the request was denied.

The prospective buyer would like to change the zoning to a C-O (Office) District to be used as a real estate office in part of the building and rent the other section for a professional office.

Origination:

TX CREI Corporation (Owners)
Andy Beeghly (Representative)

Financial Consideration:

None

Staff Recommendation:

At the April 22, 2014 regular meeting, the Planning and Zoning Commission voted 9/0 to approve the zone change.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 5817

Location Map

Zoning Map

Photo

Plat

Site Plan

Elevations

P&Z Communication

Staff Review Letter

ORDINANCE NO. 5817

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-O (OFFICE) DISTRICT AT 927 AND 929 WEST BIRGE STREET (TX CREI CORPORATION, OWNERS; AND ANDY BEEGHLY, 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-O (Office) District at 927 and 929 West Birge Street, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

TRACT ONE

BEING out of the J.B. McAnair Survey, Abstract No. 763, Grayson County, Texas, being a part of the Benzel tract lying west of Lockhart Street and north of Birge Street in the City of Sherman, Texas and being more particularly described as follows;

BEGINNING at a stake at that point where the east line of North Ricketts Street intersects the north line of West Birge Street;

THENCE East with the North line of West Birge Street 64 ½ feet to an iron stake;

THENCE North parallel with the east line of North Ricketts Street 100 feet to an iron stake;

THENCE West parallel with the North line of West Birge Street 57 feet to a steel fence along the east line of property belonging to the City of Sherman;

THENCE in a southerly direction along said fence (same being the east line of said property belonging to the City of Sherman) to the Place of Beginning, and being the same property conveyed by E.L. Benzel, et al to E.C. Craven by deed dated march 29, 1952, of record in Volume 686, Page 206, Deed Records, Grayson County, Texas

TRACT TWO

BEING Lot No. One (1) of E.L. Benzel Addition to the City of Sherman, Grayson County, Texas as per plat filed July 28, 1955, recorded in Volume 1, Page 20 of the plat records of Grayson County, Texas, being 60 x 100 feet.

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 _____, 2014.

ADOPTED on this the _____ day of _____, 2014.

EFFECTIVE DATE on this the _____ day of _____, 2014.

CITY OF SHERMAN, TEXAS

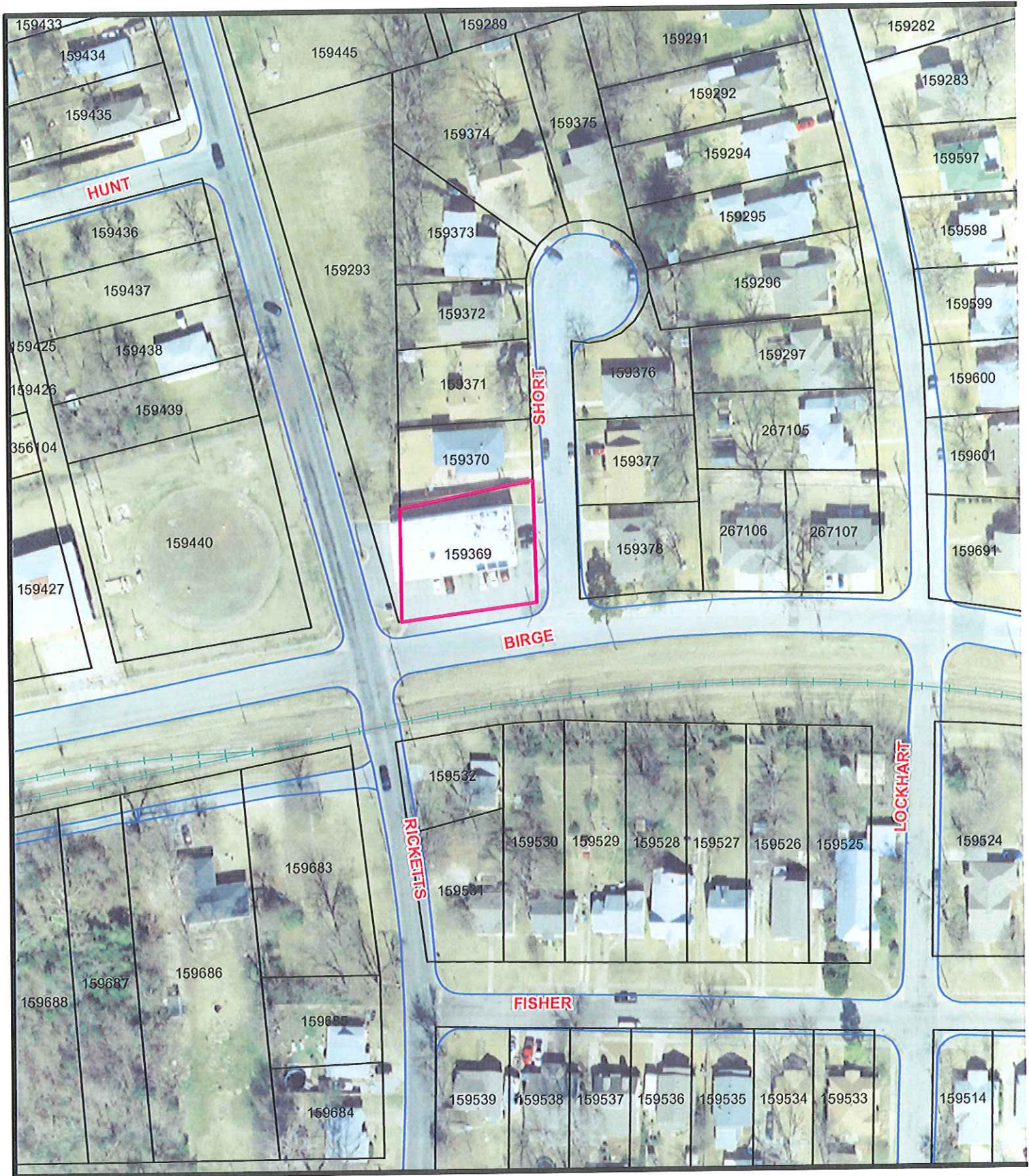
BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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



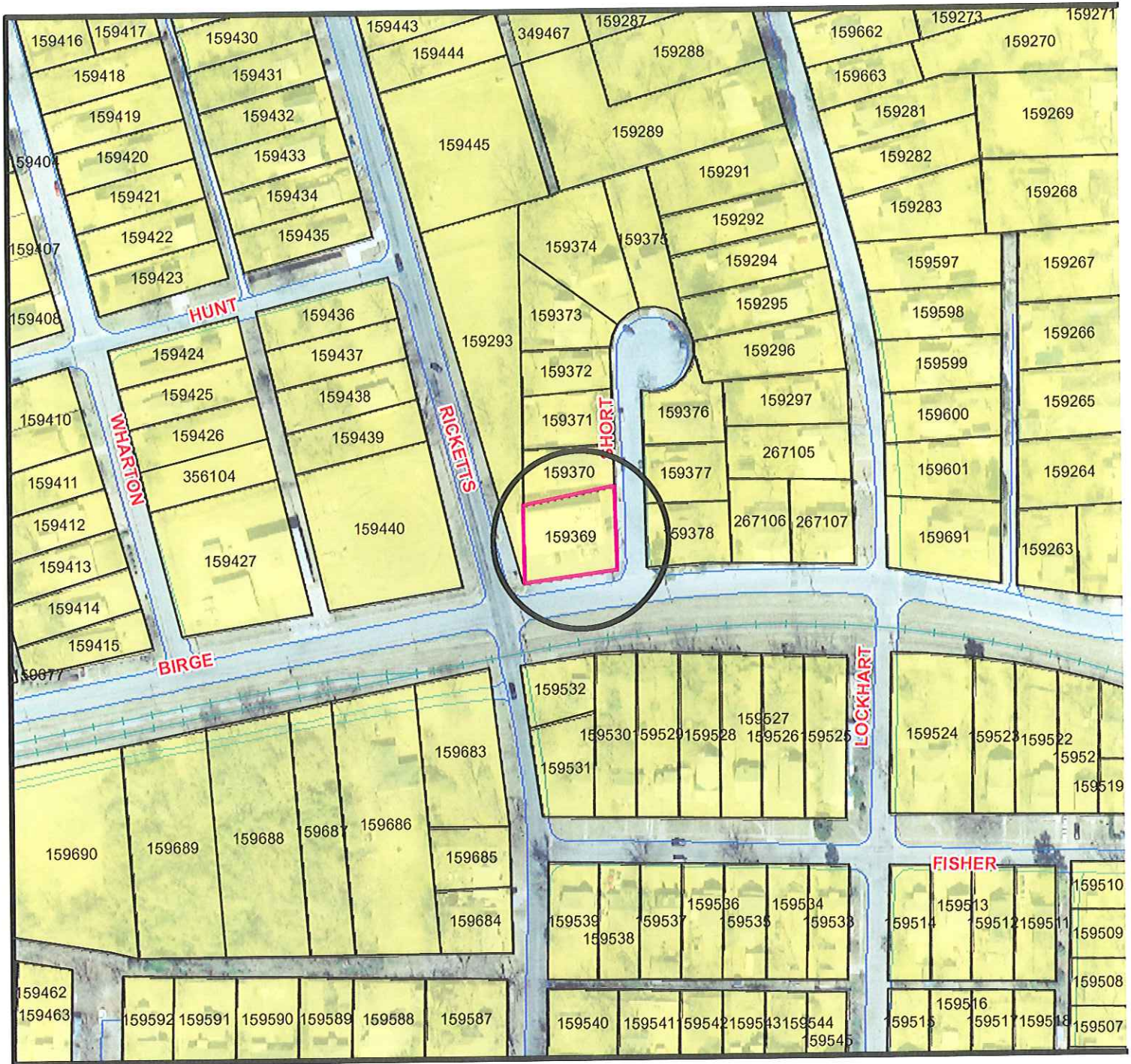
927 & 929 W. Birge

Sherman
CLASSIC TOWN. BROAD HORIZON.



1 inch = 107 feet

City of Sherman, Texas
Developmental Services Department



Zoning - 927 & 929 W. Birge

Legend

- | | |
|--|---|
| --- C L SHERMAN CITY LIMITS | C-1 Retail Business District |
| O 1 HIGHWAY 75 & 82 OVERLAY DISTRICT | C-2 General Commercial District |
| O 1.1 FM 1417 OVERLAY DISTRICT | M-1 Light Manufacturing District |
| O 1.2 SAM RAYBURN FREEWAY OVERLAY DISTRICT | R-A Single Family Agricultural District |
| CBD DOWNTOWN BUSINESS DISTRICT | SF-1 Single Family Residential District |
| CPO COLLEGE PARK OVERLAY DISTRICT | M-1.5 Medium Manufacturing District |
| A & C ARTS & CULTURAL OVERLAY DISTRICT | M-2 Heavy Manufacturing District |
| CO Office District | MH Manufacturing Housing District |
| R-1 One Family Residential District | Blaylock Commercial District |
| R-2 Multi-Family Residential District | BIP Blaylock Industrial Park |

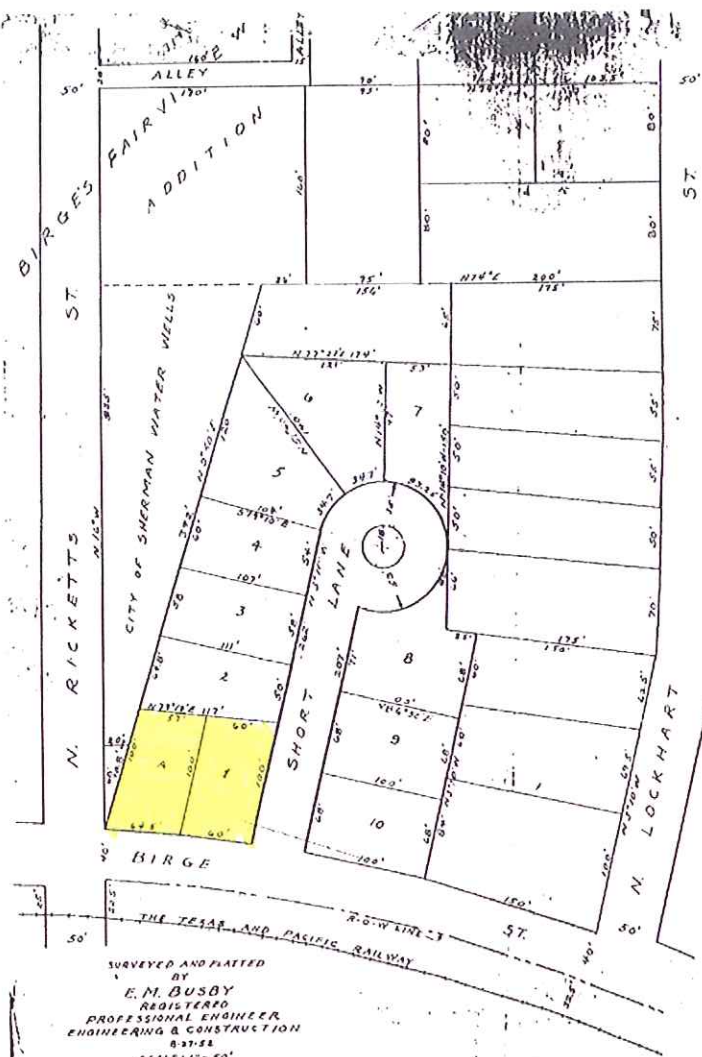
Sherman
CLASSIC TOWN. BROAD HORIZON.



1 inch = 172 feet

927 & 929 W. Birge





10162

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing petition for the establishment of the above described addition, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

This petition was examined and recommended to the City Commission of the City of Sherman, Texas, for approval.

ATTEST: _____
 CITY CLERK
 DATE: 11/15/52
 CITY MANAGER
 DATE: _____
 CITY PLANNING BOARD
 DATE: _____

This plat is this day accepted by the City Commission of the City of Sherman, Texas, by Ordinance passed in regular session this the _____ day of _____, 1952.

ATTEST: _____
 CITY CLERK
 DATE: 11/15/52
 CITY MANAGER
 DATE: _____
 CITY PLANNING BOARD
 DATE: _____

E. L. BENZEL
 ADDITION
 TO
 CITY OF SHERMAN
 TEXAS

NORTH RICKETTS STREET

↔
40

↑
15
14

927
w BIRGE

929
w BIRGE

4000 ☒

PART 10

→ 80 →

← 25 →

50 →

← 25 →

170715 133215

WEST BIRGE





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

Agenda Item No. 6.

Meeting Date: 04/22/2014

Prepared by: Patsy Reeves, Developmental Services Admin Secretary

Approved by: Scott Shadden, Director of Development Services

Commissioners: Don Hicks, Chairman

Joe Gilbert, Vice-Chairman

Brad Morgan, Commissioner

Ron Barton, Commissioner

Ryan Michael Kreck, Commissioner

Sam Thorpe, Commissioner

Ronnie Dutton, Commissioner

Dr. Alan Scheibmeir, Commissioner

Andrew Olmstead, Commissioner

Requested Action/Proposed Use:

927 & 929 W. BIRGE

The request of TX CREI Corporation (Owners) and Andy Beeghly (Representative) concerning the property located at 927 and 929 W. Birge Street, being Lot 1 of the E.L. Benzel Addition and part of 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-O (Office) District.

Background:

The property is located at 927 and 929 W. Birge Street, the northeast corner of Birge and Ricketts Streets. The property has been used as a convenience store and laundrymat/cleaners in the past but is zoned an R-1 (One Family Residential) District which is considered an existing non-conforming use. A request to change the zoning to a C-1 Retail Business District was denied at the May 21, 2013, Planning and Zoning Commission Meeting; it was appealed to the City Council at the June 17, 2013 Meeting; the request was denied.

The prospective buyer would like to change the zoning to a C-O (Office) District.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

TX CREI Corporation (Owners)

Andy Beeghly (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:

21

Objections Received:

0

Attachments

Location Map

Zoning Map

Photo

Plat

Site Plan

Elevations

Staff Review Letter

STAFF REVIEW LETTER

April 16, 2014

TX CREI Corporation
Andy Beeghly, President
3114 Rex Cruse
Sherman, TX 75092

Dear Applicants:

The request for a zone change from an R-1 (One Family Residential) District to a C-O (Office) District concerning the property at 927 and 929 West Birge Street is scheduled to be heard by the Planning and Zoning Board on April 22, 2014 in the City Council Chambers, City Hall at 220 West Mulberry. The meeting will begin at 5:00 P.M.

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-O (Office) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Parking is permitted on paved surfaces only, a parking space is considered to be 9'x20'.
3. All parking shall be on private property and shall not encroach into West Birge or North Ricketts Street right-of-way.
4. Screening is required and to be maintained abutting residentially zoned property.
5. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

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

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

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

Respectfully,



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

CC: George Olson, City Manager
Mark Gibson, Director of Utilities
Clay Barnett, Dir. of Public Works and Engineering

Jamie Baggs, Fire Marshal
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 3.

Meeting Date: 05/19/2014

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved by: George Olson, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 5816 and 5817

List of Agenda Items:

B.1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5816

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the R-2 (Multi-Family Residential) District and C-1 (Retail Business) District in the 5600-5800 Blocks of North FM 1417 (Heritage Parkway) (Grayson County Airport Partners, Rex Glendenning, Owners; Teague Nall & Perkins, Chris Schmitt, Representative; and Helvey & Associates, Inc., Surveyors)

B.2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5817

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-O (Office) District at 927 and 929 West Birge Street (TX CREI Corporation, Owners; and Andy Beeghly, Representative)



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 4.

Meeting Date: 05/19/2014

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved by: George Olson, City Manager

Caption:

CONSENT AGENDA

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

List of Agenda Items:

- C.1. * RESOLUTION NO. 5856**
Authorizing Execution of a Developer's Agreement with West Canyon Creek Estates, LTD. for Construction of Public Facilities in the West Canyon Creek Estates, Section One, to the City of Sherman
 - D.1. * REQUEST TO ADVERTISE**
State Highway 289 Sewerline "A"
 - D.2. * REQUEST TO ADVERTISE**
South Sherman Relief Sewer
 - D.3. * REQUEST TO ADVERTISE**
Cherry Park Pump Station Rehabilitation
 - D.4. * REQUEST TO ADVERTISE**
Eastside Outfall Return Sewer
 - E.2. * OTHER BUSINESS**
Final Plat Approval of Pebblebrook South, Phase II, being 8.663 acres in the Elizabeth Jones Survey, Abstract No. 625; Walt DeRonde, Owner; Greg Edwards Engineering Services, Engineer; and Cox Land Surveying Company, Surveyors (2200-2300 Blocks of Peggey's Cove, 2200-2300 Blocks of Southridge Lane, and 3400-3500 Blocks of Dartmouth Lane)
-



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 1.

Meeting Date: 05/19/2014

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

Approved By: George Olson, City Manager

Caption:

*** RESOLUTION NO. 5856**

Authorizing Execution of a Developer's Agreement with West Canyon Creek Estates, LTD. for Construction of Public Facilities in the West Canyon Creek Estates, Section One, to the City of Sherman

Issue:

The construction of public facilities in the West Canyon Creek Estates, Section One, to the City of Sherman

Background:

West Canyon Creek Estates, LTD. proposes to construct the West Canyon Creek Estates, Section One, which includes the construction of streets, drainage, water mains and sanitary sewer.

Origination:

Department of Engineering & Public Works

Financial Consideration:

None

Staff Recommendation:

Staff recommends approval of the Developer's Agreement.

Alternatives:

As directed by the City Council

Attachments

Resolution No. 5856

Developer's Agreement

Exhibit "A"

RESOLUTION NO. 5856

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPER'S AGREEMENT WITH WEST CANYON CREEK ESTATES, LTD. FOR CONSTRUCTION OF PUBLIC FACILITIES IN THE WEST CANYON CREEK ESTATES, SECTION ONE, TO 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 a Development Agreement with West Canyon Creek Estates, LTD. for the construction of public facilities in the West Canyon Creek Estates, Section One, to the City of Sherman, Grayson County, Texas, in the same or substantially same form as the contract documents to be 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 _____, 2014.

CITY OF SHERMAN, TEXAS

BY: _____
CAROLYN S. WACKER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

STATE OF TEXAS §
 §
COUNTY OF GRAYSON §

**DEVELOPMENT AGREEMENT BETWEEN
THE CITY OF SHERMAN AND WEST CANYON CREEK ESTATES, LTD.**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this 19th day of May, 2014 (the "Effective Date"), by and among the City of Sherman ("City"), a municipal corporation organized under the laws of the State of Texas, and WEST CANYON CREEK ESTATES, LTD. ("Developer"), A Texas Limited Partnership.

WITNESSETH:

WHEREAS, City recognizes the importance of its continued role in local economic development; and

WHEREAS, Developer is developing a portion of the City and making improvements to the City; and

WHEREAS, Developer owns or controls lands located in Sherman, Texas, and described in the final plat submitted to the City by the Developer as West Canyon Creek Estates, Section One, and attached hereto and made a part hereof as if fully set out in this paragraph as Exhibit "A" and hereinafter referred to as the "Property", and Developer intends to develop the Property by constructing improvements thereon; and

WHEREAS, the Developer desires that the City accept the dedication of the streets, utilities, and other improvements as reflected on the plans and specifications submitted by the Developer as a part of the public facilities of the City, as indicated in Paragraph 2 of Article I; and

WHEREAS, the Developer will reconstruct Shady Oaks Lane from the south line of Canyon Creek Drive to the north line of the West Canyon Creek Estates to City standards, at the Developer's sole cost and the City shall, at its sole discretion, cost and expense, reconstruct the portion of Shady Oaks Lane from the south line of Canyon Creek Drive to the south line of the West Canyon Creek Estates to City standards; and

WHEREAS, the CITY is willing to provide, in accordance with the provisions of this Agreement and the prevailing state and local laws, city services to the Property and thereafter operate applicable facilities so that the occupants of the improvements on the Property will receive City services;

NOW, THEREFORE, in consideration of the mutual covenants and obligations herein, the parties agree as follows:

ARTICLE I.
SPECIFIC CONTRACT PROVISIONS

1. **Assurance of Title:** At the time of execution of this Agreement, the Developer agrees to deliver to City a copy of a Title Insurance Policy, or an opinion of title from a qualified attorney-at-law addressed to the City in a form and substance satisfactory to City with respect to the Property, which opinion shall include a current report on the status of the title, setting out the name of the legal title holders, the outstanding mortgages, taxes, liens and covenants. The provisions of this paragraph are for the purpose of evidencing Developer's legal right to grant the exclusive rights of service contained in this Agreement.
2. **Assurance of Accuracy of Documents:** Developer has caused the subdivision plat of the Property (the "plat") and all plans and specifications (the "plans") for the streets, utilities and other improvements to be developed on the Property (collectively the "Project") as part of the public facilities of the City, to be prepared by a Registered Professional Engineer and that Plat and Plans accurately depict such subdivision and the improvements comprising the Project. Developer understands that the City will rely on the accuracy of the Plat and Plans in making its determination as to whether the documents comply with all City ordinances, state and federal law.
3. **Development Documents:** Upon the execution of this Agreement, Plat, Plans, and orders of the City Planning and Zoning Commission and the City Council, made in connection with the approval of the subdivision depicted on the Plat (hereinafter the "Subdivision") are confirmed, ratified, and agreed upon by both parties and attached hereto as Exhibit "B". Developer agrees to comply with such orders and Ordinance No. 2684, and any amendments as of the date of the execution of the contract, as applicable to the Subdivision; and all of the work of the Project will be done under the supervision of the City Engineer (as defined in Paragraph 8 of this Article) to City standards, and in accordance with applicable City regulations. The Plat, Plans, orders of the City Planning and Zoning Commission, and the City Council and Ordinance No. 2684 (hereinafter collectively referred to as the "Development Documents") are incorporated into this Agreement a part thereof for all purposes.
4. **Delivery of Improvements:** The Developer will pay for and deliver to the City free and clear of all liens and costs, all of the improvements provided in the Development Documents.
5. **Performance Bond:** No work shall be performed within the Subdivision until the Developer presents to the City Manager a satisfactory Performance Bond and a Payment Bond, as provided by Chapter 2253 of the Texas Government Code, from the Contractor in favor of the Developer and the City. Such bond shall be made for 100% of the contract price for all streets and utilities and public works to be installed in the Subdivision, and shall be in a form containing all other provisions set forth in Chapter 2253 of the Texas Government Code, including, but not limited to, Section 2253.021 of that Chapter.

6. **Failure to Complete Development:** If the Developer does not complete the Improvements contained in the Development Documents on or before June 1, 2010, City may, at its election, use the Performance Bond to complete such Improvements. The date in this Paragraph may be extended by the mutual agreement of the parties. Such extension shall be in writing, as provided in Paragraph 13 of Article II.
7. **Availability of Public Facilities:** No public facilities will be made available to any lot within any segment of this Subdivision until the work on each segment is performed and approved as agreed upon in this Agreement.
8. **Registered Civil Engineer:** All of the plans and specifications for the improvements herein mentioned in the Development Documents, shall be prepared by a Registered Professional Civil Engineer, and all of the improvements shall be built under the supervision of such engineer, and the engineer shall certify to the City that, as each segment is built, such segment as built is true and correct in accordance with the plans and specifications, and that the same was built under his supervision, and the certificate shall be signed and sealed by such engineer. All of the expense of such engineering shall be paid for by the Developer.
9. **City Engineer:** Before work is begun on any improvement, the City Engineer shall designate a person, hereinafter identified as "City Engineer," who shall be notified and arrangements made for inspection by the City Engineer at such stages of construction as required by him, and no improvement constructed underground shall be covered by the Developer until inspected by the City Engineer and approved by him. At any time any construction is contrary to the plans and specifications, the City Engineer shall be, and is, empowered to stop construction and require correct construction and installation at the Developer's risk and without liability to the City.
10. **Coordination of Work:** The work will be coordinated between the City and the Developer so that the utilities will be in place before the permanent improvements are installed.
11. **Utility Arrangements:** The Developer will make its own arrangements with gas, electric, and telephone service providers for extensions of their utilities, and upon complying with this Agreement, the City utilities will be furnished.
12. **Fees:** Other fees normally charged by the City for building permits, water taps, service connections, and similar fees will be paid as required to the City by the Developer.
13. **Guarantee or Maintenance Bond:**
 - A. If, within one year after the acceptance, defects should appear in the materials or workmanship, the Developer shall have such defects promptly repaired at its own expense, and shall leave the work as intended by the plans and specifications. This guarantee will apply to all parts of the work which have been accepted by the City.

- B. Instead of the Guarantee set for in subparagraph (A) of this paragraph, Developer may provide a Maintenance Bond to the City at the time of final acceptance of the improvements by the City Engineer. The Bond shall name the City as an obligee under the bond and the bond shall provide a one (1) year guarantee on all the improvements contained in the Development Documents.

14. **WAIVER OF RIGHTS UNDER STATE LAW:**

- A. Developer understands that, pursuant to Section 212.904 of the Texas Local Government Code, the developer is entitled to an apportionment of the municipal infrastructure cost and that such apportionment must be done by a professional engineer. Developer hereby agrees that any land or property it donates to the City, as reflected on the Final Plat, is roughly proportionate to the need for such land. Developer further acknowledges and agrees that all prerequisites to such a determination of rough proportionality have been met, and that any costs incurred relative to said donation are related both in nature and extent to the impact of the development of the Property and its needs related thereto. BY MY SIGNATURE ON THIS AGREEMENT, DEVELOPER HEREBY FREELY, KNOWINGLY AND VOLUNTARILY WAIVES ITS RIGHTS UNDER SECTION 212.904 OF THE TEXAS LOCAL GOVERNMENT CODE, OR ANY OTHER RELATED CLAIMS. DEVELOPER AGREES THAT THE DEVELOPER'S AGREEMENT MAY PROCEED WITHOUT THE REQUIREMENTS IMPOSED ON THE CITY UNDER SECTION 212.904 OF THE TEXAS LOCAL GOVERNMENT CODE, EXCEPT DEVELOPER SPECIFICALLY RESERVES ITS RIGHT TO APPEAL THE APPORTIONMENT IN ACCORDANCE WITH SECTION 212.904 OF THE TEXAS LOCAL GOVERNMENT CODE. I CONSENT TO THIS WAIVER AFTER HAVING THE OPPORTUNITY TO REVIEW THIS AGREEMENT AND WAIVER PROVISION WITH MY ATTORNEY, OR IF I HAVE NOT REVIEWED THIS WITH AN ATTORNEY, THAT I HAVE HAD THE OPPORTUNITY TO DO SO AND HAVE VOLUNTARILY CHOSEN NOT TO SEEK THE ADVICE OF AN ATTORNEY.
- B. BOTH DEVELOPER AND THE CITY FURTHER AGREE TO WAIVE AND RELEASE ALL CLAIMS ONE MAY HAVE AGAINST THE OTHER RELATED TO ANY AND ALL ROUGH PROPORTIONALITY AND INDIVIDUAL DETERMINATION REQUIREMENTS MANDATED BY *DOLAN V. TOWN OF TIGARD*, 512 U.S. 374 (1994), AND ITS PROGENY, AND WELL AS ANY OTHER REQUIREMENTS OF A NEXUS BETWEEN THE DEVELOPMENT CONDITIONS AND THE PROJECTED IMPACT OF THE FOREGOING, INCLUDING ALL DEDICATIONS OF LAND, PARKLAND, AND ANY INFRASTRUCTURE REFERENCED HEREIN. I CONSENT TO THIS WAIVER AFTER HAVING THE OPPORTUNITY TO REVIEW THIS AGREEMENT AND WAIVER PROVISION WITH MY ATTORNEY, OR IF I HAVE NOT REVIEWED THIS WITH AN ATTORNEY, THAT I HAVE HAD THE OPPORTUNITY TO DO SO AND HAVE VOLUNTARILY CHOSEN NOT TO SEEK THE ADVICE OF AN ATTORNEY.

15. **Other Provisions:**

- A. Upon Completion of the Subdivision one electronic copy and one set of reproducible "Record" drawings will be supplied to the City.
- B. The Developer shall pay to the City an engineering plan review, inspection, and testing fee of \$5,106.83.
- C. Developer agrees that the development, as set forth in the Contract Documents, will comply with all federal, state and local laws relating to the discharge of storm water upon completion of the development.
- D. Developer and City agree that any and all goods and services relative to infrastructure dedicated to the City are exempt from state and local sales tax in accordance with Texas Tax Code §§151.309 and 151.311.

ARTICLE II.

GENERAL CONTRACT PROVISIONS

- 1. **Force Majeure.** If the performance of any of the parties hereto is delayed by reason of war, civil commotion, acts of God, inclement weather, unanticipated subsurface conditions, fire or other casualty, court injunction or any circumstances which are reasonably beyond the control of the party obligated or permitted under the terms of this Agreement to do or perform the same, regardless of whether any such circumstance is similar to any of those enumerated or not, the party so obligated or permitted shall be excused from doing or performing the same during such period of delay, so that the time period applicable to such design or construction requirement shall be extended for a period of time equal to the period such party was delayed. The terms above shall not apply to extend the time permitted for any payment obligations set forth in this Agreement.
- 2. **INDEMNIFICATION AND HOLD HARMLESS.** TO THE MAXIMUM EXTENT PERMITTED BY LAW, DEVELOPER OBLIGATES ITSELF TO THE CITY TO FULLY AND UNCONDITIONALLY PROTECT, INDEMNIFY AND DEFEND THE CITY, ITS OFFICERS, AGENTS AND EMPLOYEES, AND HOLD IT HARMLESS FROM AND AGAINST ANY AND ALL COSTS, EXPENSES, REASONABLE ATTORNEY FEES, CLAIMS, SUITS, LOSSES OR LIABILITY FOR INJURIES TO PROPERTY, INJURIES TO PERSONS (INCLUDING DEVELOPERS EMPLOYEES), INCLUDING DEATH, AND FROM ANY OTHER COSTS, EXPENSES, REASONABLE ATTORNEY FEES, CLAIMS, SUITS, LOSSES OR LIABILITIES OF ANY AND EVERY NATURE WHATSOEVER ARISING IN ANY MANNER, DIRECTLY OR INDIRECTLY, OUT OF OR IN CONNECTION HERewith, REGARDLESS OF CAUSE OR OF THE SOLE, JOINT, COMPARATIVE OR CONCURRENT NEGLIGENCE OR GROSS NEGLIGENCE OF DEVELOPER, ITS OFFICERS, AGENTS OR EMPLOYEES. THIS INDEMNIFICATION AND SAVE HARMLESS SHALL APPLY TO ANY IMPUTED OR ACTUAL JOINT

ENTERPRISE LIABILITY. This indemnity does not waive any governmental immunity available to the City under Texas law and does not waive any defenses of the parties under Texas law.

3. **Authority to Bind.** Each general partner or member executing this Agreement on behalf the Developer represents that, by executing this Agreement in such capacity, it acts within the scope of its authority and does not exceed the bounds of its authority to act to bind such party regarding the obligations and assurances contained in this Agreement. City represents that the execution of this Agreement as provided below has been duly authorized by the City Council as provided in the Approval Resolution.
4. **Events of Default.** A default shall exist if either party fails to perform or observe any material covenant contained in this Agreement. The non-defaulting party shall immediately notify the defaulting party in writing upon becoming aware of any change in the existence of any condition or event which would constitute a default or, with the giving of notice or passage of time, or both, would constitute a default under this Agreement. Such notice shall specify the nature and the period of existence thereof and what action, if any, the notifying party requires or proposes to require with respect to curing the default.
5. **Remedies Available to City.** If a default by Developer shall occur and continue, after thirty (30) day's notice to cure default, City may, at its option, pursue any and all remedies it may be entitled to, at law or in equity, in accordance with Texas law and including using the Performance Bond to complete the work, without the necessity of further notice to or demand upon Developer. City shall not, however, have the right to exercise such remedies for so long as Developer proceeds in good faith and with due diligence to remedy and correct the default, provided that Developer has commenced to cure such default within thirty (30) days following notice, pursues such cure with reasonable diligence and completes such cure within one hundred eighty (180) days.
6. **No Waiver of Defenses.** Nothing in this Agreement shall be construed or intended to waive any defenses available to the City, including, but not limited to, governmental immunity.
7. **Venue and Governing Law.** This Agreement is performable in Grayson County, Texas and venue of any action arising out of this Agreement shall be exclusively in Grayson County. This Agreement shall be governed and construed in accordance with the laws of the State of Texas.
8. **Notices.** Any notice required by this Agreement shall be deemed to be properly served (i) three (3) days following deposit if deposited in the U.S. mail by certified letter, return receipt requested; (ii) on the next business day if sent by nationally recognized overnight delivery service; or (iii) upon receipt if transmitted by facsimile or electronic transmission, addressed to the recipient at the recipient's address shown below, subject to the right of either party to designate a different address by notice given in the manner just described.

CITY:

DESIGNEE: Clay Barnett, P.E.
ADDRESS: 220 W. Mulberry Street
Sherman, TX 75090
PHONE: 903-892-4547
FAX: 903-870-7802

DEVELOPER:

DESIGNEE: Dr. J.M. Szabuniewicz
ADDRESS: 1951 Fort Worth Highway, Ste. 105,
Weatherford, 76086
PHONE: 817-771-9526
FAX: 817-989-8500

9. **Legal Construction.** In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be considered as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.
10. **Counterparts.** This Agreement may be executed in any number of counterparts, which may be transmitted originally or electronically, each of which shall be deemed an original and constitute one and the same instrument.
11. **Captions.** The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.
12. **Successors and Assigns.** The terms and conditions of this Agreement are binding upon the successors and assigns of all parties hereto, provided, however, this Agreement shall not be assigned by Developer without prior written approval by the City Manager of the City, which approval shall not be unreasonably withheld or delayed. City may assign or delegate any of its rights or obligations under this Agreement but the same shall not constitute a novation.
13. **Entire Agreement.** This Agreement embodies the complete agreement of the parties hereto, superseding all oral or written previous and contemporary agreements between the parties and relating to matters in this Agreement, and except as otherwise provided herein cannot be modified without written agreement of the parties to be attached to and made a part of this Agreement.

14. **Interpretation of Agreement.** This is negotiated Agreement. If any part of this Agreement is in dispute, the parties stipulate that the Agreement shall not be construed more favorably for either party.

IN WITNESS WHEREOF, parties have caused this Agreement to be executed in duplicate this ____ day of _____ 2014, with an original to each party.

Developer: WEST CANYON CREEK ESTATES, LTD.

Canyon Creek GP, Inc., its General Partner

BY: _____

NAME: **Dr. J.M. Szabuniewicz**

1951 Fort Worth Highway, Ste. 105,
Weatherford, 76086

TITLE: **President**

ATTEST:

BY: _____

NAME: Sharon Kimsey

TITLE: Asst. Secretary

Developer: WEST CANYON CREEK ESTATES, LTD.

Canyon Creek GP, Inc., its General Partner

BY: _____

NAME: **Roger Allred**

1951 Fort Worth Highway, Ste. 105,
Weatherford, 76086

TITLE: **Vice President**

ATTEST:

BY: _____

NAME: Sharon Kimsey

TITLE: Asst. Secretary

CITY: **CITY OF SHERMAN**

BY: _____

NAME: George Olson

TITLE: City Manager

ATTEST: **BY:** _____

NAME: Linda Ashby

TITLE: City Clerk

APPROVAL RECOMMENDED:

Clay Barnett, P.E. / Director of Public Works & Engineering

APPROVED AS TO FORM:

Brandon S. Shelby, City Attorney

NOTE: ACCORDING TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FEDERAL INSURANCE ADMINISTRATION FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER: 48181 C 0270 F EFFECTIVE DATE: SEPTEMBER 20, 2010 THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD AREA.

NOTE: PROPERTY CURRENTLY ZONED R-1 SINGLE FAMILY RESIDENTIAL
NOTE: SUBJECT TO DEED RESTRICTIONS FILED SEPARATELY

LIENHOLDER

Signature of Lien holder

This the _____ day of _____, 2014.

Notary Public, State of Texas

HENRY BROWN SURVEY
ABSTRACT No. 86

THE STATE OF TEXAS)
COUNTY OF GRAYSON)

KNOW ALL MEN BY THESE PRESENTS:

THAT I, DAVID HARLAN, JR., do hereby certify that I prepared This plat from an actual and accurate survey of the land and that The corner monuments shown thereon were properly placed Under my personal supervision, in accordance with the subdivision Regulations of the City of Sherman, Texas

Registered Professional Land Surveyor, No. 2074
February, 2014



THE STATE OF TEXAS)
COUNTY OF GRAYSON)

Approved this _____ day of _____, 2014,
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, City of Sherman, Texas Date

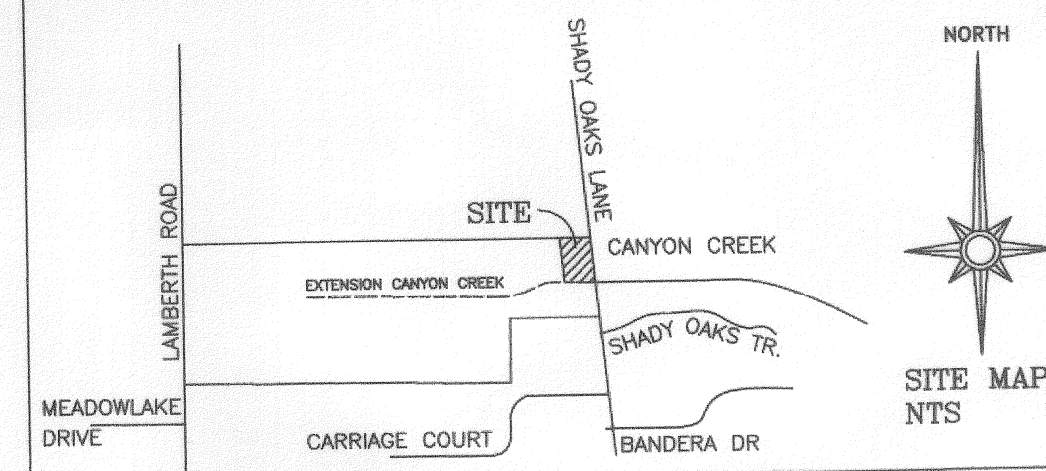
The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing final of WEST CANYON CREEK ESTATES, SECTION 1, to the City of Sherman was submitted to the City Council on the _____ day of _____, 2014, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements, and public places, as shown and set forth in the upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this _____ day of _____, A.D. 2014.

City Clerk, City of Sherman, Texas

NOTE:
BASE BEARING FROM EXTENTION OF
CENTERLINE OF CANYON CREEK DRIVE

DEVELOPER
WEST CANYON CREEK ESTATES, LP
1951 FORT WORTH HIGHWAY, STE. 105
WEATHERFORD, TEXAS 76086



STATE OF TEXAS)
COUNTY OF GRAYSON)

WHEREAS, WEST CANYON CREEK ESTATES, LP, (Volume 5410, Page 640), acting by and through its duly authorized agent, being the sole owner of 2.29 Acres situated in and being a portion of a 111.56 Acres in the JAMES H. VADEN SURVEY, ABSTRACT No. 1288, City of Sherman, Grayson County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the north line of said 111.56 Acre Tract, said point being called by deed to be N 88°15'51" E, 3357.34 feet from the southwest corner of the Henry Brown Survey, Abstract No. 86, Grayson County, Texas;

THENCE N 88°15'31" E, with the north line of said 111.56 Acre Tract Tract, 167.84 feet to an iron rod found at the northeast corner of said 111.56 Acre Tract and in the west line of Shady Oaks Lane, a 60 foot right of way;
THENCE S 04°17'51" E, with the west line of said Shady Oaks Lane, 592.33 feet to an iron rod set;
THENCE S 85°42'09" W, 167.68 feet to an iron rod set;
THENCE N 04°17'51" W, 599.82 feet to the POINT OF BEGINNING and containing 2.29 acres (99,948 square feet) of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
THAT, WEST CANYON CREEK ESTATES, LP, acting by and through its duly authorized agent, does hereby adopt this plat designating the hereinabove described real property as WEST CANYON CREEK ESTATES, SECTION 1, LOTS 1 THROUGH 4, BLOCK 1 AND LOT 1, BLOCK 2, TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, Being 2.29 Acres situated in and being a portion of the James H. Vaden Survey, Abstract No. 1288, City of Sherman, Grayson County, Texas and does hereby dedicate to the public's use forever, the streets, alleys, parks, right-of-ways, school sites and other public places, easements shown thereon.

WITNESS my hand at _____, Grayson County,
Texas this _____ day of _____, 2014.

Authorized Agent

STATE OF TEXAS)
COUNTY OF GRAYSON)

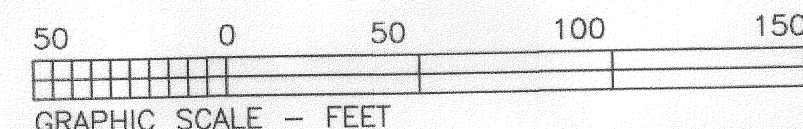
BEFORE ME, the undersigned authority, on this day personally appeared _____ known to me by the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on
this the _____ day of _____, 2014

Notary Public in and for the State of Texas

My Commission Expires On:

FINAL PLAT
WEST CANYON CREEK ESTATES, SECTION 1
LOTS 1 - 4, BLOCK 1 & LOT 1, BLOCK 2
AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
2.29 ACRES SITUATED IN AND BEING A PORTION
OF THE JAMES H. VADEN SURVEY, ABSTRACT No. 1288
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS



SCALE: 1" = 50'

HARLAN LAND SURVEYING, INC.
106 EUREKA STREET
WEATHERFORD, TX 76086
METRO(817)596-9700-(817)599-0880
FAX: METRO(817) 341-2833



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 1.

Meeting Date: 05/19/2014

Prepared By: Mark Gibson, Director of Utilities

Approved By: George Olson, City Manager

Caption:

*** REQUEST TO ADVERTISE**

State Highway 289 Sewerline "A"

Issue:

Permission to advertise for bids for the construction of the State Highway 289 Sewerline "A" project in far northwest Sherman

Background:

The current Capital Improvement Program contains a project to extend sewer to the intersection of State Highway 289 and U.S. Highway 82 in northwest Sherman.

Origination:

Department of Utilities Administration

Financial Consideration:

The project will be funded in this year's Capital Improvement Program through the Sherman Economic Development Corporation (SEDCO) on behalf of Sherman. The cost of advertising is expected to be about \$200.00.

Staff Recommendation:

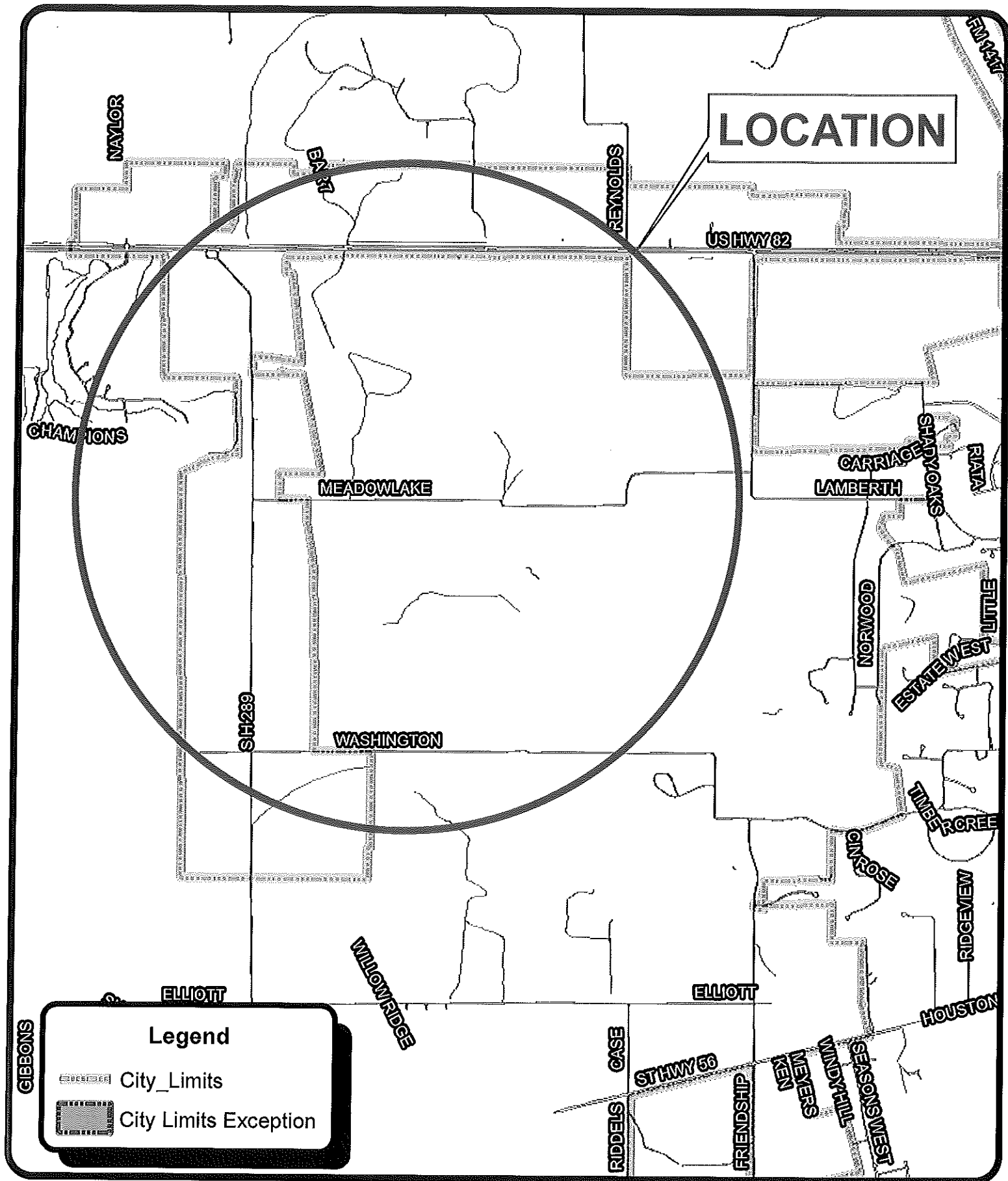
It is recommended that the City Council authorize the staff to advertise the project for bid.

Alternatives:

As may be directed by the City Council

Attachments

Location Map



Sherman
 ENGINEERING DEPT.
 220 W. MULBERRY
 SHERMAN, TX 75090

LOCATION MAP STATE HIGHWAY 289 SEWERLINE "A"

1 inch = 3,163 feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 2.

Meeting Date: 05/19/2014

Prepared By: Mark Gibson, Director of Utilities

Approved By: George Olson, City Manager

Caption:

*** REQUEST TO ADVERTISE**

South Sherman Relief Sewer

Issue:

Permission to advertise for bids for the construction of the South Sherman Relief Sewer

Background:

The current Capital Improvement Program contains a project to replace a major trunk sewer in south Sherman immediately upstream from the Wastewater Treatment Plant. Plans and specifications are being finalized.

Origination:

Department of Utilities Administration

Financial Consideration:

The project will be funded in this year's Capital Improvement Program through bonds issued by the Greater Texoma Utility Authority (GTUA) on behalf of the City of Sherman. The cost of advertising is expected to be around \$200.00.

Staff Recommendation:

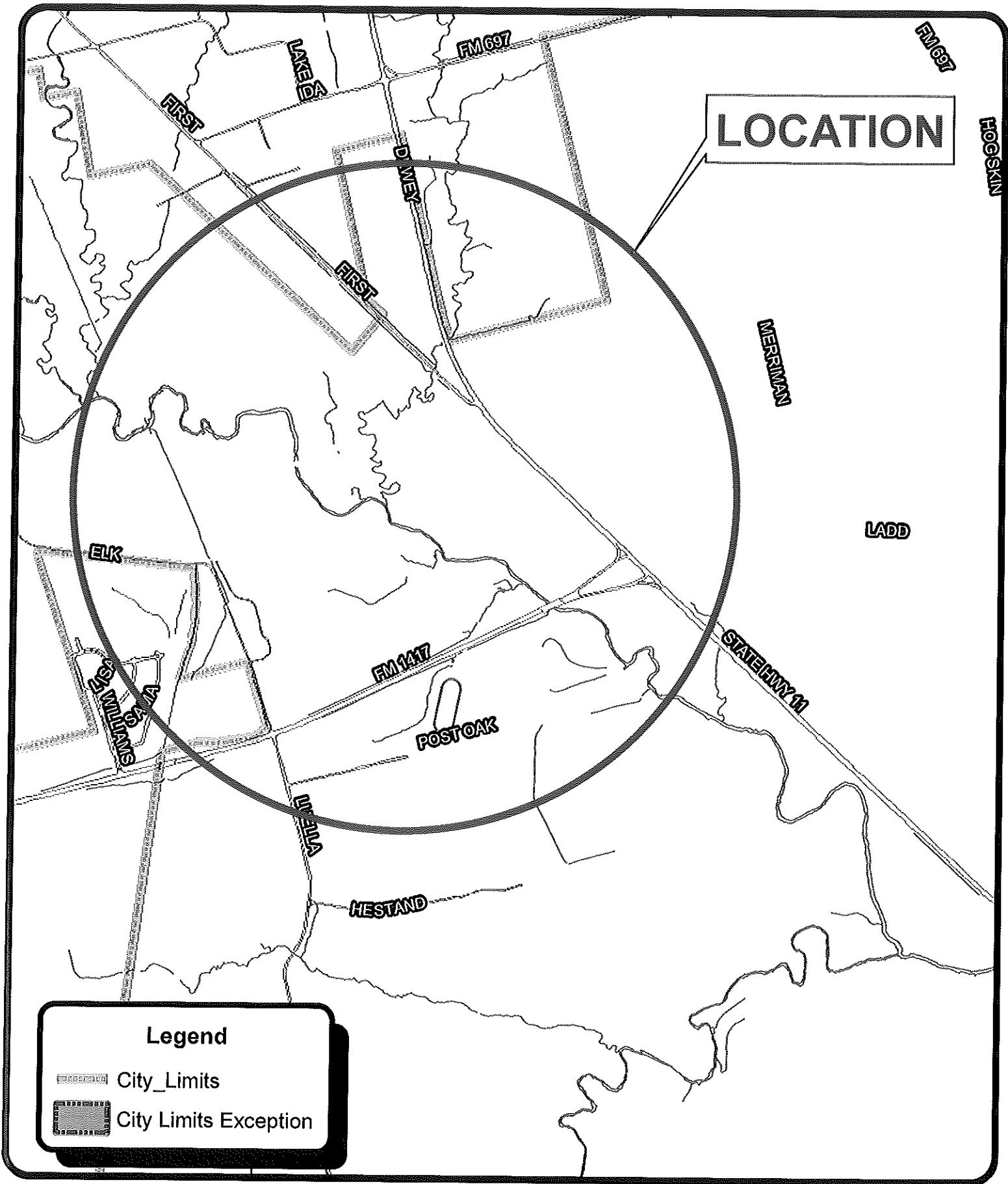
It is recommended that the City Council authorize this staff to advertise the project for bid.

Alternatives:

As may be directed by the City Council

Attachments

Location Map



Sherman
ENGINEERING DEPT.
220 W. MULBERRY
SHERMAN, TX 75090

LOCATION MAP
SOUTH SHERMAN RELIEF SEWER
1 inch = 1,500 feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 3.

Meeting Date: 05/19/2014

Prepared By: Mark Gibson, Director of Utilities

Approved By: George Olson, City Manager

Caption:

*** REQUEST TO ADVERTISE**

Cherry Park Pump Station Rehabilitation

Issue:

Permission to advertise for bids for the Cherry Park Pump Station Rehabilitation project

Background:

The current Capital Improvement Program contains a project for the well rehabilitation, and pump and pipe replacement at the Cherry Park well site and pump station.

Origination:

Department of Utilities Administration

Financial Consideration:

The cost of advertising is expected to be about \$200.00. The project will be financed through the City's Utility fund.

Staff Recommendation:

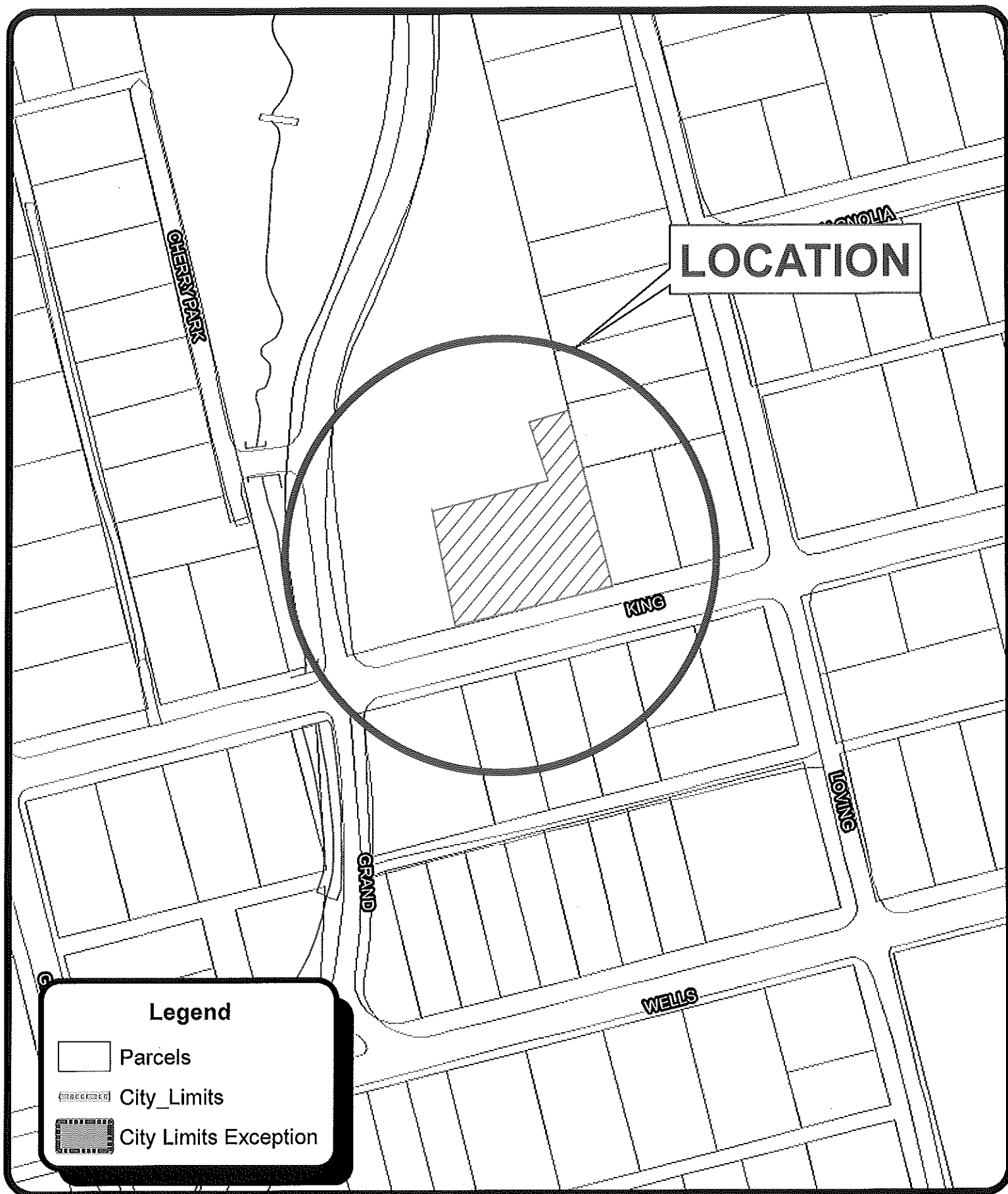
It is recommended that the City Council authorize the staff to advertise the project for bid.

Alternatives:

As may be directed by the City Council

Attachments

Location Map





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 4.

Meeting Date: 05/19/2014

Prepared By: Mark Gibson, Director of Utilities

Approved By: George Olson, City Manager

Caption:

*** REQUEST TO ADVERTISE**

Eastside Outfall Return Sewer

Issue:

Permission to advertise for bids for the construction of the Eastside Outfall Return Sewer in Southeast Sherman

Background:

The current Capital Improvement Program contains a project to replace an existing trunk sewer in Southeast Sherman.

Origination:

Department of Utilities Administration

Financial Consideration:

The project will be funded in this year's Capital Improvement Program through bonds issued by the Greater Texoma Utility Authority (GTUA) on behalf of the City of Sherman. The cost of advertising is expected to be about \$200.00.

Staff Recommendation:

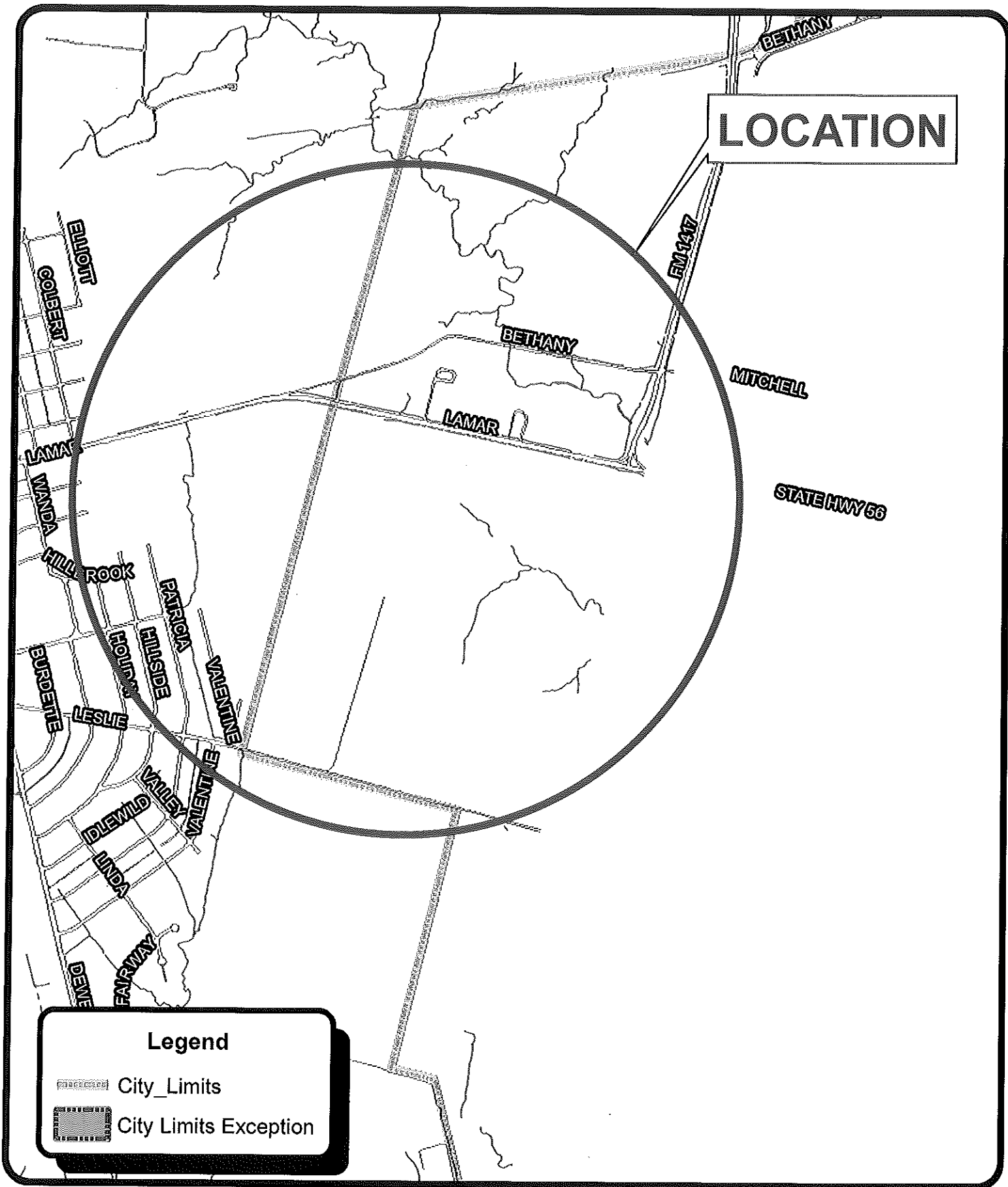
It is recommended that the City Council authorize the staff to advertise the project for bid.

Alternatives:

As may be directed by the City Council

Attachments

Location Map



Sherman
ENGINEERING DEPT.
220 W. MULBERRY
SHERMAN, TX 75090

**LOCATION MAP
EASTSIDE OUTFALL RETURN SEWER**

1 inch = 1,500 feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. E. 1.

Meeting Date: 05/19/2014

Prepared By: Otis Henry, Police Chief

Approved By: George Olson, City Manager

Caption:

OTHER BUSINESS

Receive Police Chief Otis Henry's Presentation on Texting/Distracted Driving

Issue:

Councilman Tom Watt requested the staff research and bring forward information regarding the feasibility of enacting a texting while driving (distracted driving) ordinance.

Background:

Currently there is no uniform state law in Texas banning the use of cell phones. Multiple Texas cities have enacted no texting/distracted driving ordinances, each having their own variations of restrictions and enforcement criteria. This presentation is an overview of the issues and concerns regarding texting and distracted driving.

Origination:

City Councilman Tom Watt

Financial Consideration:

There is no financial impact to be considered.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. E. 2.

Meeting Date: 05/19/2014

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: George Olson, City Manager

Caption:

*** OTHER BUSINESS**

Final Plat Approval of Pebblebrook South, Phase II, being 8.663 acres in the Elizabeth Jones Survey, Abstract No. 625; Walt DeRonde, Owner; Greg Edwards Engineering Services, Engineer; and Cox Land Surveying Company, Surveyors (2200-2300 Blocks of Peggey's Cove, 2200-2300 Blocks of Southridge Lane, and 3400-3500 Blocks of Dartmouth Lane)

Issue:

To consider Final Plat approval of Pebblebrook South, Phase II; being 8.663 acres in the Elizabeth Jones Survey, Abstract No. 625

Background:

The property is located in the 2200-2300 Blocks of Peggey's Cove, 2200-2300 Blocks of Southridge Lane, and 3400-3500 Blocks of Dartmouth Lane in the Pebblebrook subdivision off FM 1417 South (Heritage Parkway). The owner would like to plat the property into forty-six (46) lots for residential development.

Origination:

Walt DeRonde (Owner)
Greg Edwards Engineering Services (Engineer)
Cox Land Surveying Company (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the April 22, 2014 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

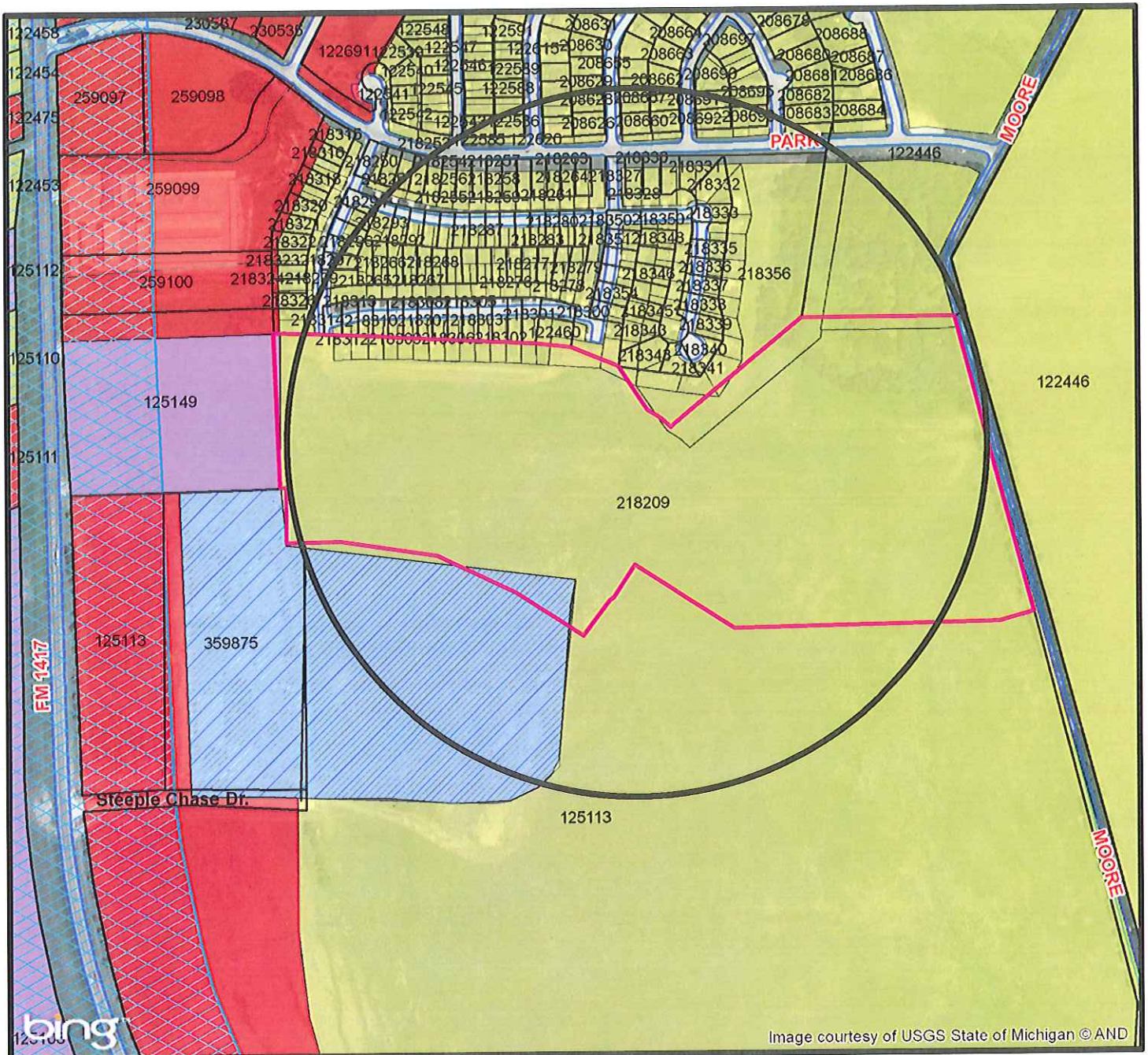
Location Map

Zoning Map

Final Plat

P&Z Communication

Staff Review Letter

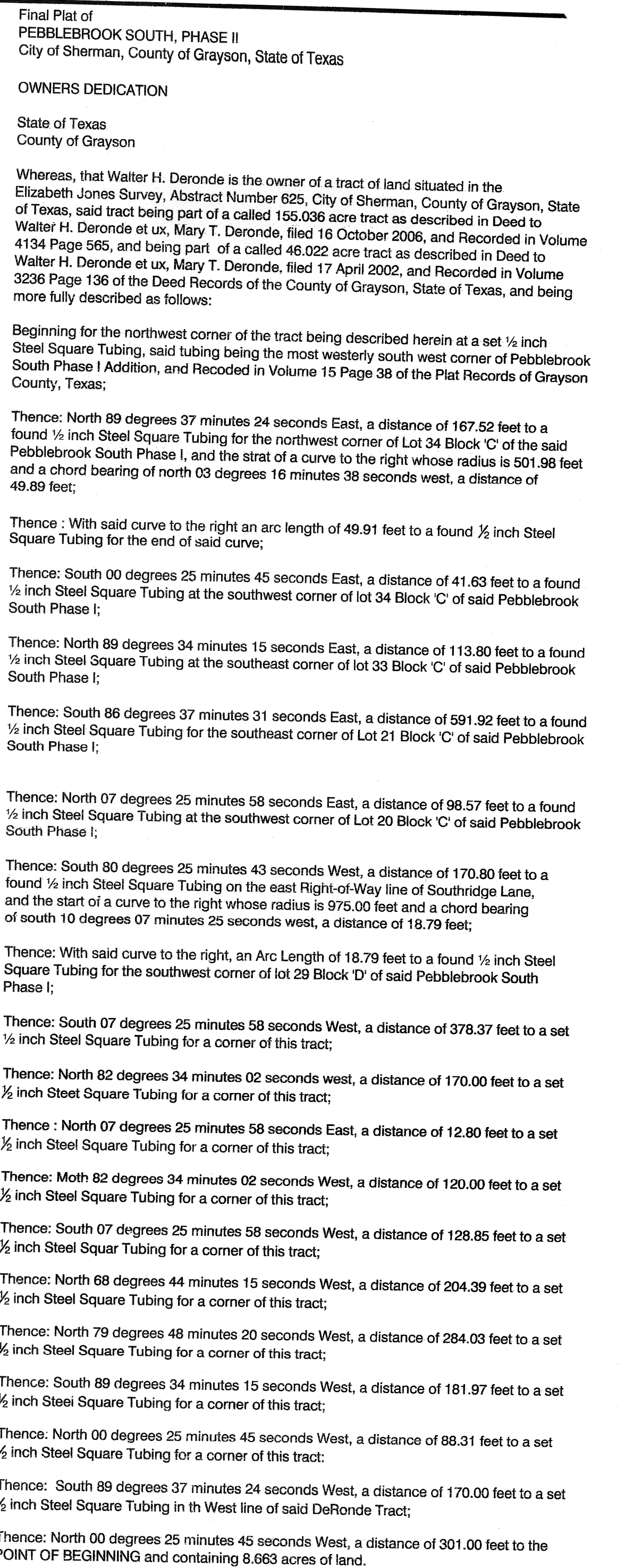


Pebblebrook South, Phase II

Legend

	O 1 HIGHWAY 75 & 82 OVERLAY DISTRICT		C-2 General Commercial District
	O 1.1 FM 1417 OVERLAY DISTRICT		M-1 Light Manufacturing District
	O 1.2 SAM RAYBURN FREEWAY OVERLAY DISTRICT		R-A Single Family Agricultural District
	CBD DOWNTOWN BUSINESS DISTRICT		SF-1 Single Family Residential District
	CPO COLLEGE PARK OVERLAY DISTRICT		M-1.5 Medium Manufacturing District
	A & C ARTS & CULTURAL OVERLAY DISTRICT		M-2 Heavy Manufacturing District
	CO Office District		MH Manufacturing Housing District
	R-1 One Family Residential District		Blalock Commercial District
	R-2 Multi-Family Residential District		BIP Blalock Industrial Park
	C-1 Retail Business District		

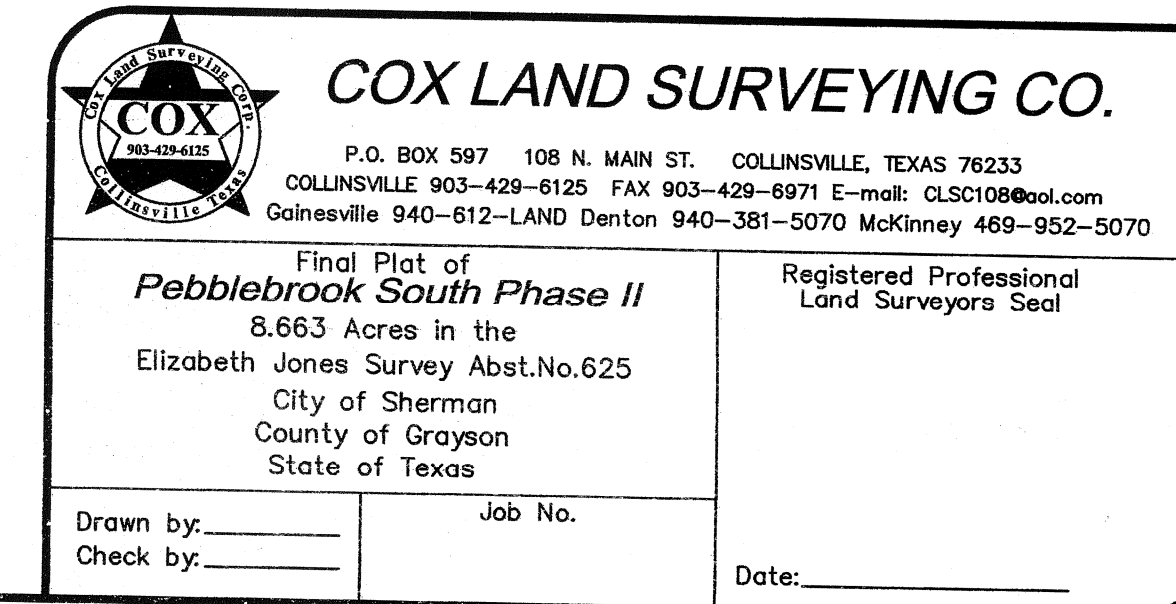




SURVEYORS CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:
THAT I, Don K. Cox, Registered Professional Land Surveyor
Number 4577, do hereby
certify that this plat was prepared from an actual survey of the
land described herein,
and that the corner monuments shown hereon were found or
placed under my supervision in
accordance with the ordinances of the City of Sherman, Texas.

DD MM YYYY





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

Agenda Item No. 8.

Meeting Date: 04/22/2014

Prepared by: Patsy Reeves, Developmental Services Admin Secretary

Approved by: Scott Shadden, Director of Development Services

Commissioners: Don Hicks, Chairman

Joe Gilbert, Vice-Chairman

Brad Morgan, Commissioner

Ron Barton, Commissioner

Ryan Michael Kreck, Commissioner

Sam Thorpe, Commissioner

Ronnie Dutton, Commissioner

Dr. Alan Scheibmeir, Commissioner

Andrew Olmstead, Commissioner

Requested Action/Proposed Use:

*** 2200-2300 BLOCKS PEGGEY'S COVE, 2200-2300 BLOCKS SOUTHRIDGE LANE AND
THE 3400-3500 BLOCKS DARTMOUTH LANE**

The request of Walt DeRonde (Owner), Greg Edwards Engineering Services (Engineer) and Cox Land Surveying Company (Surveyor) concerning the property located in the 2200-2300 Blocks Peggey's Cove, 2200-2300 Blocks Southridge Lane and the 3400-3500 Blocks Dartmouth Lane, being 8.663 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows:

Planning & Zoning Commission

Preliminary and Final Plat approval of Pebblebrook South, Phase II

Background:

The property is located in the 2200-2300 Blocks Peggey's Cove, 2200-2300 Blocks Southridge Lane and the 3400-3500 Blocks Dartmouth Lane in the Pebblebrook subdivision off FM 1417 South (Heritage Parkway). The owners would like to plat the property into (46) forty-six lots for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District, R-2 (Multi-family Residential) District and M-1 (Light Manufacturing) District

Origination:

Walt DeRonde (Owner)

Greg Edwards Engineering Services, Inc. (Engineers)

Cox Land Surveying Company (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

Attachments

Location Map

Zoning Map

Preliminary Plat

Final Plat

Staff Review Letter

**STAFF REVIEW LETTER**

April 14, 2014

Walt DeRonde
1600 Shady Oaks Place
Corinth, TX 76205

GEES, Inc.
1621 Amanda Ct.
Ponder, TX 76259

Dear Applicants,

The request for approval of a Preliminary and Final Plat of Pebblebrook South, Phase II, for the property located in the 2200-2300 Blocks Peggey's Cove, 2200-2300 Blocks Southridge Lane and the 3400-3500 Blocks Dartmouth Lane has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 22, 2014 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:

PRELIMINARY:

1. Drive approaches and sidewalks shall conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
2. Engineering plans for utility, grading and storm drain design in accordance with City ordinances shall be submitted to the City Engineer for approval.
3. Lot 35, Block K shall be maintained by the Homeowner's Association and a notation placed on the plat or Lot 35, Block K shall be added to Lot 34 or Lot 36 and noted as a public easement.
4. Any other changes made to the preliminary plat 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 and Zoning Commission.

FINAL:

1. Letters from the various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks shall conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. Lot 35, Block K shall be maintained by the Homeowner's Association and a notation placed on the plat or Lot 35, Block K shall be added to Lot 34 or Lot 36 and noted as a public easement.
5. Engineering plans for utility, grading and storm drain design in accordance with City ordinances shall be submitted to the City Engineer for approval.
6. Any other changes made to the final plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Lisa Whitfield, Engineering and Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,

A handwritten signature in dark ink, appearing to read "Clay Barnett", with a long horizontal flourish extending to the right.

Clay Barnett
Dir. of Public Works and Engineering

CC: George Olson, City Manager
Brandon Shelby, City Attorney
Jamie Baggs, Fire Marshal
Lisa Whitfield, Engineering & Development Coordinator
Cox Land Surveying Co., PO BOX 597, Collinsville, TX 76233

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Don Keene, Dir. of Community and Support Services



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. J.

Meeting Date: 05/19/2014

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: George Olson, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2014 Council Calendar

2014

JANUARY						
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	

FEBRUARY						
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	

MARCH						
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					

APRIL						
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			

MAY						
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

JUNE						
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					

JULY						
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		

AUGUST						
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						

SEPTEMBER						
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				

OCTOBER						
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	

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			

01/17/2014	Joint Meeting w/SEDCO Board - Panda Tour - Canceled
02/03/2014	Regular City Council Meeting - Cancelled
02/12/2014	Called Meeting for Informational Presentation
02/26/2014	Called Meeting for Informational Presentation
03/12/2014	Called Meeting for Informational Presentation
03/21/2014	Joint Meeting w/SEDCO Board - Panda Tour

03/26/2014	Called Meeting for Informational Presentation
04/18/2014	Called Budget Planning Meeting in Council Chambers
04/21/2014	Regular City Council Meeting - Cancelled
06/18-19/2014	Called Budget Workshop in Council Chambers
09/01/2014	Labor Day/Called Council Meeting on 09/02/2014
09/01/2014	Labor Day/Called Council Meeting on 09/02/2014