CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, MAY 16, 2011
5:00 P.M.

A.1 CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

A.2 PLEDGE OF ALLEGIANCE

A.3 INVOCATION BY COUNCIL MEMBER PAMELA L. HOWETH

A.4 APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 18, 2011 AND THE CALLED CITY COUNCIL (BUDGET PLANNING) MEETING OF APRIL 21, 2011

Public Hearing

B.1 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5694
Establishing Maximum, Reasonable, and Prudent Rates of Speed on Certain Portions of S.H. 289 in the City of Sherman; Fixing Penalties for Violation Thereof

B.2 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5695
Approving a Negotiated Resolution between the Steering Committee of Cities Served by Oncor ("Steering Committee") and Oncor Electric Delivery Company LLC ("Oncor" or "Company") Regarding the Company's Application to Increase Electric Rates in All Cities Exercising Original Jurisdiction; Declaring Existing Rates to be Unreasonable; Requiring the Company to Reimburse Cities' Reasonable Ratemaking Expenses; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement and Finding the Rates to be Set by the Attached Tariffs to be Just and Reasonable; Approving Oncor's Proof of Revenues; Declaring an Effective Date; and Requiring Delivery of this Ordinance to the Company and the Steering Committee's Legal Counsel

B.3 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5696
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Automobile Repair and Tire Sales and Service in a C-2 (General Commercial) District at 2012 South Travis Street, being 1.023 acres in the Preston Kitchens Survey, Abstract No. 667 (John Abrams and Estate of Helen Abrams, Owners; Jorge Onterves, Applicant; and Mary Ann Kaufman, Representative); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

B.4 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5697

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District in the 4300 Block of U.S. Highway 75 North, being 6.588 Acres in the W. Brown and B.A. Ricketts Survey, Abstract No. 1553 and the T.J. Shannon Survey, Abstract No. 1137, and being Lots 2, 3 and Part of Lot 1 of the Proposed Westgate Hill Addition (Samuel Nechamkin and Gary Hoge, Owners; Jason Sofey, Sofey Construction and Design, LLC, Representative; Chris Schmitt, Teague, Nall and Perkins, Engineer; David Baca, Architect; and Underwood Drafting and Surveying, Surveyors)

B.5 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5698

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Billboard in a C-2 (General Commercial) District and O-1 (75 & 82) Overlay District in the 4300 Block of U.S. Highway 75 North, being 0.051 acres in the W. Brown and B.A. Ricketts Survey, Abstract No. 1553 and the T.J. Shannon Survey, Abstract No. 1137, and being Part of Lot 1 of the Proposed Westgate Hill Addition (Samuel Nechamkin and Gary Hoge, Owners; Jason Sofey, Sofey Construction and Design, LLC, Representative; Chris Schmitt, Teague, Nall and Perkins, Engineer; David Baca, Architect; and Underwood Drafting and Surveying, Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

Close Public Hearing and Consider Adoption of Ordinances

B.6 ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers:

(a) 5694
(b) 5695
(c) 5696
(d) 5697
(e) 5698

B.7 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. 5577

Authorizing Execution of an Amendment to Interlocal Agreement for Grayson County Multi-Jurisdictional Emergency Notification System

Change Orders

D.1 ***[* CHANGE ORDER NO. 2]***

U. S. Highway 75 North Sewer Improvements, Contract “B”; Tri-Con Services, Inc; $800.00 Increase

Other Business

D.2 OTHER BUSINESS

Receive Downtown Sherman Preservation and Revitalization, Inc.’s Resolution Commending the Sherman City Council for Their Commitment to Downtown Sherman Improvements

D.3 OTHER BUSINESS

Receive Quarterly Progress Report from Sherman Economic Development Corporation Board Vice Chairman Juston Dobbs and Vice President Frank Gadek

D.4 ** OTHER BUSINESS*

Approve Quarterly Investment Reports for Period ending March 31, 2011

D.5 OTHER BUSINESS

Special Consideration to Ordinance No. 2684, Section 12 (F) to Not Require Sidewalks on a Portion of the Project in an R-2 (Multi-Family Residential) District / College Park Overlay District; being Lot 1, Block 1, Brockett SW Addition; Austin College, Owners; Heidi Ellis, Austin College Representative; Todd Williams, Kangaroo Housing Investors, LLC, Developer/Applicant; and Matthew Cain, Cain Consulting and Engineering Services, Engineers (916 East Brockett Street)

D.6 ** OTHER BUSINESS*

Final Plat Approval of Westgate Hill Addition; being 6.6367 Acres in the W. Brown and B.A. Ricketts Survey, Abstract No. 1553 and the T.J. Shannon Survey, Abstract No. 1137; Samuel Nechamkin and Gary Hoge, Owners; Jason Sofey, Sofey Construction and Design, LLC, Representative; Chris Schmitt, Teague, Nall and Perkins, Engineer; David Baca, Architect; and Underwood Drafting and Surveying, Surveyors (4300 Block of U.S. Highway 75 North)

D.7 ** OTHER BUSINESS*

Replat Approval of Lots 1-7, Block 1, Fairview Park Patio Homes, Phase One; being 1.252 Acres in the J.B. McAnair Survey, Abstract No. 763; Shreetejas, Inc., Owner; Derek Humphreys, Representative; and Delta Land Surveying, Surveyors (1400-1500 Blocks of Park Place)

D.8 [** OTHER BUSINESS*]

Replat Approval of Sherman Crossing Addition, a Replat of a Portion of Lot 1, Block 1, Sherman Shopping Center Addition; being 8.633 Acres in the J.B. McAnair Survey, Abstract No. 763; 75-82 Sherman Crossing, LTD, Owners; David Wallenstein, Representative; and Underwood Drafting and Surveying, Surveyor (3200 Block of U.S. Highway 75 North)

D.9 CITIZEN REQUESTS

D.10 MEDIA QUESTIONS

Consider Board/Commission Appointments

D.11 APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Parks and Recreation Advisory Board (2)

D.12 ** APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS*

(a) Council Audit Committee (3)

D.13 ** APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS*

(a) Investment Committee (2)

D.14 ** APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS*

(a) Tax Reinvestment Committee (2)

D.15 ** APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS*

(a) Tax Increment Financing Board #1 (3)

D.16 ** APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS*

(a) Tax Increment Financing Board #2 (3)

D.17 ** APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS*

(a) Tax Increment Financing Board #3 (3)

D.18 COUNCIL COMMENTS

Executive Session

E.1 EXECUTIVE SESSION

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

Section 551.074 Personnel Matters

(a) Consider the Qualifications, Appointment and Removal of Members to Boards and Commissions:

(i) Historical Preservation Board (2)

(ii) Planning and Zoning Commission (2)

The Council reconvenes into General Session

F.1 OPEN MEETING

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

F.2 ADJOURNMENT

COUNCIL CALENDAR

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. A.1

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

The Honorable Bill Magers, Mayor

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. A.2

PLEDGE OF ALLEGIANCE

The Honorable Pamela L. Howeth, Council Member

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. A.3

INVOCATION BY COUNCIL MEMBER PAMELA L. HOWETH

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. A.4

APPROVE MINUTES
OF THE REGULAR CITY COUNCIL MEETING OF APRIL 18, 2011 AND THE CALLED CITY COUNCIL (BUDGET PLANNING) MEETING OF APRIL 21, 2011

STATE OF TEXAS §

April 18, 2011

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 April 18, 2011.

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

MEMBERS ABSENT: **NONE.**

CALL TO ORDER

CALL TO ORDER

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

APPROVE MINUTES

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of April 4, 2011. Council Member Smith moved to approve the Minutes as presented; Second by Deputy Mayor Steele. All present voted AYE.
MOTION CARRIED.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

ORD 5692
RESIDENTIAL REINVESTMENT ZONE

Mayor Magers introduced Ordinance 5692 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REVISING THE DESIGNATION OF RESIDENTIAL REINVESTMENT ZONE, NUMBER 041811-1, CITY OF SHERMAN, TEXAS, FOR THE PURPOSE OF RESIDENTIAL TAX ABATEMENT.

No citizens appeared before the City Council to discuss Ordinance 5692.

ORD 5693
SUP FOR AUTO REPAIR & TIRE SALES & SERVICE (916 N. BROUGHTON)

Mayor Magers introduced Ordinance 5693 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AUTOMOBILE REPAIR AND TIRE SALES AND SERVICE IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 916 NORTH BROUGHTON STREET, BEING LOTS 10 & 11, BLOCK 3, W.P. CARTER'S ADDITION (JOSE D. GUERRERO, OWNER; AND KEVIN D. McKIBBAN, REPRESENTATIVE); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Kevin McKibban appeared representing the request for a Specific Use Permit at 916 N. Broughton Street. He

explained that the facility will be for basic automotive repair and tire repair. They want to change the face of the block and have already began to clean up their area and the park area around it.

No other citizens appeared before the City Council to discuss Ordinance 5693.

The Public Hearing was closed.

<u>ADOPTION OF ORDINANCES</u>

Ordinance 5692

ORD 5692 RESIDENTIAL REINVESTMENT ZONE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REVISING THE DESIGNATION OF RESIDENTIAL REINVESTMENT ZONE, NUMBER 041811-1, CITY OF SHERMAN, TEXAS, FOR THE PURPOSE OF RESIDENTIAL TAX ABATEMENT.

Mayor Magers said Ordinance 5692 was in conjunction with Resolution 5571, which was also on the agenda and he asked that the City Manager brief the Council on the items.

George Olson, City Manager, explained that every five years, as the population changes, the City is required to update the Residential Tax Abatement Zone to match with the census tract block groups. The ordinance updates the zone to be the same as the low-to-moderate income area.

ACTION TAKEN.

> **Motion by Council Member Wacker to approve Ordinance No. 5692, as presented. Second by Council Member Howeth.**

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

Ordinance 5693

ORD 5693 SUP FOR AUTO REPAIR & TIRE SALES & SERVICE (916 N. BROUGHTON) (ORD DENIED)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AUTOMOBILE REPAIR AND TIRE SALES AND SERVICE IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 916 NORTH BROUGHTON STREET, BEING LOTS 10 & 11, BLOCK 3, W.P. CARTER'S ADDITION (JOSE D. GUERRERO, OWNER; AND KEVIN D. McKIBBAN, REPRESENTATIVE); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00.

Mayor Magers said he had some concerns regarding the proposed Specific Use Permit as did Council Member Softly.

Council Member Softly said the park area has been cleaned up and now they are considering bringing in an automotive repair shop and a tire shop. These types of businesses tend

to accumulate cars. The area is a residential area and a school is located nearby. Council Member Softly said he did not feel the business would be the best use for the neighborhood. He felt it would be a distraction for the citizens and create additional traffic for visitors to the park.

Deputy Mayor Steele asked what type of screen would be required between the facility and the park. Scott Shadden, Director of Development Services, said their plan is to erect a six foot wood fence around the back and down the sides. Council Member Smith confirmed that the fence would be between the facility and the park. Deputy Mayor Steele verified that the fence would be approximately 40 feet from the new walking trail.

Mayor Magers said this area is unlike other commercial areas that are heavily commercial, and over the years it has become a residential area. Mr. Shadden confirmed that it has been commercial for many years, since the railroad was located in that area. The area has changed and there is no longer heavy commercial usage.

Mayor Magers said the City has also spent a lot of time and effort working with the nearby College Park area. This type of business is "widening" the type of business that is located in the area.

He added that since it is an old commercial district, the City needs to be sure that whatever business is located in that area compliments the rest of the neighborhood and does not change it. The Council doesn't want to hinder growth, but Mayor Magers felt that in this situation, the proposed use does not fit with the area.

Council Member Smith agreed adding that Broughton Street is pretty narrow and already handles a lot of traffic from Texoma Parkway to the College Park area. The City has spent a lot of money to upgrade Martin Luther King, Jr. Park to encourage the residents to use that park. Council Member Smith said he had real concerns about the request.

Deputy Mayor Steele said he was concerned about the approval of automotive repair shops and the policing of the facilities to keep the vehicles behind the screen. Many times they become an eyesore. He added that in some parts of the community it fits a little better, but this area is next to a park.

Council Member Wacker agreed that the key is the transition between the residents and the park.

Mr. McKibban told the Council he understood their objections, but they have cleaned the area up this weekend

and have many items ready for pick-up. They plan on cleaning the area up and keeping it nice and clean.

Mayor Magers reiterated that his issue is that there is nothing similar in this area. There is a restaurant, a washiteria, a park, and a school, in a residential area. This type of business has been allowed in some areas, but usually where these types of business have already been located or are still nearby. Mayor Magers added that the streets in that area are also generally narrower than in the newer areas. He was concerned about the use and the location of the use.

ACTION TAKEN.

Motion by Council Member Softly to deny the adoption of Ordinance No. 5693, as presented. Second by Council Member Smith.

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED TO DENY.

CONSENT AGENDA

CONSENT AGENDA

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

RESOLUTIONS

RES 5575 ATMOS STEERING COMMITTEE PER CAPITA PAYMENT

RESOLUTION NO. 5575 – AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AUTHORIZING THE PAYMENT OF FIVE CENTS ($0.05) PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION, MID-TEX DIVISION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AUTHORIZING THE PAYMENT OF FIVE CENTS ($0.05) PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION, MID-TEX DIVISION.
CONSENT AGENDA.

RES 5576 LAMBERTH ROAD IMPROVEMENTS

RESOLUTION NO. 5576 – ACCEPTING THE CONTRACT WITH VESSELS CONSTRUCTION, A DIVISION OF VESCOR, INC., AS COMPLETE FOR THE IMPROVEMENT OF WEST LAMBERTH ROAD FROM HERITAGE PARKWAY (FM 1417) TO SHADY OAKS LANE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ACCEPTING THE CONTRACT WITH VESSELS CONSTRUCTION, A DIVISION OF VESCOR, INC., AS COMPLETE FOR THE IMPROVEMENT OF WEST LAMBERTH ROAD FROM HERITAGE PARKWAY (FM 1417) TO SHADY OAKS LANE.

Mayor Magers said the project was complete, under budget, and on time. Council Members congratulated Bill Vessels of Vescor, Inc., adding that the street looks great. Deputy

Mayor Steele said he appreciated Mr. Vessels hard work and said the project went very smoothly.

ACTION TAKEN.

Motion by Deputy Mayor Steele to approve Resolution No. 5576, as presented. Second by Council Member Smith.

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

RES 5571 RESIDENTIAL TAX ABATEMENT PROGRAM

<u>RESOLUTION NO. 5571 – DECLARING THE CITY OF SHERMAN'S ELIGIBILITY AND INTENTION TO PARTICIPATE IN A RESIDENTIAL TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT / REDEVELOPMENT IN CERTAIN AREAS OF THE CITY; ESTABLISHING GUIDELINES AND CRITERIA</u>

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING THE CITY OF SHERMAN'S ELIGIBILITY AND INTENTION TO PARTICIPATE IN A RESIDENTIAL TAX ABATEMENT PROGRAM TO PROMOTE DEVELOPMENT / REDEVELOPMENT IN CERTAIN AREAS OF THE CITY; ESTABLISHING GUIDELINES AND CRITERIA.
CONSENT AGENDA.

REQ TO ADVERTISE SEAL COAT MATERIALS

<u>REQUEST TO ADVERTISE</u>
<u>SEAL COAT EMULSIFIED ASPHALT OIL AND STONE</u>

The City Council approved the request to advertise for bids to provide seal coat stone and emulsified asphalt oil for the annual street maintenance work.

Each year the Street Department evaluates and ranks all City streets to determine their need for maintenance and develops a priority list of streets to be seal coated. The annual goal is to seal coat 25 to 30 miles of streets depending on material costs.
CONSENT AGENDA.

<u>OTHER BUSINESS</u>

APPROVE REPLAT MIDWAY INDUSTRIAL PARK ADDITION

<u>REPLAT APPROVAL OF PART OF LOT 4, BLOCK 1, MIDWAY INDUSTRIAL PARK ADDITION; BEING 11.22 ACRES IN THE J.B. SHANNON SURVEY, ABSTRACT NO. 1085; JOSEPH J. MUELLER; OWNER; AND SARTIN AND ASSOCIATES, INC., SURVEYORS (5100 MARSHALL STREET)</u>

The City Council approved the Replat of part of Lot 4, Block 1 of Midway Industrial Park Addition, located at 5100 Marshall Street, and being 11.22 acres in the J.B. Shannon Survey, Abstract No. 1085.

The owner would like to plat the property into two lots for industrial development. The Planning and Zoning Commission recommended approval of the Replat.
CONSENT AGENDA.

CITIZENS REQUESTS

<u>CITIZENS REQUESTS</u>
There were no citizens requests.

<u>MEDIA QUESTIONS</u>

<u>RECENT CITY EVENTS</u>

RECENT CITY EVENTS

Kathy Williams, Herald Democrat Reporter, complimented the City staff, the Tourism Department, and the Parks and Recreation Department for sponsoring so many events this past weekend that the newspaper couldn't cover them all.

<u>COUNCIL COMMENTS</u>

<u>LAMBERTH ROAD PROJECT</u>

LAMBERTH ROAD PROJECT

Council Member Smith said he was really happy that the Lamberth Road project is complete. He said some citizens were inconvenienced, however the project had to be done. It was done at the right time, when costs were down, and it was done the right way.

<u>SCHOOL BOND PROGRESS</u>

SCHOOL BOND PROGRESS

Council Member Wacker updated the Council on the status of the Sherman Independent School District's bond progress. Today the final report said that all projects were completed and over a five year period, the $77 million bond projects were completed with approximately $2,300 to spare. She added that the bond project was well managed and said she appreciated what the school district does to enhance the community.

<u>EDUCATION AWARD FOR COUNCIL MEMBER</u>

EDUCATION AWARD FOR COUNCIL MEMBER

Council Member Softly recognized Council Member Pam Howeth on receiving an education award from the Texas Society Daughters of the American Revolution. Council Member Howeth was being recognized at the Sherman School Board Meeting later tonight.

<u>STREET PROJECTS</u>

STREET PROJECTS

Mayor Magers said the City has completed all but two of the street projects that were funded by the sales tax for street improvements. The two that have not been completed are Washington Street, which has made great progress, and Travis Street. This will be discussed at the upcoming Budget Work Session.

He added that the sales tax initiative for street improvements will again be added to the ballot in November 2011 for consideration by the voters. He felt the benchmark that the Council should be held to is how they performed so far with the money.

<u>HAPPY EASTER</u>

HAPPY EASTER

Mayor Magers wished everyone a Happy Easter.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:19 p.m.

ADJOURNMENT

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MAYOR

____

CITY CLERK

STATE OF TEXAS §

April 21, 2011

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 21, 2011.

COUNCIL MEMBERS PRESENT: Mayor Bill Magers; Deputy Mayor Willie Steele. Council Members Adami, Howeth, Smith, Softly, Wacker.

COUNCIL MEMBERS ABSENT: None.

CITY STAFF PRESENT: George Olson, City Manager; Robby Hefton, Assistant City Manager/CFO; Brandon Shelby, City Attorney; Don Keene, Executive Director – Planning and Public Works; Mark Gibson, Director of Engineering and Public Works; Scott Shadden, Director of Development Services; Tom Watt, Police Chief; Jeff Jones, Fire Chief; Mary Lawrence, Controller; Scott Taylor, Assistant Director of Engineering and Public Works; Kevin Winkler, Parks and Recreation Administrator; Lisa Whitfield, Engineering and Development Coordinator; Debra Stewart, Administrative Assistant; Danny Fuller, Fire Division Chief; April Patterson, Tourism Director; Pam Cloer, Assistant to the City Manager; Linda Ashby, City Clerk.

PURPOSE: **CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**

FINANCIAL UPDATE

FISCAL YEAR 2012 PRELIMINARY BALANCING

COUNCIL INPUT FOR 2011-2012 BUDGET YEAR

OTHER BUSINESS
Discuss and Consider Options for the Travis Streetscape Project

REQUEST TO ADVERTISE
Travis Street Mill and Overlay

ADJOURNMENT

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

Mayor Magers called the meeting to order at 12:07 p.m., declared a quorum present, and opened the City Council Meeting.

George Olson, City Manager, explained that this meeting would kick-off the budget planning session for the 2012 Budget. However, he added that the 2013 Budget must be kept in the back of their minds as they move forward. The Council completed the last long-term budget planning session in February 2011, and not a lot has changed since that time. At that time, the Council reviewed the five year picture and the impact it would have on the upcoming budget.

Today the staff will provide an update of the budget numbers and will receive input and direction from the Council on how to proceed with the FY 2011-2012 Budget. Mr. Olson added that, with the direction received from the City Council so far, the staff will continue to focus on completing long term initiatives and establishing the proper fund balances in the operating budgets. The revenues continue to remain "flat" as they have for the past few years, the rising fuel costs are also a concern moving forward, and the City's ability to fund major projects will be severely limited.

Today's agenda also includes two items concerning the Travis Streetscape Project.

FINANCIAL UPDATE

Robby Hefton, Assistant City Manager/CFO, explained that in the past few months, the City has focused on the long term planning for the next five years. This meeting and the next Called Meeting will focus on the 2012 Budget. This will also affect the 2013 Budget and the decisions made this year will affect future years. However, the current goal is not to solve budgets for future years, but only for the upcoming 2012 Budget.

Mr. Hefton said this meeting is not just a "revenue look" at 2012, but will be a rough estimate for expenses for 2012 too. He reminded the Council that the staff does not have the budget input from departments yet, so any projections are very rough estimates.

One of the major focuses this year has been on finalizing capital improvement projects and initiatives. Debt was issued in 2008 and 2009 to fund many street and park projects. Lamberth Road is now fully complete, which leaves two initiatives that need to be completed. Washington Street is progressing nicely and they should be pouring concrete in the next few days. There are also some downtown improvements that need to be completed.

Behind the scene, many man-hours are being spent on the website development and the new website should be online by the end of the fiscal year. The staff is also thinking about the street sales tax initiative that will be considered for the ballot in November 2011. The timeline actually starts during the summer.

Mr. Hefton said one of the challenges for developing the 2012 Budget is flat revenues from sales tax and property taxes. The staff has also been reviewing capital expenses very closely, especially equipment and fleet purchases. The plan is to repair what the City already has instead of replacing it at the present time. This delays purchases now, but at some point they will need to be replaced.

For the past few years, the Council has directed the staff to "right-size" the fund balances by transferring reserves to balance the budget. After this year, the fund balances will be where they need to be, according to Mr. Hefton. Fuel costs will also be a challenge for the budget. Mayor Magers verified that the City is exempt from certain taxes on fuel.

Utility Fund challenges include the closing of Folgers and MEMC. However MEMC's closing has now been delayed until around December 31, 2011, which will have a positive effect on the City's budget, for at least a portion of FY 2012.

General Fund

Mr. Hefton said the ending fund balance in the General Fund is projected to be about $5.4 million at the end of FY 2011, which is about 70 days in reserve. He added that 60 days in reserve is the lowest he felt comfortable in retaining. Sales taxes are tracking to be flat. Mr. Hefton said franchise taxes are up slightly from the budgeted amount and are expected to be $100,000 more than was budgeted. Fines and forfeitures are also up from the amount budgeted. The recent warrant round-up generated about $50,000 or $60,000 and contributed to the increase in this line item.

The City also agreed to be an EMS provider for the City of Howe, at their request, and collections and projected revenues have increased for this line item as well. Therefore, the City is about $300,000 to $400,000 better on revenues than was originally projected.

On the expense side there are a few ups and downs, according to Mr. Hefton, but the net effect is projected to end the year slightly better than budgeted. There should be approximately $400,000 in receipts over expenditures. The staff continues to use fund balances and there are a fairly high amount of transfers built in this year that normally don't occur.

Mayor Magers said the beginning fund balance for the General Fund was better than projected last year. Mr. Hefton said the beginning fund balance was better than projected because some items last year performed better than projected, and some of the things originally budgeted in 2010 were moved to 2011. There were a couple of grants that the City received, however they were unable to spend the money in 2010, so they were moved to 2011. Mr. Hefton added that between good budget performance and a timing difference on when some of the expenditures occurred that affected the fund balance.

Mayor Magers confirmed that the City is looking at a $5.4 million fund balance at the end of the fiscal year. Mr. Hefton added that is about 70 days in reserves.

Utility Fund
Mr. Hefton said the ending fund balance for the Utility Fund is projected to be $3.2 million, which is just over 60 days. Revenues are projected to be slightly higher than budgeted, because MEMC has delayed their closing until the end of the year. Since this will be a full year of water and sewer charges, there will be a positive variance and a net effect of about $300,000 of additional revenues.

Expenses will include the biosolids removal project which increases the contractual services line item by about $1.5 million.

Mr. Hefton reminded Council Members that Utility Fund debt service will decrease a little in 2012, but will really decrease in 2013. The Utility Fund is nearly "break even" but has an adequate fund balance of about $3.2 million.

Solid Waste Fund
Mr. Hefton said the Solid Waste Fund is performing better than expected. Revenues are higher than budgeted, mainly because of construction in the industrial sector, such as the expansion at GlobiTech. Expenses are tracking very close to the amount budgeted. The net effect is that projected revenues are about $200,000 better than what was budgeted.

The ending fund balance will be about $2.1 million, just short of 150 days of operating expenses. The proposed plan is to reduce that fund balance to a reasonable level in the 60 to 75 day range, and to help "smooth out" a couple of funds in the 2012 Budget.

Insurance Fund
Mr. Hefton said the Insurance Fund was "under water" at the beginning of 2010, because of significant claims for the preceding three years. In 2010 there was a $1 million transfer in to help the fund and last year's ending fund balance was $800,000.

Claims for 2010 were about $3.1 million. For the prior three years, claims were in excess of $4 million every year, topping out as high as $4.5 million for one year. Mr. Hefton said the City is back to what he considered a "normal claim year," however they do project to be up slightly from the budgeted amount. Mr. Hefton said he would like to have a higher ending fund balance, however there is no action to take to get there. Hopefully there will be good claims experience.

General Improvement Fund
Mr. Hefton said they are projecting an ending fund balance this year in the General Improvement Fund of about $800,000, which won't finance big projects. If there are some smaller initiatives that the City Council would like to see in 2012, those might be possible. Lamberth Road cost over $900,000, so there are no huge projects that could be completed with the balance remaining.

The staff does expect that the Washington Street project will be completed this year and the Lamberth Road project has already been completed. The General Improvement Fund started the year with $4.7 million, but that has been reduced by completing the outstanding projects.

Money is included in the fund for the mill and overlay of Travis Street, from Washington Street to Jones Street, but the Council will be discussing a plan later in the meeting.

Council Member Adami asked if the original plan for Travis Street was a three-year plan, with $100,000 budgeted the first two years and $75,000 the third year. Mr. Hefton said the long-term Capital Improvement Program included the purchase of right-of-way going north on Travis Street to improve Travis Street from Lamberth Road, going north. That $50,000 and $75,000 per year was for right-of-way for that project. Mr. Hefton added that this project has been moved in the CIP, but he expected there would still be money in the long-range plan to help with right-of-way purchase. A detailed five-year review will be presented at the Budget Work Session.

Mr. Hefton said there are also transfers out that are reducing the fund balance and those are happening as budgeted.

Utility Improvement Fund
Mr. Hefton said most of the City's major utility work is completed through the Greater Texoma Utility Authority so it doesn't appear on the City's books. The City will have about $500,000 at the end of this year for some smaller projects. Larger projects will continue to be completed through GTUA.

The staff's internal approach to the 2012 Budget will be to use the excess fund balance in the Solid Waste Fund to bridge budget gaps in the Utility Fund and the General Fund to FY 2013. Mr. Hefton said that is absolutely the right thing to do because the City doesn't need 150 days of fund balance in any fund. The staff feels that 2012 will be the last significant year that can be done. The transfers will come primarily from the Solid Waste Fund. Council Member Adami verified that $1.2 million will be transferred from the Solid Waste Fund to the General Fund and $500,000 from the Solid Waste Fund to the Utility Fund.

Mr. Hefton said the staff's approach to the budget will also be to minimize capital spending. Fleet will be repaired where possible, instead of replacing the item. There may be some cases where the fleet does need to be replaced and that will be done. The staff will continue to focus on the long-term approach and meetings will probably be scheduled in November 2011 for the long-term planning.

FISCAL YEAR 2012 PRELIMINARY BALANCING
For the General Fund, Mr. Hefton said the staff is projecting $5.5 million to $5.6 million in fund balance at the end of the year. That is a little over 70 days. This fund balance includes the $1.2 million transfer from the Solid Waste Fund. Both revenues and expenses have been kept very flat, except for the transfer out to the Debt Service Fund. The fund is up $400,000, but the transfer out to the Debt Service Fund is more than that amount.

In the Utility Fund, in 2012 the staff has factored in a full year of the effect of the MEMC and Folgers closing. If MEMC stays in full operation through December, then that revenue will increase by about $200,000 or $300,000. To be safe, the projected budget assumes no revenue from MEMC in 2012. Mr. Hefton said the net effect of MEMC and Folgers is about $1.8 million to $2 million per year in revenue. The water and sewer rates were increased for the current year to recoup about half of the expected loss. The staff will continue to look at the need for a rate increase, however the projected budget does not assume any rate increased at this time. Mr. Hefton said if expenses can be held as budgeted, no rate increase will be needed for 2012 and the fund balance will be kept at an acceptable level.

Mayor Magers mentioned the impact on water usage that GlobiTech's expansion will have which has been estimated to be an increased water usage from 300,000 gallons per month to 500,000 gallons per month. This expansion will have a positive effect on their water usage. Mr. Hefton said, at least for 2012, unless something changes drastically in the next couple of months, he did not think the staff would propose a rate increase.

Council Member Adami confirmed that there would be a $500,000 transfer from the Solid Waste Fund to the Utility Fund to keep from having a rate increase. This means the City is $500,000 short of being able to cover the costs of the Utility Fund for 2012. Mr. Hefton referenced the debt service for 2012, which is at $5.5 million versus the debt service for 2013, which is at $3.9 million. He added that he would rather use the City's savings account to get by for a year and smooth the ups and downs in expenses and revenues, rather than enact a rate increase. Mayor Magers felt the last thing the City should do is increase rates or costs for doing business in Sherman.

Council Member Adami said the source of revenue for the Utility Fund is water and sewer rates. Either the revenues are adequate to cover the costs, are they aren't. The economy "is what it is." The City has also lowered taxes and not raised water rates for several years, but they've lost water users and the costs don't go away. He felt that both the Solid Waste Fund and the Utility Fund were businesses and should be treated as such.

Council Member Smith felt transferring money from the Solid Waste Fund to the Utility Fund was okay on a one-year basis, if the staff was confident that wouldn't be a problem in the coming years. Mayor Magers said if there is an ongoing deficit, then the Council needs to increase the rates. Mr. Hefton agreed that each fund should be self-supporting. But he added that it's okay on a one-time basis if money needs to be moved because one fund has more fund balance than needed, but it can't happen continuously. He did not recommend using this method on an ongoing basis to balance the funds.

Mayor Magers confirmed that, with the proposals, all funds would be in balance and have adequate reserves. Council Member Adami added that the Solid Waste Fund and the Utility Fund are different because they are enterprise funds or business funds. Mr. Hefton agreed that the revenue sources are different for the various funds and added that there would still be fund transfers because human resources, administration, and finance do work for the Utility Fund and that should be paid for by the Fund.

Council Member Adami asked that the Budget Workshop include what the revenue projection entails for both 2012 and 2013. This should include the "ramp up" of industries that might be coming and also industries that are closing. The information should also include expense projections and future debt needs. Mr. Hefton said there will be a long-term look that will consider the staff's best guess on this information. There is a big project for nutrient removal at the Wastewater Treatment Plant that could cost $1 million or $10 million. The project will be funded with debt.

The Solid Waste Fund includes $2.4 million in transfers out and will leave an ending fund balance of $1.1 million, or 70 plus days of reserves. Expenses in this fund are basically flat.

COUNCIL INPUT FOR 2011-2012 BUDGET YEAR

Mr. Hefton asked the Council if there were any topics they wanted the staff to address for 2012 that will affect the numbers before they bring back a proposed budget. Mayor Magers said the Council has been pretty judicious the last few years in the projects they have brought forward. The City is paying their bills and has not laid off employees. He said one of the key things the City has done is to move the Election to November, which will save money. He hoped the City would continue to complete the projects in a timely manner and under budget. Mayor Magers said he had no big projects but wanted to see the City finish what was started.

Council Member Wacker felt the City was wise to "hold the course" and try to offer the same level of services as in the past. Deputy Mayor Steele felt there would be necessities for the future and he wanted to know the long-term expenses that will be coming in the future. He also asked at what time does the City stop talking about the "flat sales tax" and instead consider a new base line that is lower than in the past. Mr. Hefton said five years ago, Sherman's sales tax numbers were about $2.5 million to $3 million less than they are now. When the Sherman Town Center opened, they started pulling in consumer activity from a larger base. He felt it would be hard to experience that type of growth without a major retail development. He said maybe $11.2 million is Sherman's new base and Sherman is at that peak.

Mr. Hefton said sales tax is driven by inflation and the consumer's appetite for spending. He couldn't estimate when people's confidence would return for them to spend at the levels at which they were previously spending. Deputy Mayor Steele said the businesses at Sherman Town Center seem to be maintaining pretty well. Mayor Magers added that Midway Mall is having some problems.

Mr. Hefton said previously the City could count on an annual sales tax increase of 2% to 3%. Mayor Magers felt that the long-term sales tax trend would be at some level of growth. Short term it will probably be low. Mr. Hefton added that for 2012, no sales tax growth is projected.

Mayor Magers asked Council Members if there were any projects they wanted to put forth. No Council Members presented projects.

OTHER BUSINESS

DISCUSS AND CONSIDER OPTIONS FOR THE TRAVIS STREETSCAPE PROJECT

Mr. Olson said the original Travis Streetscape Project was to mill / overlay and streetscape Travis Street, from Washington Street to Jones Street. The project also included the streetscape of the downtown square, the relocation of overhead utilities on Travis Street to under the street, and the replacement of light poles.

All bids for the project were rejected due to a lack of qualified bids within the budget. The staff committed to research alternatives and provide options for the Council's consideration. The project needed to be scaled back. The staff met with the architect to discuss putting the utilities under the sidewalk and met with the Texas Department of Transportation to discuss changing the project that was submitted for the enhancement grant that was awarded.

The staff came up with two options. Option 1 is to mill / overlay Travis Street with CIP money; streetscape from the square to U.S. Hwy 75 with TxDOT grant money, the City's match, and tax increment financing money; and relocate the utilities and lights with Sherman Economic Development Corporation money. The estimated total completion date would be May 2012. Mayor Magers said SEDCO never authorized $1 million for the project. Mr. Olson did not offer much confidence that the utility companies would be able to complete the relocation of the utilities in the allotted time frame.

Option 2 includes the mill / overlay of Travis Street from Washington Street to Houston Street using CIP money; the streetscape on the square from TxDOT and City money; mill / overlay to the center strip on Houston and Lamar from TIF money; and the Elm and Rusk Street intersections paid from TxDOT and City money. This option would consider the future under-street relocation of overhead utilities. The estimated completion for the mill / overlay is August 2011 and for the total project would be February 2012. This option would stop the overlay at Houston Street because of the construction around the square.

Mayor Magers asked for an explanation of the TxDOT grant and spending on the project without spending taxpayer money. Mr. Olson said the City applied for and received a grant in conjunction with the original Travis Streetscape Project for improvements from the square west to U.S. Hwy 75, not including the square. The City's match is 20%.

The staff asked TxDOT to allow them to redesign the project to include the square as part of the project. TxDOT finally agreed to the revised plan. This will allow the City to start on the streetscape project, however it doesn't address the underground utilities.

Council Member Adami said SEDCO only committed $550,000 to the projects. He also verified that there were no plans in Option 2 for replacing lights. He felt the lights should be considered now if they were still going to be considered later. Mr. Olson said the problem is dealing with the other utilities and their part of the relocation project. The low bid to relocate the lights was $560,000. Deputy Mayor Steele expressed concern that the cost of burying the power lines continues to increase. Council Member Wacker said the cost was $1 million back when she was the Main Street Coordinator, and they were unable to afford the cost then.

Deputy Mayor Steele asked if the possibility will ever exist to relocate the utilities underground. He said the original design was for the trees to help cover the downtown utility lines. Mr. Olson said the staff had an obligation to see how much it would cost to bury the lines, however now they must ask if it is wise to spend that money to bury them.

Council Member Adami said there was a commitment of money from SEDCO that is not considered in Option 2. Deputy Mayor Steele did not remember SEDCO's money being earmarked for lights and he asked if that money could still be used for a portion of the project in Option 2. Mayor Magers said to his knowledge, the SEDCO Board of Directors never voted to contribute money. It was a conversation that was in the budget contingent upon other things. It was earmarked in their budget, but he did not know what it was earmarked for. Mr. Olson added that SEDCO wasn't consulted until the question of the utility lines came up.

Mayor Magers was concerned about the timing of the project. The mill / overlay of Travis Street was included in the original street sales tax package. In November 2011 the Council is going to ask the voters to renew that sales tax initiative. He felt that his personal credibility was "on the line" and it was critical to be able to tell voters that the

Council did what they said they were going to do with the street sales tax money. On the Travis Street Project, he felt there were many unknowns that were critical to completion of the project such as burying the utilities. He recommended completing the mill / overlay of the street and the portion of the project with the TxDOT grant funding. He felt that completion of the project was critical to the renewal of the sales tax initiative.

Council Member Adami agreed that the project should be done, but it should be done the right way. He felt that voters would understand whether the project was completed before or after Election Day, as long as the project was done correctly. He did not feel there was a rush to complete the project prior to Election Day.

Mayor Magers did not think it was a good use of taxpayer dollars to spend $700,000 to $1 million to bury power lines on one side of Travis Street. The plan to bury power lines did not come from the City, it came from the engineering firm and from Downtown Sherman Preservation and Revitalization. The bids came back significantly over budget. Council Member Adami felt the bids were over budget because of the way the City bid the job.

Deputy Mayor Steele said there had been some problems with bids received in the past and with contractors that couldn't do what they said they would do. Council Member Howeth asked for clarification on whether or not the project would continue south on Travis Street to Jones Street or would stop at Lamar Street. Mr. Olson said the mill / overlay will be continued to Jones Street when the construction on the square is completed. Council Member Howeth expressed concern about the lack of projects in southeast Sherman. Council Members said projects were completed in southeast Sherman.

Council Member Adami suggested a hybrid approach to Option 2. SEDCO already has $550,000 budgeted and he suggested asking them to fund part of the streetscape to U.S. Hwy 75, encompassing a part of what was already planned. Mayor Magers said he was not sure SEDCO money could be used for beautification.

Council Member Howeth left at 1:33 p.m.

Mayor Magers verified that there is money for Option 2 through the CIP, TxDOT grant, TIF, and City. He felt that if Travis Street is not completed correctly before the Election in November, it will have a negative effect on the sales tax initiative. He agreed that the City needs to have a plan to look at burying the overhead wires. Then the Council will know if it can be completed economically or not.

Mr. Olson said obviously the Council wants to do the entire project, but they are leveraging funds and saving dollars, and there is a start for the downtown. There is also a plan for continuing the project as money becomes available. The staff wanted to present a plan that was fiscally conservative. Council Member Smith said the City doesn't have the money now. Council Member Adami said SEDCO wants to participate but there is nothing in Option 2, where they are included.

Mayor Magers said the City needs to accept the TxDOT grant and get the project moving. With Option 2 the mill / overlay would be scheduled for completion by August 2011. Mr. Olson said there are two options, one option includes the mill / overlay of Travis Street from Washington Street to Lamar Street, and the other option gives you the same mill / overlay but will not be completed until March 2012.
He added that the estimate on the underground lines is $700,000 to $1 million. SEDCO has committed $550,000 to the project.

Mayor Magers said with one option, the mill / overlay will be completed by August 2011, in time for the sales tax Election. The other option would include the same project and burying the utility lines underground, but would not be completed until May 2012. He reiterated the importance of completing the mill / overlay project prior to the November 2011 Election.

Deputy Mayor Steele said he would like to have the bigger project, but there is just not enough money to complete it. Council Member Smith said he and Council Member Wacker have been dealing with these issues since 2006. She felt that by accomplishing this plan, with the pedestrian features, the Council will have delivered on what they wanted to do downtown.

REQUEST TO ADVERTISE
TRAVIS STREET MILL AND OVERLAY
ACTION TAKEN.

Motion by Council Member Wacker to advertise for bids for Option 2 of the Travis Street mill and overlay project, accept the TxDOT grant funds, and ask SEDCO for financial assistance for the project. Second by Council Member Smith.

VOTING AYE: Magers, Smith, Softly, Steele, Wacker.
VOTING NAY: Adami.
MOTION CARRIED.

Deputy Mayor Steele said they had their eyes set on something bigger, but this will deliver something very nice for the downtown. Mr. Olson reminded Council Members that TIF funds will continue to accumulate and can be used to continue downtown improvements.

Council Member Adami felt that the estimate of $700,000 to $1 million to bury the utilities was too much. He did not feel comfortable voting for the proposal.

Deputy Mayor Steele felt that time was of the essence and the project needs to move forward.

ADJOURNMENT
There being no further business to come before the City Council, motion was duly made and approved to adjourn the Called Meeting at 1:46 p.m.

MAYOR

ATTEST

CITY CLERK

Downtown Sherman Streetscape

The original Downtown Sherman Streetscape plan was designed to:

- Mill/Overlay and streetscape Travis St. (Washington to Jones St.)
- Streetscape the downtown square
- Relocate overhead utilities on Travis St. to under the improved street
- Replace light poles

At the March 7 Council Meeting, all bids for the project were rejected due to a lack of qualified bids within budget.

At that time, City staff committed to research alternatives and provide options for Council consideration.

Downtown Sherman Streetscape
Options

Option 1

Item	Est. Cost	Source
Mill & Overlay Travis St.	$200K	CIP
Streetscape – square to US 75	$510K	TxDOT/City/TIF
Utility relocation / lights	$700-1000K	SEDCO
Total	$1,410-1,710K	

Est. Total Project Completion: May, 2012 ???

Downtown Sherman Streetscape Options

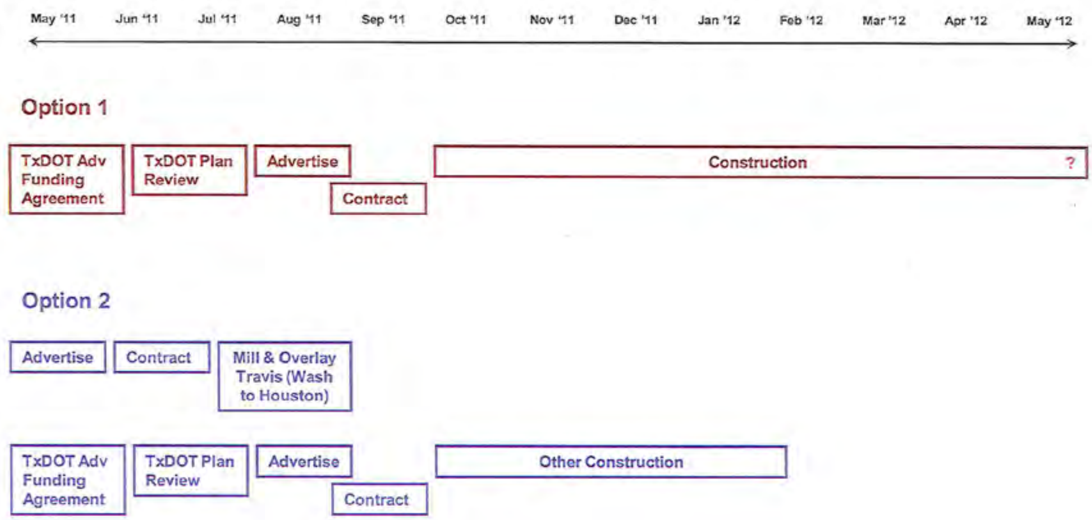
Option 2

Item	Est. Cost	Source
Mill & Overlay Travis St.	\$200K	CIP
Square as Planned	\$350K	TxDOT/City
M&O to Center Stripe	\$ 60K	TIF
Elm & Rusk Intersections (TBD)	\$100K	TxDOT/City
Total	\$710K	

- Consider future under-street relocation of overhead utilities

Est. Mill & Overlay Completion: August, 2011
Est. Total Project Completion: February, 2012

Downtown Sherman Streetscape Options
Timeline



CITY OF SHERMAN

2011 DOWNTOWN SHERMAN
STREETSCAPE ENHANCEMENT
CENTRAL BUSINESS DISTRICT

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. B.1

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5694
Establishing Maximum, Reasonable, and Prudent Rates of Speed on Certain Portions of S.H. 289 in the City of Sherman; Fixing Penalties for Violation Thereof

Issue
To adopt an ordinance setting the speed limit on a portion of S.H. 289 at 70 miles per hour during day-time hours and at 65 miles per hour during night-time hours

Background
Recently, the Texas Department of Transportation (TxDOT) performed an evaluation of the speed limits of S.H. 289. This study generated a TxDOT request to reduce the speed limit approaching the intersection of S.H. 289 and U.S. Highway 82 from 70 to 60 miles per hour. The Council, during deliberations of this request, tabled the item and requested additional information from TxDOT concerning this change. TxDOT reviewed the study and determined that the speed limit should return to 70 miles per hour during day-time hours and 65 miles per hour during night-time hours. The Texas Transportation Commission recently met and approved a minute order re-establishing the speed limit at 70/65 miles per hour. With the approval of the minute order, TxDOT requests that the City of Sherman procedurally adopt the speed limit as approved by the Commission. This agenda item is to set the speed limit on the section of S.H. 289 that is within the city limits (see attached map).

Origination
Texas Department of Transportation

Financial Consideration
None

Staff Recommendation
Approval of the attached ordinance

Alternatives
As may be directed by the City Council

Attachments
Ordinance No. 5694
Exhibit "A" – Location Map

Prepared by:
Don Keene, Exec. Director – Planning & Public Works

Approved by:
George Olson, City Manager

ORDINANCE NO. 5694

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ESTABLISHING MAXIMUM, REASONABLE AND PRUDENT RATES OF SPEED ON CERTAIN PORTIONS OF S.H. 289 IN THE CITY OF SHERMAN; FIXING PENALTIES FOR VIOLATION THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That no person shall drive a vehicle upon a public road, street or highway in the City of Sherman, Texas, at a speed that is greater than is reasonable and prudent under the conditions and circumstances then existing. Except, when a special hazard exists that requires lower speeds for compliance with the above requirement, the limits hereinafter set out shall be lawful, but any speed in excess of the limits as hereinafter set out for streets and highways and portions thereof to which they apply shall be prima facie evidence that the speed is not reasonable or prudent:

> On S.H. 289 from the City of Sherman city limit line north of U.S. Highway 82 in a southerly direction for a distance of approximately 0.323 miles, a speed limit of seventy (70) miles per hour during the day-time and sixty-five (65) miles per hour during the night-time to the south city limits line of the City of Sherman, Texas.

SECTION 2. That any person violating the provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding FIVE HUNDRED AND NO/100 DOLLARS ($500.00).

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

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

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

INTRODUCED on this the ______________ day of __________________, 2011.

ADOPTED on this the _________________ day of __________________, 2011.

EFFECTIVE DATE on this the _________ day of __________________, 2011.

CITY OF SHERMAN, TEXAS

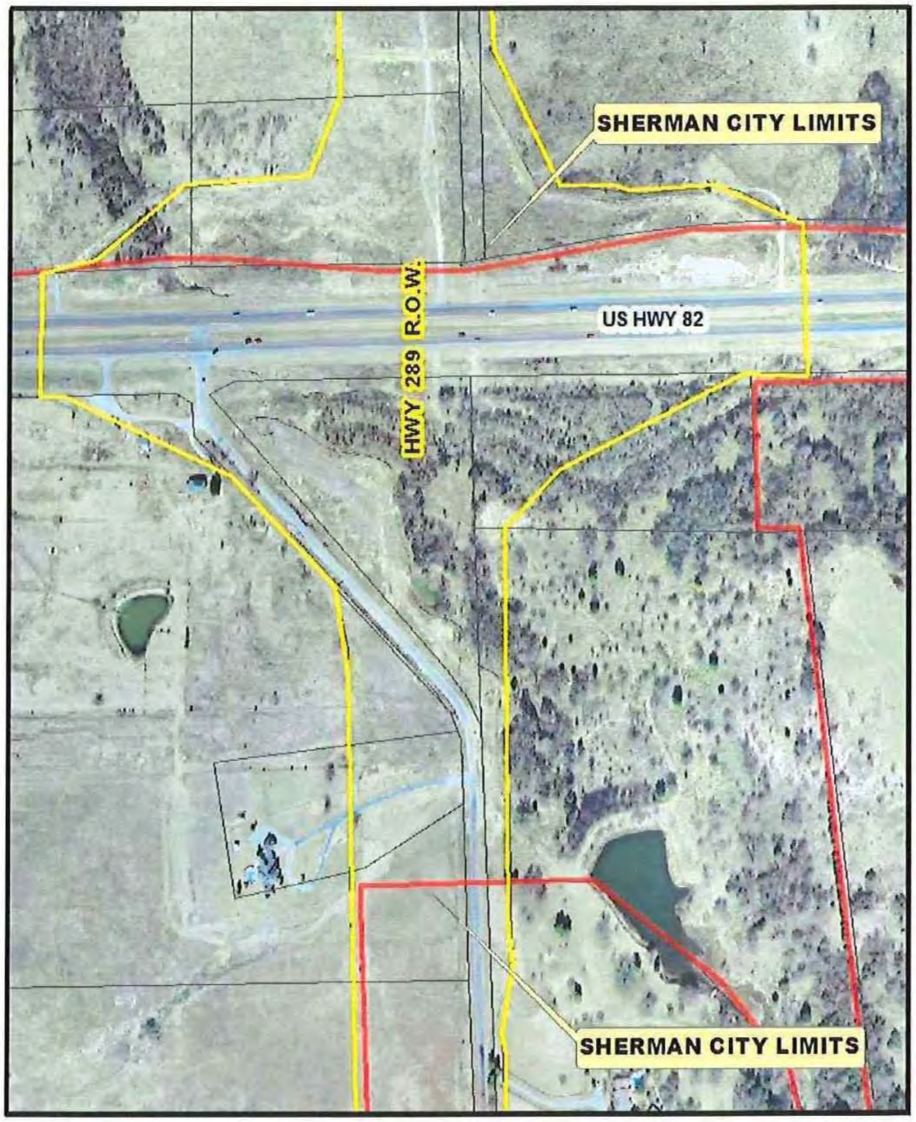
BY: ______________________________
BILL MAGERS, MAYOR

ATTEST:

BY: ______________________________
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: ______________________________
BRANDON S SHELBY,
CITY ATTORNEY



SHERMAN CITY LIMITS AT INTERSECTION
OF HWY 82 AND HWY 289

City of Sherman, Texas
Engineering Department

SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. B.2

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5695
Approving a Negotiated Resolution between the Steering Committee of Cities Served by Oncor ("Steering Committee") and Oncor Electric Delivery Company LLC ("Oncor" or "Company") Regarding the Company's Application to Increase Electric Rates in All Cities Exercising Original Jurisdiction; Declaring Existing Rates to be Unreasonable; Requiring the Company to Reimburse Cities' Reasonable Ratemaking Expenses; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement and Finding the Rates to be Set by the Attached Tariffs to be Just and Reasonable; Approving Oncor's Proof of Revenues; Declaring an Effective Date; and Requiring Delivery of this Ordinance to the Company and the Steering Committee's Legal Counsel

Issue

Ratification of a negotiated resolution between the Steering Committee of Cities Served by Oncor and Oncor Electric Delivery Company LLC

Background

The City, along with approximately 160 other cities served by Oncor Electric Delivery Company LLC ("Oncor" or "Company"), is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"). On or about January 7, 2011, Oncor filed with the City an application to increase electric rates.

The Oncor filing sought a $353 million rate increase. The City worked with the Steering Committee to analyze the schedules and evidence offered by Oncor to support its request to increase rates. The Ordinance and attached rate and tariffs are the result of negotiations between the Steering Committee and the Company to resolve issues raised by the Steering Committee and other intervenors during the review and evaluation of the filing. The Ordinance resolves the Company's filing by authorizing an increase in the Company's base rate of $136.7 million. The monthly bill impact for the average residential customer will be a $2.35 increase (as opposed to the $5.00 per bill increase as proposed in the Company's filing).

The Executive Committee of the Steering Committee and the Steering Committee's legal counsel recommend that all city members of the Steering Committee adopt the Ordinance implementing the rate change prior to June 17, 2011.

Origination

Thomas Brocato of Lloyd Gosselink Rochelle & Townsend, P.C., General Counsel to the Steering Committee

Financial Consideration
Approval of this ordinance will result in rates that implement a $136.7 million increase in Oncor's revenues, $93.7 million effective July 1, 2011 and $43 million effective January 1, 2012, and a monthly increase of $2.35 for the average residential customer. Oncor has agreed that it will not file another general base rate case prior to July 1, 2013. However, as cities are regulatory authorities, cities may still initiate a rate case prior to that date.

Additionally, consistent with the District Court's reversal of the Commission's decision relating to municipal franchise fees in Docket No. 35717, Oncor will increase franchise fees to the contractually agreed to amounts within 60 days of the final order, or July 1, 2011, whichever is later. Additionally, Oncor will pay cities retroactive franchise fees from the date the rates approved in Oncor's prior rate case, Docket No. 35717, went into effect. Oncor will also pay cities' rate case expenses and recover those amounts over three years with no carrying charges.

Staff Recommendation
It is recommended that the City Council adopt Ordinance No. 5695 and approve the negotiated resolution with Oncor.

Alternatives
The alternative to a settlement of the filing would be a contested case proceeding before the Public Utility Commission of Texas on the Company's current application, which would take several months and cost ratepayers millions of dollars in rate case expenses, and would not likely produce a result more favorable than that to be produced by the settlement.

Attachments
Steering Committee General Counsel Memo of May 11, 2011
Model Staff Report
Ordinance No. 5695
PUC 38929 Final Stipulation
List of Participating Cities
Residential Increase Calculation
Cities' Franchise Fee Payments

Prepared by:
Brandon S. Shelby, City Attorney

Approved by:
George Olson, City Manager

Lloyd Gosselink
ATTORNEYS AT LAW

816 Congress Avenue, Suite 1900
Austin, Texas 78701
Telephone: (512) 322-5800
Facsimile: (512) 472-0532
www.lglawfirm.com

Mr. Brocato's Direct Line: (512) 322-5857
Email: tbrocato@lglawfirm.com

MEMORANDUM

TO: Steering Committee of Cities Served by Oncor

FROM: Thomas Brocato

DATE: May 11, 2011

RE: Oncor Electric Delivery Company's Rate Increase Settlement

FINAL ACTION NEEDED BY JUNE 17

The Executive Committee of the Steering Committee of Cities Served by Oncor, with the advice and input of the Steering Committee consultants and lawyers, has worked to resolve Oncor's pending $353 million rate increase request without the necessity of a protracted and costly contested case proceeding. The attached tariffs reflect rates that will increase Oncor's revenues by $136.7 million. The negotiated result reduces Oncor's requested rate increase by more than 60%. The monthly bill impact for an average residential customer will be $2.35. The Steering Committee recommends approval of the negotiated resolution because it represents an outcome that is equal to or better than the outcome expected from a contested case proceeding, and maintains cities' roles as regulators of electric rates.

Attached to this memo is a model ordinance approving the settlement and staff report. **Please schedule consideration of the ordinance at your next available council meeting. Final council action to approve the ordinance must take place by June 17, 2011.** To assist you, several documents are attached to this memorandum:

- An ordinance setting new rates consistent with the settlement agreement. The approved ordinance should include the attached tariffs ("Attachment A" and "Attachment B" to the ordinance),
- A model staff report,
- PUC 38929 final stipulation,
- participating cities list,
- residential increase (calculation for both 1,000 and 1,300 kWh for residential using January 1, 2012 rates) (excel file), and
- copy of cities' franchise fee payments (calculation with interest) (excel file).

1669-24/ 1284177

If you have any questions, please feel free to contact Thomas (512/322-5857, tbrocato@lglawfirm.com). Once final action has been taken by your city, please forward a copy of the ordinance to Oncor and to our paralegal, Holly Paxton (fax number 512/472-0535, hpaxton@lglawfirm.com).

MODEL STAFF REPORT

The City, along with approximately 160 other cities served by Oncor Electric Delivery Company LLC ("Oncor" or "Company"), is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"). On or about January 7, 2011, Oncor filed with the City an application to increase electric rates.

The Oncor filing sought a $353 million rate increase. The City worked with the Steering Committee to analyze the schedules and evidence offered by Oncor to support its request to increase rates. The Ordinance and attached rate and tariffs are the result of negotiations between the Steering Committee and the Company to resolve issues raised by the Steering Committee and other intervenors during the review and evaluation of the filing. The Ordinance resolves the Company's filing by authorizing an increase in the Company's base rate of $136.7 million. The monthly bill impact for the average residential customer will be a $2.35 increase (as opposed to the $5.00 per bill increase as proposed in the Company's filing).

The Executive Committee of the Steering Committee and the Steering Committee's legal counsel recommend that all city members of the Steering Committee adopt the Ordinance implementing the rate change.

Background:

The tariff was approved by the Executive Committee of the Steering Committee as part of the settlement agreement to resolve the Oncor rate filing at the Public Utility Commission of Texas. As stated above, the agreement reduces Oncor's request for a $353 million increase to $136.7 million. The agreement does not change the current authorized capitalization of 60% debt and 40% equity and return on equity of 10.25% from Oncor's last rate proceeding.

Also, the settlement results in a system-wide rate increase of 6.1%. Residential customers will see an increase of 6.2%, much lower than Oncor's requested 14.6% increase. Street lighting rates will increase 13.8%, which is also lower than Oncor's requested increase of 25.9%. Oncor has agreed that it will not file another general base rate case prior to July 1, 2013. However, as cities are regulatory authorities, cities may still initiate a rate case prior to that date.

Additionally, consistent with the District Court's reversal of the Commission's decision relating to municipal franchise fees in Docket No. 35717, Oncor will increase franchise fees to the contractually agreed to amounts within 60 days of the final order, or July 1, 2011, whichever is later. Additionally, Oncor will pay cities retroactive franchise fees from the date the rates approved in Oncor's prior rate case, Docket No. 35717, went into effect.

Oncor will also pay cities' rate case expenses and recover those amounts over three years with no carrying charges. Finally, at its own expense, the Company will reinstate Rider SCUD, which provides for a 20% discount for institutions of higher learning.

Purpose of the Ordinance:

Rates cannot change and the Settlement Agreement with Oncor cannot be implemented without passage of rate ordinances by cities. The purpose of the Ordinance is to approve rate tariffs ("Attachment A" and "Attachment B") that reflect the negotiated rate changes pursuant to the process and to ratify a Settlement Agreement ("Attachment C") recommended by the Steering Committee.

As a result of the negotiations, the Steering Committee was able to reduce the Company's requested $353 million increase to $136.7 million (a decrease of over 60% of the Company's request). Approval of the Ordinance will result in the implementation of new rates that increase Oncor's revenues in two phases: by $93.7 million effective July 1, 2011 (i.e. "Attachment A") and by $43 million effective January 1, 2012 ("Attachment B").

Reasons Justifying Approval of the Negotiated Resolution:

During the time that the City has retained original jurisdiction in this case, consultants working on behalf of the Steering Committee have investigated the support for the Company's requested rate increase. While the evidence does not support the $353 million increase requested by the Company, the Steering Committee consultants agree that the Company can justify an increase in revenues of $136.7 million. The agreement on $136.7 million is a compromise between the positions of the parties.

The alternative to a settlement of the filing would be a contested case proceeding before the Public Utility Commission of Texas on the Company's current application, would take several months and cost ratepayers millions of dollars in rate case expenses, and would not likely produce a result more favorable than that to be produced by the settlement. The Executive Committee and counsel for the Steering Committee recommend that Steering Committee member cities take action to approve the Ordinance authorizing new rate tariffs.

Explanation of "Be It Ordained" Paragraphs:

1. This paragraph approves all findings in the Ordinance.

2. This section adopts the attached tariffs ("Attachment A" and "Attachment "B") in all respects and finds the rates set pursuant to the attached tariffs to be just, reasonable and in the public interest.

3. This section requires the Company to reimburse the Steering Committee for reasonable rate making costs associated with reviewing and processing the application.

4. This section is a "Most Favored Nations" clause, which protects the City by mandating that if the City determines any rates, revenues, terms and conditions, or benefits resulting from a Final Order or subsequent negotiated settlement approved in any proceeding addressing the issues raised in the Company's filing would be more beneficial to the City than the terms of the attached tariffs, then the more favorable rates, revenues, terms and conditions, or benefits shall additionally accrue to the City.

5. This section provides for an effective dates upon passage. Approval of the Ordinance will result in the implementation of new rates that increase Oncor's revenues in two phases: by $93.7 million effective July 1, 2011 ("Attachment A") and by $43 million effective January 1, 2012 ("Attachment B").

6. This paragraph directs that a copy of the signed Ordinance be sent to a representative of the Company and legal counsel for the Steering Committee.

7. This section repeals any resolution or ordinance that is inconsistent with this Ordinance.

8. This section is a savings clause, which provides that if any section(s) is later found to be unconstitutional or invalid, that finding shall not affect, impair or invalidate the remaining provisions of this Ordinance. This section further directs that the remaining provisions of the Ordinance are to be interpreted as if the offending section or clause never existed.

9. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

ORDINANCE NO. 5695

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING A NEGOTIATED RESOLUTION BETWEEN THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR ("STEERING COMMITTEE") AND ONCOR ELECTRIC DELIVERY COMPANY LLC ("ONCOR" OR "COMPANY") REGARDING THE COMPANY'S APPLICATION TO INCREASE ELECTRIC RATES IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; APPROVING ONCOR'S PROOF OF REVENUES; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL; DECLARING AN EFFECTIVE DATE; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Sherman, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company") and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the City is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"), a coalition of approximately 160 similarly situated cities served by Oncor that have joined together to facilitate the review of and response to electric issues affecting rates charged in the Oncor service area; and

WHEREAS, on or about January 7, 2011, Oncor filed with the City its application to increase electric base rates by approximately $353 million, such increase to be effective in every municipality within Oncor's service territory; and

WHEREAS, the Steering Committee coordinated their review of Oncor's filing by designating an Executive Committee made up of Steering Committee representatives, assisted by Steering Committee attorneys and consultants, to resolve issues identified by the Steering Committee in the Company's filing; and

WHEREAS, the Company has filed evidence that existing rates are unreasonable and should be changed; and

WHEREAS, independent analysis by the Steering Committee's rate experts concluded that Oncor is able to justify an increase over current rates of $136.7 million; and

WHEREAS, the Steering Committee has entered a Settlement Agreement ("Attachment C" to the Ordinance) with Oncor to increase base rate revenues by $136.7 million; and

WHEREAS, the Executive Committee of the Steering Committee and the Steering Committee's lawyers and consultants recommend that Steering Committee members approve the attached rate tariffs ("Attachment A" and "Attachment B" to this Ordinance), which will increase the Company's revenue requirement by $136.7 million; and

WHEREAS, the attached tariffs implementing new rates are consistent with the negotiated resolution reached by the Steering Committee and are just, reasonable, and in the public interest; and

WHEREAS, it is the intention of the parties that, if the City determines any rates, revenues, terms and conditions, or benefits resulting from a Final Order or subsequent negotiated settlement approved in any proceeding addressing the issues raised in the Company's filing would be more beneficial to the City than the terms of the attached tariffs, then the more favorable rates, revenues, terms and conditions, or benefits shall additionally accrue to the City; and

WHEREAS, the negotiated resolution of the Company's filing and the resulting rates are, as a whole, in the public interest;

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

SECTION 1. That the findings set forth in this Ordinance are hereby in all things approved.

SECTION 2. That the City Council finds the existing rates for electric service provided by Oncor are unreasonable and new tariffs, which are attached hereto and incorporated herein as "Attachment A" and "Attachment B", are just and reasonable and are hereby adopted.

SECTION 3. That Oncor shall reimburse the reasonable ratemaking expenses of the Steering Committee in processing the Company's rate application.

SECTION 4. That, if the City determines any rates, revenues, terms and conditions, or benefits resulting from a Final Order or subsequent negotiated settlement approved in any proceeding addressing the issues raised in the Company's filing would be more beneficial to the City than the terms of the attached tariffs, then the more favorable rates, revenues, terms and conditions, or benefits shall additionally accrue to the City.

SECTION 5. That this Ordinance shall become effective from and after its passage with rates authorized by the attached tariffs to be effective in two phases. Phase one tariffs (attached to this Ordinance as "Attachment A"), increasing Oncor's revenues by $93.7 million, are effective for bills rendered on or after July 1, 2011. Phase two tariffs (attached to this Ordinance as "Attachment B"), increasing Oncor's revenues by $43 million, are effective for bills rendered on or after January 1, 2012.

SECTION 6. That a copy of this Ordinance shall be sent to Oncor, care of Autry Warren, Oncor Electric Delivery Company LLC, 1601 Bryan Street, 23rd Floor, Dallas, Texas 75201, and to Thomas Brocato at Lloyd Gosselink Rochelle & Townsend, P.C., P. O. Box 1725, Austin, Texas 78767-1725.

SECTION 7. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 8. That, if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance; and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

SECTION 9. That it is hereby officially found and determined that the meeting at which this ordinance was introduced and passed was open to the public and that public notice of the time, place, and purpose of said meeting was given all as required by law.

INTRODUCED on this the _____________ day of _________________, 2011.

ADOPTED on this the _________________ day of _________________, 2011.

EFFECTIVE DATE on this the _________ day of _________________, 2011.

CITY OF SHERMAN, TEXAS

BY: ________________________________
BILL MAGERS, MAYOR

ATTEST:

BY: ________________________________
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: ________________________________
BRANDON S. SHELBY,
CITY ATTORNEY

"Attachment A" to the Ordinance
(To be attached)

“Attachment B” to the Ordinance

(To be attached)

PUC DOCKET NO. 38929
SOAH DOCKET NO. 473-11-2330

APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY LLC FOR AUTHORITY TO CHANGE RATES	**§ § §**	**BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS**

STIPULATION

TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

As of April 8, 2011, Oncor Electric Delivery Company LLC ("Oncor" or "Company") and certain parties to this docket have reached a Memorandum of Settlement ("MOS"), attached hereto as Exhibit A, concerning the Application of Oncor Electric Delivery Company LLC for Authority to Change Rates. Based upon the MOS, the following parties have joined in this comprehensive and unopposed Stipulation ("Stipulation") regarding all issues in this docket: Oncor; the Staff of the Public Utility Commission of Texas ("Staff"); the Office of Public Utility Counsel; State agencies and institutions of higher education ("State Agencies"); Texas Industrial Energy Consumers; the Steering Committee of Cities Served by Oncor ("Cities"); the Alliance of Oncor Cities ("AOC"); Wal-Mart Stores Texas, LLC and Sam's East, Inc.; and The Kroger Co. (hereinafter collectively referred to as "Signatories"). The Signatories agree that a negotiated resolution of this proceeding on the basis set forth in this Stipulation and related tariffs is in the public interest, provides just and reasonable rates, and will conserve the parties' and the public's resources and eliminate controversy. Accordingly, the Signatories request approval of this Stipulation by the Public Utility Commission of Texas ("Commission") and entry of an Order (including findings of fact and conclusions of law) and approval of tariffs ("Tariffs") as set out in Exhibit B hereto. All of the other parties to this docket have agreed that they do not oppose the Commission entering a final order consistent with this Stipulation.[1]

I.

By this Stipulation, the Signatories resolve all issues among them related to this proceeding and hereby stipulate and agree as follows and request the Commission enter the

[1] The following parties are not Signatories to this Stipulation but have agreed that they do not oppose it and do not oppose the Commission entering a final order consistent with this Stipulation: Reliant Energy Retail Services, LLC; CenterPoint Energy Houston Electric, LLC; Alliance for Retail Markets; Nucor Steel - Texas; TXU Energy Retail Company LLC; Texas Energy Association for Marketers; Environmental Defense Fund; Brazos Electric Power Cooperative, Inc.; Tex-La Electric Cooperative of Texas, Inc.; Rayburn Country Electric Cooperative, Inc.; IBEW Local 69; and Texas Cotton Ginners' Association & St. Lawrence Cotton Growers' Association.

proposed final Order attached hereto as Exhibit B (including the proposed Tariffs attached thereto) that reflects the following:

A. **Base Rate Revenue Increase**: Oncor's total base rate revenue requirement will be increased by $136,722,048 over current rate revenues [which include post-test year transmission cost of service ("TCOS") and transmission cost recovery factor ("TCRF") adjustments], resulting in a total cost of service of $2,945,899,486, as reflected in Column (d) (Proposed Rates) of the attached Exhibit A (MOS) at Exhibit A. The Signatories have also agreed to and developed rates based upon the Proposed Rates for each customer class as reflected in Column (d) of the attached Exhibit A (MOS) at Exhibit A, which results in a change in rates for each customer class as reflected in Column (e) and a percentage change for each customer class as reflected in Column (f). The calculated rates have been incorporated in the Tariffs that are attached hereto at Exhibit B (Proposed Order) at Exhibits B1, B2, B3, and B4.

B. **Financial Matters**: Oncor's Weighted Average Cost of Capital ("WACC") shall be 8.14% based upon a 6.73% Cost of Debt, an authorized Return on Equity ("ROE") of 10.25%, and an authorized regulatory capital structure of 60% long-term debt and 40% equity. The foregoing WACC, Cost of Debt, ROE, and capital structure will apply, in accordance with PURA[2] and Commission rules, in all Commission proceedings or Commission filings requiring application of Oncor's Cost of Debt, WACC, ROE, or capital structure to the same extent as if these factors had been determined in a final order in a fully-litigated proceeding.

C. **Prudence Finding Regarding Investment**: The Signatories agree to a Commission finding that all Oncor investment through the end of the test year (June 30, 2010), as presented in Oncor's rate filing package ("RFP"), is prudent and includable in rate base. A determination of prudence regarding Oncor's investment made after June 30, 2010, (whether now in rates through interim TCOS and TCRF or non-TCOS in nature) will be reserved until Oncor's next general base rate case. This paragraph does not waive the rights of certain parties to continue their appeals of Docket No. 35717[3] with respect to the prudence of certain automated meters. This paragraph also does not apply to investment subject to recovery through the Advanced Metering System ("AMS") surcharge approved in Docket No. 35718.[4] The Signatories stipulate that Oncor's total rate base as of June 30, 2010 is $8,098,414,835.

[2] Public Utility Regulatory Act, Tex. Util. Code Ann. §§ 11.001-66.016 (Vernon 2007 & Supp. 2010) ("PURA").

[3] *Application of Oncor Electric Delivery Company LLC for Authority to Change Rates*, Docket No. 35717, Order on Rehearing (Nov. 30, 2009).

[4] *Oncor Electric Delivery Company LLC's Request For Approval Of Advanced Metering System (AMS) Deployment Plan And Request For Advanced Metering System (AMS) Surcharge*, Docket No. 35718, Order (Aug. 28, 2009).

D. **Prospective Franchise Fees**: To reflect the opinion of the District Court in the Docket No. 35717 appeal and the Commission's recent decision in Docket No. 38339,[5] Oncor agrees to increase franchise fees to the contractual annual amount, to begin within 60 days after entry of a final order in this proceeding or July 1, 2011, whichever is later, but in any event retrospective to July 1, 2011. With the exception of Staff, the Signatories agree that this Stipulation resolves all outstanding appeals relating to municipal franchise fees in Docket No. 35717. Staff takes no position on that issue.

E. **Regulatory Surcharge (Retrospective Franchise Fees and Rate Case Expenses)**: To reflect the opinion of the District Court in the Docket No. 35717 appeal and the Commission's recent decision in Docket No. 38339, within 60 days after entry of a final order in this proceeding, Oncor will pay the municipalities in its service territory retrospective franchise fees (calculated from the date that the rates approved in Docket No. 35717 went into effect through July 1, 2011) and rate case expenses (through July 1, 2011) and recover those amounts, plus Oncor's rate case expenses balance (through July 1, 2011) over three years in a separate surcharge with no carrying charges. Rate case expenses incurred after July 1, 2011 will be captured in a regulatory asset and preserved for recovery consideration in Oncor's next general base rate case.

The total amount of retrospective franchise fees, calculated through June 30, 2011, plus interest at the Commission-established rate, is $21,848,230. The Regulatory Surcharge rider (Rider RS) included in the proposed Tariffs currently includes only these amounts for retrospective franchise fees. The Signatories have agreed that the issue of the appropriate level of rate case expenses shall be resolved in Docket No. 39239,[6] where that issue is currently pending. Once the Commission has issued an order approving the level of rate case expenses to be recovered, Oncor will make a compliance filing with the Commission to adjust Rider RS to include the approved rate case expenses. The Signatories agree that the allocation factors to be used for Rider RS are reflected in the Supplemental Direct Testimony of J. Michael Sherburne at Exhibit JMS-SD-3. Rider RS will take effect January 1, 2012.

F. **Rate NTS**: The Signatories agree that the transmission cost of service, as reflected in the Network Transmission Revenue row on the attached Exhibit A (MOS) at Exhibit A, shall be set as reflected in the attached Exhibit A (MOS) at Exhibit C.

G. **Rider SCUD (State Colleges and Universities Discount)**: Oncor will reinstate Rider SCUD without passing on any revenue shortfall to customers. If subsequent legislation eliminates or changes Rider SCUD, or upon a final, non-appealable court order that Rider SCUD is not applicable under current law, Oncor will change or eliminate the Rider SCUD discount consistent with any such legislation or court order. If Rider SCUD is changed or eliminated, any such change or elimination shall take effect prospectively following the effective date of applicable legislation or the issuance of a

[5] *CenterPoint Energy Houston Electric, LLC for Authority to Change Rates*, Docket No. 38339 (pending).

[6] *Application of Oncor Electric Delivery Company LLC for Rate Case Expense Severed from PUC Docket No. 38929, SOAH Docket No. 473-11-2330*, Docket No. 39239 (pending).

mandate by the court of last resort. No surcharge will be implemented or applied to recoup any Rider SCUD discount.

H. **Cost Allocation and Rate Design**: The Signatories agree that costs shall be allocated among the customer classes consistent with the Proposed Rates reflected in Column (d) of the attached Exhibit A (MOS) at Exhibit A. The Signatories agree to the rate design and tariff language as proposed by Oncor in its RFP [which includes (1) eliminating the Transmission System Charge and thereby recovering all of Oncor's transmission expense through its TCRF as provided for in proposed Rider TCRF, and (2) modifications to the ratchet provisions in the Secondary >10 kW Class], subject to the following changes:

   1. For TCRF, Oncor will use the 2010 unadjusted 4CP figures instead of the 2009 adjusted 4CP figures. The 2010 unadjusted 4CP figures are detailed in the Supplemental Direct Testimony of J. Michael Sherburne at Exhibit JMS-SD-1; and

   2. Changes to the tariff language, which have been as reflected in the Tariffs attached to the proposed Order attached hereto as Exhibit B.

I. **Depreciation**: Oncor will use the depreciation rates it proposed in its direct case in this proceeding. Those rates are the same as the rates approved by the Commission in Docket No. 35717, with the exception that Oncor's proposal reflects an increase in the depreciation rate for intangible plant assets, which increase is reflected in the agreed total annual cost of service. The new agreed annual amortization rate for Account 303 (intangible plant) is 12.56%.

J. **Meter Costs**: The Signatories agree to the amount of meter-reading costs and ad valorem taxes included in Oncor's new rates, to the extent those costs are related to meters that are being replaced pursuant to Oncor's Commission-approved AMS Deployment Plan. These numbers can be derived from Oncor's RFP and are as follows:

   1. Meter-reading costs – $15,785,691; and

   2. Ad valorem taxes – $2,478,167.

K. **Regulatory Assets and Certain Accruals**: Oncor will amortize its total regulatory asset balance as of June 30, 2010, as presented in the Company's RFP (old and new, self-insurance or "storm" reserve and pension/other postretirement benefits ("OPEB")), over eight (8) years, with such revised amortization to begin on January 1, 2012. The Signatories agree that the amount of the new annual amortizations are as follows:

   1. Self-insurance reserve – $31,514,420 ($252,115,362 balance / 8 years);

   2. Pensions – $9,113,738 ($72,909,900 balance / 8 years); and

   3. OPEBs – $6,921,963 ($55,375,706 balance / 8 years).

Until January 1, 2012, Oncor will continue the amortizations of its regulatory asset balances at the levels approved in the Order on Rehearing in Docket No. 35717. Oncor will continue annual accruals for the self-insurance reserve, pensions, and OPEBs at the levels approved in the Order on Rehearing in Docket No. 35717.

L. **Effective Dates for Rates and Riders**: Oncor shall phase-in rates as follows:

1. $93,722,048 million base rate revenue increase to be effective the later of thirty (30) days after a final Commission order is signed, or July 1, 2011 ("Phase I Tariffs");

2. $43 million base rate revenue increase effective January 1, 2012 ("Phase II Tariffs");

3. Regulatory Surcharge effective January 1, 2012 ("Rider RS"); and

4. All new amortizations (self-insurance reserve and pensions/OPEBs) begin January 1, 2012.

M. **Interim Rates**: The Administrative Law Judges or the Commission will approve interim/temporary rates consistent with the Stipulation effective July 1, 2011, pursuant to PURA § 36.109 and Commission Procedural Rule 22.125, should permanent rates not be approved and in effect by that date. In no event shall the permanent rates take effect sooner than 30 days after the Commission order(s) approving the Stipulation and Tariffs are signed.

N. **Rate Freeze for General Base Rate Case**: Oncor will agree to not file a general base rate case before July 1, 2013; provided that Oncor has no obligation to file a rate case on that or any other date, and Oncor is entitled to file interim rate updates and adjust rates as allowed by Texas law and Commission rules, including, but not limited to, interim TCOS updates, TCRF updates, Energy Efficiency Cost Recovery Factor updates, AMS Surcharge filings, and other investment or cost updates that may exist now or in the future as a result of legislative or Commission action. Nothing in this paragraph is intended to limit the ability of a regulatory authority to initiate an Oncor rate case at any time.

II.

The Signatories agree that the terms of this Stipulation are fair, reasonable, and in the public interest. The Signatories further stipulate to the facts contained in the proposed Order attached hereto as Exhibit B and support and will take all reasonable efforts to obtain the prompt adoption of an order by the Commission consistent with this Stipulation as reflected in the attached proposed Order. The Signatories further agree to defend the terms of this Stipulation as set forth herein. The Signatories agree that this Stipulation does not affect any pending appeal of the Commission's final decision in Docket No. 35717 except as specifically provided for in this Stipulation.

III.

This Stipulation has been drafted by all Signatories and is the result of negotiation, compromise, settlement, and accommodation. The Signatories agree that the terms and conditions herein are interdependent. The various provisions of this Stipulation are not severable. None of the provisions of this Stipulation shall become fully operative unless the Commission shall have entered a final order approving this Stipulation consistent with the proposed Order. If the Commission does not accept this Stipulation as presented, or issues an interim or final order inconsistent with the terms of this Stipulation or the proposed Order, the Signatories agree that any Signatory adversely affected by that alteration has the right to withdraw from this Stipulation, thereby becoming released from its obligations arising hereunder, and to proceed as otherwise permitted by law to exercise all rights available under the law. The right to withdraw must be exercised by providing the other Signatories written notice within twenty (20) calendar days of the date the Commission order acting on this Stipulation is filed. Failure to provide such notice within the specified time period shall constitute a waiver of the right to withdraw and acceptance of the changes to this Stipulation made by the Commission.

IV.

This Stipulation is binding on each of the Signatories only for the purpose of settling the issues as set forth herein and for no other purposes. The matters resolved herein are resolved on the basis of a compromise and settlement. Except to the extent that this Stipulation expressly governs a Signatory's rights and obligations for future periods, this Stipulation shall not be binding or precedential on a Signatory outside of this proceeding except for a proceeding to enforce the terms of this Stipulation. The Signatories agree that a Signatory's support of the resolution of this docket in accordance with this Stipulation may differ from its position or testimony regarding contested issues of law, policy, or fact in other proceedings before the Commission or other forum. Because this is a Stipulation, a Signatory is under no obligation to take the same position as set out in this Stipulation in other proceedings not referenced in this Stipulation whether those dockets present the same or a different set of circumstances. A Signatory's agreement to entry of a final order of the Commission consistent with this Stipulation should not be regarded as an agreement to the appropriateness or correctness of any assumptions, methodology, or legal or regulatory principle that may have been employed in reaching this Stipulation.

V.

This Stipulation contains the entire agreement among the Signatories. Moreover, this Stipulation supersedes all other written and oral exchanges or negotiations among the Signatories or their representatives with regard to the subjects contained herein. To the extent this Stipulation may be different from the MOS, or may contain additional terms to the MOS, this Stipulation controls. The Signatories hereby waive the right to an evidentiary hearing in this proceeding and waive cross-examination of all witnesses.

VI.

Each person executing this Stipulation represents that he or she is authorized to sign this Stipulation on behalf of the party represented. Facsimile copies of signatures are valid for purposes of evidencing this Stipulation, which may be executed in multiple counterparts.

VII.

WHEREFORE, PREMISES CONSIDERED, the Signatories respectfully request that this Honorable Commission enter an order consistent with the terms of this Stipulation.

AGREED:

ONCOR ELECTRIC DELIVERY COMPANY LLC

BY:______________________________________

STAFF OF THE PUBLIC UTILITY COMMISSION OF TEXAS

Agreed, except with regard to the Docket No. 35717 franchise fee appeal, about which Staff takes no position.

BY:______________________________________

OFFICE OF PUBLIC UTILITY COUNSEL

BY:______________________________________

STATE AGENCIES

BY:______________________________________

TEXAS INDUSTRIAL ENERGY CONSUMERS

BY:______________________________________

AGREED:

STEERING COMMITTEE OF CITIES SERVED BY ONCOR

BY:____

ALLIANCE OF ONCOR CITIES

BY:____

WAL-MART STORES TEXAS, LLC, AND SAM'S EAST, INC.

BY: ____

THE KROGER CO.

BY: ____

The following parties do not agree to this Stipulation and are not "Signatories" thereto, but agree that they do not and will not oppose the Commission entering a final order consistent with this Stipulation. The following parties also waive the right to an evidentiary hearing in this proceeding and waive cross-examination of all witnesses:

RELIANT ENERGY RETAIL SERVICES, LLC

BY:____

CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC

BY:____

ALLIANCE FOR RETAIL MARKETS

BY:____

NUCOR STEEL - TEXAS

BY:____

TXU ENERGY RETAIL COMPANY LLC

BY:____

TEXAS ENERGY ASSOCIATION FOR MARKETERS

BY:____

ENVIRONMENTAL DEFENSE FUND

BY:______________________________

BRAZOS ELECTRIC POWER COOPERATIVE, INC.

BY:______________________________

TEX-LA ELECTRIC COOPERATIVE OF TEXAS, INC.

BY:______________________________

RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC.

BY:______________________________

IBEW LOCAL 69

BY:______________________________

TEXAS COTTON GINNERS' ASSOCIATION &
ST. LAWRENCE COTTON GROWERS' ASSOCIATION

BY:______________________________

Steering Committee of Cities Served by Oncor
Participating Cities – Oncor Rate Case (Docket No. 38929)

Addison
Allen
Alvarado
Andrews
Anna
Archer City
Argyle
Arlington
Bedford
Bellmead
Belton
Benbrook
Beverly Hills
Big Spring
Boyd
Breckenridge
Bridgeport
Brownwood
Buffalo
Burkburnett
Burleson
Caddo Mills
Cameron
Canton
Carrollton
Cedar Hill
Celina
Centerville
Cleburne
Coahoma
Colleyville
Collinsville
Colorado City
Comanche
Commerce
Coppell
Copperas Cove
Corinth
Crowley
Dallas
Dalworthington Gardens
DeLeon
De Soto
Denison
Duncanville
Early
Eastland
Edgecliff Village
Ennis
Euless
Everman
Fairview
Farmers Branch
Fate
Flower Mound
Forest Hill
Fort Worth
Frisco
Frost
Gainesville
Garland
Glenn Heights
Grand Prairie
Granger
Grapevine
Gunter
Haltom City
Harker Heights
Henrietta
Hewitt
Highland Park
Honey Grove
Howe
Hurst
Hutto
Iowa Park
Irving
Jolly
Josephine
Justin
Kaufman
Keller
Kemp
Kennedale
Kerens
Killeen
Krum
Lake Worth
Lakeside
Lamesa
Lancaster
Lewisville
Lindale
Little Elm
Little River Academy
Malakoff
Mansfield
McKinney
Mesquite
Midland
Midlothian
Murchison
Murphy
Nacogdoches
New Chapel Hill
North Richland Hills
Northlake
Oak Leaf
Oak Point
Odessa
O'Donnell
Ovilla
Palestine
Pantego
Paris
Parker
Plano
Pottsboro
Prosper
Ranger
Red Oak
Rhome
Richardson
Richland
Richland Hills
River Oaks
Roanoke
Robinson
Rockwall
Rosser
Rowlett
Sachse
Saginaw
Seagoville
Sherman
Snyder
Southlake
Springtown
Stephenville
Sulphur Springs
Sunnyvale
Sweetwater
Temple
Terrell
The Colony
Trophy Club
Tyler
University Park
Venus
Waco
Watauga
Waxahachie
White Settlement
Wichita Falls
Willow Park
Woodway
Wylie

1669/24/1292628

ONCOR ELECTRIC DELIVERY COMPANY LLC
RESIDENTIAL CALCULATION
CURRENT vs. SETTLEMENT

Oncor Electric Delivery Company
Rates at Full Settlement Amount vs Current Rates

Charge	Current Oncor	Settlement	Incremental Increase
Customer Charge	$0.57 /cust/month	$0.78 /cust/month	$0.21 /cust/month
Metering Charge	$2.20 /cust/month	$2.28 /cust/month	$0.08 /cust/month
Energy Efficiency Cost Recovery Factor (per cust)	$0.91 /cust/month	$0.91 /cust/month	$0.00 /cust/month
Advanced Metering Cost Recovery Factor	$2.19 /cust/month	$2.19 /cust/month	$0.00 /cust/month
Subtotal, Fixed Charges	$5.87 /cust/month	$6.16 /cust/month	$0.29 /cust/month
Distribution System Charge	$0.017744 /kWh	$0.018583 /kWh	$0.000839 /kWh
Transmission System Charge	$0.005918 /kWh	$0.000000 /kWh	($0.005918) /kWh
Transmission Cost Recovery Factor as of 3/1/2011*	$0.000950 /kWh*	$0.007462 /kWh**	$0.006512 /kWh
Subtotal, Basic Wires Charges	$0.024612 /kWh	$0.026045 /kWh	$ 0.001433 /kWh
Customer Charge and Wires Charge (no non-bypassable charges) 1,000 kWh	**$30.48**	**$32.21**	**$1.72**
Customer Charge and Wires Charge (no non-bypassable charges) 1,300 kWh	**$37.87**	**$40.02**	**$2.15**
Non-Bypassable Charges			
System Benefit Fund	$0.000655 /kWh	$0.000654 /kWh	($0.000001) /kWh
Nuclear Decommissioning Charge	$0.000169 /kWh	$0.000169 /kWh	$0.000000 /kWh
Transition Charge	$0.001550 /kWh	$0.001550 /kWh	$0.000000 /kWh
Rate Case Expense 1	$0.000036 /kWh	$0.000036 /kWh	$0.000000 /kWh
Rate Case Expense 2 / Franchise Fee Surcharge	$0.000000 /kWh	$0.000132 /kWh	$0.000132 /kWh
Total Wires Charge for 1,000 kWh	**$32.89**	**$34.75**	**$1.85**
	3.29 cents/kWh	3.47 cents/kWh	0.19 cents/kWh
Total Wires Charge for 1,300 kWh	**$41.00**	**$43.32**	**$2.32**
	3.15 cents/kWh	3.33 cents/kWh	0.18 cents/kWh

Fixed Charge Increases	
Customer Charge	$0.21
Metering Charge	$0.08
TOTAL	$0.29 per cust per month

Variable Charge Increase/(Decrease)	
Distribution System Charge	$0.000839
Transmission System Charge	($0.005918)
Transmission Cost Recovery Factor **	$0.006512
System Benefit Fund	($0.000001)
Rate Case Expense 2 / Franchise Fee Surcharge	$0.000132
TOTAL	$0.001564 per kWh

Total Wires Charge Increase	1000 kWh		1300 kWh	
	$ 0.29		$ 0.29	
	1.56	(1000 kWh * $0.001564)	2.03	(1300 kWh * $0.001564)
	$ 1.85		$ 2.32	

** Settlement rates include all transmission expense.

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Actuals Through March 31, 2011 and Estimates Through June 30, 2011

City	Actual	Estimate	Total
ABBOTT	593.11	590.48	1,183.59
ACKERLY	1,458.60	0.00	1,458.60
ADDISON	109,782.17	17,903.17	127,685.34
ALEDO	10,012.24	0.00	10,012.24
ALLEN	170,226.73	25,274.55	195,501.28
ALMA	321.98	318.35	640.33
ALTO	1,928.66	291.34	2,220.00
ALVARADO	9,063.88	1,330.54	10,394.42
ALVORD	1,690.52	1,682.57	3,373.09
ANDREWS	22,137.09	4,059.34	26,196.43
ANGUS	1,103.74	0.00	1,103.74
ANNA	7,422.00	0.00	7,422.00
ANNETTA	2,077.38	0.00	2,077.38
ANNETTA NORTH	3,080.43	0.00	3,080.43
ANNETTA SOUTH	1,881.99	0.00	1,881.99
ANNONA	924.21	0.00	924.21
APPLEBY	682.08	0.00	682.08
ARCHER CITY	5,503.63	0.00	5,503.63
ARGYLE	1,559.03	1,625.95	3,184.98
ARLINGTON	906,438.59	155,629.67	1,062,068.26
ARP	1,798.39	539.77	2,338.16
ATHENS	24,290.70	24,176.50	48,467.20
AURORA	1,798.69	0.00	1,798.69
AUSTIN	12,253.03	1,860.09	14,113.12
AZLE	33,617.77	0.00	33,617.77
BALCH SPRINGS	51,395.01	0.00	51,395.01
BANGS	2,351.70	2,340.65	4,692.35
BARDWELL	1,203.34	0.00	1,203.34
BARRY	257.00	255.86	512.86
BARTLETT	30.73	0.00	30.73
BEDFORD	125,821.26	22,375.97	148,197.23
BELLEVUE	974.59	0.00	974.59
BELLMEAD	0.00	0.00	0.00
BELLS	37.89	38.71	76.60
BELTON	47,562.58	7,922.71	55,485.29
BENBROOK	70,795.56	0.00	70,795.56
BEVERLY HILLS	4,988.63	719.17	5,707.80
BIG SPRING	55,010.79	8,325.72	63,336.51

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Actuals Through March 31, 2011 and Estimates Through June 30, 2011

City	Actual	Estimate	Total
BLANKET	467.41	465.21	932.62
BLOOMING GROVE	1,367.52	1,361.46	2,728.98
BLUE MOUND	3,564.60	0.00	3,564.60
BONHAM	20,101.59	3,254.37	23,355.96
BOYD	2,526.49	2,514.62	5,041.11
BRECKENRIDGE	18,904.96	3,264.93	22,169.89
BRIDGEPORT	957.93	0.00	957.93
BROWNSBORO	2,635.62	462.62	3,098.24
BROWNWOOD	46,458.85	7,301.38	53,760.23
BRUCEVILLE-EDDY	2,092.67	0.00	2,092.67
BUCKHOLTS	525.98	523.51	1,049.49
BUFFALO	4,470.92	0.00	4,470.92
BULLARD	5,789.16	0.00	5,789.16
BURKBURNETT	22,723.85	4,034.71	26,758.56
BURKE	1,148.27	0.00	1,148.27
BURLESON	72,950.52	13,598.25	86,548.77
BYNUM	318.74	0.00	318.74
CADDO MILLS	2,119.60	0.00	2,119.60
CAMERON	15,665.54	2,333.18	17,998.72
CAMPBELL	1,920.37	0.00	1,920.37
CANEY CITY	1,207.09	0.00	1,207.09
CANTON	14,234.36	2,013.80	16,248.16
CARBON	621.38	0.00	621.38
CARROLLTON	463,951.64	52,423.68	516,375.32
CASHION COMMUNITY	414.83	412.88	827.71
CEDAR HILL	127,320.26	15,008.64	142,328.90
CELINA	8,806.72	0.00	8,806.72
CENTERVILLE	2,527.39	0.00	2,527.39
CHANDLER	3,700.19	0.00	3,700.19
CHICO	1,771.98	0.00	1,771.98
CHIRENO	552.09	0.00	552.09
CLARKSVILLE	5,800.69	5,773.42	11,574.11
CLEBURNE	69,405.93	71,205.58	140,611.51
COAHOMA	2,940.73	0.00	2,940.73
COCKRELL HILL	5,661.63	828.68	6,490.31
COLLEYVILLE	84,132.59	0.00	84,132.59
COLLINSVILLE	3,979.52	0.00	3,979.52
COLORADO CITY	16,054.23	0.00	16,054.23

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Actuals Through March 31, 2011 and Estimates Through June 30, 2011

City	Actual	Estimate	Total
COMANCHE	10,117.20	1,724.04	11,841.24
COMMERCE	36,789.46	0.00	36,789.46
COMO	974.47	0.00	974.47
COOL	298.84	297.52	596.36
COOLIDGE	4,782.79	730.52	5,513.31
COOPER	3,319.62	0.00	3,319.62
COPPELL	135,758.92	19,611.04	155,369.96
COPPERAS COVE	38,282.74	0.00	38,282.74
CORINTH	40,236.53	5,741.45	45,977.98
CORSICANA	86,491.68	13,192.85	99,684.53
CRANDALL	3,898.94	0.00	3,898.94
CRANE	7,904.55	0.00	7,904.55
CRESSON	1,811.02	255.32	2,066.34
CROCKETT	13,260.67	13,201.94	26,462.61
CROSS ROADS	217.91	226.52	444.43
CROWLEY	31,704.35	5,418.35	37,122.70
CUMBY	1,296.26	1,290.52	2,586.78
CUSHING	978.46	973.86	1,952.32
DALLAS	3,732,106.59	579,756.86	4,311,863.45
DALWORTHINGTON GARDENS	12,466.68	0.00	12,466.68
DAWSON	1,134.83	0.00	1,134.83
DE LEON	5,168.69	849.11	6,017.80
DEAN	663.70	0.00	663.70
DECATUR	18,888.41	18,791.76	37,680.17
DENISON	80,372.25	0.00	80,372.25
DENTON	4,803.54	764.47	5,568.01
DESOTO	104,601.91	15,872.98	120,474.89
DIBOLL	14,693.05	0.00	14,693.05
DISH	40.89	0.00	40.89
DODD CITY	1,155.14	0.00	1,155.14
DORCHESTER	208.61	0.00	208.61
DUBLIN	4,191.28	4,171.57	8,362.85
DUNCANVILLE	85,644.76	13,942.16	99,586.92
EARLY	8,389.26	1,166.83	9,556.09
EASTLAND	11,200.60	2,029.72	13,230.32
ECTOR	851.70	0.00	851.70
EDGECLIFF VILLAGE	4,394.23	0.00	4,394.23
EDGEWOOD	2,415.20	0.00	2,415.20

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Actuals Through March 31, 2011 and Estimates Through June 30, 2011

City	Actual	Estimate	Total
EDOM	475.42	0.00	475.42
ELECTRA	863.07	0.00	863.07
ELGIN	10,701.15	0.00	10,701.15
ELKHART	2,670.55	0.00	2,670.55
EMHOUSE	170.67	0.00	170.67
ENCHANTED OAKS	1,798.61	0.00	1,798.61
ENNIS	84,309.71	13,344.28	97,653.99
EULESS	119,852.06	20,313.09	140,165.15
EUREKA	433.13	0.00	433.13
EUSTACE	3,113.46	0.00	3,113.46
EVERMAN	12,625.21	0.00	12,625.21
FAIRFIELD	11,570.52	2,014.46	13,584.98
FAIRVIEW	9,680.75	1,779.81	11,460.56
FARMERS BRANCH	163,349.34	23,707.05	187,056.39
FATE	7,650.45	7,614.48	15,264.93
FERRIS	4,424.84	4,404.04	8,828.88
FLORENCE	1,799.36	0.00	1,799.36
FLOWER MOUND	57,752.60	7,364.14	65,116.74
FOREST HILL	31,005.90	0.00	31,005.90
FORNEY	26,911.42	0.00	26,911.42
FORSAN	731.53	0.00	731.53
FORT WORTH	1,896,221.45	299,114.24	2,195,335.69
FRANKSTON	3,193.87	474.13	3,668.00
FRISCO	98,966.15	14,234.85	113,201.00
FROST	784.05	0.00	784.05
GAINESVILLE	50,083.53	7,998.00	58,081.53
GALLATIN	384.58	62.87	447.45
GARLAND	58,038.92	57,766.05	115,804.97
GARRETT	334.38	0.00	334.38
GEORGETOWN	4,141.01	0.00	4,141.01
GHOLSON	155.90	155.17	311.07
GLENN HEIGHTS	8,788.61	0.00	8,788.61
GODLEY	3,294.09	0.00	3,294.09
GOLINDA	1,147.63	0.00	1,147.63
GOODLOW	393.49	0.00	393.49
GORMAN	4,107.65	0.00	4,107.65
GRAFORD	1,807.45	0.00	1,807.45
GRAHAM	30,442.49	0.00	30,442.49

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Actuals Through March 31, 2011 and Estimates Through June 30, 2011

City	Actual	Estimate	Total
GRAND PRAIRIE	432,296.64	68,740.66	501,037.30
GRANDFALLS	978.99	0.00	978.99
GRANDVIEW	3,106.95	3,093.19	6,200.14
GRANGER	1,797.58	0.00	1,797.58
GRAPELAND	2,394.23	0.00	2,394.23
GRAPEVINE	268,591.26	40,006.52	308,597.78
GROESBECK	6,976.25	933.71	7,909.96
GUN BARREL CITY	20,977.14	0.00	20,977.14
GUNTER	2,170.80	0.00	2,170.80
HALTOM CITY	125,796.15	0.00	125,796.15
HARKER HEIGHTS	55,620.08	9,873.29	65,493.37
HASLET	6,005.56	968.21	6,973.77
HEATH	22,575.60	3,042.56	25,618.16
HEBRON	611.01	0.00	611.01
HENRIETTA	7,862.61	1,392.92	9,255.53
HEWITT	29,715.84	6,176.01	35,891.85
HICKORY CREEK	12,158.90	0.00	12,158.90
HIDEAWAY	3,996.32	4,500.20	8,496.52
HIGHLAND PARK	39,451.09	5,517.09	44,968.18
HILLSBORO	23,961.41	3,824.31	27,785.72
HOLLAND	1,402.17	1,395.96	2,798.13
HOLLIDAY	4,550.69	0.00	4,550.69
HONEY GROVE	3,622.88	551.28	4,174.16
HOWE	3,141.56	0.00	3,141.56
HUBBARD	2,461.10	2,450.20	4,911.30
HUDSON	7,935.18	1,474.07	9,409.25
HUDSON OAKS	5,529.21	0.00	5,529.21
HUNTINGTON	3,915.93	3,897.52	7,813.45
HURST	103,324.14	16,229.28	119,553.42
HUTCHINS	16,857.82	0.00	16,857.82
HUTTO	18,654.98	0.00	18,654.98
IOWA PARK	16,454.36	0.00	16,454.36
IRVING	689,829.47	111,016.11	800,845.58
ITALY	2,722.67	2,829.40	5,552.07
ITASCA	3,457.21	604.02	4,061.23
JACKSBORO	6,179.10	6,150.05	12,329.15
JACKSONVILLE	105,750.63	5,740.82	111,491.45
JARRELL	3,146.83	0.00	3,146.83

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Actuals Through March 31, 2011 and Estimates Through June 30, 2011

City	Actual	Estimate	Total
JEWETT	2,011.22	0.00	2,011.22
JOLLY	584.36	0.00	584.36
JOSEPHINE	1,837.08	0.00	1,837.08
JOSHUA	7,106.76	0.00	7,106.76
JUSTIN	7,678.02	1,044.98	8,723.00
KAUFMAN	16,785.98	3,796.52	20,582.50
KEENE	5,847.48	0.00	5,847.48
KELLER	42,747.18	5,761.77	48,508.95
KEMP	2,546.97	2,534.99	5,081.96
KENNEDALE	25,258.73	0.00	25,258.73
KERENS	2,164.40	2,154.22	4,318.62
KILLEEN	161,568.06	0.00	161,568.06
KNOLLWOOD	810.87	0.00	810.87
KRUM	9,573.07	0.00	9,573.07
LACY-LAKEVIEW	17,493.72	0.00	17,493.72
LADONIA	630.88	0.00	630.88
LAKE BRIDGEPORT	461.69	459.65	921.34
LAKE DALLAS	10,240.87	0.00	10,240.87
LAKE WORTH	20,192.76	2,959.56	23,152.32
LAKESIDE	4,425.84	0.00	4,425.84
LAKESIDE CITY	2,712.44	0.00	2,712.44
LAMESA	15,808.79	2,357.26	18,166.05
LANCASTER	74,563.37	10,057.04	84,620.41
LATEXO	1,890.54	0.00	1,890.54
LAVON	1,068.06	0.00	1,068.06
LEONA	336.67	0.00	336.67
LEROY	296.46	0.00	296.46
LEWISVILLE	6,736.08	1,082.07	7,818.15
LINDALE	9,649.66	10,321.25	19,970.91
LINDSAY	1,199.14	1,265.76	2,464.90
LIPAN	769.68	766.27	1,535.95
LITTLE ELM	103.41	129.38	232.79
LITTLE RIVER-ACADEMY	5,396.05	0.00	5,396.05
LORAINE	1,607.66	0.00	1,607.66
LORENA	4,712.06	761.76	5,473.82
LOTT	807.46	91.01	898.47
LOVELADY	1,141.06	0.00	1,141.06
LOWRY CROSSING	3,141.23	0.00	3,141.23

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Actuals Through March 31, 2011 and Estimates Through June 30, 2011

City	Actual	Estimate	Total
LUCAS	2,487.67	0.00	2,487.67
LUFKIN	74,072.42	73,724.17	147,796.59
MABANK	8,165.26	2,658.74	10,824.00
MALAKOFF	8,532.43	0.00	8,532.43
MALONE	427.09	0.00	427.09
MANOR	242.57	0.00	242.57
MANSFIELD	185,493.59	0.00	185,493.59
MARLIN	9,514.86	1,408.44	10,923.30
MARQUEZ	522.05	0.00	522.05
MART	3,939.66	544.76	4,484.42
MAYPEARL	2,679.40	0.00	2,679.40
MCGREGOR	7,431.74	0.00	7,431.74
MCKINNEY	211,933.76	29,053.47	240,987.23
MCLENDON-CHISHOLM	2,246.41	357.25	2,603.66
MELISSA	8,435.25	0.00	8,435.25
MERTENS	175.85	0.00	175.85
MESQUITE	307,167.30	43,334.53	350,501.83
MEXIA	12,836.27	1,673.34	14,509.61
MIDLAND	270,077.48	40,411.59	310,489.07
MIDLOTHIAN	136,943.48	23,448.01	160,391.49
MILANO	880.25	876.35	1,756.60
MILDRED	1,541.03	0.00	1,541.03
MILFORD	889.38	885.20	1,774.58
MILLSAP	999.68	994.98	1,994.66
MINERAL WELLS	43,716.37	6,744.04	50,460.41
MOBILE CITY	203.75	31.67	235.42
MONAHANS	28,592.72	0.00	28,592.72
MOODY	2,008.22	0.00	2,008.22
MORGANS POINT RESORT	9,901.56	0.00	9,901.56
MOUNT CALM	442.46	0.00	442.46
MUENSTER	5,448.07	879.36	6,327.43
MURCHISON	1,434.71	0.00	1,434.71
MURPHY	19,343.86	0.00	19,343.86
MUSTANG	98.19	0.00	98.19
NACOGDOCHES	76,913.21	0.00	76,913.21
NAVARRO	463.17	0.00	463.17
NEVADA	3,601.62	0.00	3,601.62
NEW CHAPEL HILL	946.03	0.00	946.03

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Actuals Through March 31, 2011 and Estimates Through June 30, 2011

City	Actual	Estimate	Total
NEW FAIRVIEW	205.77	0.00	205.77
NEW SUMMERFIELD	910.06	292.81	1,202.87
NEWARK	1,701.62	0.00	1,701.62
NEYLANDVILLE	149.01	170.27	319.28
NOLANVILLE	4,217.12	4,198.44	8,415.56
NOONDAY	1,337.55	0.00	1,337.55
NORTH RICHLAND HILLS	217,341.54	0.00	217,341.54
NORTHLAKE	564.13	0.00	564.13
O DONNELL	2,728.83	0.00	2,728.83
OAK GROVE	485.83	0.00	485.83
OAK LEAF	1,660.92	0.00	1,660.92
OAK POINT	3,082.85	3,068.35	6,151.20
OAK VALLEY	764.24	0.00	764.24
OAKWOOD	850.38	0.00	850.38
ODESSA	225,218.54	34,385.08	259,603.62
OGLESBY	609.53	0.00	609.53
OVERTON	2,500.66	2,488.90	4,989.56
OVILLA	4,499.75	0.00	4,499.75
PALESTINE	53,148.49	8,230.53	61,379.02
PALMER	2,755.41	2,743.21	5,498.62
PANTEGO	16,023.91	0.00	16,023.91
PARADISE	2,223.90	0.00	2,223.90
PARIS	109,575.27	17,645.18	127,220.45
PARKER	5,202.44	0.00	5,202.44
PAYNE SPRINGS	1,512.61	1,505.91	3,018.52
PECAN GAP	259.66	258.51	518.17
PECAN HILL	106.92	0.00	106.92
PENELOPE	266.14	264.96	531.10
PFLUGERVILLE	46,141.75	0.00	46,141.75
PLANO	790,618.33	111,835.51	902,453.84
PLEASANT VALLEY	939.46	0.00	939.46
PONDER	5,275.59	0.00	5,275.59
POST OAK BEND CITY	15.76	0.00	15.76
POTTSBORO	3,717.17	0.00	3,717.17
POWELL	622.44	0.00	622.44
POYNOR	1,393.82	0.00	1,393.82
PRINCETON	0.00	0.00	0.00
PROSPER	6,020.42	5,974.32	11,994.74

Oncor Electric Delivery Company LLC
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City	Actual	Estimate	Total
PYOTE	379.65	0.00	379.65
QUINLAN	2,779.40	2,766.33	5,545.73
RANGER	6,455.45	0.00	6,455.45
RAVENNA	438.67	0.00	438.67
RED OAK	31,165.44	0.00	31,165.44
RENO-LAMAR	1,037.17	1,032.29	2,069.46
RENO-PARKER	0.00	0.00	0.00
RETREAT	5,532.22	0.00	5,532.22
RHOME	2,357.92	0.00	2,357.92
RICE	1,367.00	1,360.95	2,727.95
RICHARDSON	404,816.38	63,637.97	468,454.35
RICHLAND	822.16	0.00	822.16
RICHLAND HILLS	23,918.51	0.00	23,918.51
RIESEL	2,591.66	0.00	2,591.66
RIVER OAKS	16,179.47	0.00	16,179.47
ROANOKE	60,295.89	0.00	60,295.89
ROBINSON	15,102.17	15,035.28	30,137.45
ROCKDALE	8,388.32	8,270.21	16,658.53
ROCKWALL	122,817.51	15,189.99	138,007.50
ROGERS	1,795.12	0.00	1,795.12
ROSCOE	3,640.45	0.00	3,640.45
ROSEBUD	1,736.65	273.28	2,009.93
ROSSER	356.25	354.57	710.82
ROUND ROCK	149,788.83	0.00	149,788.83
ROWLETT	115,696.95	16,201.17	131,898.12
ROXTON	675.32	672.15	1,347.47
ROYSE CITY	22,311.19	0.00	22,311.19
RUNAWAY BAY	4,783.04	0.00	4,783.04
RUSK	14,886.82	1,946.83	16,833.65
SACHSE	36,141.10	4,842.11	40,983.21
SADLER	584.15	581.41	1,165.56
SAGINAW	71,555.04	0.00	71,555.04
SALADO	11,563.04	0.00	11,563.04
SANCTUARY	30.23	28.79	59.02
SANSOM PARK	8,412.70	0.00	8,412.70
SAVOY	2,301.98	0.00	2,301.98
SEAGOVILLE	34,380.79	0.00	34,380.79
SHADY SHORES	6,827.02	0.00	6,827.02

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City	Actual	Estimate	Total
SHERMAN	148,812.28	24,466.47	173,278.75
SNYDER	27,980.38	4,598.53	32,578.91
SOUTHLAKE	61,301.49	8,234.86	69,536.35
SOUTHMAYD	1,012.35	0.00	1,012.35
SPRINGTOWN	26,314.38	0.00	26,314.38
ST. PAUL	543.56	0.00	543.56
STANTON	5,539.14	0.00	5,539.14
STEPHENVILLE	31,026.69	32,297.22	63,323.91
STREETMAN	346.91	345.37	692.28
SULPHUR SPRINGS	55,959.87	8,822.39	64,782.26
SUNNYVALE	33,492.85	4,764.49	38,257.34
SWEETWATER	26,527.69	4,451.55	30,979.24
TAYLOR	34,417.44	5,318.25	39,735.69
TEAGUE	7,379.30	1,347.09	8,726.39
TEHUACANA	466.06	93.27	559.33
TEMPLE	214,089.92	35,507.43	249,597.35
TERRELL	78,981.70	0.00	78,981.70
THE COLONY	56,619.71	10,373.21	66,992.92
THORNDALE	3,643.77	0.00	3,643.77
THORNTON	853.88	143.39	997.27
THORNTONVILLE	1,101.12	0.00	1,101.12
THRALL	994.21	989.81	1,984.02
TIRA	323.33	321.80	645.13
TOOL	1,693.86	0.00	1,693.86
TRINIDAD	4,553.66	0.00	4,553.66
TROPHY CLUB	13,099.03	13,041.02	26,140.05
TROUP	4,393.79	0.00	4,393.79
TROY	5,850.65	0.00	5,850.65
TYLER	319,682.02	47,020.04	366,702.06
UNIVERSITY PARK	77,560.85	10,569.15	88,130.00
VALLEY VIEW	3,331.27	0.00	3,331.27
VAN	8,417.60	0.00	8,417.60
VAN ALSTYNE	8,165.49	0.00	8,165.49
VENUS	2,277.44	2,431.57	4,709.01
WACO	409,954.50	61,615.29	471,569.79
WATAUGA	58,582.23	0.00	58,582.23
WAXAHACHIE	119,537.56	0.00	119,537.56
WEATHERFORD	1,378.54	0.00	1,378.54

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City	Actual	Estimate	Total
WEIR	927.03	0.00	927.03
WELLS	1,057.19	1,052.22	2,109.41
WEST	4,538.79	4,517.45	9,056.24
WESTBROOK	873.07	0.00	873.07
WESTOVER HILLS	6,080.32	0.00	6,080.32
WESTWORTH VILLAGE	16,824.90	2,412.53	19,237.43
WHITE SETTLEMENT	33,868.40	5,536.15	39,404.55
WHITEHOUSE	12,335.04	2,128.27	14,463.31
WICHITA FALLS	267,678.21	42,210.91	309,889.12
WICKETT	814.20	0.00	814.20
WILLOW PARK	13,876.94	0.00	13,876.94
WILLS POINT	5,748.51	0.00	5,748.51
WILMER	4,450.94	0.00	4,450.94
WINDOM	624.56	0.00	624.56
WINK	2,805.32	0.00	2,805.32
WOLFE CITY	2,278.25	0.00	2,278.25
WOODWAY	17,075.23	0.00	17,075.23
WORTHAM	2,290.65	377.09	2,667.74
WYLIE	41,269.00	41,086.22	82,355.22
YANTIS	435.33	0.00	435.33
ZAVALLA	2,713.34	0.00	2,713.34
	18,949,526.43	2,898,703.20	21,848,229.63

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City	Payment	Interest	Total
ABBOTT	590.48	2.63	593.11
ACKERLY	1,453.77	4.83	1,458.60
ADDISON	109,266.25	515.92	109,782.17
ALEDO	9,980.81	31.43	10,012.24
ALLEN	169,428.63	798.10	170,226.73
ALMA	320.23	1.75	321.98
ALTO	1,918.00	10.66	1,928.66
ALVARADO	9,017.07	46.81	9,063.88
ALVORD	1,682.18	8.34	1,690.52
ANDREWS	22,051.26	85.83	22,137.09
ANGUS	1,097.15	6.59	1,103.74
ANNA	7,395.60	26.40	7,422.00
ANNETTA	2,070.64	6.74	2,077.38
ANNETTA NORTH	3,070.54	9.89	3,080.43
ANNETTA SOUTH	1,875.94	6.05	1,881.99
ANNONA	920.84	3.37	924.21
APPLEBY	679.65	2.43	682.08
ARCHER CITY	5,485.85	17.78	5,503.63
ARGYLE	1,550.55	8.48	1,559.03
ARLINGTON	902,152.84	4,285.75	906,438.59
ARP	1,788.28	10.11	1,798.39
ATHENS	24,170.87	119.83	24,290.70
AURORA	1,785.19	13.50	1,798.69
AUSTIN	12,196.32	56.71	12,253.03
AZLE	33,508.95	108.82	33,617.77
BALCH SPRINGS	51,095.79	299.22	51,395.01
BANGS	2,340.10	11.60	2,351.70
BARDWELL	1,198.50	4.84	1,203.34
BARRY	255.86	1.14	257.00
BARTLETT	30.62	0.11	30.73
BEDFORD	125,221.15	600.11	125,821.26
BELLEVUE	971.40	3.19	974.59
BELLMEAD	0.00	0.00	0.00
BELLS	37.68	0.21	37.89
BELTON	47,335.27	227.31	47,562.58
BENBROOK	70,563.88	231.68	70,795.56
BEVERLY HILLS	4,964.49	24.14	4,988.63
BIG SPRING	54,796.83	213.96	55,010.79

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City	Payment	Interest	Total
BLANKET	465.10	2.31	467.41
BLOOMING GROVE	1,361.46	6.06	1,367.52
BLUE MOUND	3,553.48	11.12	3,564.60
BONHAM	19,988.99	112.60	20,101.59
BOYD	2,514.03	12.46	2,526.49
BRECKENRIDGE	18,832.20	72.76	18,904.96
BRIDGEPORT	954.65	3.28	957.93
BROWNSBORO	2,622.14	13.48	2,635.62
BROWNWOOD	46,279.49	179.36	46,458.85
BRUCEVILLE-EDDY	2,084.46	8.21	2,092.67
BUCKHOLTS	523.39	2.59	525.98
BUFFALO	4,453.37	17.55	4,470.92
BULLARD	5,755.16	34.00	5,789.16
BURKBURNETT	22,635.56	88.29	22,723.85
BURKE	1,144.39	3.88	1,148.27
BURLESON	72,605.36	345.16	72,950.52
BYNUM	317.65	1.09	318.74
CADDO MILLS	2,112.35	7.25	2,119.60
CAMERON	15,590.36	75.18	15,665.54
CAMPBELL	1,912.80	7.57	1,920.37
CANEY CITY	1,202.33	4.76	1,207.09
CANTON	14,160.83	73.53	14,234.36
CARBON	619.36	2.02	621.38
CARROLLTON	461,835.25	2,116.39	463,951.64
CASHION COMMUNITY	412.78	2.05	414.83
CEDAR HILL	126,798.99	521.27	127,320.26
CELINA	8,774.84	31.88	8,806.72
CENTERVILLE	2,517.47	9.92	2,527.39
CHANDLER	3,689.41	10.78	3,700.19
CHICO	1,765.92	6.06	1,771.98
CHIRENO	550.20	1.89	552.09
CLARKSVILLE	5,772.07	28.62	5,800.69
CLEBURNE	69,028.53	377.40	69,405.93
COAHOMA	2,930.98	9.75	2,940.73
COCKRELL HILL	5,634.90	26.73	5,661.63
COLLEYVILLE	83,859.10	273.49	84,132.59
COLLINSVILLE	3,956.27	23.25	3,979.52
COLORADO CITY	16,001.42	52.81	16,054.23

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City	Payment	Interest	Total
COMANCHE	10,068.94	48.26	10,117.20
COMMERCE	36,641.08	148.38	36,789.46
COMO	971.14	3.33	974.47
COOL	297.52	1.32	298.84
COOLIDGE	4,762.93	19.86	4,782.79
COOPER	3,308.27	11.35	3,319.62
COPPELL	135,114.88	644.04	135,758.92
COPPERAS COVE	38,151.84	130.90	38,282.74
CORINTH	40,045.89	190.64	40,236.53
CORSICANA	86,160.43	331.25	86,491.68
CRANDALL	3,885.61	13.33	3,898.94
CRANE	7,878.70	25.85	7,904.55
CRESSON	1,801.70	9.32	1,811.02
CROCKETT	13,201.94	58.73	13,260.67
CROSS ROADS	216.73	1.18	217.91
CROWLEY	31,583.39	120.96	31,704.35
CUMBY	1,290.52	5.74	1,296.26
CUSHING	973.63	4.83	978.46
DALLAS	3,711,235.18	20,871.41	3,732,106.59
DALWORTHINGTON GARDENS	12,433.91	32.77	12,466.68
DAWSON	1,130.38	4.45	1,134.83
DE LEON	5,148.61	20.08	5,168.69
DEAN	661.53	2.17	663.70
DECATUR	18,795.23	93.18	18,888.41
DENISON	80,055.75	316.50	80,372.25
DENTON	4,780.40	23.14	4,803.54
DESOTO	104,196.96	404.95	104,601.91
DIBOLL	14,635.39	57.66	14,693.05
DISH	40.78	0.11	40.89
DODD CITY	1,150.98	4.16	1,155.14
DORCHESTER	207.79	0.82	208.61
DUBLIN	4,170.60	20.68	4,191.28
DUNCANVILLE	85,234.97	409.79	85,644.76
EARLY	8,345.68	43.58	8,389.26
EASTLAND	11,157.27	43.33	11,200.60
ECTOR	849.22	2.48	851.70
EDGECLIFF VILLAGE	4,376.99	17.24	4,394.23
EDGEWOOD	2,405.72	9.48	2,415.20

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City	Payment	Interest	Total
EDOM	474.03	1.39	475.42
ELECTRA	860.24	2.83	863.07
ELGIN	10,664.56	36.59	10,701.15
ELKHART	2,660.07	10.48	2,670.55
EMHOUSE	170.00	0.67	170.67
ENCHANTED OAKS	1,792.98	5.63	1,798.61
ENNIS	83,909.88	399.83	84,309.71
EULESS	119,285.18	566.88	119,852.06
EUREKA	429.90	3.23	433.13
EUSTACE	3,101.19	12.27	3,113.46
EVERMAN	12,584.68	40.53	12,625.21
FAIRFIELD	11,515.56	54.96	11,570.52
FAIRVIEW	9,639.49	41.26	9,680.75
FARMERS BRANCH	162,600.99	748.35	163,349.34
FATE	7,612.71	37.74	7,650.45
FERRIS	4,403.01	21.83	4,424.84
FLORENCE	1,792.30	7.06	1,799.36
FLOWER MOUND	57,439.45	313.15	57,752.60
FOREST HILL	30,906.04	99.86	31,005.90
FORNEY	26,848.96	62.46	26,911.42
FORSAN	729.09	2.44	731.53
FORT WORTH	1,885,608.80	10,612.65	1,896,221.45
FRANKSTON	3,175.90	17.97	3,193.87
FRISCO	98,496.25	469.90	98,966.15
FROST	780.97	3.08	784.05
GAINESVILLE	49,891.36	192.17	50,083.53
GALLATIN	382.38	2.20	384.58
GARLAND	57,752.59	286.33	58,038.92
GARRETT	333.41	0.97	334.38
GEORGETOWN	4,127.61	13.40	4,141.01
GHOLSON	155.13	0.77	155.90
GLENN HEIGHTS	8,754.11	34.50	8,788.61
GODLEY	3,274.80	19.29	3,294.09
GOLINDA	1,139.24	8.39	1,147.63
GOODLOW	391.93	1.56	393.49
GORMAN	4,093.94	13.71	4,107.65
GRAFORD	1,800.92	6.53	1,807.45
GRAHAM	30,342.19	100.30	30,442.49

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City	Payment	Interest	Total
GRAND PRAIRIE	430,263.25	2,033.39	432,296.64
GRANDFALLS	975.73	3.26	978.99
GRANDVIEW	3,093.19	13.76	3,106.95
GRANGER	1,790.53	7.05	1,797.58
GRAPELAND	2,386.04	8.19	2,394.23
GRAPEVINE	267,172.36	1,418.90	268,591.26
GROESBECK	6,943.50	32.75	6,976.25
GUN BARREL CITY	20,854.18	122.96	20,977.14
GUNTER	2,164.47	6.33	2,170.80
HALTOM CITY	125,385.10	411.05	125,796.15
HARKER HEIGHTS	55,353.56	266.52	55,620.08
HASLET	5,982.18	23.38	6,005.56
HEATH	22,456.09	119.51	22,575.60
HEBRON	608.83	2.18	611.01
HENRIETTA	7,831.91	30.70	7,862.61
HEWITT	29,598.84	117.00	29,715.84
HICKORY CREEK	12,105.64	53.26	12,158.90
HIDEAWAY	3,974.59	21.73	3,996.32
HIGHLAND PARK	39,262.47	188.62	39,451.09
HILLSBORO	23,828.63	132.78	23,961.41
HOLLAND	1,395.96	6.21	1,402.17
HOLLIDAY	4,536.01	14.68	4,550.69
HONEY GROVE	3,602.29	20.59	3,622.88
HOWE	3,130.82	10.74	3,141.56
HUBBARD	2,450.20	10.90	2,461.10
HUDSON	7,904.70	30.48	7,935.18
HUDSON OAKS	5,511.58	17.63	5,529.21
HUNTINGTON	3,896.61	19.32	3,915.93
HURST	102,924.63	399.51	103,324.14
HUTCHINS	16,799.41	58.41	16,857.82
HUTTO	18,581.77	73.21	18,654.98
IOWA PARK	16,400.80	53.56	16,454.36
IRVING	687,175.06	2,654.41	689,829.47
ITALY	2,707.87	14.80	2,722.67
ITASCA	3,440.33	16.88	3,457.21
JACKSBORO	6,148.62	30.48	6,179.10
JACKSONVILLE	105,330.08	420.55	105,750.63
JARRELL	3,135.46	11.37	3,146.83

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City	Payment	Interest	Total
JEWETT	2,003.33	7.89	2,011.22
JOLLY	582.42	1.94	584.36
JOSEPHINE	1,830.54	6.54	1,837.08
JOSHUA	7,086.05	20.71	7,106.76
JUSTIN	7,638.50	39.52	7,678.02
KAUFMAN	16,731.73	54.25	16,785.98
KEENE	5,824.53	22.95	5,847.48
KELLER	42,501.96	245.22	42,747.18
KEMP	2,534.40	12.57	2,546.97
KENNEDALE	25,177.21	81.52	25,258.73
KERENS	2,153.72	10.68	2,164.40
KILLEEN	160,934.03	634.03	161,568.06
KNOLLWOOD	808.58	2.29	810.87
KRUM	9,535.49	37.58	9,573.07
LACY-LAKEVIEW	17,424.09	69.63	17,493.72
LADONIA	628.40	2.48	630.88
LAKE BRIDGEPORT	459.65	2.04	461.69
LAKE DALLAS	10,200.68	40.19	10,240.87
LAKE WORTH	20,115.22	77.54	20,192.76
LAKESIDE	4,411.74	14.10	4,425.84
LAKESIDE CITY	2,703.77	8.67	2,712.44
LAMESA	15,747.45	61.34	15,808.79
LANCASTER	74,232.86	330.51	74,563.37
LATEXO	1,876.81	13.73	1,890.54
LAVON	1,064.65	3.41	1,068.06
LEONA	335.35	1.32	336.67
LEROY	295.45	1.01	296.46
LEWISVILLE	6,704.64	31.44	6,736.08
LINDALE	9,597.19	52.47	9,649.66
LINDSAY	1,192.62	6.52	1,199.14
LIPAN	766.27	3.41	769.68
LITTLE ELM	102.85	0.56	103.41
LITTLE RIVER-ACADEMY	5,372.61	23.44	5,396.05
LORAINE	1,602.51	5.15	1,607.66
LORENA	4,693.91	18.15	4,712.06
LOTT	803.77	3.69	807.46
LOVELADY	1,137.16	3.90	1,141.06
LOWRY CROSSING	3,127.73	13.50	3,141.23

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City	Payment	Interest	Total
LUCAS	2,469.06	18.61	2,487.67
LUFKIN	73,706.99	365.43	74,072.42
MABANK	8,119.66	45.60	8,165.26
MALAKOFF	8,482.47	49.96	8,532.43
MALONE	425.41	1.68	427.09
MANOR	241.72	0.85	242.57
MANSFIELD	184,896.40	597.19	185,493.59
MARLIN	9,468.59	46.27	9,514.86
MARQUEZ	520.00	2.05	522.05
MART	3,916.93	22.73	3,939.66
MAYPEARL	2,670.70	8.70	2,679.40
MCGREGOR	7,410.08	21.66	7,431.74
MCKINNEY	210,835.82	1,097.94	211,933.76
MCLENDON-CHISHOLM	2,234.70	11.71	2,246.41
MELISSA	8,402.21	33.04	8,435.25
MERTENS	175.16	0.69	175.85
MESQUITE	305,507.28	1,660.02	307,167.30
MEXIA	12,776.48	59.79	12,836.27
MIDLAND	269,036.90	1,040.58	270,077.48
MIDLOTHIAN	136,255.58	687.90	136,943.48
MILANO	876.35	3.90	880.25
MILDRED	1,529.58	11.45	1,541.03
MILFORD	884.99	4.39	889.38
MILLSAP	994.75	4.93	999.68
MINERAL WELLS	43,552.07	164.30	43,716.37
MOBILE CITY	202.99	0.76	203.75
MONAHANS	28,497.88	94.84	28,592.72
MOODY	2,000.34	7.88	2,008.22
MORGANS POINT RESORT	9,828.70	72.86	9,901.56
MOUNT CALM	440.72	1.74	442.46
MUENSTER	5,422.55	25.52	5,448.07
MURCHISON	1,428.99	5.72	1,434.71
MURPHY	19,281.93	61.93	19,343.86
MUSTANG	97.81	0.38	98.19
NACOGDOCHES	76,650.22	262.99	76,913.21
NAVARRO	461.51	1.66	463.17
NEVADA	3,588.78	12.84	3,601.62
NEW CHAPEL HILL	942.80	3.23	946.03

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Actuals Through March 31, 2011

City	Payment	Interest	Total
NEW FAIRVIEW	204.96	0.81	205.77
NEW SUMMERFIELD	906.10	3.96	910.06
NEWARK	1,696.66	4.96	1,701.62
NEYLANDVILLE	148.20	0.81	149.01
NOLANVILLE	4,198.44	18.68	4,217.12
NOONDAY	1,331.65	5.90	1,337.55
NORTH RICHLAND HILLS	216,635.56	705.98	217,341.54
NORTHLAKE	560.33	3.80	564.13
O DONNELL	2,719.44	9.39	2,728.83
OAK GROVE	483.75	2.08	485.83
OAK LEAF	1,654.41	6.51	1,660.92
OAK POINT	3,067.64	15.21	3,082.85
OAK VALLEY	761.55	2.69	764.24
OAKWOOD	847.04	3.34	850.38
ODESSA	224,349.08	869.46	225,218.54
OGLESBY	607.45	2.08	609.53
OVERTON	2,488.32	12.34	2,500.66
OVILLA	4,482.09	17.66	4,499.75
PALESTINE	52,896.30	252.19	53,148.49
PALMER	2,743.21	12.20	2,755.41
PANTEGO	15,971.65	52.26	16,023.91
PARADISE	2,215.03	8.87	2,223.90
PARIS	109,154.74	420.53	109,575.27
PARKER	5,185.75	16.69	5,202.44
PAYNE SPRINGS	1,505.91	6.70	1,512.61
PECAN GAP	258.51	1.15	259.66
PECAN HILL	106.55	0.37	106.92
PENELOPE	264.96	1.18	266.14
PFLUGERVILLE	46,005.84	135.91	46,141.75
PLANO	786,937.10	3,681.23	790,618.33
PLEASANT VALLEY	936.39	3.07	939.46
PONDER	5,258.76	16.83	5,275.59
POST OAK BEND CITY	15.70	0.06	15.76
POTTSBORO	3,702.58	14.59	3,717.17
POWELL	620.63	1.81	622.44
POYNOR	1,389.12	4.70	1,393.82
PRINCETON	0.00	0.00	0.00
PROSPER	5,993.75	26.67	6,020.42

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Actuals Through March 31, 2011

City	Payment	Interest	Total
PYOTE	378.38	1.27	379.65
QUINLAN	2,765.69	13.71	2,779.40
RANGER	6,434.44	21.01	6,455.45
RAVENNA	437.23	1.44	438.67
RED OAK	31,042.93	122.51	31,165.44
RENO-LAMAR	1,032.05	5.12	1,037.17
RENO-PARKER	0.00	0.00	0.00
RETREAT	5,512.32	19.90	5,532.22
RHOME	2,351.05	6.87	2,357.92
RICE	1,360.95	6.05	1,367.00
RICHARDSON	402,919.50	1,896.88	404,816.38
RICHLAND	818.89	3.27	822.16
RICHLAND HILLS	23,840.66	77.85	23,918.51
RIESEL	2,584.82	6.84	2,591.66
RIVER OAKS	16,126.64	52.83	16,179.47
ROANOKE	60,077.50	218.39	60,295.89
ROBINSON	15,035.28	66.89	15,102.17
ROCKDALE	8,342.71	45.61	8,388.32
ROCKWALL	122,303.85	513.66	122,817.51
ROGERS	1,788.08	7.04	1,795.12
ROSCOE	3,628.60	11.85	3,640.45
ROSEBUD	1,728.19	8.46	1,736.65
ROSSER	354.49	1.76	356.25
ROUND ROCK	149,201.04	587.79	149,788.83
ROWLETT	115,151.82	545.13	115,696.95
ROXTON	671.99	3.33	675.32
ROYSE CITY	22,223.25	87.94	22,311.19
RUNAWAY BAY	4,767.56	15.48	4,783.04
RUSK	14,816.12	70.70	14,886.82
SACHSE	35,973.67	167.43	36,141.10
SADLER	581.27	2.88	584.15
SAGINAW	71,324.71	230.33	71,555.04
SALADO	11,525.65	37.39	11,563.04
SANCTUARY	30.07	0.16	30.23
SANSOM PARK	8,385.39	27.31	8,412.70
SAVOY	2,292.86	9.12	2,301.98
SEAGOVILLE	34,121.07	259.72	34,380.79
SHADY SHORES	6,800.24	26.78	6,827.02

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Actuals Through March 31, 2011

City	Payment	Interest	Total
SHERMAN	147,997.80	814.48	148,812.28
SNYDER	27,870.98	109.40	27,980.38
SOUTHLAKE	61,011.82	289.67	61,301.49
SOUTHMAYD	1,008.89	3.46	1,012.35
SPRINGTOWN	26,199.37	115.01	26,314.38
ST. PAUL	539.48	4.08	543.56
STANTON	5,520.97	18.17	5,539.14
STEPHENVILLE	30,857.98	168.71	31,026.69
STREETMAN	345.37	1.54	346.91
SULPHUR SPRINGS	55,647.71	312.16	55,959.87
SUNNYVALE	33,336.55	156.30	33,492.85
SWEETWATER	26,424.89	102.80	26,527.69
TAYLOR	34,252.88	164.56	34,417.44
TEAGUE	7,344.29	35.01	7,379.30
TEHUACANA	463.39	2.67	466.06
TEMPLE	213,078.44	1,011.48	214,089.92
TERRELL	78,666.39	315.31	78,981.70
THE COLONY	56,405.06	214.65	56,619.71
THORNDALE	3,629.01	14.76	3,643.77
THORNTON	849.75	4.13	853.88
THORNTONVILLE	1,097.46	3.66	1,101.12
THRALL	989.81	4.40	994.21
TIRA	321.73	1.60	323.33
TOOL	1,687.22	6.64	1,693.86
TRINIDAD	4,534.45	19.21	4,553.66
TROPHY CLUB	13,041.02	58.01	13,099.03
TROUP	4,377.80	15.99	4,393.79
TROY	5,807.28	43.37	5,850.65
TYLER	318,178.24	1,503.78	319,682.02
UNIVERSITY PARK	77,191.65	369.20	77,560.85
VALLEY VIEW	3,319.00	12.27	3,331.27
VAN	8,390.57	27.03	8,417.60
VAN ALSTYNE	8,104.72	60.77	8,165.49
VENUS	2,265.06	12.38	2,277.44
WACO	408,020.14	1,934.36	409,954.50
WATAUGA	58,393.02	189.21	58,582.23
WAXAHACHIE	119,063.87	473.69	119,537.56
WEATHERFORD	1,373.83	4.71	1,378.54

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Actuals Through March 31, 2011

City	Payment	Interest	Total
WEIR	921.50	5.53	927.03
WELLS	1,051.97	5.22	1,057.19
WEST	4,516.40	22.39	4,538.79
WESTBROOK	870.27	2.80	873.07
WESTOVER HILLS	6,034.96	45.36	6,080.32
WESTWORTH VILLAGE	16,760.64	64.26	16,824.90
WHITE SETTLEMENT	33,737.59	130.81	33,868.40
WHITEHOUSE	12,276.44	58.60	12,335.04
WICHITA FALLS	266,644.94	1,033.27	267,678.21
WICKETT	799.88	14.32	814.20
WILLOW PARK	13,832.60	44.34	13,876.94
WILLS POINT	5,725.95	22.56	5,748.51
WILMER	4,433.47	17.47	4,450.94
WINDOM	622.07	2.49	624.56
WINK	2,796.11	9.21	2,805.32
WOLFE CITY	2,269.31	8.94	2,278.25
WOODWAY	17,025.47	49.76	17,075.23
WORTHAM	2,277.54	13.11	2,290.65
WYLIE	41,086.22	182.78	41,269.00
YANTIS	433.88	1.45	435.33
ZAVALLA	2,704.49	8.85	2,713.34
	18,859,520.78	90,005.65	18,949,526.43

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Estimates Through June 30, 2011

City	Payment	Interest	Total
ABBOTT	590.48	0.00	590.48
ADDISON	17,899.00	4.17	17,903.17
ALLEN	25,268.66	5.89	25,274.55
ALMA	318.20	0.15	318.35
ALTO	291.20	0.14	291.34
ALVARADO	1,329.92	0.62	1,330.54
ALVORD	1,682.18	0.39	1,682.57
ANDREWS	4,059.34	0.00	4,059.34
ARGYLE	1,625.19	0.76	1,625.95
ARLINGTON	155,593.41	36.26	155,629.67
ARP	539.64	0.13	539.77
ATHENS	24,170.87	5.63	24,176.50
AUSTIN	1,859.66	0.43	1,860.09
BANGS	2,340.10	0.55	2,340.65
BARRY	255.86	0.00	255.86
BEDFORD	22,370.76	5.21	22,375.97
BELLS	38.69	0.02	38.71
BELTON	7,920.86	1.85	7,922.71
BEVERLY HILLS	719.00	0.17	719.17
BIG SPRING	8,325.72	0.00	8,325.72
BLANKET	465.10	0.11	465.21
BLOOMING GROVE	1,361.46	0.00	1,361.46
BONHAM	3,252.85	1.52	3,254.37
BOYD	2,514.03	0.59	2,514.62
BRECKENRIDGE	3,264.93	0.00	3,264.93
BROWNSBORO	462.40	0.22	462.62
BROWNWOOD	7,301.38	0.00	7,301.38
BUCKHOLTS	523.39	0.12	523.51
BURKBURNETT	4,034.71	0.00	4,034.71
BURLESON	13,595.08	3.17	13,598.25
CAMERON	2,332.64	0.54	2,333.18
CANTON	2,012.86	0.94	2,013.80
CARROLLTON	52,411.47	12.21	52,423.68
CASHION COMMUNITY	412.78	0.10	412.88
CEDAR HILL	15,001.65	6.99	15,008.64
CLARKSVILLE	5,772.07	1.35	5,773.42
CLEBURNE	71,172.40	33.18	71,205.58
COCKRELL HILL	828.49	0.19	828.68

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Estimates Through June 30, 2011

City	Payment	Interest	Total
COMANCHE	1,723.64	0.40	1,724.04
COOL	297.52	0.00	297.52
COOLIDGE	730.35	0.17	730.52
COPPELL	19,606.47	4.57	19,611.04
CORINTH	5,740.11	1.34	5,741.45
CORSICANA	13,192.85	0.00	13,192.85
CRESSON	255.20	0.12	255.32
CROCKETT	13,201.94	0.00	13,201.94
CROSS ROADS	226.41	0.11	226.52
CROWLEY	5,418.35	0.00	5,418.35
CUMBY	1,290.52	0.00	1,290.52
CUSHING	973.63	0.23	973.86
DALLAS	579,486.75	270.11	579,756.86
DE LEON	849.11	0.00	849.11
DECATUR	18,787.38	4.38	18,791.76
DENTON	764.29	0.18	764.47
DESOTO	15,872.98	0.00	15,872.98
DUBLIN	4,170.60	0.97	4,171.57
DUNCANVILLE	13,938.91	3.25	13,942.16
EARLY	1,166.29	0.54	1,166.83
EASTLAND	2,029.72	0.00	2,029.72
ENNIS	13,341.17	3.11	13,344.28
EULESS	20,308.36	4.73	20,313.09
FAIRFIELD	2,013.99	0.47	2,014.46
FAIRVIEW	1,779.40	0.41	1,779.81
FARMERS BRANCH	23,701.53	5.52	23,707.05
FATE	7,612.71	1.77	7,614.48
FERRIS	4,403.01	1.03	4,404.04
FLOWER MOUND	7,360.71	3.43	7,364.14
FORT WORTH	298,974.88	139.36	299,114.24
FRANKSTON	473.91	0.22	474.13
FRISCO	14,231.53	3.32	14,234.85
GAINESVILLE	7,998.00	0.00	7,998.00
GALLATIN	62.84	0.03	62.87
GARLAND	57,752.59	13.46	57,766.05
GHOLSON	155.13	0.04	155.17
GRAND PRAIRIE	68,724.64	16.02	68,740.66
GRANDVIEW	3,093.19	0.00	3,093.19

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Estimates Through June 30, 2011

City	Payment	Interest	Total
GRAPEVINE	39,987.88	18.64	40,006.52
GROESBECK	933.47	0.24	933.71
HARKER HEIGHTS	9,870.99	2.30	9,873.29
HASLET	968.21	0.00	968.21
HEATH	3,041.14	1.42	3,042.56
HENRIETTA	1,392.92	0.00	1,392.92
HEWITT	6,176.01	0.00	6,176.01
HIDEAWAY	4,498.10	2.10	4,500.20
HIGHLAND PARK	5,515.80	1.29	5,517.09
HILLSBORO	3,822.53	1.78	3,824.31
HOLLAND	1,395.96	0.00	1,395.96
HONEY GROVE	551.02	0.26	551.28
HUBBARD	2,450.20	0.00	2,450.20
HUDSON	1,474.07	0.00	1,474.07
HUNTINGTON	3,896.61	0.91	3,897.52
HURST	16,229.28	0.00	16,229.28
IRVING	111,016.11	0.00	111,016.11
ITALY	2,828.08	1.32	2,829.40
ITASCA	603.88	0.14	604.02
JACKSBORO	6,148.62	1.43	6,150.05
JACKSONVILLE	5,738.15	2.67	5,740.82
JUSTIN	1,044.49	0.49	1,044.98
KAUFMAN	3,794.75	1.77	3,796.52
KELLER	5,759.09	2.68	5,761.77
KEMP	2,534.40	0.59	2,534.99
KERENS	2,153.72	0.50	2,154.22
LAKE BRIDGEPORT	459.65	0.00	459.65
LAKE WORTH	2,959.56	0.00	2,959.56
LAMESA	2,357.26	0.00	2,357.26
LANCASTER	10,054.70	2.34	10,057.04
LEWISVILLE	1,081.82	0.25	1,082.07
LINDALE	10,316.44	4.81	10,321.25
LINDSAY	1,265.17	0.59	1,265.76
LIPAN	766.27	0.00	766.27
LITTLE ELM	129.32	0.06	129.38
LORENA	761.76	0.00	761.76
LOTT	90.99	0.02	91.01
LUFKIN	73,706.99	17.18	73,724.17

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Estimates Through June 30, 2011

City	Payment	Interest	Total
MABANK	2,658.12	0.62	2,658.74
MARLIN	1,408.11	0.33	1,408.44
MART	544.51	0.25	544.76
MCKINNEY	29,039.93	13.54	29,053.47
MCLENDON-CHISHOLM	357.08	0.17	357.25
MESQUITE	43,314.34	20.19	43,334.53
MEXIA	1,672.94	0.40	1,673.34
MIDLAND	40,411.59	0.00	40,411.59
MIDLOTHIAN	23,437.09	10.92	23,448.01
MILANO	876.35	0.00	876.35
MILFORD	884.99	0.21	885.20
MILLSAP	994.75	0.23	994.98
MINERAL WELLS	6,744.04	0.00	6,744.04
MOBILE CITY	31.67	0.00	31.67
MUENSTER	879.16	0.20	879.36
NEW SUMMERFIELD	292.81	0.00	292.81
NEYLANDVILLE	170.19	0.08	170.27
NOLANVILLE	4,198.44	0.00	4,198.44
OAK POINT	3,067.64	0.71	3,068.35
ODESSA	34,385.08	0.00	34,385.08
OVERTON	2,488.32	0.58	2,488.90
PALESTINE	8,228.61	1.92	8,230.53
PALMER	2,743.21	0.00	2,743.21
PARIS	17,645.18	0.00	17,645.18
PAYNE SPRINGS	1,505.91	0.00	1,505.91
PECAN GAP	258.51	0.00	258.51
PENELOPE	264.96	0.00	264.96
PLANO	111,809.45	26.06	111,835.51
PROSPER	5,974.32	0.00	5,974.32
QUINLAN	2,765.69	0.64	2,766.33
RENO-LAMAR	1,032.05	0.24	1,032.29
RENO-PARKER	0.00	0.00	0.00
RICE	1,360.95	0.00	1,360.95
RICHARDSON	63,623.14	14.83	63,637.97
ROBINSON	15,035.28	0.00	15,035.28
ROCKDALE	8,266.36	3.85	8,270.21
ROCKWALL	15,189.99	0.00	15,189.99
ROSEBUD	273.22	0.06	273.28

Oncor Electric Delivery Company LLC
Franchise Fee Payments
Estimates Through June 30, 2011

City	Payment	Interest	Total
ROSSER	354.49	0.08	354.57
ROWLETT	16,197.40	3.77	16,201.17
ROXTON	671.99	0.16	672.15
RUSK	1,946.38	0.45	1,946.83
SACHSE	4,840.98	1.13	4,842.11
SADLER	581.27	0.14	581.41
SANCTUARY	28.78	0.01	28.79
SHERMAN	24,455.07	11.40	24,466.47
SNYDER	4,598.53	0.00	4,598.53
SOUTHLAKE	8,232.94	1.92	8,234.86
STEPHENVILLE	32,282.17	15.05	32,297.22
STREETMAN	345.37	0.00	345.37
SULPHUR SPRINGS	8,818.28	4.11	8,822.39
SUNNYVALE	4,763.38	1.11	4,764.49
SWEETWATER	4,451.55	0.00	4,451.55
TAYLOR	5,317.01	1.24	5,318.25
TEAGUE	1,346.78	0.31	1,347.09
TEHUACANA	93.23	0.04	93.27
TEMPLE	35,499.16	8.27	35,507.43
THE COLONY	10,373.21	0.00	10,373.21
THORNTON	143.36	0.03	143.39
THRALL	989.81	0.00	989.81
TIRA	321.73	0.07	321.80
TROPHY CLUB	13,041.02	0.00	13,041.02
TYLER	47,009.09	10.95	47,020.04
UNIVERSITY PARK	10,566.69	2.46	10,569.15
VENUS	2,430.44	1.13	2,431.57
WACO	61,600.93	14.36	61,615.29
WELLS	1,051.97	0.25	1,052.22
WEST	4,516.40	1.05	4,517.45
WESTWORTH VILLAGE	2,412.53	0.00	2,412.53
WHITE SETTLEMENT	5,536.15	0.00	5,536.15
WHITEHOUSE	2,127.77	0.50	2,128.27
WICHITA FALLS	42,210.91	0.00	42,210.91
WORTHAM	376.91	0.18	377.09
WYLIE	41,086.22	0.00	41,086.22
	2,897,858.33	844.87	2,898,703.20

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. B.3

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5696
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Automobile Repair and Tire Sales and Service in a C-2 (General Commercial) District at 2012 South Travis Street, being 1.023 acres in the Preston Kitchens Survey, Abstract No. 667 (John Abrams and Estate of Helen Abrams, Owners; Jorge Onterves, Applicant; and Mary Ann Kaufman, Representative); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

Issue
To consider the request of John Abrams and Estate of Helen Abrams (Owners), Jorge Onterves (Applicant), and Mary Ann Kaufman (Representative) concerning the property located at 2012 South Travis Street, being 1.023 acres in the Preston Kitchens Survey, Abstract No. 667, to allow automobile repair and tire sales and service in a C-2 (General Commercial) District

Background
The property is located at 2012 South Travis Street, between Wilson and Cottage Streets. The applicant would like to open an automobile repair with tire sales and service. The exterior of the existing building is metal; and the owners/applicant will upgrade the exterior to hardy board siding.

Origination
John Abrams and Estate of Helen Abrams (Owners), Jorge Onterves (Applicant), and Mary Ann Kaufman (Representative)

Board Recommendation
At the April 19, 2011 regular meeting, the Planning and Zoning Board voted 6/1 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter and the requirement to use the main entrance off of Travis Street and install fencing on the east property line. Commission Member Tankersley voted against the request.

Attachments
Ordinance No. 5696, Location Map, Photograph, Site Plan, P&Z Communication Form, and Staff Review Letter

Prepared by:
Scott Shadden, Development Services Director

Approved by:
George Olson, City Manager

ORDINANCE NO. 5696

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AUTOMOBILE REPAIR AND TIRE SALES AND SERVICE IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 2012 SOUTH TRAVIS STREET, BEING 1.023 ACRES IN THE PRESTON KITCHENS SURVEY, ABSTRACT NO. 667 (JOHN ABRAMS AND ESTATE OF HELEN ABRAMS, OWNERS; JORGE ONTERVES, APPLICANT; AND MARY ANN KAUFMAN, REPRESENTATIVE); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, John Abrams and Estate of Helen Abrams (Owners), Jorge Onterves (Applicant), and Mary Ann Kaufman (Representative) are granted a Specific Use Permit to allow automobile repair and tire sales and service in a C-2 (General Commercial) District at 2012 South Travis Street, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the County of Grayson, State of Texas, located in the Preston Kitchens Survey, and being part of a 2.04 acre tract of land conveyed to C.C Mayhew by the Texas Nursery Company by deed recorded in Volume 362, Page 208, Deed Records, Grayson County, Texas, and being the same land described in partition deed from Mary Elizabeth Redburn to Martha Tomlin, Alberta Head and James B Fitzpatrick, said partition deed being recorded in Volume 1016, Page

104, of the Deed Records, Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a 1 inch steel rod South 16 deg East 174.9 ft from the intersection of the South line of Wilson Avenue and the West line of Travis Street, said rod also being the Southeast corner of the Tim Overby tract of land;

THENCE South 16 deg. East a distance of 109.15 ft. along the West line of Travis Street to a ½ inch steel rod, said rod also marking the Northeast corner of the Mary Redburn 87 ft. by 160 ft. tract of land;

THENCE South 73 deg. 59 min. West a distance of 160.0 ft. to a ¾ inch iron pipe for the Northwest corner of said Redburn tract;

THENCE South 16 deg. East a distance of 87.0 ft. to a ¾ inch iron pipe, the Southwest corner of said Redburn tract and in the North fence of St. Mary's Cemetery;

THENCE South 73 deg. 59 min. West a distance of 140.0 ft. along the North line of St. Mary's Cemetery to a ¾ inch iron pipe, said pipe also being the Southeast corner of the E.B. Chapman tract of land;

THENCE North 16 deg. West a distance of 173.8 ft. to a ½ inch steel rod in the South right-of-way of Hwy. 75, said rod also being the Northeast corner of said Chapman land;

THENCE North 38 deg. 30 min. East a distance of 38.7 ft. along said South right-of-way of Hwy. 75 to a car axle for the Southwest corner of said Overby land;

THENCE North 74 deg. 10 min. East a distance of 268.60 ft. along the South line of said Overby land to the place of beginning and containing 1.023 acres of land.

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

Zoning:

1. All aspects of the C-2 (General Commercial) District and the Commercial Tree and Landscaping Ordinance must be followed. The exterior façade is required to be masonry or equivalent on the sides of all buildings visible from front street right-of-way unless an exception is granted.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. No outside parking or storage of dismantled vehicles, wrecks or parts are allowed.
4. All parking shall be on private property and shall not encroach into the Travis Street right-of-way.
5. Parking is permitted on paved surfaces only.

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.

<u>Planning & Zoning Commission</u>

7. The requirement to use the main entrance off of Travis Street and install fencing on the east property line.

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

<u>SECTION 4</u>. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.

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

<u>SECTION 6</u>. 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 __________________, 2011.

ADOPTED on this the _________________ day of __________________, 2011.

EFFECTIVE DATE on this the _________ day of __________________, 2011.

CITY OF SHERMAN, TEXAS

BY: ________________________________

BILL MAGERS, MAYOR

ATTEST:

BY: ________________________________

LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: ________________________________

BRANDON S. SHELBY,
CITY ATTORNEY

2012 South Travis

1 inch = 107 feet

City of Sherman, Texas
Developmental Services Department

2012 South Travis

Legend

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

City of Sherman, Texas
Developmental Services Department

N

1 inch = 129 feet

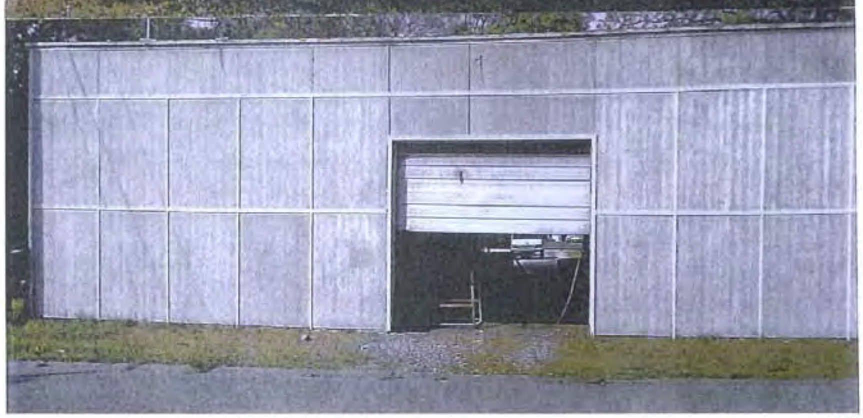
2012 S. Travis

2012 S. Travis

Before

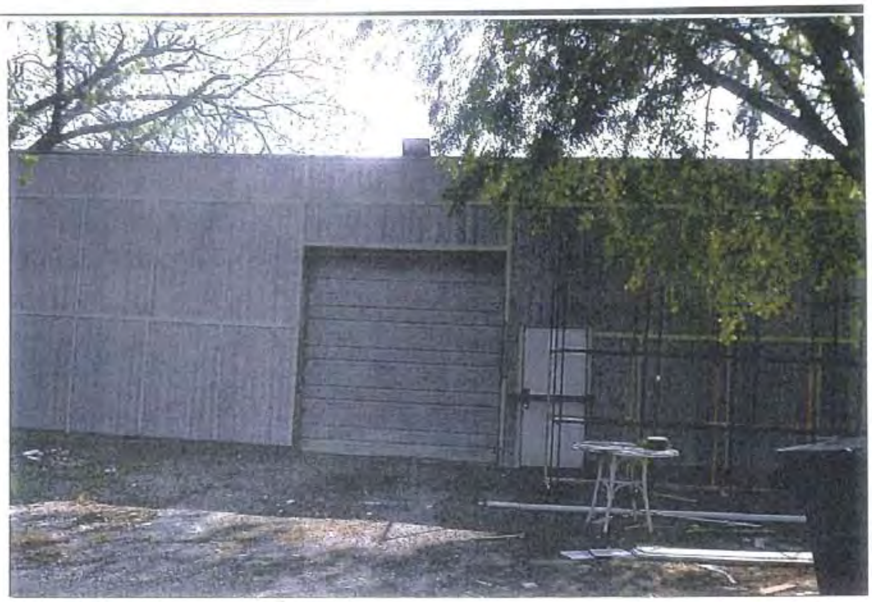
2012 S. Travis

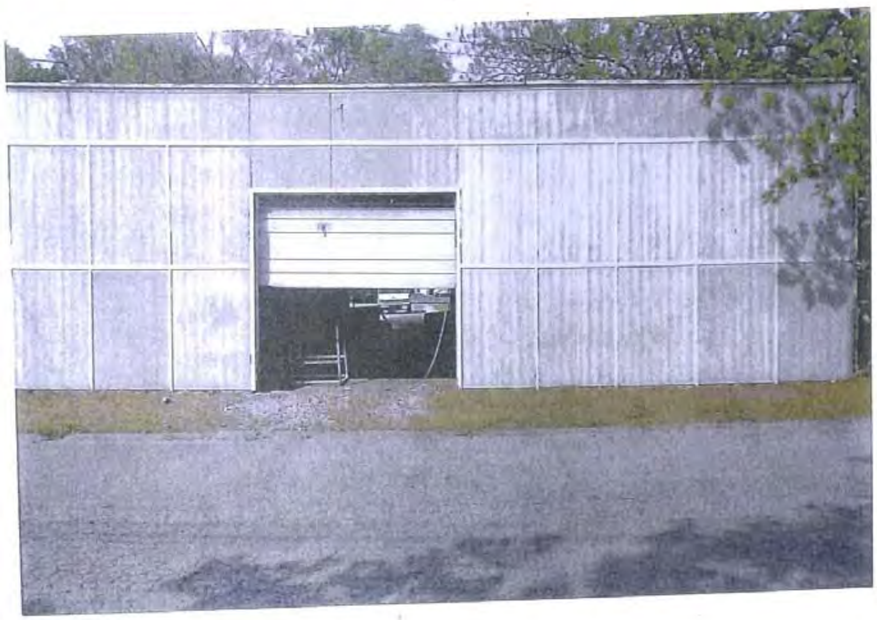
After

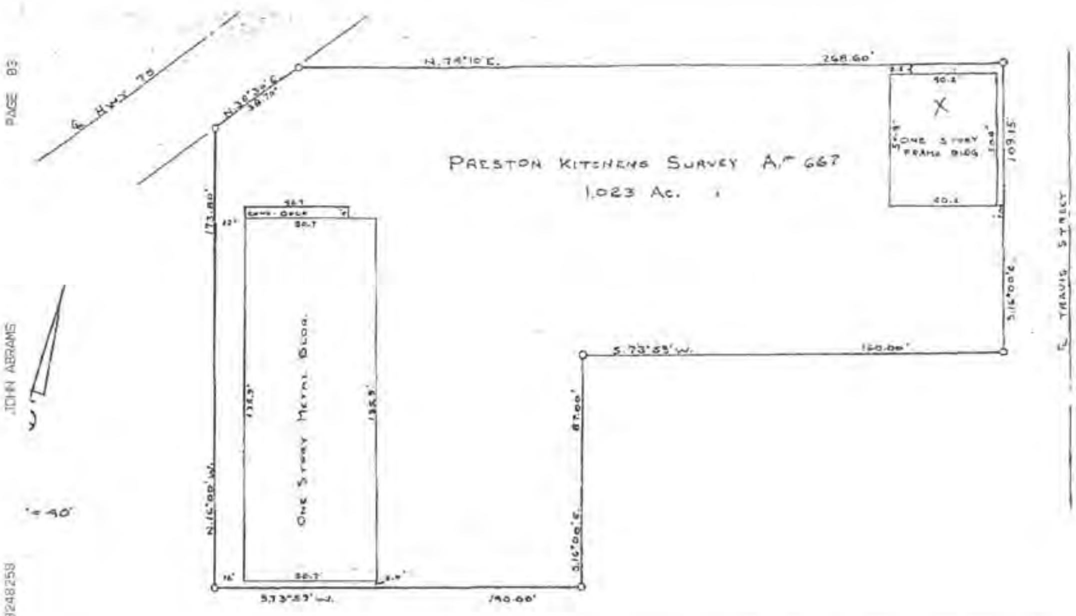


2012 S

Travis







I, Bobby J. Crow, Registered Public Surveyor, hereby certify that a surve
ground on the property legally described hereon and is correct, and that there
discrepancies, conflicts, shortages in area, boundary line conflicts, encroach
of improvements, easements or right-of-ways except as shown on the plat herewi
plat herewith is a true, correct and accurate representation of the property d

STATE OF TEXAS
Bobby J. Crow
1746
REGISTERED
PUBLIC SURVEYOR

Bobby J. C

Bobby J. Crow, RPS
April 28, 1975

CROW
RING SERVICES
IAR
S 75090

SHERMAN

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone No. (903) 892-7229
FAX No. (903) 892-7274

April 1, 2011

Robyn & David Raggio
112 E. Cottage
Sherman, TX 75090

APR 19 2011

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, April 19, 2011 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

John Abrams & Estate of Helen Abrams (Owners), Jorge Onterves (Applicant) and Mary Ann Kaufman (Representative) concerning the property located at 2012 South Travis Street, being 1.023 acres in the Preston Kitchens Survey, Abstract No. 667

The request is as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5) (a) to allow automobile repair and tire sales and service in a C-2 (General Commercial) District.

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you can not attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

Scott Shadden
Secretary, Planning & Zoning Board

I live at 112 E Cottage - just around the corner from the above property in question. In spite of all these legalities, it appears as if Mr. Onterves is preparing the property to do business, including equipping the inside with racks and inventory (tires). I object to this business on the grounds of increase

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

noise, traffic and parking. The neighborhood is 98% residential. The streets are narrow and the noise factor of a tire shop w/ installation + service is beyond acceptable residential levels.

The traffic concerns are quite grave due to the families with children and pets in the neighborhood. This is not an appropriate venue for such a business. Why are they outfitting the property with inventory if this matter has not yet been settled?

Polyn J. Raggio
112 E. Cottage
Sherman, Tx 75090
903 891-4809

AGENDA ITEM #5

City of Sherman

Planning and Zoning Commission
Board of Adjustments

Agenda Communication Form

April 19, 2011

Lawrence Davis, Chairman

Jim Jacobs, Vice Chairman	**Brad Morgan, Commissioner**
Vacant, Commissioner	**David Plyler, Commissioner**
Ron Barton, Commissioner	**Darren Tankersley, Commissioner**
Don Hicks, Commissioner	**Richard Barber, Commissioner**

2012 South Travis Street
Being 1.023 acres in the Preston Kitchens Survey, Abstract No. 667
Exception, Specific Use Permit & Site Plan

Requested Action/Proposed Use:
Planning and Zoning Commission
Specific Use Permit and site plan approval to allow automobile repair and tire sales and service in a C-2 (General Commercial) District.

Background:
This item was tabled at the March 22, 2011, Planning and Zoning Commission Meeting to give the owner and applicant time to research cost of concrete lap siding for the exterior finish of the building. The property is located at 2012 South Travis Street; between Wilson and Cottage Streets. The applicant would like to open an automobile repair with tire sales and service. The exterior of the existing building is metal and owner/applicant will upgrade the exterior to hardy board siding.

Adjacent Zoning:
C-2 (General Commercial) District and R-1 (One Family Residential) District

Origination:
John Abrams & Estate of Helen Abrams (Owners), Jorge Onterves (Applicant) and Mary Ann Kaufman (Representative)

Master Plan Designation: Auto-Urban Commercial

Number of notices mailed: 12

Objections Received: 0

Attachments: Location map, Photographs, Site Plan, Staff Review Letter

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

SHERMAN

STAFF REVIEW LETTER

April 14, 2011

John Abrams
PO Box 606
Gordonville, TX 76545

Jorge Onterves
918 S. Montgomery
Sherman, TX 75090

Mary Ann Kaufman
354 Grigg Rd.
Sherman, TX 75090

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow automobile repair and tire sales and service in a C-2 (General Commercial) District for the property located at 2012 South Travis Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 19, 2011 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-2 (General Commercial) District and the Commercial Tree and Landscaping Ordinance must be followed. The exterior façade is required to be masonry or equivalent on the sides of all buildings visible from front street right-of-way unless an exception is granted.
2. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
3. No outside parking or storage of dismantled vehicles, wrecks or parts are allowed.
4. All parking shall be on private property and shall not encroach into the Travis Street right-of-way.
5. Parking is permitted on paved surfaces only.
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 and Zoning Commission.

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 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 Utilities & Engineering Services
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator
Nathan Huffman, Fire Marshal
Scott Taylor, Assistant Director of Public Works
Don Keene, Exec. Dir. of Planning & Public Works

SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. B.4

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5697
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District in the 4300 Block of U.S. Highway 75 North, being 6.588 Acres in the W. Brown and B.A. Ricketts Survey, Abstract No. 1553 and the T.J. Shannon Survey, Abstract No. 1137, and being Lots 2, 3 and Part of Lot 1 of the Proposed Westgate Hill Addition (Samuel Nechamkin and Gary Hoge, Owners; Jason Sofey, Sofey Construction and Design, LLC, Representative; Chris Schmitt, Teague, Nall and Perkins, Engineer; David Baca, Architect; and Underwood Drafting and Surveying, Surveyors)

Issue
To consider the request of Samuel Nechamkin and Gary Hoge (Owners), Jason Sofey, Sofey Construction and Design, LLC (Representative), Chris Schmitt, Teague, Nall and Perkins (Engineer), David Baca (Architect), and Underwood Drafting and Surveying (Surveyors) concerning the property in the 4300 block of U.S. Highway 75 North, for a conceptual site plan and zone change from R-1 (One Family Residential) District to C-1 (Retail Business) District for a medical office in the O-1 (75&82) Overlay District, being 6.588 acres and being Lots 2, 3 and part of Lot 1 of the proposed Westgate Hill Addition

Background
The property is located in the 4300 block of U.S. Highway 75 North, north of the Sherman Town Center. The owners would like to plat the property into three lots for commercial development. They are proposing a medical office on one of the lots in the C-1 (Retail Business) District.

Origination
Samuel Nechamkin and Gary Hoge (Owners), Jason Sofey, Sofey Construction and Design, LLC (Representative), Chris Schmitt, Teague, Nall and Perkins (Engineer), David Baca (Architect), and Underwood Drafting and Surveying (Surveyors)

Board Recommendation
At the April 19, 2011 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the zone change be approved subject to the Staff Review Letter and subject to restricting the additional freestanding sign to be a monument sign with a maximum 32 square foot face on Lot 1 of the proposed Westgate Hill Addition.

Attachments
Ordinance No. 5697, Location Map, Photograph, Site Plan, Letters, P&Z Communication Form, and Staff Review Letter

Prepared by:
Scott Shadden, Development Services Director

Approved by:
George Olson, City Manager

ORDINANCE NO. 5697

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT IN THE 4300 BLOCK OF U.S. HIGHWAY 75 NORTH, BEING 6.588 ACRES IN THE W. BROWN AND B.A. RICKETTS SURVEY, ABSTRACT NO. 1553 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1137, AND BEING LOTS 2, 3 AND PART OF LOT 1 OF THE PROPOSED WESTGATE HILL ADDITION (SAMUEL NECHAMKIN AND GARY HOGE, OWNERS; JASON SOFEY, SOFEY CONSTRUCTION AND DESIGN, LLC, REPRESENTATIVE; CHRIS SCHMITT, TEAGUE, NALL AND PERKINS, ENGINEER; DAVID BACA, ARCHITECT; AND UNDERWOOD DRAFTING AND SURVEYING, 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 C-1 (Retail Business) District in the 4300 block of U.S. Highway North, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the County of Grayson, State of Texas, being a part of the Brown and Ricketts Survey, Abstract No. 1553 and T. J. Shannon Survey, Abstract No. 1137 and being a part of the called 6.6367 acre tract conveyed to Samuel Joseph Nachamkin and Gary J. Hoge as recorded in Volume 4019, Page 888, Official Public Records, Grayson County, Texas and Being described by metes and bounds as follows:

BEGINNING at a point in the east right-of-way line of Loy Lake Road, the Southwest corner of said 6.6367 acre tract,

THENCE North 03º11’59” East with the said east right-of-way line, a distance of 646.48 feet to a point in the north line of said 6.6367 acre tract;

THENCE South 87º45’32” East with said north line, a distance of 594.26 feet to a point in the west right-of-way of U. S. Highway 75;

THENCE South 24º24’56” West with said right-of-way, a distance of 80.86 feet to an angle point;

THENCE South 28º50'04" West continuing with said right-of-way, a distance of 637.75 feet to a point;

THENCE North 85º01'37" West, a distance of 151.95 feet to a point;

THENCE South 04º58'23" West, a distance of 15.00 feet to a point in the south line of said 6.6367 acre tract;

THENCE North 85º01'37" West with said south line, a distance of 136.73 feet to the **Point-of-Beginning and containing 6.588 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 __________________, 2011.

ADOPTED on this the _________________ day of __________________, 2011.

EFFECTIVE DATE on this the _________ day of __________________, 2011.

CITY OF SHERMAN, TEXAS

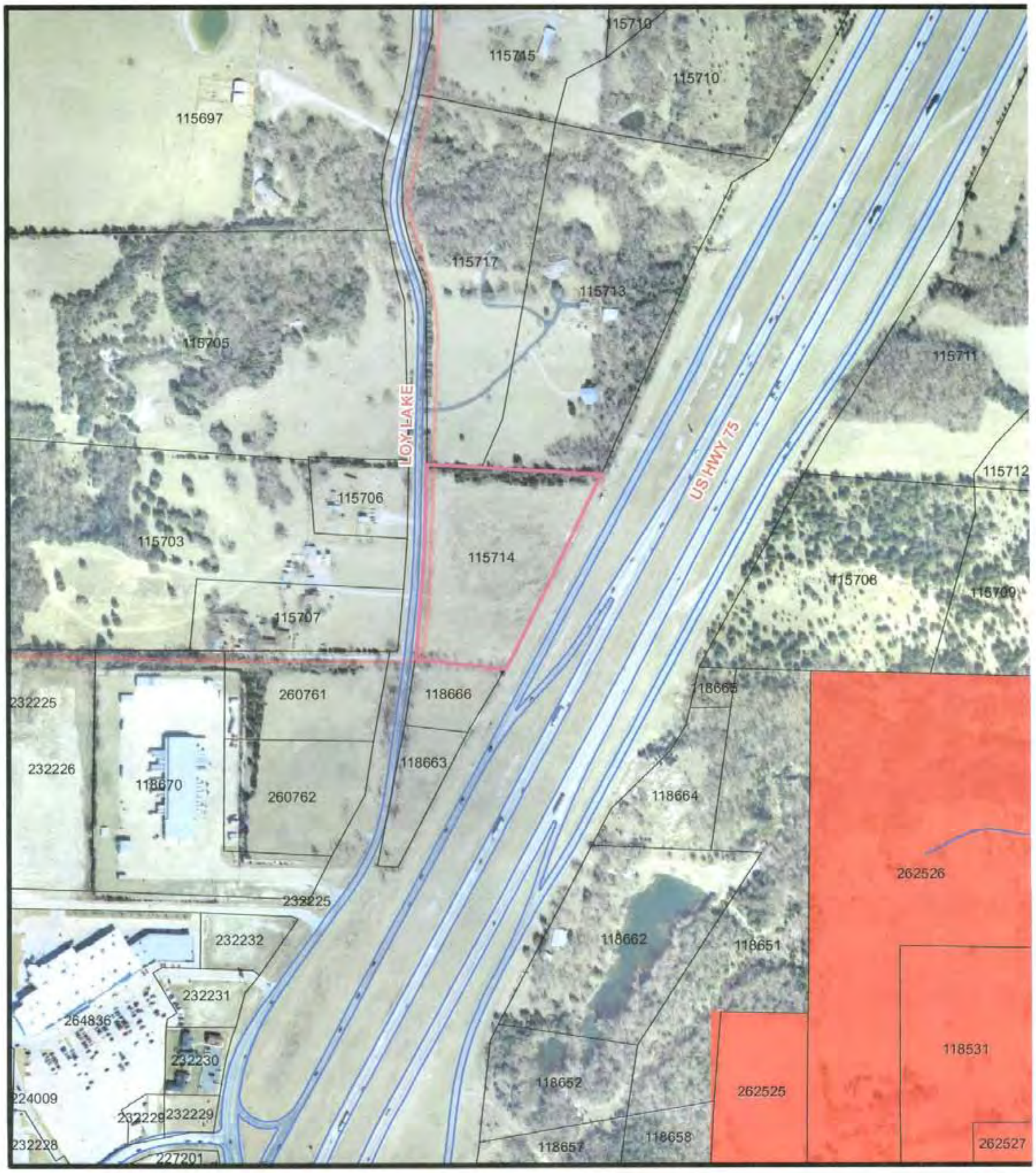
BY: ________________________________
BILL MAGERS, MAYOR

ATTEST:

BY: ________________________________
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

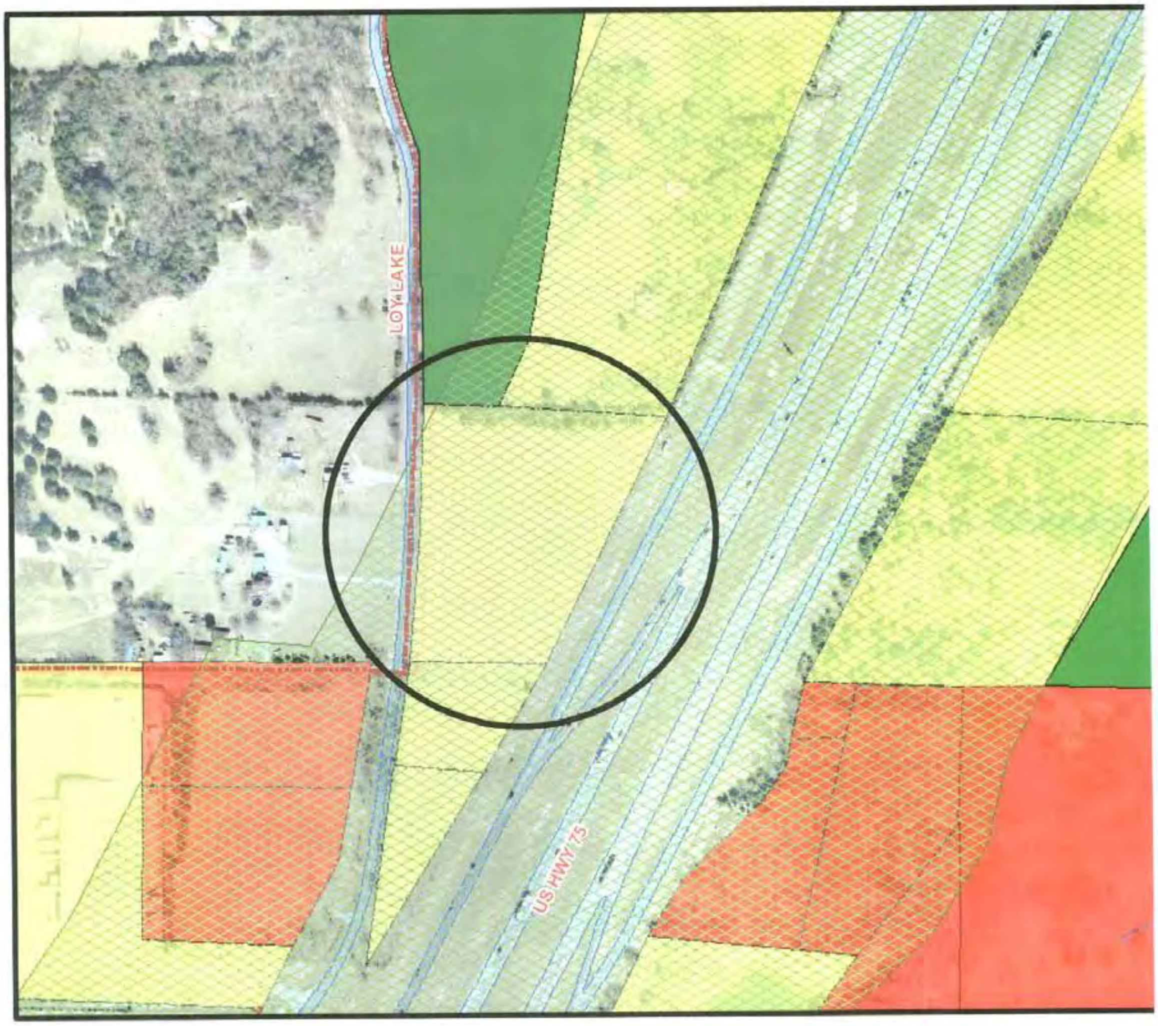
BY: ________________________________
BRANDON S. SHELBY,
CITY ATTORNEY



4300 Blk U.S. Highway 75 North

City of Sherman, Texas
Developmental Services Department

1 inch = 429 feet



Zoning - 4300 Blk. U.S. Highway 75 North

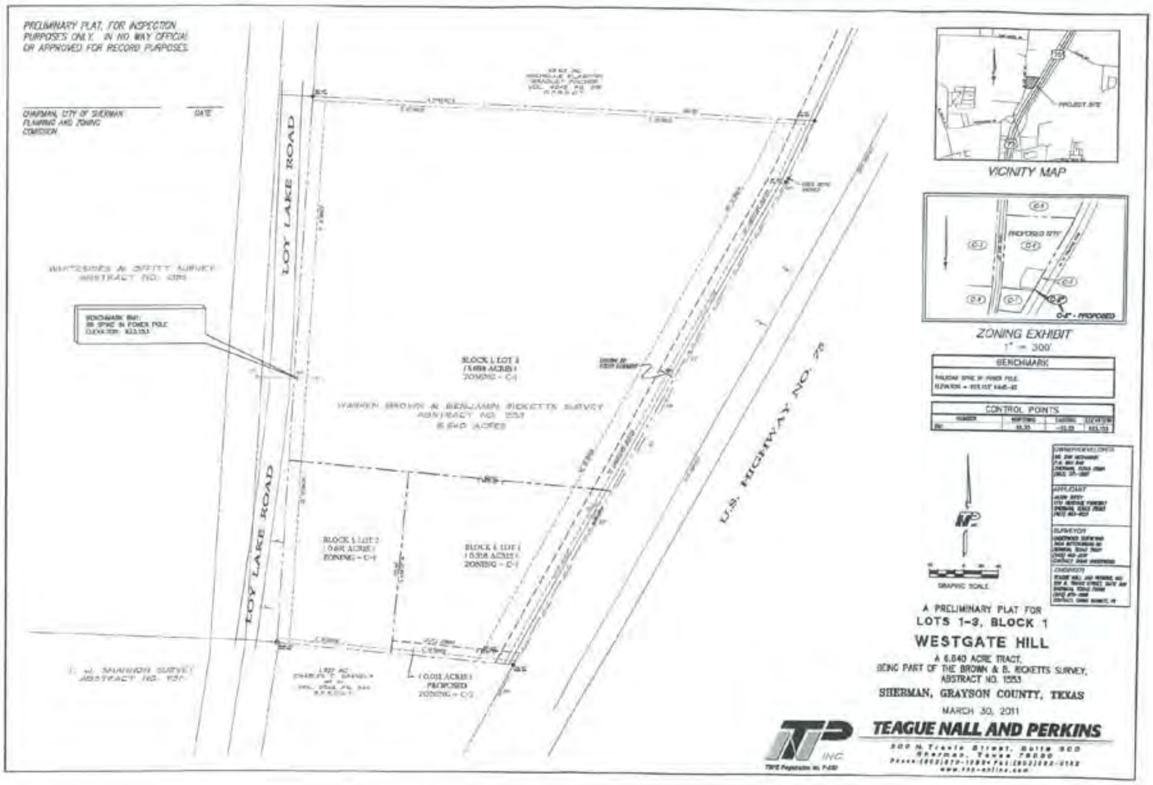
Legend

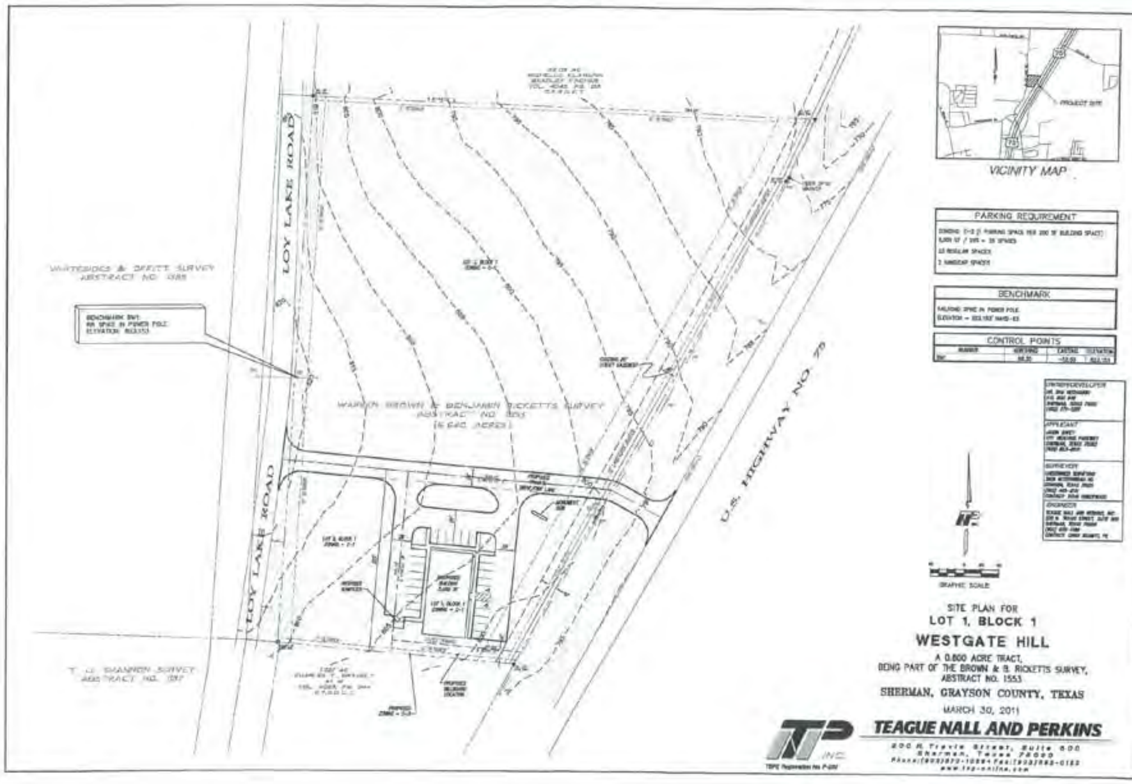
- O 1 HIGHWAY 75 & 82 OVERLAY DISTRICT
- O 1.1 FM 1417 OVERLAY DISTRICT
- O 1.2 SAM RAYBURN FREEWAY OVERLAY DISTRICT
- C B D DOWNTOWN BUSINESS DISTRICT
- C P O COLLEGE PARK OVERLAY DISTRICT
- A & C ARTS & CULTURAL OVERLAY DISTRICT
- Blaylock Commercial Distrist
- R-A Single Family Agricultural District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

1 inch = 343 feet

City of Sherman, Texas
Developmental Services Department

4300 Block Hwy 75 N.


PRELIMINARY PLAT, FOR INSPECTION PURPOSES ONLY. IN NO WAY OFFICIAL OR APPROVED FOR RECORD PURPOSES.
LOY LAKE ROAD
LOY LAKE ROAD
BLOCK 1, LOT 3
ZONING – C-1
WARREN BROWN & BENJAMIN RICKETTS SURVEY
6.840 ACRES
BLOCK 1, LOT 2
ZONING – C-1
BLOCK 1, LOT 1
ZONING – C-1
PROPOSED
U.S. HIGHWAY NO. 75
VICINITY MAP
ZONING EXHIBIT
1" = 300'
BENCHMARK
CONTROL POINTS
GRAPHIC SCALE
A PRELIMINARY PLAT FOR
LOTS 1-3, BLOCK 1
WESTGATE HILL
A 6.840 ACRE TRACT,
BEING PART OF THE BROWN & B. RICKETTS SURVEY,
ABSTRACT NO. 1553
SHERMAN, GRAYSON COUNTY, TEXAS
MARCH 30, 2011
TEAGUE NALL AND PERKINS
INC



LOY LAKE ROAD
LOY LAKE ROAD
U.S. HIGHWAY NO. 75
WARREN BROWN & BENJAMIN RICKETTS SURVEY
VICINITY MAP
PARKING REQUIREMENT
BENCHMARK
CONTROL POINTS
GRAPHIC SCALE
SITE PLAN FOR
LOT 1, BLOCK 1
WESTGATE HILL
A 0.800 ACRE TRACT,
BEING PART OF THE BROWN & B. RICKETTS SURVEY,
ABSTRACT NO. 1553
SHERMAN, GRAYSON COUNTY, TEXAS
MARCH 30, 2011
TEAGUE NALL AND PERKINS

City of Sherman

Planning and Zoning Commission
Board of Adjustments

Agenda Communication Form

April 19, 2011

Lawrence Davis, Chairman

Jim Jacobs, Vice Chairman	**Brad Morgan, Commissioner**
Vacant, Commissioner	**David Plyler, Commissioner**
Ron Barton, Commissioner	**Darren Tankersley, Commissioner**
Don Hicks, Commissioner	**Richard Barber, Commissioner**

4300 Blk U.S. Highway 75 North
Being 6.6367 acres in the W. Brown & B.A. Ricketts Survey, Abstract No. 1553 &
T.J. Shannon Survey, Abstract No. 1137
Zone Change, SUP, Site Plan & Exception
Preliminary & Final Plat

Requested Action/Proposed Use:

Planning and Zoning Commission

- Preliminary & Final Plat approval of Westgate Hill Addition
- **C-1 Zoning:** 6.588 acres, being Lots 2, 3 and part of Lot 1 of the proposed Westgate Hill Addition, conceptual site plan and zone change from R-1 (One Family Residential) District to C-1 (Retail Business) District for a medical office in the O-1 (75&82) Overlay District.

  C-2 Zoning: 0.051 acres, being part of Lot 1 of the proposed Westgate Hill Addition, site plan and zone change from R-1 (One Family Residential) District to C-2 (General Commercial) District and Specific Use Permit for a billboard in the O-1 (75&82) Overlay District.

Board of Adjustments

- Exception to allow a 5’ side yard setback for a billboard in lieu of the required 30’ from any residentially zoned property line in a C-2 (General Commercial) District/O-1 (75&82) Overlay District.

Background:

The property is located in the 4300 Block of U.S. Highway 75 North, north of Sherman Town Center. The owner would like to plat the property into three lots for commercial development. They are proposing a 5,000 square foot medical office on Lot 1 with a double-sided billboard on the southern part of the same lot located 5’ from the south property line adjacent to an R-1 (One Family Residential) District.

Adjacent Zoning:

R-1 (One Family Residential) District, SF-1 (Single Family Residential) District and C-1 (Retail Business) District

Origination:

Samuel Nechamkin & Gary Hoge (Owners), Jason Sofey, Sofey Construction & Design, LLC (Representative) Chris Schmitt; Teague, Nall & Perkins (Engineer), David Baca (Architect) and Underwood Drafting and Surveying (Surveyors)

Master Plan Designation:

Suburban Residential

Number of notices mailed:
3

Objections received:
0

Attachments:
Location map
Photographs
Site Plan
Staff Review Letter

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

SHERMAN

STAFF REVIEW LETTER

April 14, 2011

Dr. Samuel J. Nechamkin
Gary J. Hoge
PO Box 848
Sherman, TX 75091-0848

Jason Sofey
1711 Heritage Parkway
Sherman, TX 75092

Teague, Nall & Perkins
Chris Schmitt
200 N. Travis, Ste. 500
Sherman, TX 75090

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

David Baca
100 N. Travis, Ste. 500A
Sherman, TX 75090

Dear Applicants,

The request for site plan and zone change from R-1 (One Family Residential) District to C-1 (Retail Business) District for a medical office for the property located in the 4300 Block of U.S. Highway 75 North has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 19, 2011 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-1 (Retail Business) District, the O-1 (75 & 82) Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. The site plan is considered conceptual in nature; a more detailed site plan with elevations of all sides will need to be submitted to the Planning and Zoning Commission for approval.
3. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
4. Parking is permitted on paved surfaces only.
5. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

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 and Zoning Commission.

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 Scott Shadden at 903-892-7229 prior to the meeting.

4300 Blk. Hwy. 75 N. Site Plan – Medical Office 4/19/2011

Respectfully,

Scott Shadden

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

cc: George Olson, City Manager
Mark Gibson, Director Utilities & Engineering Services
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator
Nathan Huffman, Fire Marshal
Scott Taylor, Assistant Director of Public Works
Don Keene, Exec. Dtr. of Planning & Public Works

SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. B.5

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5698
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Billboard in a C-2 (General Commercial) District and O-1 (75 & 82) Overlay District in the 4300 Block of U.S. Highway 75 North, being 0.051 acres in the W. Brown and B.A. Ricketts Survey, Abstract No. 1553 and the T.J. Shannon Survey, Abstract No. 1137, and being Part of Lot 1 of the Proposed Westgate Hill Addition (Samuel Nechamkin and Gary Hoge, Owners; Jason Sofey, Sofey Construction and Design, LLC, Representative; Chris Schmitt, Teague, Nall and Perkins, Engineer; David Baca, Architect; and Underwood Drafting and Surveying, Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

Issue

To consider the request of Samuel Nechamkin and Gary Hoge (Owners), Jason Sofey, Sofey Construction and Design, LLC (Representative), Chris Schmitt, Teague, Nall and Perkins (Engineer), David Baca (Architect), and Underwood Drafting and Surveying (Surveyors) concerning the property located in the 4300 block of U.S. Highway 75 North, being 0.051 acres in the W. Brown and B.A. Ricketts Survey, Abstract No. 1553 and the T.J. Shannon Survey, Abstract No. 1137, and being part of Lot 1 of the proposed Westgate Hill Addition, to change the zoning from R-1 (One Family Residential) District to C-2 (General Commercial) District and to grant a Specific Use Permit to allow a billboard in a C-2 (General Commercial) District and the O-1 (75 & 82) Overlay District

Background

The property is located in the 4300 block of U.S. Highway 75 North, north of the Sherman Town Center. The owners would like to plat the property into three lots for commercial development. They are proposing a double-sided billboard on the southern part of the lot located 5' from the south property line adjacent to an R-1 (One Family Residential) District.

Origination

Samuel Nechamkin and Gary Hoge (Owners), Jason Sofey, Sofey Construction and Design, LLC (Representative), Chris Schmitt, Teague, Nall and Perkins (Engineer), David Baca (Architect), and Underwood Drafting and Surveying (Surveyors)

Board Recommendation

At the April 19, 2011 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the zone change and Specific Use Permit be approved subject to the Staff Review Letter and subject to restricting the additional freestanding sign to be a monument sign with a maximum 32 square foot face on Lot 1 of the proposed Westgate Hill Addition.

Attachments

Ordinance No. 5698
Location Map
Photograph
Site Plan
P&Z Communication Form
Staff Review Letter

Prepared by:
Scott Shadden, Development Services Director

Approved by:
George Olson, City Manager

ORDINANCE NO. 5698

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-2 (GENERAL COMMERCIAL) DISTRICT AND SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A BILLBOARD IN A C-2 (GENERAL COMMERCIAL) DISTRICT AND O-1 (75 & 82) OVERLAY DISTRICT IN THE 4300 BLOCK OF U.S. HIGHWAY 75 NORTH, BEING 0.051 ACRES IN THE W. BROWN AND B.A. RICKETTS SURVEY, ABSTRACT NO. 1553 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1137, AND BEING PART OF LOT 1 OF THE PROPOSED WESTGATE HILL ADDITION (SAMUEL NECHAMKIN AND GARY HOGE, OWNERS; JASON SOFEY, SOFEY CONSTRUCTION AND DESIGN, LLC, REPRESENTATIVE; CHRIS SCHMITT, TEAGUE, NALL AND PERKINS, ENGINEER; DAVID BACA, ARCHITECT; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYORS); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the C-2 (General Commercial) District and O-1 (75 & 82) Overlay District in the 4300 block of U.S. Highway 75 North and Samuel Nechamkin and Gary Hoge (Owners), Jason Sofey, Sofey Construction and Design, LLC (Representative), Chris Schmitt, Teague, Nall and Perkins (Engineer), David Baca (Architect), and Underwood Drafting and Surveying

(Surveyors) are granted a Specific Use Permit to allow a billboard in a C-2 (General Commercial) District and O-1 (75 & 82) Overlay District, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the County of Grayson, State of Texas, being a part of the Brown and Ricketts Survey, Abstract No. 1553 and T. J. Shannon Survey, Abstract No. 1137 and being a part of the called 6.6367 acre tract conveyed to Samuel Joseph Nachamkin and Gary J. Hoge as recorded in Volume 4019, Page 888, Official Public Records, Grayson County, Texas and Being described by metes and bounds as follows:

BEGINNING at a point in the west right-of-way line of U. S. Highway 75, the Southeast corner of said 6.6367 acre tract,

THENCE North 85º01’37” West with the south line of said 6.6367 acre tract, a distance of 145.31 feet to a point;

THENCE North 04º58’23” East, a distance of 15.00 feet to a point;

THENCE South 85º01’37” East, a distance of 151.95 feet to a point in said west right-of-way line;

THENCE South 28º50’04” West with said west right-of-way, a distance of 16.40 feet to the **Point-of-Beginning and containing 0.051 acres of land**.

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, the O-1 (75 & 82) Overlay District and the sign ordinance must be followed.
2. Billboards shall be a minimum 30’ from any residentially zoned property unless an exception is granted.
3. All lighting of the billboard shall be shielded as not to produce intensive or excessive light or glare on adjacent property or traffic.
4. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Planning & Zoning Commission:

5. Restricting the additional freestanding sign to be a monument sign with a maximum 32 square foot face on Lot 1 of the proposed Westgate Hill Addition.

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

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.

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

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

INTRODUCED on this the _____________ day of _________________, 2011.

ADOPTED on this the ________________ day of _________________, 2011.

EFFECTIVE DATE on this the _________ day of _________________, 2011.

CITY OF SHERMAN, TEXAS

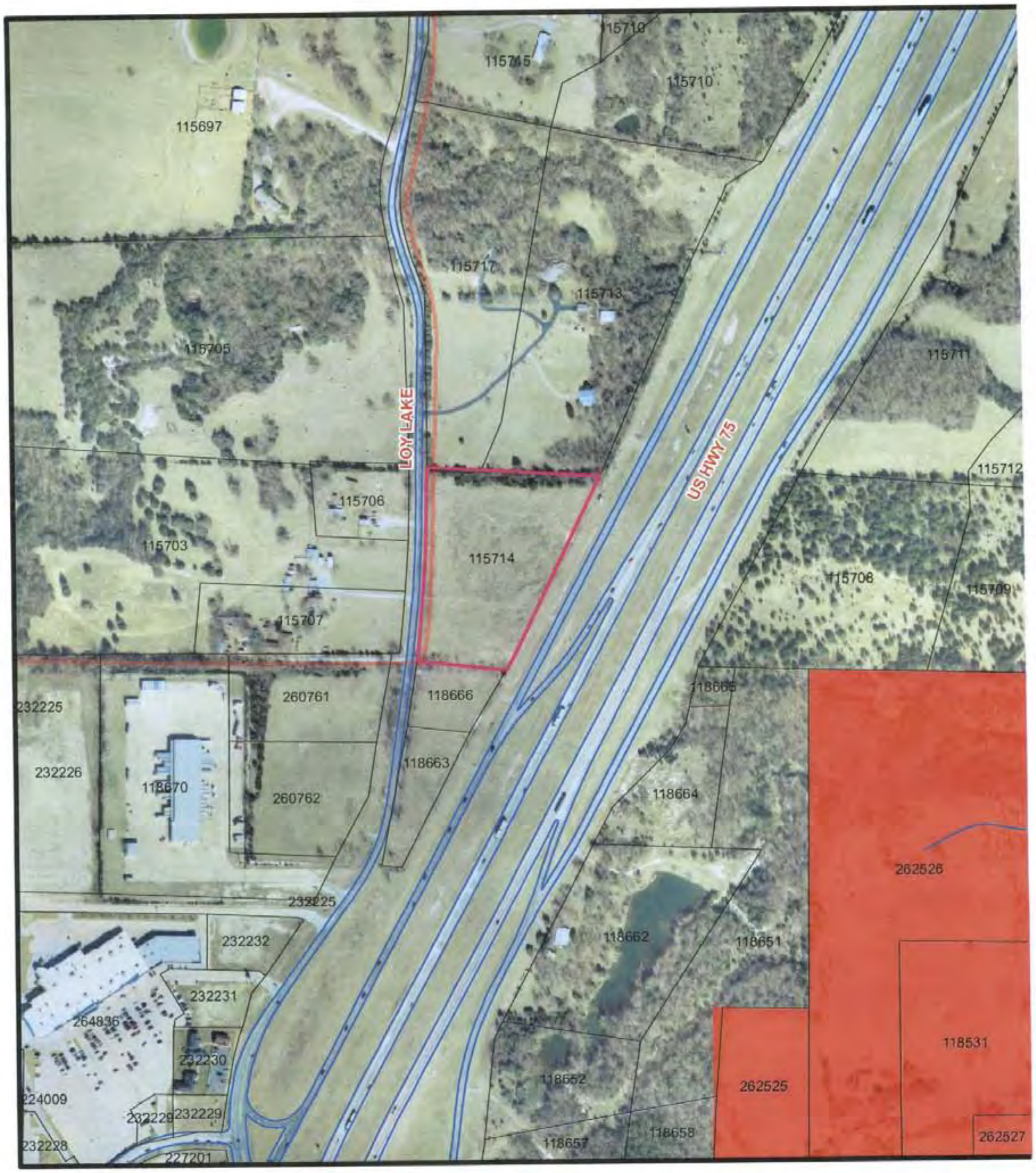
BY: ______________________________
BILL MAGERS, MAYOR

ATTEST:

BY: ______________________________
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

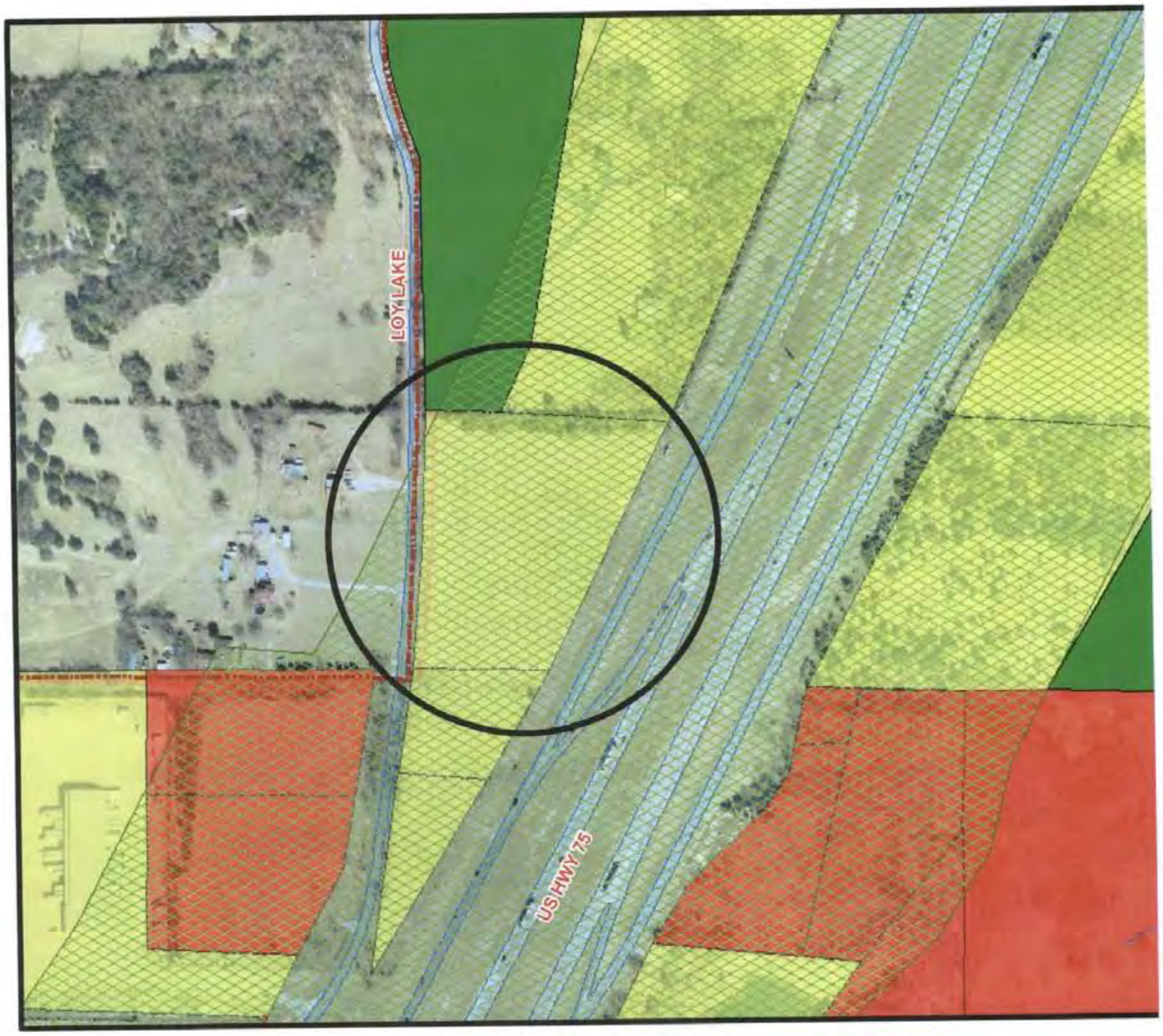
BY: ______________________________
BRANDON S. SHELBY, CITY ATTORNEY



4300 Blk U.S. Highway 75 North

City of Sherman, Texas
Developmental Services Department

1 inch = 429 feet



Zoning - 4300 Blk. U.S. Highway 75 North

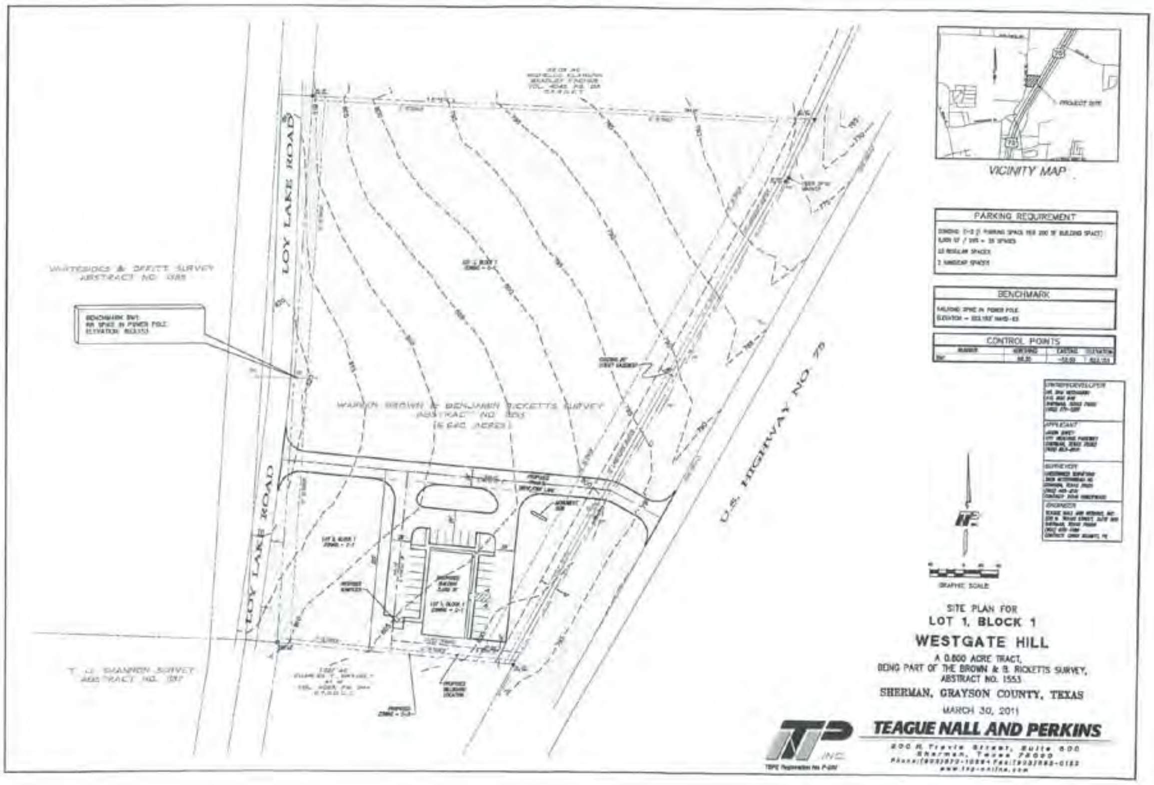
Legend

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

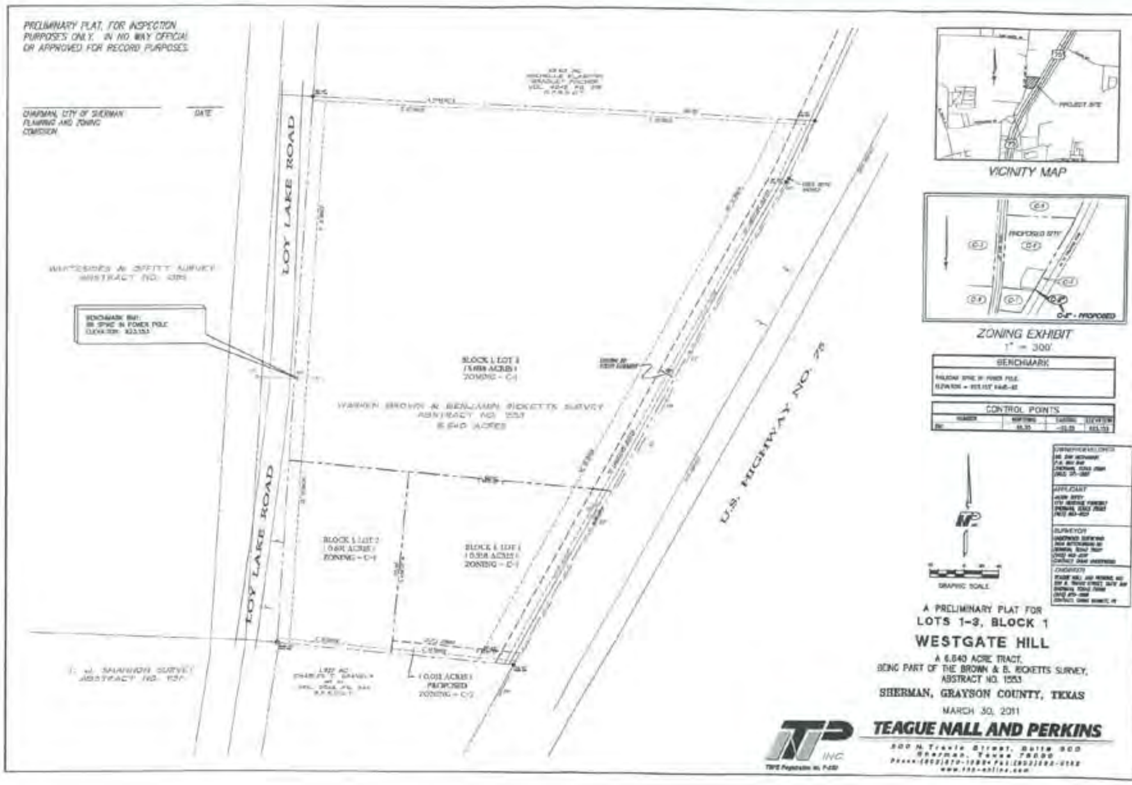
1 inch = 343 feet

City of Sherman, Texas
Developmental Services Department

4300 Block Hwy 75 N.



LOY LAKE ROAD
LOY LAKE ROAD
WHITESIDES & OFFITT SURVEY
ABSTRACT NO. 1185
WARREN BROWN & BENJAMIN RICKETTS SURVEY
ABSTRACT NO. 1553
T. J. SHANNON SURVEY
ABSTRACT NO. 1187
U.S. HIGHWAY NO. 75
VICINITY MAP
PROJECT SITE
PARKING REQUIREMENT
BENCHMARK
CONTROL POINTS
OWNER/DEVELOPER
APPLICANT
SURVEYOR
ENGINEER
GRAPHIC SCALE
SITE PLAN FOR
LOT 1, BLOCK 1
WESTGATE HILL
A 0.800 ACRE TRACT,
BEING PART OF THE BROWN & B. RICKETTS SURVEY,
ABSTRACT NO. 1553
SHERMAN, GRAYSON COUNTY, TEXAS
MARCH 30, 2011
TEAGUE NALL AND PERKINS
INC.



PRELIMINARY PLAT, FOR INSPECTION PURPOSES ONLY. IN NO WAY OFFICIAL OR APPROVED FOR RECORD PURPOSES.
LOY LAKE ROAD
U.S. HIGHWAY NO. 75
WARREN BROWN & BENJAMIN RICKETTS SURVEY
ZONING - C-1
VICINITY MAP
PROJECT SITE
ZONING EXHIBIT
1" = 300'
PROPOSED
BENCHMARK
CONTROL POINTS
GRAPHIC SCALE
A PRELIMINARY PLAT FOR
LOTS 1-3, BLOCK 1
WESTGATE HILL
A 6.840 ACRE TRACT,
BEING PART OF THE BROWN & B. RICKETTS SURVEY,
ABSTRACT NO. 1553
SHERMAN, GRAYSON COUNTY, TEXAS
MARCH 30, 2011
TEAGUE NALL AND PERKINS


Your Business Built Here
45

AGENDA ITEM #4

City of Sherman

Planning and Zoning Commission
Board of Adjustments

Agenda Communication Form

April 19, 2011

Lawrence Davis, Chairman

Jim Jacobs, Vice Chairman
Vacant, Commissioner
Ron Barton, Commissioner
Don Hicks, Commissioner
Brad Morgan, Commissioner
David Plyler, Commissioner
Darren Tankersley, Commissioner
Richard Barber, Commissioner

4300 Blk U.S. Highway 75 North
Being 6.6367 acres in the W. Brown & B.A. Ricketts Survey, Abstract No. 1553 &
T.J. Shannon Survey, Abstract No. 1137
Zone Change, SUP, Site Plan & Exception
Preliminary & Final Plat

Requested Action/Proposed Use:

Planning and Zoning Commission

- Preliminary & Final Plat approval of Westgate Hill Addition
- **C-1 Zoning:** 6.588 acres, being Lots 2, 3 and part of Lot 1 of the proposed Westgate Hill Addition, conceptual site plan and zone change from R-1 (One Family Residential) District to C-1 (Retail Business) District for a medical office in the O-1 (75&82) Overlay District.
  C-2 Zoning: 0.051 acres, being part of Lot 1 of the proposed Westgate Hill Addition, site plan and zone change from R-1 (One Family Residential) District to C-2 (General Commercial) District and Specific Use Permit for a billboard in the O-1 (75&82) Overlay District.

Board of Adjustments

- Exception to allow a 5' side yard setback for a billboard in lieu of the required 30' from any residentially zoned property line in a C-2 (General Commercial) District/O-1 (75&82) Overlay District.

Background:

The property is located in the 4300 Block of U.S. Highway 75 North, north of Sherman Town Center. The owner would like to plat the property into three lots for commercial development. They are proposing a 5,000 square foot medical office on Lot 1 with a double-sided billboard on the southern part of the same lot located 5' from the south property line adjacent to an R-1 (One Family Residential) District.

Adjacent Zoning:

R-1 (One Family Residential) District, SF-1 (Single Family Residential) District and C-1 (Retail Business) District

Origination:

Samuel Nechamkin & Gary Hoge (Owners), Jason Sofey, Sofey Construction & Design, LLC (Representative) Chris Schmitt; Teague, Nall & Perkins (Engineer), David Baca (Architect) and Underwood Drafting and Surveying (Surveyors)

Master Plan Designation:

Suburban Residential

Number of notices mailed:
3

Objections received:
0

Attachments:
Location map, Photographs, Site Plan and Staff Review Letter

Prepared by:
Patsy Reeves,
Developmental Services Secretary

Approved by:
Scott Shadden,
Director of Developmental Services

SHERMAN

STAFF REVIEW LETTER

April 13, 2011

Dr. Samuel J. Nechamkin
Gary J. Hoge
PO Box 848
Sherman, TX 75091-0848

Jason Sofey
1711 Heritage Parkway
Sherman, TX 75092

Teague, Nall & Perkins
Chris Schmitt
200 N. Travis, Ste. 500
Sherman, TX 75090

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

David Baca
100 N. Travis, Ste. 500A
Sherman, TX 75090

Dear Applicants,

The request for site plan and zone change from R-1 (One Family Residential) District to C-2 (General Commercial) District and Specific Use Permit for a billboard for the property located in the 4300 Block of U.S. Highway 75 North has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 19, 2011 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, the O-1 (75 & 82) Overlay District and the sign ordinance must be followed.
2. Billboards shall be a minimum 30' from any residentially zoned property unless an exception is granted.
3. All lighting of the billboard shall be shielded as not to produce intensive or excessive light or glare on adjacent property or traffic.
4. 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 and Zoning Commission.

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 Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

Scott Shadden

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

cc: George Olson, City Manager
Mark Gibson, Director Utilities & Engineering Services
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator
Nathan Huffman, Fire Marshal
Scott Taylor, Assistant Director of Public Works
Don Keene, Exec. Dir. of Planning & Public Works

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. B.6

ADOPTION OF ORDINANCES
Consider Adoption of Ordinance Numbers: 5694, 5695, 5696, 5697 and 5698

B.1 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5694
Establishing Maximum, Reasonable, and Prudent Rates of Speed on Certain Portions of S.H. 289 in the City of Sherman; Fixing Penalties for Violation Thereof

B.2 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5695
Approving a Negotiated Resolution between the Steering Committee of Cities Served by Oncor ("Steering Committee") and Oncor Electric Delivery Company LLC ("Oncor" or "Company") Regarding the Company's Application to Increase Electric Rates in All Cities Exercising Original Jurisdiction; Declaring Existing Rates to be Unreasonable; Requiring the Company to Reimburse Cities' Reasonable Ratemaking Expenses; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement and Finding the Rates to be Set by the Attached Tariffs to be Just and Reasonable; Approving Oncor's Proof of Revenues; Declaring an Effective Date; and Requiring Delivery of this Ordinance to the Company and the Steering Committee's Legal Counsel

B.3 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5696
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Automobile Repair and Tire Sales and Service in a C-2 (General Commercial) District at 2012 South Travis Street, being 1.023 acres in the Preston Kitchens Survey, Abstract No. 667 (John Abrams and Estate of Helen Abrams, Owners; Jorge Onterves, Applicant; and Mary Ann Kaufman, Representative); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

B.4 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5697
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District in the 4300 Block of U.S. Highway 75 North, being 6.588 Acres in the W. Brown and B.A. Ricketts Survey, Abstract No. 1553 and the T.J. Shannon Survey, Abstract No. 1137, and being Lots 2, 3 and Part of Lot 1 of the Proposed Westgate Hill Addition (Samuel Nechamkin and Gary Hoge, Owners; Jason Sofey, Sofey Construction and Design, LLC, Representative; Chris Schmitt, Teague, Nall and Perkins, Engineer; David Baca, Architect; and Underwood Drafting and Surveying, Surveyors)

B.5 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5698

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-2 (General Commercial) District and Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Billboard in a C-2 (General Commercial) District and O-1 (75 & 82) Overlay District in the 4300 Block of U.S. Highway 75 North, being 0.051 acres in the W. Brown and B.A. Ricketts Survey, Abstract No. 1553 and the T.J. Shannon Survey, Abstract No. 1137, and being Part of Lot 1 of the Proposed Westgate Hill Addition (Samuel Nechamkin and Gary Hoge, Owners; Jason Sofey, Sofey Construction and Design, LLC, Representative; Chris Schmitt, Teague, Nall and Perkins, Engineer; David Baca, Architect; and Underwood Drafting and Surveying, Surveyors); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed $2,000.00

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. B.7

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

D.1 * CHANGE ORDER NO. 2
U. S. Highway 75 North Sewer Improvements, Contract "B"; Tri-Con Services, Inc; $800.00 Increase

D.4 * OTHER BUSINESS
Approve Quarterly Investment Reports for Period ending March 31, 2011

D.6 * OTHER BUSINESS
Final Plat Approval of Westgate Hill Addition; being 6.6367 Acres in the W. Brown and B.A. Ricketts Survey, Abstract No. 1553 and the T.J. Shannon Survey, Abstract No. 1137; Samuel Nechamkin and Gary Hoge, Owners; Jason Sofey, Sofey Construction and Design, LLC, Representative; Chris Schmitt, Teague, Nall and Perkins, Engineer; David Baca, Architect; and Underwood Drafting and Surveying, Surveyors (4300 Block of U.S. Highway 75 North)

D.7 * OTHER BUSINESS
Replat Approval of Lots 1-7, Block 1, Fairview Park Patio Homes, Phase One; being 1.252 Acres in the J.B. McAnair Survey, Abstract No. 763; Shreetejas, Inc., Owner; Derek Humphreys, Representative; and Delta Land Surveying, Surveyors (1400-1500 Blocks of Park Place)

D.8 * OTHER BUSINESS
Replat Approval of Sherman Crossing Addition, a Replat of a Portion of Lot 1, Block 1, Sherman Shopping Center Addition; being 8.633 Acres in the J.B. McAnair Survey, Abstract No. 763; 75-82 Sherman Crossing, LTD, Owners; David Wallenstein, Representative; and Underwood Drafting and Surveying, Surveyor (3200 Block of U.S. Highway 75 North)

D.12 * APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
(a) Council Audit Committee (3)

D.13 * APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Investment Committee (2)

D.14 * APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Reinvestment Committee (2)

D.15 * APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #1 (3)

D.16 * APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #2 (3)

D.17 * APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #3 (3)

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. C.1

RESOLUTION NO. 5577
Authorizing Execution of an Amendment to Interlocal Agreement for Grayson County Multi-Jurisdictional Emergency Notification System

Issue
Amending a Multi-Jurisdictional Interlocal Agreement ("ILA") with Grayson County for a CodeRed® Emergency Notification System

Background
The City of Sherman has utilized the CodeRed® Emergency Notification System since 2008, providing a "reverse 911" method of alerting citizens to severe weather or other local emergencies. Grayson County entered into an agreement with CodeRed® that extended this notification system to the entire County, including the City of Sherman. The ILA provides an automatic weather warning notification for any citizen who requests that service. This notification is made by the National Weather Service, based on a projected storm path, and does not require any action by local officials. The CodeRed® system remains available for notification of local importance, including missing persons, hazardous material releases, dangerous conditions or other local emergencies.

As a condition of the amendment, an offer to pay in full the cost of the CodeRed® system to the City of Sherman is contingent upon continuation of the Interlocal Agreement with Grayson County for Emergency Management and related Homeland Security Services, approved by the City Council on September 16, 2008.

Origination
Grayson County and the City of Sherman

Financial Consideration
This amendment to the ILA would result in a payment to Grayson County of an annual amount of $20,000.00. The cost of CodeRed® for Sherman would be approximately $22,000.00, if the City were to subscribe to this system apart from this agreement, a net savings of $2,000.00 per year. Funds are available in the current budget to cover this cost.

Staff Recommendation
Approve the ILA Amendment with Grayson County for a Multi-Jurisdictional CodeRed® Emergency Notification System.

Alternatives

The City of Sherman could choose to terminate the ILA with Grayson County for the provision of Emergency Management and related Homeland Security Services, saving the $20,000.00 per year. The City could then choose to subscribe to CodeRed® independent of Grayson County at a cost of $22,000.00.

Attachments

Resolution No. 5577
Interlocal Agreement with Exhibits

Prepared by:
J. J. Jones, Fire Chief

Approved by:
George Olson, City Manager

RESOLUTION NO. 5577

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AMENDMENT TO INTERLOCAL AGREEMENT FOR GRAYSON COUNTY MULTI-JURISDICTIONAL EMERGENCY NOTIFICATION SYSTEM; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Grayson County has elected to pursue an Interlocal cooperative solution to warning and coordinated emergency notification for all residents, whether their residence be in an incorporated or unincorporated area of the County; and

WHEREAS, the City of Sherman has been offered the opportunity to enter into an Amended Interlocal Agreement with Grayson County for a Multi-Jurisdictional CodeRed® Emergency Notification System; and

WHEREAS, the City of Sherman's CodeRed® Emergency Notification System would continue to provide notification of local importance, including missing persons, hazardous material releases, dangerous conditions or other local emergencies, and would be expanded to provide an automatic weather warning notification by the National Weather Service based on a projected storm path for any citizen requesting that service; and

WHEREAS, the Sherman City Council believes that the citizens of Sherman will benefit from the expanded CodeRed® Emergency Notification System services to be gained through this Multi-Jurisdictional Interlocal Agreement;

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

SECTION 1. That the Mayor be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an Amendment to Interlocal Agreement for Grayson County Multi-Jurisdictional Emergency Notification System, said Amendment attached hereto and made a part hereof for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is 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 ________________, 2011.

CITY OF SHERMAN, TEXAS

BY: ________________________________
BILL MAGERS, MAYOR

ATTEST:

BY: ________________________________
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: ________________________________
BRANDON S. SHELBY,
CITY ATTORNEY

STATE OF TEXAS §

COUNTY OF GRAYSON §

AMENDMENT TO INTERLOCAL AGREEMENT FOR GRAYSON COUNTY MULTI-JURISDICTIONAL EMERGENCY NOTIFICATION SYSTEM

This Amendment is made with an effective date of October 1, 2011, by and between Grayson County and the Cities of Bells, Collinsville, Denison, Dorchester, Gunter, Howe, Knollwood, Pottsboro, Sadler, Sherman, Southmayd, Tioga, Tom Bean, Van Alstyne, Whitesboro and Whitewright ["hereinafter referred to as "Cities"] pursuant to Texas Government Code Chapter 791 which authorizes local governments to contract or agree to perform governmental functions and services.

BACKGROUND STATEMENT

WHEREAS, Grayson County and the Cities previously entered into an agreement to purchase a license for use and provide for the operation of an Emergency Communications Network system that is known as CodeRED (the "CodeRED System"), which is designed to provide high speed emergency communication services to governmental agencies; and

WHEREAS, in exchange, all parties having the benefit and use of the CodeRED System, have agreed that:

1. Grayson County would be responsible for securing and maintaining the license to use the CodeRED System on an annual basis.

2. Grayson County would be responsible for payment of the entire fee charged for the CodeRED System for the first year of its use.

3. After the first year, Grayson County and its Cities would share responsibility for the cost of the system based on the population of each participating jurisdiction. The annual cost share from each party would be due and payable to Grayson County at the address shown below on or

before October 15 of each year that the agreement remains in effect.

NOW THEREFORE, Grayson County has obtained grant funds for which the entire FY2012 cost of the emergency notification ["CodeRED"] system is an eligible expense. Grayson County now agrees to be responsible for payment of the entire fee charged for the CodeRED system for its third year (FY2012) of use under the multi-jurisdictional emergency notification system.

The Cities shall continue to be responsible to share in future year costs on the basis indicated in the original interlocal agreement which shall continue in full force and effect *except and excluding the requirement that the Cities pay any fee for the system for FY2012.* This amendment and offer to pay in full the cost of the system to the Cities of Denison and Sherman is contingent upon continuation of the Interlocal Agreement with Grayson County, Texas, for Emergency Management and Related Homeland Security Services, approved on September 16, 2008, by the City of Denison and October 6, 2008, by the City of Sherman.

IN WITNESS WHEREOF, the City and County have respectively caused this Amendment to the original Interlocal Agreement for the Grayson County Multi-Jurisdictional Emergency Notification System to be duly executed in duplicate originals of equal force the dates as shown below.

COUNTY OF GRAYSON

BY: [signature]
COUNTY JUDGE

[SEAL]

Dated:
Address for Notice:
Office of the Grayson County Judge
100 W. Houston
Sherman, Texas 75090

ATTEST: Wilma Bush
Wilma Bush, County Clerk

CITY OF ____________________

BY: ____________________

MAYOR

Dated: ____________________

Address for Notice:

____

____

____

ATTEST:

____

STATE OF TEXAS §

COUNTY OF GRAYSON §

INTERLOCAL AGREEMENT FOR GRAYSON COUNTY MULTI-JURISDICTIONAL EMERGENCY NOTIFICATION SYSTEM

This Agreement is made with an effective date of October 1, 2009, by and between Grayson County and the Cities of Bells, Collinsville, Denison, Dorchester, Gunter, Howe, Knollwood, Pottsboro, Sadler, Sherman, Southmayd, Tioga, Tom Bean, Van Alstyne, Whitesboro and Whitewright ["hereinafter referred to as "Cities"] pursuant to Texas Government Code Chapter 791 which authorizes local governments to contract or agree to perform governmental functions and services.

BACKGROUND STATEMENT

WHEREAS, Grayson County has agreed to purchase a license for use of an Emergency Communications Network system that is known as CodeRED (the "CodeRED System"), which is designed to provide high speed emergency communication services to governmental agencies; and

WHEREAS, Grayson County and its Cities all agree that their citizens and residents will benefit from the purchase of CodeRED; and

WHEREAS, in exchange for all parties having the benefit and use of the CodeRED System, the fee of which is approximately $47,000 annually, the parties wish to share in said cost; and

NOW THEREFORE, for and in consideration of the benefits that will result to the citizens of Grayson County and its Cities, the parties agree that:

1. Grayson County shall be responsible for securing and maintaining the license to use the CodeRED System on an annual basis.

2. Grayson County will be responsible for maintenance and implementation of the CodeRED System pursuant to the policy and terms of use as set out in the attached Exhibit "A". All parties to this agreement will assist in the ongoing distribution of information to residents of Grayson County about the system, including providing information approved by Grayson County on city websites, direct mail notices with utility or other mail outs, etc.

3. Grayson County shall be responsible for payment of the entire fee charged for the CodeRED System for the first year of its use.

4. After the first year, Grayson County and its Cities shall all share, on a pro-rata basis, the entire annual fee charged for the CodeRED System.

5. Each party's share of the cost shall be determined based on the population for each City as determined by the 2000 Census for the second year and by the 2010 Census for the third and subsequent years. The cost share calculations for the second year of this agreement are attached to this agreement as Exhibit B.

6. In the event that the annual cost for the CodeRED System changes from year to year, the party's contributory share shall be adjusted accordingly.

7. The initial term of this agreement shall be until September 30, 2010, and the agreement shall automatically be renewed each October 1st thereafter unless otherwise terminated pursuant to the terms of this agreement. The annual cost share from each party shall be due and payable to Grayson County at the address shown below on or before October 15 of each year that this agreement remains in effect.

8. This agreement may be terminated by any party by written notice to the other parties, said notice to be given at least sixty (60) days prior to the yearly renewal date of October 1st. It is the intent of this provision to secure interlocal cooperation of the cost

sharing portion of this agreement on an annual basis.

9. This agreement may be amended by mutually written agreement of the parties.

The authorization for the terms set forth herein was made by: (1) Grayson County Commissioners Court at its meeting on July 27, 2009; and by its sixteen Cities at their respective governing body meetings held on the dates indicated below. All notices to be given pursuant to this agreement shall be given to the addresses as provided by the parties below.

IN WITNESS WHEREOF, the City and County have respectively caused this agreement to be duly executed in duplicate originals of equal force the dates as shown below.

COUNTY OF GRAYSON

BY: Drue B

COUNTY JUDGE

Dated: 12 AUG 09

Address for Notice:
Office of the Grayson County Judge
100 W. Houston
Sherman, Texas 75090

ATTEST:

____

CITY OF ____________________

BY: ____________________

MAYOR

Dated: ____________________

Address for Notice:

____

____

____

ATTEST:

____

GRAYSON COUNTY
OFFICE OF EMERGENCY MANAGEMENT

POLICY & PROCEDURES ACTIVATION OF THE GRAYSON COUNTY EMERGENCY NOTIFICATION SYSTEM

EMERGENCY NOTIFICATION SYSTEM

THIS DOCUMENT SHALL SERVE AS AN APPENDIX TO THE WARNING ANNEX OF THE GRAYSON COUNTY EMERGENCY MANAGEMENT PLAN SERVING THE UNINCORPORATED AREAS OF GRAYSON COUNTY AND ITS CITIES: BELLS, COLLINSVILLE, DENISON, DORCHESTER, GUNTER, HOWE, KNOLLWOOD, POTTSBORO, SADLER, SHERMAN, SOUTHMAYD, TIOGA, TOM BEAN, VAN ALSTYNE, WHITESBORO, AND WHITEWRIGHT.

THIS DOCUMENT ALSO SERVES AS EXHIBIT A TO THE INTERLOCAL AGREEMENT FOR THE GRAYSON COUNTY MULTIJURISDICTIONAL EMERGENCY NOTIFICATION SYSTEM.

This order consists of the following numbered sections:

PURPOSE

The County of Grayson's subscription service to CodeRED emergency telephone notification system is to be used for significant incidents, emergencies or disasters where the timely notification of an affected population or geographic area of the County and its cities is essential or highly desirable.

POLICY

It shall be the responsibility of all parties with authorization to activate, both directly or indirectly, the Grayson County CodeRED Telephone Notification System to have a working knowledge of this policy and comply with its direction.

PROCEDURE

1.00 Definitions

A. Incident – Situations limited in scope and potential effects. Incident characteristics include:
   - Involves a limited area and/or limited population
   - Evacuation or shelter in-place is typically limited to the immediate area of the incident
   - Warning and public instructions are provided to the immediate area, not community wide
   - One or two local response agencies or departments acting under an Incident Commander
   - May require limited assistance from other external response agencies

B. Emergency – A situation that is larger in scope and more severe in terms of actual or potential effects than an incident. Characteristics include:
   - Involves a large area, significant population, or important facilities
   - Involves a situation of imminent life safety
   - May require implementation of a large scale evacuation or sheltering in-place and mass care operations
   - May require community wide warning and public instructions
   - Requires a sizable multi-agency response operating under an Incident Commander
   - May require some assistance from external local agencies, contractors and limited assistance from state or federal agencies
   - The EOC will be activated to provide resource support for the incident

C. Disaster – A situation where an occurrence or the threat of significant casualties and/or widespread property damages exceeds the capabilities of the Grayson County. Characteristics include:
   - Involves a large area, a sizable population and/or important facilities
   - Involves a situation of imminent life safety
   - May require implementation of large-scale evacuation or sheltering in-place and implementation of temporary shelters and mass care operations
   - Requires community wide warning and public instructions
   - Requires a response by all local response agencies operating under an Incident Commander
   - Requires significant external assistance from other local response agencies, contractors, and extensive state or federal assistance
   - The EOC will be activated to provide general guidance and direction, provide emergency information to the public, coordinate state and federal support, and coordinate resource support for emergency operations.

2.00 AUTHORIZED PERSONNEL

A. Direct Authorization: The following persons will be issued direct activation pass-codes for the Grayson County CodeRED telephone notification system to be used under a structured guideline. The titles below also display the line of succession.

- County Judge, County Emergency Management Coordinator or designee
- City of Sherman Emergency Management Coordinator or designee
- City of Denison Emergency Management Coordinator or designee

B. Indirect Authorization: The following persons will be authorized to indirectly activate the Grayson County CodeRED telephone notification system subject to approval of the request by the above named "Direct Authorization" parties: Sheriff or designees; Mayors or designees; City Managers or Administrators or designees; Acting Emergency Management Directors, Police Chiefs, Fire Chiefs and the Grayson County Health Authority.

C. CodeRED Activation Request Hot Line: Requests for activation of the Grayson County CodeRED Emergency telephone notification system will be made to (903) ____________.

D. Any time the CodeRED telephone notification system is utilized to issue any notice an after action review will be scheduled within ten (10) days and notice of said review will be provided to all Cities, Direct and Indirect Authorization parties.

3.00 TYPES OF USES

The following are approved types of uses that may be cause for activation of the CodeRED telephone notification system:

- Amber Alert (local)
- Lost or Missing Person
- Jail Escapee
- Significant criminal activity in a neighborhood
- Hostage Situation
- Terrorism Threats
- Hazardous Materials Release
- Severe Weather Warnings
- Health Threats

4.00 ALTERNATE USES

The following are alternate types of uses that may be cause for activation of the CodeRED telephone notification system:

- Information related to recovery subsequent to disaster
- Information related to public health mitigation during a pandemic or other health emergency

5.00 SYSTEM OPERATION

The authorized activator will determine the need for a CodeRED activation dependant on the situation that has arisen.

Once the activation is deemed necessary, the authorized activator will then determine the area or call group that needs to be covered under the activation. This can be done one of six (6) ways.

- Specific address or intersection with a determined distance or radius
- Pre-designated point of risk
- Predetermined districts or geographic areas
- Multiple streets
- Specific groups

The activator will then determine whether to use a pre-recorded message or to record a specific message.

The activator will then call the CodeRED System and work through the CodeRED operators to activate the message notification.

6.00 PRE-RECORDED MESSAGES

HAZARDOUS MATERIALS RELEASE
(SHELTER IN-PLACE)

This is a message from the Grayson County Office of Emergency Management. Due to a Hazardous Material Release in your immediate area, all residents are requested to shelter in their home or business, turn off all heating, air conditioning, and ventilation systems that pull air from the outside. Please close all windows and doors and shelter within the innermost portion of the house or building. Bring all pets inside. Please do not call 9-1-1. Once the situation is taken care of, you will be notified by telephone. Thank you for your cooperation.

HAZARDOUS MATERIALS RELEASE – ALL CLEAR

This is a message from the Grayson County Office of Emergency Management. The hazardous materials release in your area has been resolved and it is now safe to resume normal activities. Thank you for you cooperation.

CRIMINAL ACTIVITY

This message is from the Grayson County Office of Emergency Management. A crime suspect is in your area. Residents are requested to secure their residences or businesses. Law enforcement is in the area. *[insert other information as provided]*

CRIMINAL ACTIVITY – ALL CLEAR

This message is from the Grayson County Office of Emergency Management. The Criminal Activity in your area has been resolved and it is now safe to resume normal activities.

***ADDITIONAL TEMPLATE MESSAGES** are available and on file in the Grayson County Office of Emergency Management and contained in the Grayson County Emergency Management Plan in the Warning, Public Information, Health & Medical Services and other Annexes.*

GRAYSON COUNTY MULTIJURISDICTIONAL SYSTEM COST SHARE FOR YEARS 2+

Area	Pop	WeatherWarning	CodeRed	BOTH SYSTEMS
Bells	1190	$ 168.12	$ 336.25	$ 504.37
Collinsville	1235	$ 174.48	$ 348.96	$ 523.45
Denison	22733	$ 3,211.75	$ 6,423.49	$ 9,635.24
Dorchester	109	$ 15.40	$ 30.80	$ 46.20
Gunter	1230	$ 173.78	$ 347.55	$ 521.33
Howe	2478	$ 350.09	$ 700.19	$ 1,050.28
Knollwood	376	$ 53.12	$ 106.24	$ 159.37
Pottsboro	1579	$ 223.08	$ 446.17	$ 669.25
Sadler	404	$ 57.08	$ 114.16	$ 171.23
Sherman	35082	$ 4,956.43	$ 9,912.86	$ 14,869.29
Southmayd	992	$ 140.15	$ 280.30	$ 420.45
Tioga	754	$ 106.53	$ 213.05	$ 319.58
Tom Bean	941	$ 132.95	$ 265.89	$ 398.84
Van Alstyne	2502	$ 353.49	$ 706.97	$ 1,060.46
Whitesboro	3760	$ 531.22	$ 1,062.44	$ 1,593.65
Whitewright	1740	$ 245.83	$ 491.66	$ 737.49
SUBTOTAL CITIES	77105	$ 10,893.49	$ 21,786.98	$ 32,680.47
Unincorporated areas***	33490	$ 4,731.51	$ 9,463.02	$ 14,194.53
TOTAL GRAYSON	110595	$ 15,625.00	$ 31,250.00	$ 46,875.00

Cost share by population using actual 2000 census data:

Exhibit B

to the Interlocal Agreement for the Grayson County Multi-Jurisdictional Emergency Notification System

Grayson County CodeRed Project Collaboration Pricing Comparison 2000 Census

COUNTY-WIDE SYSTEM PRICING

Area	Pop	WeatherWarning	CodeRed	BOTH SYSTEMS
Bells	1190	$ 168.12	$ 336.25	$ 504.37
Collinsville	1235	$ 174.48	$ 348.96	$ 523.45
Denison	22733	$ 3,211.75	$ 6,423.49	$ 9,635.24
Dorchester	109	$ 15.40	$ 30.80	$ 46.20
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SUBTOTAL CITIES	77105	$ 10,893.49	$ 21,786.98	$ 32,680.47
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TOTAL GRAYSON	110595	$ 15,625.00	$ 31,250.00	$ 46,875.00

Cost share by population actual 2000 census

INDIVIDUAL CITY CONTRACTS

	WeatherWarning	CodeRed	BOTH SYSTEMS	SAVINGS
Bells	$2,500	$5,000	$7,500	$6,995.63
Collinsville	$2,500	$5,000	$7,500	$6,976.55
Denison	$5,000	$10,000	$15,000	$5,364.76
Dorchester	$2,500	$5,000	$7,500	$7,453.80
Gunter	$2,500	$5,000	$7,500	$6,978.67
Howe	$2,500	$5,000	$7,500	$6,449.72
Knollwood	$2,500	$5,000	$7,500	$7,340.63
Pottsboro	$2,500	$5,000	$7,500	$6,830.75
Sadler	$2,500	$5,000	$7,500	$7,328.77
Sherman	$7,500	$15,000	$22,500	$7,630.71
Southmayd	$2,500	$5,000	$7,500	$7,079.55
Tioga	$2,500	$5,000	$7,500	$7,180.42
Tom Bean	$2,500	$5,000	$7,500	$7,101.16
Van Alstyne	$2,500	$5,000	$7,500	$6,439.54
Whitesboro	$2,500	$5,000	$7,500	$5,906.35
Whitewright	$2,500	$5,000	$7,500	$6,762.51
	$47,500	$95,000	$142,500	$109,819.53

Proposal: 3 year interlocal with Grayson County to provide warning services

1st year: project will be grant funded using homeland security funds

2nd year: project will be continue using cost sharing by population as shown above

3rd year: project will be continued using cost share based on 2010 census + *pro rata share of any vendor driven cost increases*

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.1

**** CHANGE ORDER NO. 2***
U. S. Highway 75 North Sewer Improvements, Contract "B";
Tri-Con Services, Inc; $800.00 Increase

Issue
Change Order No. 2 provides for additional soil stabilization for portions of the project, based on unit price bids. The Greater Texoma Utility Authority ("GTUA") will consider the change order at its May 16, 2011 meeting.

Background
Following recent heavy rainfall events, the need arose to stabilize additional steep slopes in areas disturbed by construction activities. An additional 320 square yards of finished grade stabilization were required for the project.

Origination
GTUA and the Department of Utility Services

Financial Consideration
The change order results in an increase of $800.00 to the contract price, yielding a final contract amount of $1,157,901.39.

Staff Recommendation
It is recommended that Change Order No. 2 be approved in the amount of $800.00.

Alternatives
As may be directed by the Council

Attachments
Change Order No. 2

Prepared by:
Mark Gibson, Engineering & Public Works Director

Approved by:
George Olson, City Manager

CHANGE ORDER NO. 2

PROJECT :	**CONTRACT "B": HIGHWAY 75 NORTH SEWER**
OWNER :	**GREATER TEXOMA UTILITY AUTHORITY**
CONTRACTOR:	Tri-Con Services, Inc
ENGINEER :	Freeman - Millican, Inc., Dallas, Texas
DATE :	April 9, 2011

TO THE CONTRACTOR:

You are hereby authorized, subject to the Contract provisions, to make the changes as outlined in this change order No. 1 all in accordance with the plans and specifications.

Add 320 square yards stabilize finish grade per proposal item P.43 at $2.50 per square yard.	$800.00
Net Increase	$ 800.00

Original Contract Amount:	**$1,150,624.87**
Revised Contract Amount with this Change Order No. 1	**$1,157,101.39**
Revised Contract Amount with this Change Order No. 2	$1,157, 901.39

RECOMMENDED:

David E. Gattis — 5-9-2011

Freeman - Millican, Inc. — Date

APPROVED:

Contractor — Date

Owner — Date

SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.2

OTHER BUSINESS

Receive Downtown Sherman Preservation and Revitalization, Inc.'s Resolution Commending the Sherman City Council for Their Commitment to Downtown Sherman Improvements

Issue

Support for commitment to Downtown Sherman improvements

Background

Downtown Sherman Preservation and Revitalization, Inc. (DSP&R) has requested that the attached resolution of support, approved at the May 2nd meeting, be presented to the City Council.

Origination

Mr. Jared Tredway, Vice President of DSP&R

Financial Consideration

There is no financial consideration associated with this agenda item.

Attachments

Mr. Tredway's correspondence dated May 2, 2011
DSP&R Resolution approved at the May 2, 2011 meeting

Prepared and Approved by:
George Olson, City Manager

DOWNTOWN SHERMAN
DSP&R
PRESERVATION AND REVITALIZATION, INC.

Robert Minshew
President and Permanent Agent
Kennedy and Minshew Attorneys

Jared Tredway
Vice-President
David Baca Studio

Ruth E. N. Cox
Secretary, Bella Fontana Spa

Ed Burkett
Treasurer, Knight Furniture

John Arriazola
Lupe's World Famous Tamales

Ivert Mayhugh
Touch of Class Antiques

Dr. Thomas W. Nuckols
Professor Emeritus, Austin College

Ken Studer
Grayson Home Health

Janet Ventura
Chef Robert Aranson

Don Keene
Ex Officio, City of Sherman

Traci Carlson
Ex Officio, Sherman Chamber

John Boswell
Ex Officio, SEDCO

2 May 2011

To: Mr. George Olson

Re: Resolution Commending the Sherman City Council

Dear Mr. Olson:

Please review the attached resolution, approved by the DSP&R Board of Directors at our regular meeting on May 2nd. We request it be scheduled for presentation at the upcoming City Council meeting on May 16th.

Thank you,

Jared Tredway
Vice-President

Downtown Sherman Preservation and Revitalization, Inc.
A 501(c)3 Non-Profit
P.O. Box 2054
Sherman, TX 75091

info@downtownsherman.com
www.downtownsherman.com

DOWNTOWN SHERMAN DSP R PRESERVATION AND REVITALIZATION, INC.

Robert Minshew
President and Permanent Agent
Kennedy and Minshew Attorneys

Jared Tredway
Vice-President
David Baca Studio

Ruth E. N. Cox
Secretary, Bella Fontana Spa

Ed Burkett
Treasurer, Knight Furniture

John Arriazola
Lupe's World Famous Tamales

Ivert Mayhugh
Touch of Class Antiques

Dr. Thomas W. Nuckols
Professor Emeritus, Austin College

Ken Studer
Grayson Home Health

Janet Ventura
Chef Robert Aranson

Don Keene
Ex Officio, City of Sherman

Traci Carlson
Ex Officio, Sherman Chamber

John Boswell
Ex Officio, SEDCO

02 May 2011

RESOLUTION COMMENDING THE SHERMAN CITY COUNCIL FOR THEIR COMMITMENT TO DOWNTOWN SHERMAN IMPROVEMENTS

Where it is the responsibility of Downtown Sherman Preservation and Revitalization, Inc. to preserve the architectural character of Sherman's downtown neighborhood and implement progressive urban design principles, we offer our commendation and support to the Sherman City Council and city staff for their commitment to downtown improvements. In this challenging economic climate, when fiscal challenges and budget shortfalls command the attention of council and staff, the membership of DSP&R wishes to express gratitude for the City's ongoing commitment to the proposed improvements downtown. We look forward to continued cooperation between the City and DSP&R as we work toward our common goals of cultural vitality and economic success in Sherman's city center. Because of what we've learned from research of other cities across the United States, we know that a vibrant and sustainable downtown will make our City more attractive to future residents, businesses, and industry and lead to continued economic success for the City of Sherman.

RWMinshew

Robert W. Minshew
President and Permanent Agent
Downtown Sherman Preservation and Revitalization

Downtown Sherman Preservation and Revitalization, Inc.
A 501(c)3 Non-Profit
P.O. Box 2054
Sherman, TX 75091

info@downtownsherman.com
www.downtownsherman.com

SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.3

OTHER BUSINESS

Receive Quarterly Progress Report from Sherman Economic Development Corporation Board Vice Chairman Juston Dobbs and Vice President Frank Gadek

Issue

To receive the Sherman Economic Development Corporation's (SEDCO's) quarterly progress report from Board Vice Chairman Juston Dobbs and Vice President Frank Gadek

Background

The brief presentation by the SEDCO Board Vice Chairman and Vice President will provide the City Council with an overview of SEDCO's activities and accomplishments during the last three months. SEDCO's last progress report was presented at the February 21, 2011 regular City Council meeting.

Origination

City Council

Financial Consideration

None

Attachments

SEDCO's Quarterly Progress Report

Prepared and Approved by:
George Olson, City Manager

REPORTING FORM FOR BOARDS AND COMMISSIONS

Name of Board: **Sherman Economic Development Corporation**

Name of Chairman: **Todd Thompson**
Name of Vice Chairman: **Juston Dobbs**

Date of Report to City Council: May 16, 2011

1. **In simple terms and as briefly as possible, please describe the mission of your board.**
   - The mission of the Sherman Economic Development Corporation (SEDCO) is to grow and diversify the Sherman and surrounding area economies through the addition of new jobs and investment.

2. **Please list the top accomplishments of your board within the past quarter. (please limit the list to five or fewer items).**
   - The Board approved the implementation of the major water user initiative and metro area employer recruitment campaigns in February, 2011.
   - The Board approved a Performance Agreement with ALPLA ($9.5M) on March 7, 2011.
   - The Board approved a Performance Agreement with Sunny Delight ($17M) on March 7, 2011.
   - The Board approved a Performance Agreement with GlobiTech ($18M) on March 28, 2011.

3. **What are your plans for this board in the next quarter?**
   - The Board and staff will continue the implementation of the 2010-2011 Work Program and achievement of desired results.
   - We wish to express our appreciation to the Council for its support of SEDCO's economic development efforts.

4. **How often did this board meet in the last quarter?**
   - The SEDCO Board held three (2) regular scheduled meetings and three (3) special called meetings.

5. **In what percentage of those meeting was a quorum of board members present?**
   - 100%.

6. **Did any member attend less than 75% of those meetings? If so, which member and how often did they attend.**
   - No

7. **What other information would your board like to communicate to the City Council? (please be concise in your response).**
   - The SEDCO staff pledges to improve communications with the City Council and City staff as we move forward.

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.4

**** OTHER BUSINESS***

Approve Quarterly Investment Reports for Period ending March 31, 2011

Issue

To approve the Investment Reports for the quarterly period ending March 31, 2011

Background

These reports are being presented in accordance with the state law that requires at least quarterly presentation to the Council. The report was given to the Investment Committee prior to submittal to the Council. Two portfolios will be addressed: Operating Portfolio and Debt Proceeds Portfolio.

As of March 31, 2011, both portfolios were in compliance with applicable state laws and the City's internal Investment Policy. The Operating Portfolio had a book value of about $23.1 million, up about $4.3 million from three months ago due to property tax collections during the period. This portfolio is appropriately liquid; and its weighted-average maturity increased to about 230 days, up from 184 days last period, because of investment purchases during the quarter. The portfolio yield of 0.67% for the quarter is higher than the benchmark yield of 0.17%. The portfolio value on the City's books is essentially equal to the market value of the overall portfolio.

The Debt Proceeds Portfolio balance decreased about $0.9 million due to payments made for construction projects during the period. The portfolio remains adequately liquid, with all of the funds available within one day. Its yield of 0.15% for the quarter is slightly lower than the benchmark yield of 0.17%. The portfolio value on the City's books is essentially equal to the market value of the overall portfolio.

Origination

Finance

Financial Consideration

None

Staff Recommendation

It is recommended that the Council accept the report as presented.

Alternatives

The Council could offer suggestions for improvement or could request more frequent reporting.

Attachments

Memo to Investment Committee; Investment reports and related schedules

Prepared by:
Robby Hefton, Assistant City Manager/CFO

Approved by:
George Olson, City Manager

memorandum

DATE: Thursday, April 28, 2011

TO: The Investment Committee
Council Members Willie Steele and Robert G. Softly
City Manager George Olson

FROM: Robby Hefton, Assistant City Manager/CFO RH

SUBJECT: **Investment Reports for Quarter ended March 31, 2011**

Enclosed is a copy of the quarterly investment reports for the quarter ended March 31, 2011. Reports are included for two major portfolios: 1) operating portfolio and 2) CO Debt portfolio. Each of these reports reflects that, as of that date, the City was in compliance with all applicable state laws as well as the City's Investment Policy. Portfolio balances generally increase during this quarter each year because of property tax collections.

The total operating portfolio balance of about $23.1 million had a weighted-average maturity of about 230 days, up from 184 days last quarter because of securities purchased during the period. The portfolio yield of 0.67% was higher than our benchmark 180-day T-Bill yield, which was 0.17%; and book value closely approximated market value.

Also, as of March 31, 2011, all of the CO Debt Proceeds was invested in pooled investments, together yielding 0.15%, slightly lower than the benchmark 180-day T-Bill rate. The Debt Proceeds portfolio balance decreased by about $.9 million during the quarter because of payments related to capital construction.

This investment report will be on the May 16, 2011 City Council Agenda for their review and approval. Please call me if you have any questions about this item.

RH:pc

attachment (as stated above)

Sherman

CITY OF SHERMAN, TX
Investment Report Summary
March 31, 2011

This report complies with the requirements of the public funds investment law and covers all the funds of the City of Sherman that are subject to that law. At March 31, 2011 investment book value was about $23.1 million and had increased by approximately $4.3 million from three months prior. Increases in investment balances are customary during this quarter each year due to property tax collections. The City's investment portfolio includes interest-bearing demand deposits, bank time deposits, investment pools that strive to maintain a 100% net asset value, and U.S. Agency securities.

The City was in compliance with all provisions of the investment policy and the Public Funds Investment Act as of March 31, 2011. The weighted-average maturity of the portfolio to about 230 days at March 31, 2011 compared to about 184 days at December 31, 2010 due to investment purchases.

The market value of the portfolio was 100.06% of book value as of March 31, 2011. The portfolio yield of 0.67% at March 31, 2011 was higher than the benchmark yield on the 180-day T-Bill, which was 0.17%.

A certificate of deposit matured during the quarter with a par value of about $1.0 million. Purchases consisted of five securities with a par value of about $4.3 million and a certificate of deposit with a par value of about $1.0 million. Accrued interest of about $14,000 was added to time deposit principal. All other transactions were routine.

The following schedules are also a part of this investment report.

Robby Hefton

Robby Hefton, Assistant City Manager/CFO
and City of Sherman Investment Officer

Mary Lawrence

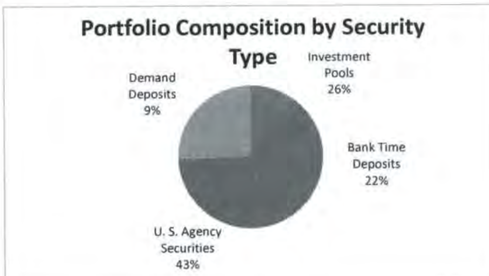
Mary Lawrence, Controller and City of
Sherman Investment Officer

CITY OF SHERMAN, TX
Detailed Investment Report
As of March 31, 2011

		VALUES - December 31, 2010		Book Increase/(Decrease)		Market Increase/(Decrease)		VALUES - March 31, 2011	
Investment	Par	Book	Market	Purchases/ (Withdrawals)	Accruals/ Amortizations	Purchases & (Withdrawals)	Change In Market Price	Book	Market
DEMAND DEPOSITS									
Depository Bank		$ 1,666,892	$ 1,666,892	$ (359,686)	$ -	$ (359,686)	$ -	$ 1,307,206	$ 1,307,206
Depository Bank-TIF Funds		547,390	547,390	375,395	-	375,395	-	922,785	922,785
		2,214,282	2,214,282	15,709	-	15,709	-	2,229,991	2,229,991
BANK TIME DEPOSITS									
Certificate of Deposit 1.65% 3/1/2011		1,012,426	1,012,426	(1,012,426)	-	(1,012,426)	-	-	-
Certificate of Deposit 1.5% 12/3/2011		1,007,514	1,007,514	3,871	-	3,871	-	1,011,385	1,011,385
Certificate of Deposit 1.61% 5/3/2012		1,008,066	1,008,066	4,158	-	4,158	-	1,012,224	1,012,224
Certificate of Deposit 1.4% 7/19/2011		1,017,373	1,017,373	3,591	-	3,591	-	1,020,964	1,020,964
Certificate of Deposit 1.00% 9/16/2012		1,002,521	1,002,521	2,444	-	2,444	-	1,004,965	1,004,965
Certificate of Deposit 0.91% 4/1/2012		-	-	1,017,912	-	1,017,912	-	1,017,912	1,017,912
		5,047,900	5,047,900	19,550	-	19,550	-	5,067,450	5,067,450
INVESTMENT POOLS									
Tex-Pool		3,552,380	3,552,451	-	1,321	-	1,499	3,553,701	3,553,950
TexStar		2,377,822	2,378,038	-	884	-	972	2,378,706	2,379,010
		5,930,202	5,930,489	-	2,205	-	2,471	5,932,407	5,932,960
SECURITY INVESTMENTS									
FFCB 3.9% 6/20/2011	1,000,000	1,014,872	1,016,935	-	(7,827)	-	(8,600)	1,007,045	1,008,335
FNMA .625% 7/27/2011	300,000	-	-	300,000	-	300,000	155	300,000	300,155
FNMA 3.625% 8/15/2011	1,000,000	1,018,645	1,020,097	-	(7,298)	-	(6,983)	1,011,347	1,013,114
FHLB 2.1% 9/6/2011	500,000	504,567	505,863	-	(1,699)	-	(1,598)	502,868	504,265
FHLB 3.75% 9/9/2011	1,030,000	1,051,584	1,053,760	-	(7,708)	-	(7,525)	1,043,876	1,046,235
FHLB 2.13% 12/9/2011	1,000,000	1,002,482	1,006,863	-	(651)	-	(1,212)	1,001,831	1,005,651
FHLMC 3.9% 7/27/2012	1,000,000	-	-	1,008,803	(1,222)	1,008,803	(831)	1,007,581	1,007,972
FHLB .5% 8/23/2012	1,000,000	995,624	998,857	-	648	-	(43)	996,272	998,814
FHLMC .75% 10/19/2012	1,000,000	-	-	1,000,000	-	1,000,000	(1,585)	1,000,000	998,415
FNMA .874% 12/28/2012	1,000,000	-	-	997,700	145	997,700	2,580	997,845	1,000,280
FNMA .86% 1/28/2013	1,000,000			998,125	113	998,125	(1,480)	998,238	996,645
		5,587,774	5,602,375	4,304,628	(25,499)	4,304,628	(27,122)	9,866,903	9,879,881
		$18,780,158	**$18,795,046**	**$4,339,887**	**($23,294)**	**$4,339,887**	**($24,651)**	**$23,096,751**	**$23,110,282**

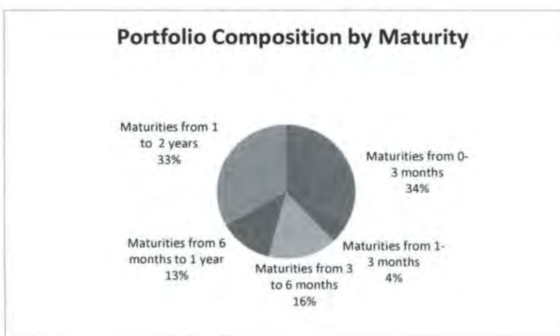
CITY OF SHERMAN, TX
Comparison of Portfolio to Policy Limits
As of March 31, 2011

LIMITS ON TYPES OF SECURITIES	Target Investment Level	Portfolio Cap	Actual Percentage of Portfolio	% Variance Policy Limits
Demand Deposits	100%	100%	9.65%	**90.35%**
Bank Time Deposits	25%	30%	21.94%	**8.06%**
U. S. Treasury Securities	80%	85%	0.00%	**85.00%**
U. S. Agency Securities	45%	50%	42.72%	**7.28%**
Investment Pools	45%	50%	25.69%	**24.31%**
State of Texas Obligations	45%	50%	0.00%	**50.00%**



LIMITS ON MATURITIES	Minimum Allowable Percentage of Portfolio	Actual Percentage of Portfolio	% Variance Policy Limits
Available within 1 month	25%	35.34%	**10.34%**
Available within 3 months	33%	39.70%	**6.70%**
Available within 6 months	45%	56.49%	**11.49%**
Available within 1 year	60%	65.21%	**5.21%**
Available within 2 years	70%	100.00%	**30.00%**
Available within 3 years	80%	100.00%	**20.00%**
Available within 4 years	90%	100.00%	**10.00%**
Available within 5 years	100%	100.00%	**0.00%**

	Maximum Allowable	Actual Average Maturity	Policy Limit Days Available
Weighted Average Days to Maturity	500	229.79	**270.21**



CITY OF SHERMAN, TX
Calculation of Weighted Average Maturity and Yield
As of March 31, 2011

	Market Value	Book Value	# of Days To Maturity	Original Yield to Maturity	Percent of Portfolio
Demand Deposits					
Depository Bank	$1,307,206	$ 1,307,206	0	0.15%	5.66%
Depository Bank -TIF Funds	922,785	922,785	0	0.15%	4.00%
	2,229,991	2,229,991			9.65%
Bank Time Deposits					
Certificate of Deposit 1.5% 12/3/2011	1,011,385	1,011,385	247	1.51%	4.38%
Certificate of Deposit 1.61% 5/3/2012	1,012,224	1,012,224	399	1.62%	4.38%
Certificate of Deposit 1.40% 7/19/2011	1,020,964	1,020,964	110	1.41%	4.42%
Certificate of Deposit 1.00% 9/16/2012	1,004,965	1,004,965	535	1.00%	4.35%
Certificate of Deposit 0.91% 4/1/2012	1,017,912	1,017,912	367	0.91%	4.41%
	5,067,450	5,067,450			21.94%
Investment Pools					
Tex-Pool	3,553,950	3,553,701	1	0.15%	15.39%
TexStar	2,379,010	2,378,706	1	0.15%	10.30%
	5,932,960	5,932,407			25.69%
Federal Securities and Notes					
FFCB 3.9% 6/20/2011	1,008,335	1,007,045	81	0.71%	4.36%
FNMA .625% 7/27/2011	300,155	300,000	118	0.63%	1.30%
FNMA 3.625% 8/15/2011	1,013,114	1,011,347	137	0.62%	4.38%
FHLB 2.1% 9/6/2011	504,265	502,868	159	0.69%	2.18%
FHLB 3.75% 9/9/2011	1,046,235	1,043,876	159	0.71%	4.52%
FHLB 2.13% 12/9/2011	1,005,651	1,001,831	253	1.09%	4.34%
FHLMC 3.9% 7/27/2012	1,007,972	1,007,581	484	0.71%	4.36%
FHLB .5% 8/23/2012	998,814	996,272	511	0.77%	4.31%
FHLMC .75% 10/19/2012	998,415	1,000,000	568	0.75%	4.33%
FHLMC .75% 12/28/2012	1,000,280	997,845	638	0.88%	4.32%
FNMA .86% 1/28/2013	996,645	998,238	669	0.96%	4.32%
	9,879,881	9,866,903			42.72%
TOTAL	$23,110,282	$23,096,751			100.00%

Weighted Average Maturity

Weighted Average Days to Maturity	229.79
Weighted Average Days to Maturity-Operating (ex.depository bank-checking)	254.34

Weighted Average Yield

Weighted Average Yield	0.67%
Weighted Average Yield - Operating (excluding depository bank-checking)	0.73%
Yield to Maturity of 180 day T-Bill at March 31, 2011	0.17%

CITY OF SHERMAN, TX
Market Value Analysis
As of March 31, 2011

CHANGES IN MARKET VALUE:

BEGINNING VALUE - December 31, 2010		$18,795,046
INVESTMENT ACTIVITY:		
Purchases	5,336,604	
Maturities	(1,012,426)	
Net Changes in Market Price	(27,122)	
		4,297,056
Bank and Pooled Investment Deposits/(Withdrawals) - Net		18,180
ENDING VALUE - March 31, 2011		**$23,110,282**

COMPARISON OF BOOK VALUE TO MARKET VALUE:

BEGINNING VALUE - December 31, 2010

Market Value	$18,795,046	
Book Value	$18,780,158	
Ratio of Market Value to Book Value		100.08%

ENDING VALUE - March 31, 2011

Market Value	$23,110,282	
Book Value	$23,096,751	
Ratio of Market Value to Book Value		100.06%

CITY OF SHERMAN, TX
Quarter to Date Investment Transaction Report
As of March 31, 2011

PURCHASES

Date	Type		Principal Purchase Price		Par Value	Yield/Int. Discount Rate	Maturity Date
03/01/2011	CD 0.91%	$	1,017,912	$	1,017,912	0.91%	04/01/2012
03/16/2011	CD 1.0%	$	2,444	$	2,444	1.00%	09/16/2012
01/19/2011	CD 1.4%	$	3,591	$	3,591	1.41%	07/19/2011
02/03/2011	CD 1.61%	$	4,158	$	4,158	1.62%	05/03/2012
02/03/2011	CD 1.5%	$	3,871	$	3,871	1.51%	12/03/2011
01/19/2011	FHLMC .75%	$	1,000,000	$	1,000,000	0.75%	10/19/2012
01/12/2011	FHLMC 1.125%	$	1,008,803	$	1,000,000	0.71%	07/27/2012
01/13/2011	FNMA .625%	$	300,000	$	300,000	0.63%	07/27/2011
02/16/2011	FHLMC .75%	$	997,700	$	1,000,000	0.87%	12/28/2012
02/16/2011	FNMA .86%	$	998,125	$	1,000,000	0.96%	01/28/2013
	Total Purchases	**$**	**5,336,604**	**$**	**5,331,976**		

MATURITIES

Date	Type		Par Value	Yield/Int. Discount Rate
03/01/2011	CD 1.65%	$	1,012,426	1.66%
	Total Maturities	**$**	**1,012,426**	

CITY OF SHERMAN, TX

Interest Receivable and Earned Interest Income

March 31, 2011

Investment	Original Yield	Interest Receivable December 31, 2010	Purchased Interest	Interest Received	Coupon Interest	Interest Receivable March 31, 2011	Amortization/ Accretion	Earned Interest Income
DEMAND DEPOSITS								
Depository Bank	0.15%	$ -	$ -	$ 1,177		$ -	$ -	$ 1,177
Depository Bank-TIF Funds	0.15%	-	-	340		-	-	340
		-	-	1,517	-	-	-	1,517
TIME DEPOSITS								
Certificate of Deposit 1.65% 3/1/2011	1.66%	2,628	-	4,176	1,548	-	-	1,548
Certificate of Deposit 1.5% 12/3/2011	1.51%	2,432	-	3,871	3,754	2,315	-	3,754
Certificate of Deposit 1.61% 5/3/2012	1.62%	2,617	-	4,158	4,035	2,494	-	4,035
Certificate of Deposit 1.4% 7/19/2011	1.41%	2,839	-	3,591	3,529	2,777	-	3,529
Certificate of Deposit 1.00% 9/16/2012	1.00%	384	-	2,444	2,474	413	-	2,474
Certificate of Deposit 0.91% 4/1/2012	0.91%	-	-	-	700	700	-	700
		10,899	-	18,240	16,040	8,699	-	16,040
INVESTMENT POOLS								
Tex-Pool	0.15%	-	-	1,321	1,321	-	-	1,321
TexStar	0.15%	-	-	884	884	-	-	884
		-	-	2,205	2,205	-	-	2,205
SECURITY INVESTMENTS								
FFCB 3.9% 6/20/2011	0.71%	1,196	-	-	9,616	10,812	(7,827)	1,789
FNMA .625% 7/27/2011	0.63%	-	865	938	401	328	-	401
FNMA 3.625% 8/15/2011	0.62%	13,595	-	18,125	9,062	4,532	(7,298)	1,764
FHLB 2.1% 9/6/2011	0.71%	3,296	-	5,250	2,625	671	(1,698)	927
FHLB 3.75% 9/9/2011	0.69%	12,124	-	19,313	9,549	2,360	(7,708)	1,841
FHLB 2.13% 12/9/2011	1.09%	751	-	-	2,774	3,525	(651)	2,123
FHLMC 1.15% 7/27/2012	0.71%	-	7,031	7,469	2,404	1,966	(1,222)	1,182
FHLB .5% 8/23/2012	0.77%	539	-	1,250	1,699	988	648	2,347
FHLMC .75% 10/19/2012	0.75%	-	21	-	1,443	1,464	-	1,443
FHLMC .75% 12/28/2012	0.88%	-	1,313	-	913	2,226	145	1,058
FNMA .86% 1/28/2013	0.96%	-	430	-	1,003	1,433	113	1,116
		31,501	9,660	52,345	41,489	30,305	(25,498)	15,991
		$42,400	**$9,660**	**$74,307**	**$59,734**	**$39,004**	**($25,498)**	**$35,753**

CITY OF SHERMAN, TX
CO Debt Proceeds
Investment Report Summary
March 31, 2011

This report complies with the requirements of the public funds investment law and covers the Certificate of Obligation Debt Proceeds of the City of Sherman that is subject to that law. At March 31, 2011, investment book value was about $3.1 million and had decreased by approximately $0.9 million from the previous quarter due to payments made for construction projects. The City's investment portfolio includes interest-bearing demand deposits and investment pools that strive to maintain a 100% net asset value.

The City was in compliance with all provisions of the investment policy and the Public Funds Investment Act as of March 31, 2011. The weighted-average maturity of the portfolio was 1 day at March 31, 2011.

The market value of the portfolio was 100.01% of book value as of March 31, 2011.

The portfolio yield of 0.15% at March 31, 2011 was lower than the benchmark yield of .17% on the 180-day T-Bill due to the liquidity needed to pay construction project costs as they are incurred.

All other transactions were routine.

The following schedules are also a part of this investment report.

Robby Hefton
Robby Hefton, Assistant City Manager/CFO
and City of Sherman Investment Officer

Mary Lawrence
Mary Lawrence, Controller and City of
Sherman Investment Officer

CITY OF SHERMAN, TX
CO Debt Proceeds
Detailed Investment Report - Debt Proceeds
As of March 31, 2011

Investment	VALUES - December 31, 2010		Book Increase/(Decrease)		Market Increase/(Decrease)		VALUES - March 31, 2011	
	Book	Market	Purchases/ (Withdrawals)	Accruals/ Amortizations	Purchases & (Withdrawals)	Change In Market Price	Book	Market
DEMAND DEPOSITS								
Depository Bank-TIF	$ 338,960	$ 338,960	$ (45,379)	$ 111	$ (45,379)	$ 111	$ 293,692	$ 293,692
INVESTMENT POOLS								
Tex-Pool-2009 Bonds	129,550	129,553	(129,580)	30	(129,580)	27	-	-
TexStar-2009A Bonds	3,474,348	3,474,664	(709,009)	1,157	(709,009)	1,195	2,766,496	2,766,850
	3,603,898	3,604,217	(838,589)	1,187	(838,589)	1,222	2,766,496	2,766,850
	$3,942,858	**$3,943,177**	**($883,968)**	**$1,298**	**($883,968)**	**$1,333**	**$3,060,188**	**$3,060,542**

CITY OF SHERMAN, TX
CO Debt Proceeds
Comparison of Portfolio to Policy Limits
As of March 31, 2011

LIMITS ON MATURITIES	Minimum Allowable Percentage of Portfolio	Actual Percentage of Portfolio	% Variance Policy Limits
Cash Demands within 1 month	10%	100.00%	**90.00%**
Cash Demands within 3 months	14%	100.00%	**85.96%**
Cash Demands within 6 months	40%	100.00%	**59.70%**
Cash Demands within 1 year	77%	100.00%	**23.34%**
Cash Demands within 2 years	100%	100.00%	**0.00%**

	Maximum Allowable	Actual Average Maturity	Policy Limit Days Available
Weighted Average Days to Maturity	500	1.00	**499.00**

CITY OF SHERMAN, TX
CO Debt Proceeds
Calculation of Weighted Average Maturity and Yield
As of March 31, 2011

Demand Deposits	Market Value	Book Value	# of Days To Maturity	Original Yield to Maturity	Percent of Portfolio
Depository Bank	293,692	293,692	0	0.15%	9.60%
Investment Pools					
Tex-Star-2009A Bonds	2,766,850	2,766,496	1	0.15%	90.40%
TOTAL	**$ 3,060,542**	**$ 3,060,188**			**100.00%**

Weighted Average Maturity

Weighted Average Days to Maturity	1
Weighted Average Days to Maturity-Operating (ex.depository bank)	1

Weighted Average Yield

Weighted Average Yield	0.15%
Weighted Average Yield-Operating (excluding depository bank)	0.15%
Yield to Maturity of 180 day T-Bill at March 31, 2011	0.17%

CITY OF SHERMAN, TX
CO Debt Proceeds
Market Value Analysis
As of March 31, 2011

CHANGES IN MARKET VALUE:

BEGINNING VALUE - December 31, 2010		$3,943,177
INVESTMENT ACTIVITY:		
Purchases	-	
Maturities	-	
Net Changes in Market Price	-	
		-
Bank and Pooled Investment Deposits/(Withdrawals) - Net		($882,635)
ENDING VALUE - March 31, 2011		**$3,060,542**

COMPARISON OF BOOK VALUE TO MARKET VALUE:

BEGINNING VALUE - December 31, 2010		
Market Value	$3,943,177	
Book Value	$3,942,858	
Ratio of Market Value to Book Value		100.01%
ENDING VALUE - March 31, 2011		
Market Value	$3,060,542	
Book Value	$3,060,188	
Ratio of Market Value to Book Value		100.01%

CITY OF SHERMAN, TX
CO Debt Proceeds
Quarter To Date Investment Transaction Report
As of March 31, 2011

PURCHASES

There were no purchases during the period.

MATURITIES

There were no maturities during the period.

CITY OF SHERMAN, TX
CO Debt Proceeds
Interest Receivable and Earned Interest Income
As of March 31, 2011

Investment	Original Yield	Interest Receivable September 30, 2010	Purchased Interest	Interest Received	Coupon Interest	Interest Receivable December 31, 2010	Amortization/ Accretion	Earned Interest Income
DEMAND DEPOSITS								
Depository Bank-TIF	0.15%	$ -	$ -	$ 111	$ 111	$ -	$ -	$ 111
INVESTMENT POOLS								
Tex-Pool - 2009 Bonds	0.15%	-	-	30	30	-	-	30
TexStar - 2009A Bonds	0.15%	-	-	1,157	1,157	-	-	1,157
		-	-	1,187	1,187	-	-	1,187
		$ -	**$ -**	**$1,298**	**$1,298**	**$ -**	**$ -**	**$1,298**

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.5

OTHER BUSINESS

Special Consideration to Ordinance No. 2684, Section 12 (F) to Not Require Sidewalks on a Portion of the Project in an R-2 (Multi-Family Residential) District / College Park Overlay District; being Lot 1, Block 1, Brockett SW Addition; Austin College, Owners; Heidi Ellis, Austin College Representative; Todd Williams, Kangaroo Housing Investors, LLC, Developer/Applicant; and Matthew Cain, Cain Consulting and Engineering Services, Engineers (916 East Brockett Street)

Issue

To consider the request of Austin College (Owners), Heidi Ellis (Austin College Representative), Todd Williams, Kangaroo Housing Investors, LLC (Developer/Applicant), and Matthew Cain, Cain Consulting and Engineering Services (Engineers) for special consideration for a variance to not require sidewalks on a portion of the project at 916 East Brockett Street in an R-2 (Multi-Family Residential) District / College Park Overlay District.

Background

The property is located at 916 East Brockett Street. The owners were granted site plan approval for a three story dormitory apartment at the June 22, 2010 Planning and Zoning Commission Meeting. They have placed a sidewalk along Porter and Brockett Streets. They are requesting to not provide sidewalks along Pacific and Willow Streets.

Origination

Austin College (Owners), Heidi Ellis (Austin College Representative), Todd Williams, Kangaroo Housing Investors, LLC (Developer/Applicant), and Matthew Cain, Cain Consulting and Engineering Services (Engineers)

Board Recommendation

At the regular meeting on April 19, 2011, the Planning and Zoning Board voted 7/0 to approve the variance.

Attachments

Location Map
Photographs
Site Plan
P&Z Communications Form
Staff Review Letter

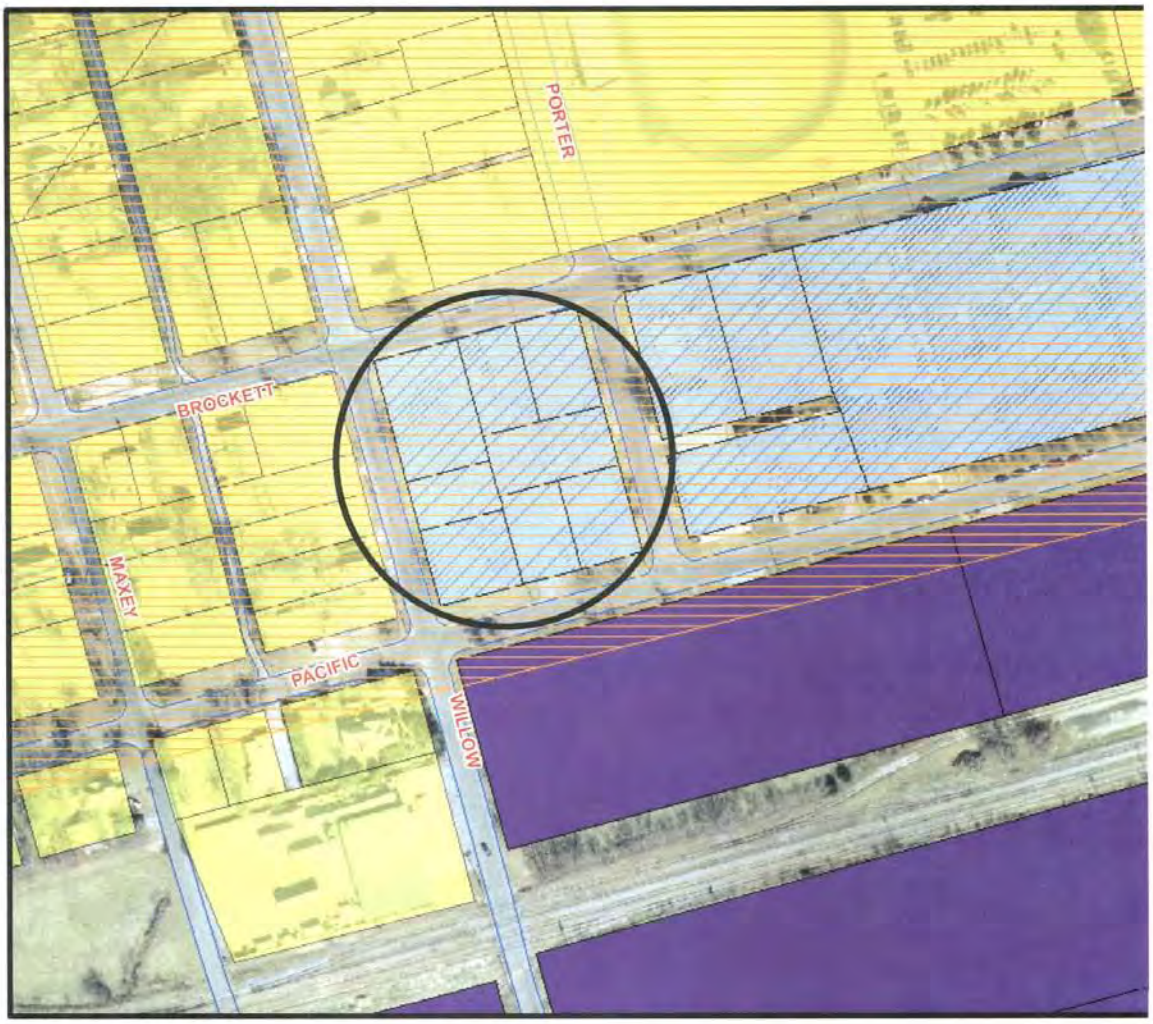
Prepared by:
Scott Shadden, Development Services Director

Approved by:
George Olson, City Manager

916 East Brockett Street

1 inch = 129 feet

City of Sherman, Texas
Developmental Services Department



Zoning - 916 E. Brockett

Legend

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

City of Sherman, Texas
Developmental Services Department

1 inch = 172 feet

916 E. Brockett

CAIN CONSULTING AND ENGINEERING SERVICES

March 29, 2011

Mr. Scott Shadden
Director of Development Services
City of Sherman Department of Development Services
220 West Mulberry Street
Sherman, Texas 75091

Re Request for Exception to Sidewalk Requirement
Austin College – Brockett SW Addition

Dear Mr. Shadden;

On behalf of Austin College and Kangaroo Housing Investors, LLC, we are formally submitting this request for an exception to the City of Sherman Subdivision Ordinance (Ordinance 2684), Section 12 "Design Criteria", Item F "Sidewalks". This request is being made for the property legally described as Lot 1, Block 1 of the Brockett SW Addition.

The purpose of this request is to not provide sidewalks along Pacific Street, and Willow Street. We feel that due to the property's surroundings and adjacent uses, sidewalks in these locations will not benefit pedestrian access.

A sidewalk placed along Pacific Street would provide no connectivity to surrounding properties, and a sidewalk along Willow Street would dead-end to the south at the railroad tracks with future development.

We have placed a sidewalk along Porter Street which allows north and south access from the proposed improvements to both Brockett Street and the campus. Additionally, there is the new sidewalk built with the Brockett Street improvements which provides east west access.

We respectfully request approval of this exception and look forward to the successful completion of this project for Austin College and the City of Sherman.

If you have any questions, comments, or need additional information please feel free to contact me.

CAIN CONSULTING AND ENGINEERING SERVICES, INC.
6136 Frisco Square Blvd., Suite 400, Frisco, Texas 75034
972.284.9916 (Tel) 866.275.7330 (Fax)

CAIN CONSULTING AND ENGINEERING SERVICES

Very truly yours,

CAIN CONSULTING AND ENGINEERING SERVICES

Matthew A. Cain, P.E.

Cc Heidi Ellis (Austin College)
Todd Williams/Ron Cibulka (Kangaroo Housing Investors, LLC)

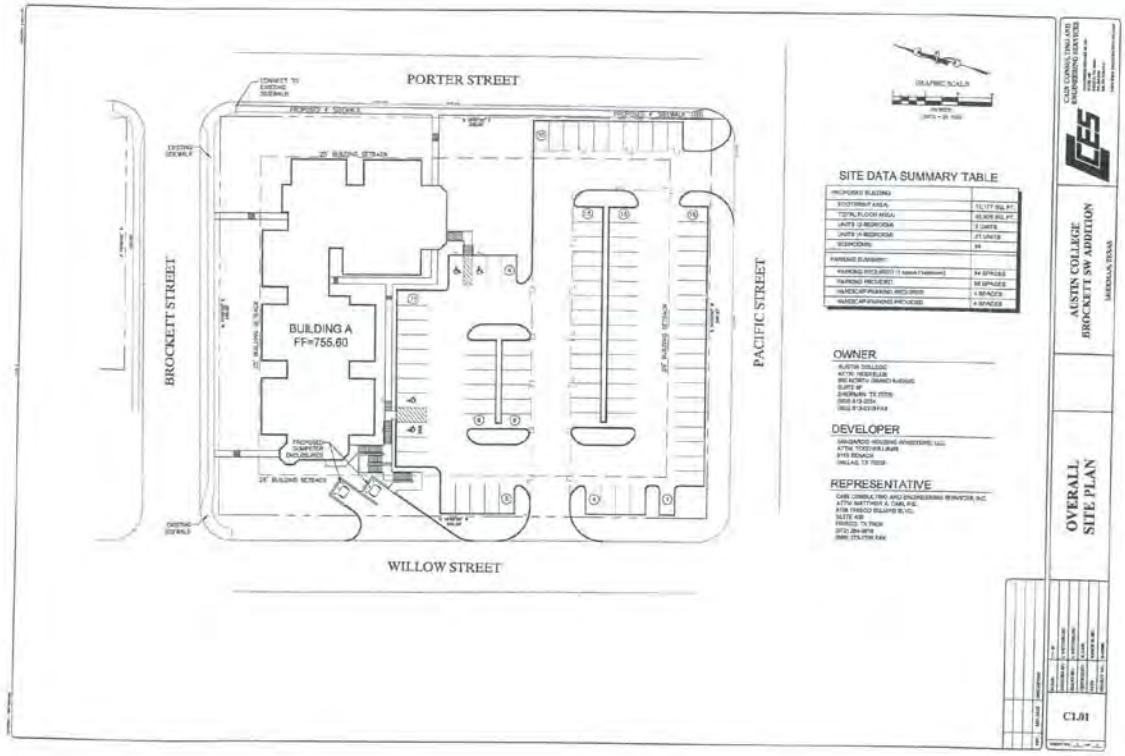
20110329 ltr exception request-brockett.docx

AUSTIN COLLEGE

BROCKETT SW ADDITION

MARCH 7, 2011

CAIN CONSULTING AND ENGINEERING SERVICES



PORTER STREET
WILLOW STREET
BROCKETT STREET
PACIFIC STREET
BUILDING A
FF=755.60
SITE DATA SUMMARY TABLE
OWNER
DEVELOPER
REPRESENTATIVE
AUSTIN COLLEGE
BROCKETT SW ADDITION
OVERALL
SITE PLAN
C1.01

Austin College Brockett SW Addition

Intersection of Willow and Pacific looking south

Intersection of Willow and Pacific looking west

Intersection of Willow and Pacific looking north

Intersection of Willow and Pacific looking east

Austin College Brockett SW Addition

Intersection of Brockett and Willow looking north

Intersection of Brockett and Willow looking east

Intersection of Brockett and Willow looking south

Intersection of Brockett and Porter looking south

Austin College Brockett SW Addition

Intersection of Brockett and Porter looking north

Intersection of Brocket and Porter looking east

Intersection of Brockett and Porter looking west

Intersection of Pacific and Porter looking east

Austin College Brockett SW Addition

Intersection of Pacific and Porter looking north

Intersection of Pacific and Porter looking east

Intersection of Pacific and Porter looking west

AGENDA ITEM #9

City of Sherman

Planning and Zoning Commission
Board of Adjustments

Agenda Communication Form

April 19, 2011

Lawrence Davis, Chairman

Jim Jacobs, Vice Chairman	**Brad Morgan, Commissioner**
Vacant, Commissioner	**David Plyler, Commissioner**
Ron Barton, Commissioner	**Darren Tankersley, Commissioner**
Don Hicks, Commissioner	**Richard Barber, Commissioner**

916 East Brockett Street
Being Lot 1, Block 1, Brockett SW Addition
Variance

Requested Action/Proposed Use:
Planning and Zoning Commission
Variance to not require sidewalks in an R-2 (Multi-Family Residential)/College Park Overlay District.

Background
The property is located at 916 East Brockett Street. The owners were granted site plan approval for a three story dormitory apartment at the June 22, 2010, Planning and Zoning Commission Meeting. They have placed a sidewalk along Porter and Brockett Streets. They are requesting to not provide sidewalks along Pacific and Willow Streets.

Adjacent Zoning:
R-1 (One Family Residential) District, R-2 (Multi-Family Residential) District and M-2 (Heavy Manufacturing) District

Origination:
Austin College (Owners), Heidi Ellis (Austin College Representative), Todd Williams, Kangaroo Housing Investors, LLC (Developer/ Applicant) and Matthew Cain, Cain Consulting and Engineering Services (Engineers)

Master Plan Designation: Public/Institutional

Number of notices mailed: 6

Objections received: 0

Attachments: Location map, Photographs, Site Plan and Staff Review Letter

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

SHERMAN

STAFF REVIEW LETTER

April 14, 2011

Austin College
Heidi Ellis
900 N. Grand, Ste. 6F
Sherman, TX 75090

Kangaroo Housing Investors, LLC
Todd Williams
5119 Seneca
Dallas, TX 75209

Cain Consulting & Engineering Services
Matthew Cain
6136 Frisco Square Blvd., Ste. 400
Frisco, TX 75034

Dear Applicants,

The request for a variance to not require sidewalks in an R-2 (Multi-Family Residential)/College Park Overlay District for the property located at 916 East Brockett Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 19, 2011 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:

Engineering:

1. The staff recommends that the code of ordinance as attached be followed in reference to sidewalks.

EXHIBIT A. SUBDIVISION ORDINANCE
Sec. 12 Design Criteria
(F) SIDEWALKS:

"Four (4) feet sidewalks shall be installed on all street frontages of residential and commercial subdivisions and where deemed necessary by the commission or city council to provide circulation or access to schools, playgrounds, shopping centers, and transportation and other community facilities, or to provide pedestrian circulation within the subdivision."

Exceptions:

1. *Sidewalks that terminate at the right-of-way of Highways 75, 82, 91 (Texoma Parkway), 11 (Dewey Avenue), FM 131 (North Travis), 691, 902, and 1417.*
2. *Lots adjacent to developed lots that have no sidewalk.*
3. *Industrial and rural type developments.*

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 and Zoning Commission.

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 Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

Scott Shadden

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

cc: George Olson, City Manager
Mark Gibson, Director Utilities & Engineering Services
Brandon Shelby, City Attorney
Lisa Whitfield, Engineering & Development Coordinator
Nathan Huffman, Fire Marshal
Scott Taylor, Assistant Director of Public Works
Don Keene, Exec. Dir. of Planning & Public Works

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.6

OTHER BUSINESS

Final Plat Approval of Westgate Hill Addition; being 6.6367 Acres in the W. Brown and B.A. Ricketts Survey, Abstract No. 1553 and the T.J. Shannon Survey, Abstract No. 1137; Samuel Nechamkin and Gary Hoge, Owners; Jason Sofey, Sofey Construction and Design, LLC, Representative; Chris Schmitt, Teague, Nall and Perkins, Engineer; David Baca, Architect; and Underwood Drafting and Surveying, Surveyors (4300 Block of U.S. Highway 75 North)

Issue

To consider Final Plat approval of Westgate Hill Addition located in the 4300 block of U.S. Highway 75 North, being 6.6367 acres in the W. Brown and B.A. Ricketts Survey, Abstract No. 1553 and the T.J. Shannon Survey, Abstract No. 1137

Background

The property is located in the 4300 block of U.S. Highway 75 North, north of the Sherman Town Center. The owners would like to plat the property into three lots for commercial development.

Origination

Samuel Nechamkin and Gary Hoge (Owners), Jason Sofey, Sofey Construction and Design, LLC (Representative), Chris Schmitt, Teague, Nall and Perkins (Engineer), David Baca (Architect), and Underwood Drafting and Surveying (Surveyors)

Board Recommendation

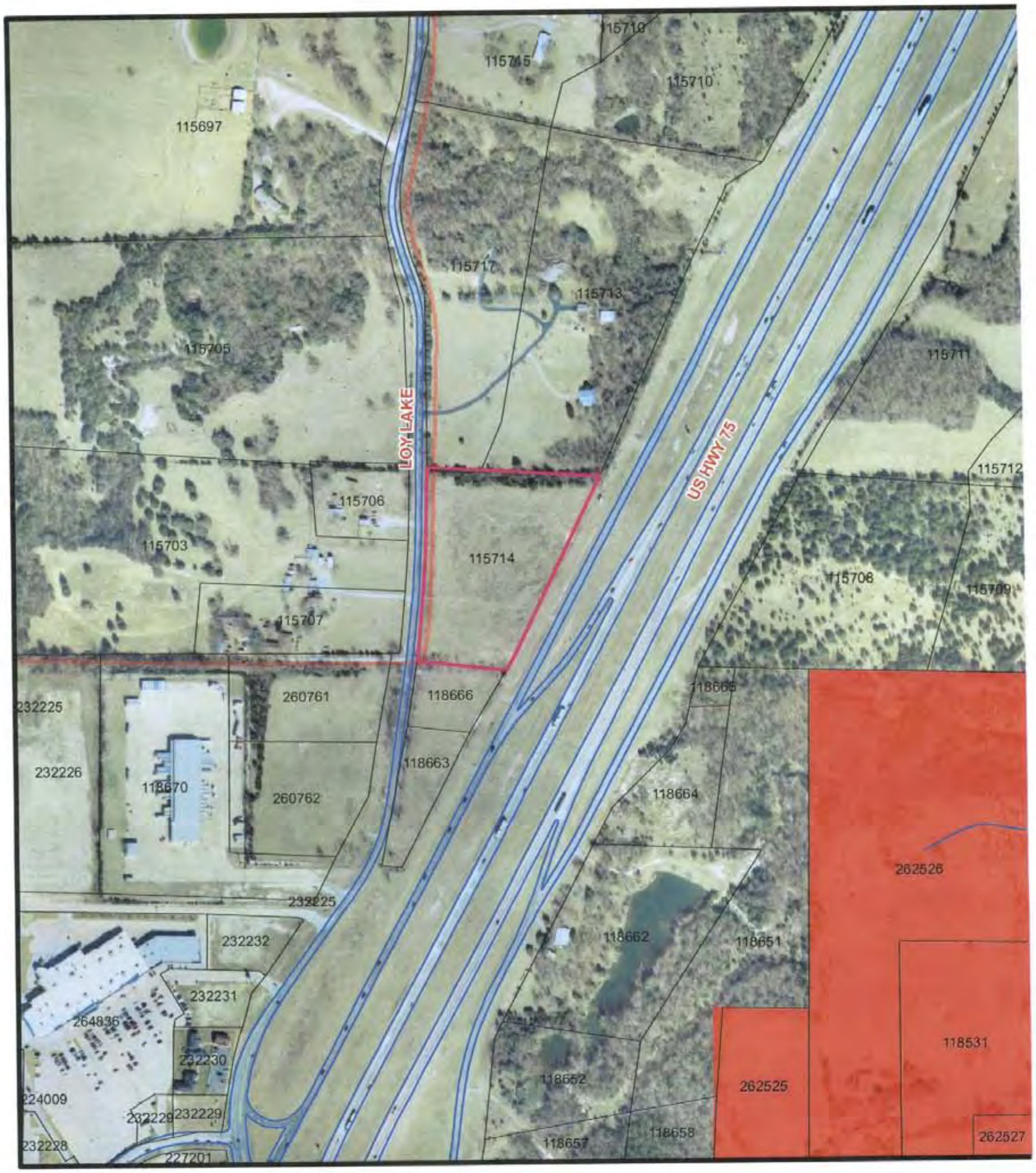
At the April 19, 2011 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved.

Attachments

Location Map
Photos
Plat
P&Z Communication
Staff Review Letter

Prepared by:
Scott Shadden, Development Services Director

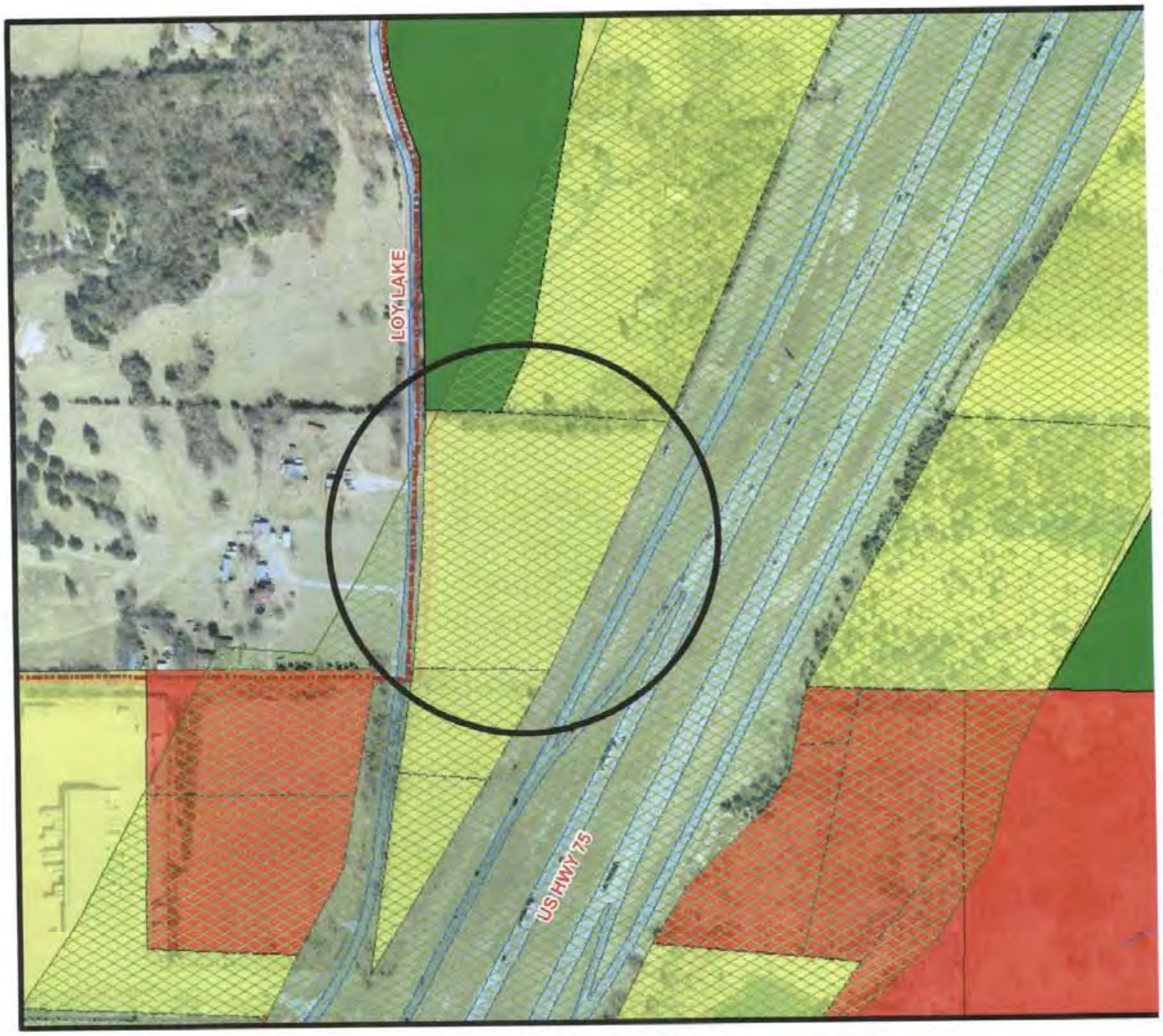
Approved by:
George Olson, City Manager



4300 Blk U.S. Highway 75 North

City of Sherman, Texas
Developmental Services Department

1 inch = 429 feet



Zoning - 4300 Blk. U.S. Highway 75 North

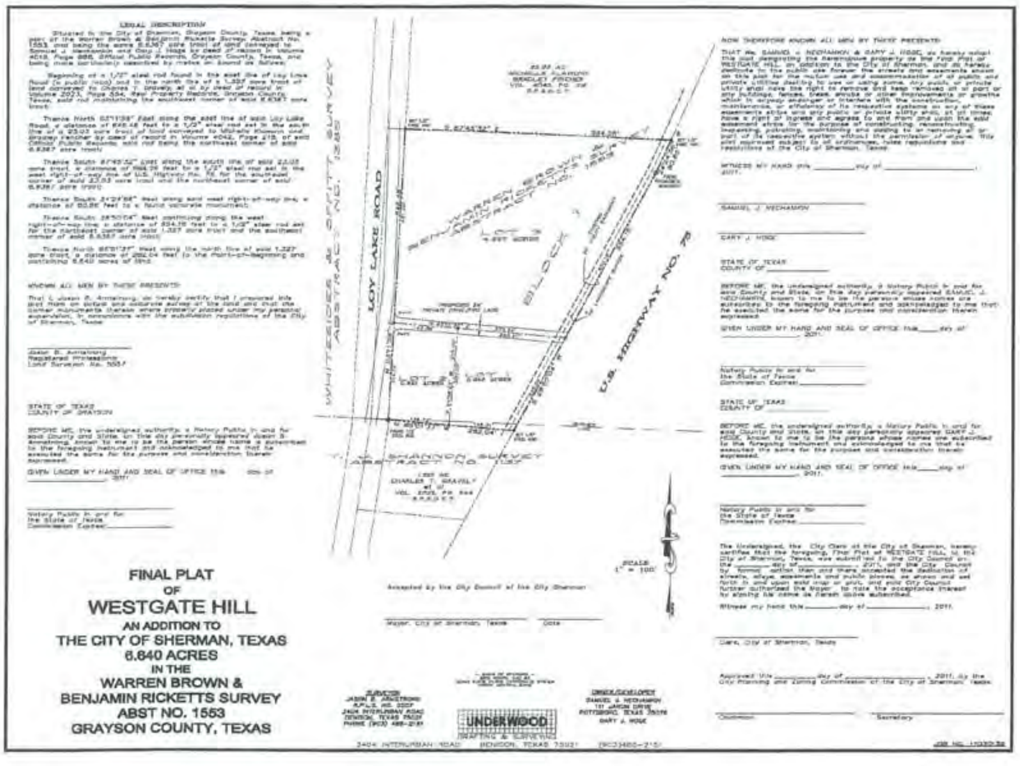
Legend

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

N

1 inch = 343 feet

City of Sherman, Texas
Developmental Services Department



LOY LAKE ROAD
U.S. HIGHWAY NO. 75
BLOCK
SCALE 1" = 100'
UNDERWOOD
FINAL PLAT
OF
WESTGATE HILL
AN ADDITION TO
THE CITY OF SHERMAN, TEXAS
6.640 ACRES
IN THE
WARREN BROWN &
BENJAMIN RICKETTS SURVEY
ABST NO. 1553
GRAYSON COUNTY, TEXAS

AGENDA ITEM #4

City of Sherman

Planning and Zoning Commission
Board of Adjustments

Agenda Communication Form

April 19, 2011

Lawrence Davis, Chairman

Jim Jacobs, Vice Chairman	**Brad Morgan, Commissioner**
Vacant, Commissioner	**David Plyler, Commissioner**
Ron Barton, Commissioner	**Darren Tankersley, Commissioner**
Don Hicks, Commissioner	**Richard Barber, Commissioner**

4300 Blk U.S. Highway 75 North
Being 6.6367 acres in the W. Brown & B.A. Ricketts Survey, Abstract No. 1553 &
T.J. Shannon Survey, Abstract No. 1137
Zone Change, SUP, Site Plan & Exception
Preliminary & Final Plat

Requested Action/Proposed Use:

Planning and Zoning Commission

- Preliminary & Final Plat approval of Westgate Hill Addition
- **C-1 Zoning:** 6.588 acres, being Lots 2, 3 and part of Lot 1 of the proposed Westgate Hill Addition, conceptual site plan and zone change from R-1 (One Family Residential) District to C-1 (Retail Business) District for a medical office in the O-1 (75&82) Overlay District.
  C-2 Zoning: 0.051 acres, being part of Lot 1 of the proposed Westgate Hill Addition, site plan and zone change from R-1 (One Family Residential) District to C-2 (General Commercial) District and Specific Use Permit for a billboard in the O-1 (75&82) Overlay District.

Board of Adjustments

- Exception to allow a 5’ side yard setback for a billboard in lieu of the required 30’ from any residentially zoned property line in a C-2 (General Commercial) District/O-1 (75&82) Overlay District.

Background:

The property is located in the 4300 Block of U.S. Highway 75 North, north of Sherman Town Center. The owner would like to plat the property into three lots for commercial development. They are proposing a 5,000 square foot medical office on Lot 1 with a double-sided billboard on the southern part of the same lot located 5’ from the south property line adjacent to an R-1 (One Family Residential) District.

Adjacent Zoning:

R-1 (One Family Residential) District, SF-1 (Single Family Residential) District and C-1 (Retail Business) District

Origination:

Samuel Nechamkin & Gary Hoge (Owners), Jason Sofey, Sofey Construction & Design, LLC (Representative) Chris Schmitt; Teague, Nall & Perkins (Engineer), David Baca (Architect) and Underwood Drafting and Surveying (Surveyors)

Master Plan Designation:

Suburban Residential

Number of notices mailed:
3

Objections received:
0

Attachments:
Location map, Photographs, Site Plan and Staff Review Letter

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

SHERMAN

STAFF REVIEW LETTER

April 13, 2011

Dr. Samuel J. Nechamkin
Gary J. Hoge
PO Box 848
Sherman, TX 75091-0848

Jason Sofey
1711 Heritage Parkway
Sherman, TX 75092

Teague, Nall & Perkins
Chris Schmitt
200 N. Travis, Ste. 500
Sherman, TX 75090

Dear Applicants,

The request for approval of the Preliminary Plat and Final Plat of the Westgate Hill Addition for the property located in the 4300 Blocks of U.S. Highway 75 North has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 19, 2011 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 Plat:

1. Drive approaches and sidewalks shall conform to the TxDOT and the City of Sherman standards.
2. Detention in accordance with City criteria is required.
3. Sewer to be extended to the north property line of Lot 1, Block 1.
4. The existing 20' Utility Easement shall be shown as a 20' Water and Sewer Easement (Vol. 4532 Pg. 873).
5. An additional 10' of easement shall be dedicated adjacent to the existing 20' Water and Sewer Easement.
6. 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 & Zoning Commission.

Final Plat:

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 the TxDOT and the City of Sherman standards.
4. Detention in accordance with City criteria is required.
5. Sewer to be extended to the north property line of Lot 1, Block 1.
6. Point of Beginning shall be shown on the plat.
7. The existing 20' Utility Easement shall be shown as a 20' Water and Sewer Easement (Vol. 4532 Pg. 873).
8. An additional 10' of easement shall be dedicated adjacent to the existing 20' Water and Sewer Easement.
9. 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,

Mark Gibson
Dir. of Engineering & Public Works

cc: George Olson, City Manager
Brandon Shelby, City Attorney
Nathan Huffman, Fire Marshal
Scott Taylor, Asst. Director of Engineering & Public Works
Scott Shadden, Director of Development Services
Don Keene, Exec. Dir. of Planning & Public Works
Lisa Whitfield, Engineering & Development Coordinator
David Baca, 100 N. Travis, Ste. 500A, Sherman, TX 75090
Underwood Drafting & Surveying, 3404 Interurban Road, Denison, TX 75021

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.7

**** OTHER BUSINESS***

Replat Approval of Lots 1-7, Block 1, Fairview Park Patio Homes, Phase One; being 1.252 Acres in the J.B. McAnair Survey, Abstract No. 763; Shreetejas, Inc., Owner; Derek Humphreys, Representative; and Delta Land Surveying, Surveyors (1400-1500 Blocks of Park Place)

Issue

To consider Replat approval of Lots 1-7, Block 1, Fairview Park Patio Homes, Phase One, located in the 1400-1500 blocks of Park Place, being 1.252 acres in the J.B. McAnair Survey, Abstract No. 763

Background

The property is located in the 1400-1500 blocks of Park Place. The property was platted and granted a Specific Use Permit to allow patio homes in 1999. The owner would like to replat the property into four lots for multi-family development.

Origination

Shreetejas, Inc. (Owner), Derek Humphreys (Developer/Representative); and Delta Land Surveying (Surveyors)

Board Recommendation

At the April 19, 2011 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved.

Attachments

Location Map
Photos
Plat
P&Z Communication
Staff Review Letter

Prepared by:
Scott Shadden, Development Services Director

Approved by:
George Olson, City Manager

1400-1500 Blocks Park Place

City of Sherman, Texas
Developmental Services Department

1 inch = 107 feet

Zoning - 1400-1500 Blks Park Place

Legend

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

1 inch = 172 feet

City of Sherman, Texas
Developmental Services Department

1400-1500 Block Park Place

OWNERS CERTIFICATE

WHEREAS, Shreeblaze, LLC is the owner of Lots 1 through 7, inclusive, in Fairview Park Patio Homes Addition, Phase One to the City of Sherman, Grayson County, Texas, filed for record in Volume 12 at Page 44 of the Plat Records of Grayson County, Texas. Said Lots being conveyed by a deed filed for record in Volume 4904 at Page 813 of the Deed Records of Grayson County, Texas. Said tract of land being more particularly described by metes and bounds as follows:

Beginning at a 1/2" rebar found, on the South right-of-way line of Park Place, a right-of-way 50 feet in width, for the Northwest corner of the aforementioned Lot 1;

Thence S 89°00'24" E, along the monumented South right-of-way line, 41.50 feet to a 1/2" rebar found for the common North corner of Lots 1 and 2 and a point of curvature;

Thence Northeasterly, 94.33 feet along the aforementioned South right-of-way and the arc of a curve to the left, having a radius of 327.58 feet, a central angle of 16°29'57" and a long chord which bears N 82°15'02" E 94.00 feet to a 1/2" rebar found for a point of compound curvature;

Thence Northeasterly 165.86 feet along the aforementioned South right-of-way and the arc of a curve to the left, having a radius of 129.59 feet, a central angle of 73°23'08" and a chord which bears N 37°18'30" E 154.87 feet to a 1/2" rebar found for the common West corner of Lots 7 and 8;

Thence N 74°00'00" E, along the common boundary line of Lots 7 and 8, 95.41 feet to a 1/2" rebar at the common East corner of said Lots 7 and 8 on the West right-of-way line of an alley;

Thence S 15°00'00" E, along the aforementioned West right-of-way line and the East boundary line of the Fairview Park Patio Homes Addition, Phase One, 162.58 feet to a 1/2" rebar with a cap marked "RPLS 4967" set for the common East corner of the Fairview Park Patio Homes Addition, Phase One and the Ridgies Second Addition, an addition to the City of Sherman as filed for record in Volume 1 at Page 14 of the Plat Records of Grayson County, Texas;

Thence S 74°04'48" W, along the common boundary line of Fairview Park Patio Homes Addition, Phase One and Ridgies Second Addition, 523.53 feet to the Southwest corner of the above-mentioned Lot 1;

Thence N 40°08'23" E, along the West boundary line of the aforementioned Lot 1, 206.21 feet to the Point of Beginning.

Said tract of land containing 54,541 square feet or 1.252 acres, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, Shreeblaze, LLC, the Owner, does hereby adopt this plat designating the hereinabove described property as the Replat of Fairview Park Patio Homes, Lots 1 – 7, an addition to the City of Sherman, Grayson County, Texas, and does hereby dedicate to the public use forever the street, rights-of-way, road, drainage and utility easements as designated on the plat.

Witness my hand this ________________ day of ________________, 2011

Sudhakar Alluri
Manager

ACKNOWLEDGEMENT

State of Texas)

County of __________)

Before me, the undersigned a Notary Public for the State of Texas, on this day personally appeared Sudhakar Alluri, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

Witness my hand this ________________ day of ________________, 2011.

Notary Public, State of Texas

SURVEYORS CERTIFICATE

I, Larry W. Busby, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that a corner monuments shown were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

Larry W. Busby
TX RPLS 4967

ACKNOWLEDGEMENT

State of Texas)

County of __________)

Before me, the undersigned a Notary Public for the State of Texas, on this day personally appeared Larry W. Busby, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

Witness my hand this ________________ day of ________________, 2011.

Notary Public, State of Texas

DEVELOPER/OWNER

Shreeblaze, LLC
10007 Stone Harbor Way
Irving, Texas 75063

PLANNING & ZONING COMMISSION APPROVAL

Approved the ________ day of ________________, 2011, 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 plat of Replat of Fairview Park Patio Homes, Lots 1 – 7, Subdivision or Addition to the City of Sherman was submitted to the City Council on the ____________ day of ________________, 2011, 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 an 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 ________________, 2011.

City Clerk, City of Sherman, Texas

REPLAT
OF
FAIRVIEW PARK PATIO HOMES,
LOTS 1 – 7,

IN THE J. B. McANAIR SURVEY, ABSTRACT NO. 793,
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

FOUR LOTS CONTAINING A TOTAL OF 1.252 ACRES

APRIL, 2011

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DELTA LAND SURVEYING
1820 Roadrunner Road
Anna, Texas 75409

SHEET 1 OF 1

AGENDA ITEM #3

City of Sherman

Planning and Zoning Commission
Board of Adjustments

Agenda Communication Form

April 19, 2011

Lawrence Davis, Chairman

Jim Jacobs, Vice Chairman	**Brad Morgan, Commissioner**
Vacant, Commissioner	**David Plyler, Commissioner**
Ron Barton, Commissioner	**Darren Tankersley, Commissioner**
Don Hicks, Commissioner	**Richard Barber, Commissioner**

1400-1500 Blocks of Park Place
Being Lots 1-7, Block 1, Fairview Park Patio Homes, Phase One
Replat, Site Plan & Exception

Requested Action/Proposed Use:

Planning and Zoning Commission

- Replat approval Lots 1-7, Block 1, Fairview Park Patio Homes, Phase One.
- Site plan approval for apartments/duplex

Board of Adjustments

- Exception to allow a 6' ornamental iron fence with landscaping, in lieu of the required masonry perimeter wall to surround the development in an R-2 (Multi-Family Residential) District.

Background:

The property is located in the 1400-1500 Blocks Park Place. The property was platted and granted a Specific Use Permit to allow patio homes in 1999. The owner would like to replat the property into four lots for multi-family development.

Adjacent Zoning:

R-1 (One Family Residential) District and R-2 (Multi-Family Residential) District

Origination:

Shreetejas, Inc. (Owner), Derek Humphreys (Developer/Representative) and Delta Land Surveying (Surveyor)

Master Plan Designation: Auto Urban Single Family Residential and Natural

Number of notices mailed: 32

Objections received: 0

Attachments: Location map, Photographs, Site Plan and Staff Review Letter

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

SHERMAN

STAFF REVIEW LETTER

April 13, 2011

Shreetejas, Inc.
Sudhakur Allada
10007 Stone Harbor Way
Irving, TX 75063

Derek Humphreys
1777 Prince William
Frisco, TX 75034

Delta Land Surveying
PO Box 368
Anna, TX 75409

Dear Applicants,

The request for approval of the Replat of the Fairview Park Patio Homes Addition, Phase One, for the property located in the 1400-1500 Blocks of Park Place has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 19, 2011 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from the various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks shall conform to the City of Sherman standards.
4. Detention in accordance with City criteria is required and shall be noted as being private in nature.
5. Building setback lines shall be removed from the plat.
6. The City of Sherman will not maintain the alley and any future maintenance shall be the responsibility of the owner or the Developer shall build the alley to the City of Sherman standards.
7. A point of beginning (POB) shall be shown on the plat.
8. The discrepancy between the field notes and the sketch shall be reconciled (call S74°04'48"W).
9. Original lot lines shall be removed from the plat.

10. Any other changes made to the replat 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,

Mark Gibson

Mark Gibson,
Dir. of Planning & Public Works

cc: George Olson, City Manager
Brandon Shelby, City Attorney
Nathan Huffman, Fire Marshal
Scott Taylor, Asst. Director of Engineering & Public Works
Scott Shadden, Director of Development Services
Don Keene, Exec. Dir. of Engineering & Public Works
Lisa Whitfield, Engineering & Development Coordinator

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.8

**** OTHER BUSINESS***

Replat Approval of Sherman Crossing Addition, a Replat of a Portion of Lot 1, Block 1, Sherman Shopping Center Addition; being 8.633 Acres in the J.B. McAnair Survey, Abstract No. 763; 75-82 Sherman Crossing, LTD, Owners; David Wallenstein, Representative; and Underwood Drafting and Surveying, Surveyor (3200 Block of U.S. Highway 75 North)

Issue

To consider Replat Approval of Sherman Crossing Addition, a Replat of a portion of Lot 1, Block 1, Sherman Shopping Center Addition, located in the 3200 block of U.S. Highway 75 North, being 8.633 acres in the J.B. McAnair Survey, Abstract No. 763

Background

The property is located in the 3200 block of U.S. Highway 75 North; the northeast corner of Highways 75 and 82. This is a replat proposing the division of a portion of one lot into two lots for the purpose of development.

Origination

75-82 Sherman Crossing, LTD (Owners), David Wallenstein (Representative), and Underwood Drafting and Surveying (Surveyor)

Board Recommendation

At the April 19, 2011 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved.

Attachments

Location Map
Photos
Plat
P&Z Communication
Staff Review Letter

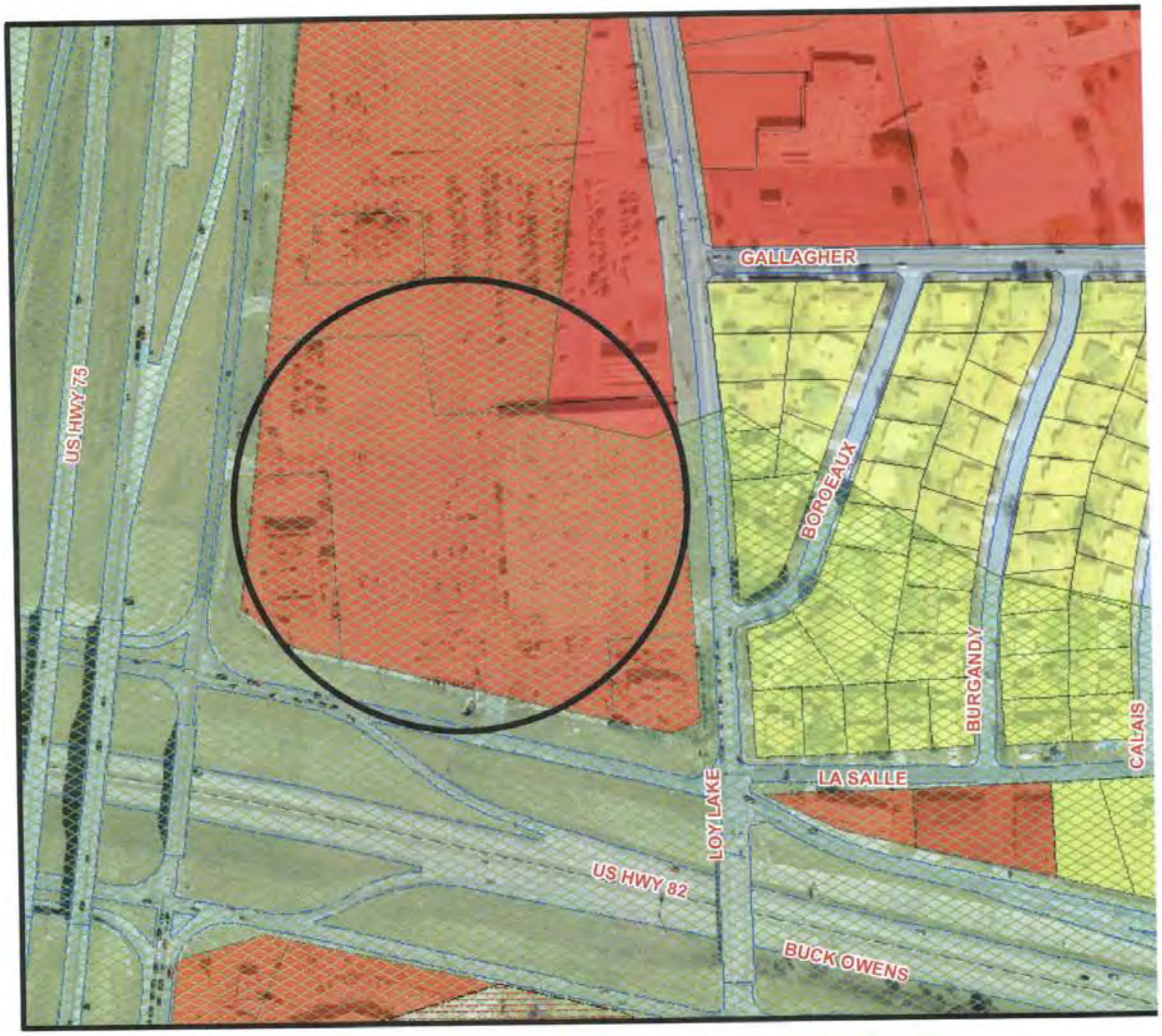
Prepared by:
Scott Shadden, Development Services Director

Approved by:
George Olson, City Manager

3200 Blk. U.S. Highway 75 North

City of Sherman, Texas
Developmental Services Department

1 inch = 215 feet



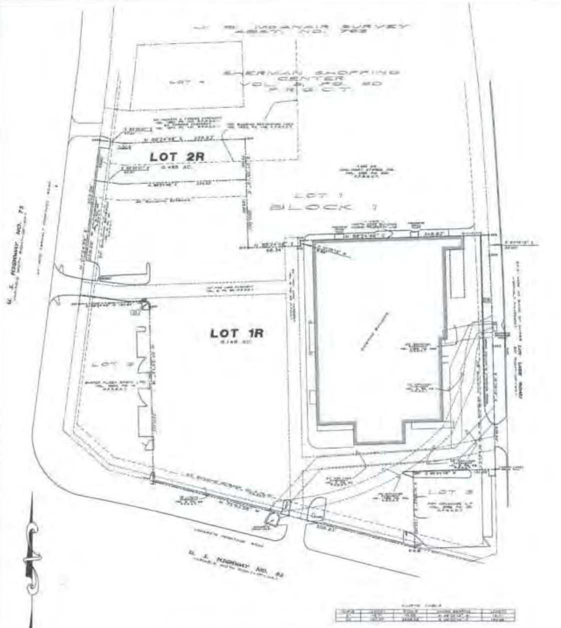
Zoning - 3200 Blk. U.S. Highway 75 North

Legend

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

1 inch = 258 feet

City of Sherman, Texas
Developmental Services Department



SHERMAN CROSSING ADDITION

TO THE CITY OF SHERMAN
GRAYSON COUNTY, TEXAS
REPLAT OF A PORTION OF
LOT 1 IN BLOCK 1 OF
SHERMAN SHOPPING CENTER ADDITION

UNDERWOOD

3404 INTERURBAN ROAD DENISON, TEXAS 75021

AGENDA ITEM #7

City of Sherman

Planning and Zoning Commission
Board of Adjustments

Agenda Communication Form

April 19, 2011

Lawrence Davis, Chairman

Jim Jacobs, Vice Chairman	**Brad Morgan, Commissioner**
Vacant, Commissioner	**David Plyler, Commissioner**
Ron Barton, Commissioner	**Darren Tankersley, Commissioner**
Don Hicks, Commissioner	**Richard Barber, Commissioner**

3200 Blk. U.S. Highway 75 North
Being Lot 1, Block 1, Replat of Sherman Shopping Center
Replat

Requested Action/Proposed Use:
Approval of the Replat of Lot 1, Block 1, Sherman Shopping Center Addition.

Background
This is a replat proposing the division of a portion of one lot into two lots for the purpose of development.

Adjacent Zoning:
C-1 (Retail Business) District

Origination:
75-82 Sherman Crossing, LTD (Owners), David Wallenstein (Representative) and Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:
Auto-Urban Commercial

Attachments:
Location map
Photographs
Site Plan
Staff Review Letter

Prepared by:	**Approved by:**
Lisa Whitfield,	**Scott Shadden,**
Engineering & Development Coordinator	**Director of Developmental Services**

SHERMAN

STAFF REVIEW LETTER

April 13, 2011

75-82 Sherman Crossing LTD
David Walenstein
2727 LBJ Freeway, Ste. 600
Dallas, TX 75234

Dear Applicants,

The request for approval of the Replat of the Sherman Crossing Addition, for the property located in the 3200 Block of U.S. Highway 75 North has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 19, 2011 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from the various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Any other changes made to the replat 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,

Mark Gibson,
Dir. of Planning & Public Works

cc: George Olson, City Manager
Brandon Shelby, City Attorney
Nathan Huffman, Fire Marshal
Scott Taylor, Asst. Director of Engineering & Public Works
Scott Shadden, Director of Development Services
Don Keene, Exec. Dir. of Engineering & Public Works
Lisa Whitfield, Engineering & Development Coordinator

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

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.9

CITIZEN REQUESTS

The Honorable Bill Magers, Mayor

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.10

MEDIA QUESTIONS

The Honorable Bill Magers, Mayor

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.11

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS
TO BOARDS AND COMMISSIONS
(a) Parks and Recreation Advisory Board (2)

Issue
The Parks and Recreation Advisory Board term for Jason Bethel expired on February 23, 2011. Mr. Bethel does not wish to be reappointed. There is also one vacancy on the Board. Jason Howard and Lauren Alexis Bolin have completed applications for service on the Board.

Background
The Parks and Recreation Advisory Board advises the City Council on long-range planning and the implementation of programs and activities conducted by the Parks and Recreation Department.

Origination
The appointments originated with the City Clerk's Office.

Financial Consideration
There is no financial consideration to the City.

Staff Recommendation
It is recommended that the City Council consider appointments to the Parks and Recreation Advisory Board.

Alternatives
The City Council could choose not to make appointments.

Attachments
A membership roster, fact sheet, applicant list, reappointment letter, and applications are attached.

Prepared by:
Linda Ashby, City Clerk

Approved by:
George Olson, City Manager

MEMBERSHIP ROSTER

PARKS & RECREATION BOARD

LENGTH OF TERMS: TWO YEARS
Ord. 4112 Consecutive Term Limit (3)*effective 7/24/89

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Jason Bethel	1	A 2/23/2009	2/23/2011	1	
Aaron Wilson	3	A 12/8/2009	12/8/2011	1	
Vacant			6/19/2011		
Casey Peacock	1	U 4/8/2008 R 9/5/2009	9/5/2009 9/5/2011	1 2	
Donald L. Ward	1	A 12/8/2009	12/8/2011	1	
John Murphy	1	10/6/2009	10/6/2011	1	
Trent Bass	1	U 3/17/2009 R 11/8/2009	11/8/2009 11/8/2011	0 1	

NOTE:

Chair: Trent Bass Term: October 2009
Vice Chair:

CITY STAFF: Kevin Winkler, Parks and Recreation Administrator
Revised 3/31/2011

FACT SHEET

PARKS AND RECREATION BOARD

Established by ORDINANCE 3181 – MARCH 28, 1977

1. Number of Members: SEVEN (7)
2. Term of Appointment: TWO (2) YEARS
3. Consecutive Term Rule: THREE (3) TERMS – ORDINANCE 4112 (7/24/89)
4. Qualifications for Membership: INTEREST IN PROGRAMS AND ACTIVITIES CONDUCTED BY PARKS AND RECREATION DEPARTMENT. A STUDENT OF SHERMAN HIGH SCHOOL DESIGNATED BY STUDENT COUNCIL, AND THE DIRECTOR OF PARKS AND RECREATION SHALL BE EX-OFFICIO,NON-VOTING MEMBERS
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization

   CHAIRPERSON _E_ VICE CHAIRPERSON ____ SECRETARY _A____

   ELECTED ____ APPOINTED ____
7. Departmental Responsibility: PARKS AND RECREATION DEPARTMENT
8. Meeting Date: FIRST WEDNESDAY OF EACH MONTH
9. Attendance Requirements: WILL FORFEIT SEAT BY MISSING 3 CONSECUTIVE MEETING WITHOUT GOOD CAUSE

==

PURPOSE:
To assist in long-range planning and implementation of programs and activities conducted by the Parks and Recreation Department.

RESPONSIBILITIES:
Advise concerning future development; to study and make recommendations concerning additional park land or sites; and to recommend means for maximum utilization of facilities.

APPLICANT LIST
Parks and Recreation Advisory Board **Positions Vacant 2**

Applicant	Address	District	Qualifications
Jason Howard	1505 E. Magnolia	3	Walgreens Manager
Lauren Alexis Bolin	2608 Silverado Trail	1	Grayson County College Student

COMMENTS:

SHERMAN

PUBLIC RECORDS DEPARTMENT
Phone No. (903) 892-7204
Fax No. (903) 892-7394

January 6, 2011

Jason Bethel
1119 N. Hopson
Sherman, Texas 75092

RE: Parks and Recreation Advisory Board

Dear Mr. Bethel:

Your term on the Parks and Recreation Advisory Board expires on February 23, 2011. You are eligible for reappointment to the Board. Please let me know whether or not you are interested in reappointment to this board by checking the appropriate statement at the bottom of this letter and returning a copy to me at the address below. If you have any questions or need additional information, please don't hesitate to contact me.

Best regards,

Linda Ashby

Linda Ashby
City Clerk

cc: Kevin Winkler, Parks and Recreation Administrator

____ I do wish to be considered for reappointment to this board

✓ I do not wish to be considered for reappointment to this board

________________ 1-21-11
Signature Date

Please return to: City of Sherman
City Clerk's Office
P.O. Box 1106
Sherman, Texas 75091-1106

RECEIVED
JAN 2011
In the
CITY CLERK'S
OFFICE

RECEIVED
APR 2011
In the
CITY CLERK'S
OFFICE

CITY OF SHERMAN
APPLICATION FOR BOARD OR COMMISSION MEMBERSHIP

Return completed application to:
City Clerk's Office
220 W. Mulberry
P.O. Box 1106
Sherman, TX 75091
Fax: (903) 892-7394

Please type or use black ink
Please complete one application for each board or commission membership
Please limit attachments to two pages
For questions or additional information, call the City Clerk's Office, (903) 892-7206

Name: Jason Howard
(Please print legal name and your name as you wish it to appear, if different.)

Name of Board or Commission: Parks & Recreation Board

☑ Yes, I would be interesting in serving on subcommittees that may be formed.

Personal Information		Occupational Information	
Home Address:	1505 E. Magnolia St	Business Name:	Walgreens
Mailing Address:	Sherman TX 75090	Occupation:	Manager
Telephone:	903 744-3349 Fax:	Address:	1825 Texoma Pkwy
E-Mail:	jason75090@yahoo.com	Telephone:	903-868-2620 Fax:
Sherman Resident for	3 years County: grayson	E-Mail:	
Drivers License No.:	07987833		
*Voter Registration No.:	1059075527 ✓		

Which Council District do you live in? *(see attached map)* District #3 ✓

Prior work experience: *(please include dates)*
Walgreens Sept 2004 - Present

Educational Achievement:

High School Graduate? ☑ Yes ☐ No Year Graduated/Left School? 1996
Business College, Correspondence School, Adult Education, Other? Associates of Science Paris Junior College
Name of College/University: ☐ Bachelor's ☐ Master's ☐ PhD

Volunteer Work: *(please include dates)*
Travis Lodge #117 October 2010 to Present

Have you ever been convicted of a crime (except for minor traffic offenses that resulted only in a fine)? ☐ Yes ☑ No

If yes, please explain in complete detail. State the nature and approximate date of the conviction, the sentence imposed, whether the sentence has been completed, and any other information you consider to be relevant.

Taxes - No

Application held for 12 months from date received

Are you presently serving on a City board or commission? ☐ Yes ☑ No

If so, which one? ______

Why do you want to become a member of this particular board or commission *(how would you use this experience to benefit the City)*?
I have Ideas to Improve the City and the youth, I am active in my lodge and my work is active In the Community. I would bring an Integration of walgreens Into the Community which would benefit Both.

Briefly explain what you believe are the three most important issues facing this board or commission and how you believe this board or commission should address each issue?

1) Working Parent such as myself, The limited summer after Acco Program is great but I feel that this Could be expanded or opened up to provide more Coverage for more younger parents.

2) I believe that the Parks play ground equipment Could use revisioning. while some Parks are nicer than others there is a general lack of equipment for younger Children.

3) A Modern Park. Many Citys like greenville and longview have modern advanced theme play grounds. An example is the attached photo of longview's Kidsview Park. I have also attached a picture of greenville's Kidzone Park. I believe that a park facility such as these would enhance Sherman.

List any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to this board or commission:
I have been active in youth programs. I am a father to an eight year old of whom I could get a younger persons view on activities and parks of the City.

Please specify any business or personal relationships with the City or other activities, which might create a serious conflict of interest or affect your ability to serve if you should be appointed to this board or commission:
None. I am hoping to add a stronger tie with my Business (walgreens) with the City In order to be more active In my community.

Have you attended a meeting of the board/commission you are applying to or talked to anyone currently on the board? ☐ Yes ☑ No

Comments: ______

Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Sherman Boards and Commissions, as noted in the overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications, including those received after the posted deadline, will remain on file for one year from the date of receipt.

**I affirm that I am qualified to vote.*

Signature: [signature] *Date:* 4-25-11

In compliance with Chapter 552, Vernon's Texas Codes Annotated (Open Records Law), information provided on this application may be available to the public, upon request.

Kidsview Park In longview TX.

Kid Zone Park In Greenville TX

CITY OF SHERMAN
APPLICATION FOR BOARD OR COMMISSION MEMBERSHIP

RECEIVED MAY 2011 In the CITY CLERK'S OFFICE

Return completed application to:
City Clerk's Office
220 W. Mulberry
P.O. Box 1106
Sherman, TX 75091
Fax: (903) 892-7394

Please type or use black ink
Please complete one application for each board or commission membership
Please limit attachments to two pages
For questions or additional information, call the City Clerk's Office, (903) 892-7206

Name: Lauren Alexis Bolin
(Please print legal name and your name as you wish it to appear, if different.)

Name of Board or Commission: Parks and Recreation

☒ Yes, I would be interesting in serving on subcommittees that may be formed.

Personal Information	Occupational Information
Home Address: 2608 Silverado Trail	Business Name:
Mailing Address: P.O. Box 3526	Occupation:
Telephone: 903-436-5480 Fax:	Address:
E-Mail: lauren.alexis.bolin@gmail.com	Telephone: Fax:
Sherman Resident for 19 years County:	E-Mail:
Drivers License No.: 26660767	
*Voter Registration No.: 1168272997 ✓	

Which Council District do you live in? *(see attached map)* 1 ✓

Prior work experience: *(please include dates)*
Marketing Intern May 2011 - August 2011; Tax Assistant February 2011 - April 2011
Sales Associate September 2010 - May 2011; Personal Assistant September 2010 - Present
Marketing/Running Jan 2010 - Jan 2011; Coach - Gymnastics May 2007 - August 2010

Educational Achievement:

High School Graduate? ☒ Yes ☐ No Year Graduated/Left School? 2010
Business College, Correspondence School, Adult Education, Other?
Name of College/University: Grayson County College (current) ☐ Bachelor's ☐ Master's ☐ PhD

Volunteer Work: *(please include dates)*
Kiwanis Member 2008 - Present, Christmas for Crisis Center 2008-2010

Have you ever been convicted of a crime (except for minor traffic offenses that resulted only in a fine)? ☐ Yes ☒ No

If yes, please explain in complete detail. State the nature and approximate date of the conviction, the sentence imposed, whether the sentence has been completed, and any other information you consider to be relevant.

Application held for 12 months from date received

Taxes - No

Are you presently serving on a City board or commission? ☐ Yes ☒ No

If so, which one? __________

Why do you want to become a member of this particular board or commission *(how would you use this experience to benefit the City)*?
I really love the parks we have in Sherman and would love to see them used to their potential. I am very involved in the community and would like another opportunity to serve.

Briefly explain what you believe are the three most important issues facing this board or commission and how you believe this board or commission should address each issue?

1) I believe that Parks and Rec should more openly and broadly advertise events. There are great things happening that need to be advertised via Facebook and other social media.
2) I would love to see park trails go thoughout Sherman. It would increase home value with vast parks as well as supply another mode of advertising. There should be billboards along trail.
3) I would also like to see our facilities used to their full potential. We have a wonderful new ampitheater that could bring in great revenue for Parks and Rec.

List any abilities, skills, licenses, certificates, specialized training, or interests you have which are applicable to this board or commission:

Please specify any business or personal relationships with the City or other activities, which might create a serious conflict of interest or affect your ability to serve if you should be appointed to this board or commission:

none

Have you attended a meeting of the board/commission you are applying to or talked to anyone currently on the board? ☒ Yes ☐ No
Comments: __________

Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Sherman Boards and Commissions, as noted in the overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications, including those received after the posted deadline, will remain on file for one year from the date of receipt.

**I affirm that I am qualified to vote.*

Signature: Laura Alexis Boler *Date:* 5/16/11

In compliance with Chapter 552, Vernon's Texas Codes Annotated (Open Records Law), information provided on this application may be available to the public, upon request.

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.12

**** APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS***
(a) Council Audit Committee (3)

Issue
Council Members Joe Smith, Chip Adami and Cary Wacker currently serve on the Council Audit Committee. Their terms expire in June 2011. Since the Charter Amendment Election held in November 2011 changed the Election date to November instead of May, the terms for this board need to be extended to November 2011, to coincide with the Council terms.

Background
The Council Audit Committee assists the Council and staff in the review of the audit reports filed by the independent auditor and provides input on the selection of external auditors. They also provide recommendations to the rest of the Council on technical accounting issues.

Origination
The extension of terms originated with the City Clerk's Office.

Financial Consideration
There is no financial consideration.

Staff Recommendation
It is recommended that the City Council consider extending the terms of members serving on the Council Audit Committee to coincide with the Council Member terms.

Alternatives
The alternative is to appoint members to this board that do not coincide with the Council Member terms.

Attachments
A roster and fact sheet for the Committee are attached for examination.

Prepared by:
Linda Ashby, City Clerk

Approved by:
George Olson, City Manager

MEMBERSHIP ROSTER

COUNCIL AUDIT COMMITTEE — LENGTH OF TERMS: 1 YEAR

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Cary Wacker	4	A 6/7/2005 R 6/6/2006 R 6/19/2007 R 5/20/2008 R 5/19/2009 R 6/2010	5/2006 5/2007 6/2008 6/2009 6/2010 6/2011	1 2 3 4 5 6	Council Member
Chip Adami	4	A 6/8/2004 R 6/7/2005 R 6/6/2006 R 6/19/2007 R 5/20/2008 R 5/19/2009 R 6/2010	5/2005 5/2006 5/2007 6/2008 6/2009 6/2010 6/2011	1 2 3 4 5 6 7	Council Member
Joe Smith	1	A 6/19/2007 R 5/20/2008 R 5/19/2009 R 6/2010	6/2008 6/2009 6/2010 6/2011	1 2 3 4	Council Member

NOTE: Council Member's appointment expires at end of one year.

CITY STAFF: City Manager and Assistant City Manager/CFO
Revised 5/18/2010

FACT SHEET

COUNCIL AUDIT COMMITTEE

Established by RESOLUTION 2790 - DECEMBER 23, 1991

1. **Number of Members THREE (3)**
2. **Term of Appointment ONE YEAR**
3. **Consecutive Term Rule NO RULE**
4. **Qualifications for Membership COUNCILMEMBER WITH KNOWLEDGE OF ACCOUNTING AND/OR BUSINESS MANAGEMENT**
5. **Appointed by MAYOR AND CITY COUNCIL MEMBERS**
6. **Board Organization**

   CHAIRPERSON ___ VICE CHAIRPERSON ___ SECRETARY ___

   ELECTED ___ APPOINTED ___
7. **Departmental Responsibility CITY MANAGER & DIRECTOR OF FINANCE**
8. **Meeting Date AS CALLED**
9. **Attendance Requirements NONE**

==

RESPONSIBILITIES:
Audit Committee will assist Council and Staff in the review of the audit papers filed by the independent auditor; provide input on the selection of external auditors; and provide recommendations to the best of the council on technical accounting issues.

DUTIES:
Provide input on the selection of External Auditors;
Review Audit Reports;
Provide Recommendations to Council on Technical Accounting matters;
Review the justification for Internal Audit functions;
All other Accounting and Financial Reviews as directed by the City Council.

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.13

**** APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS***
(a) Investment Committee (2)

Issue
Deputy Mayor Willie Steele and Council Member Robert Softly currently serve on the City's Investment Committee. Their terms expire in May 2011. Since the Charter Amendment Election held in November 2011 changed the Election date to November instead of May, the terms for this board need to be extended to November 2011, to coincide with the Council terms.

Background
The Committee provides guidance on investment matters for the City and annually approves the list of brokers and dealers. The Committee also reviews the Quarterly Investment Reports.

Origination
The extension of terms originated with the City Clerk's Office.

Financial Consideration
There is no financial consideration.

Staff Recommendation
It is recommended that the City Council consider extending the terms of members serving on the Investment Committee to coincide with the Council Member terms.

Alternatives
The alternative is to appoint members to this board that do not coincide with the Council Member terms.

Attachments
A roster for the Committee is attached for examination.

Prepared by:
Linda Ashby, City Clerk

Approved by:
George Olson, City Manager

MEMBERSHIP ROSTER

CITY OF SHERMAN
INVESTMENT COMMITTEE

LENGTH OF TERMS:
Term of Elected Office

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Willie Steele	1	A 6/19/2007 R 5/20/2008 R 5/19/2009 R 5/18/2010	5/2008 5/2009 5/2010 5/2011	1 2 3 4	Council Member
Robert Softly	2	A 5/20/2008 R 5/19/2009 R 5/18/2010	5/2009 5/2010 5/2011	1 2 3	Council Member
INVESTMENT COMMITTEE SHALL CONSIST OF THE FOLLOWING CITY OFFICIALS:					
Robby Hefton				NA	Assistant City Manager/CFO

NOTE: Council Member's appointment expires at end of term of elected office.

CITY STAFF: Assistant City Manager/CFO
Revised 5/18/2010

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.14

**** APPOINT/REMOVE OR CONSIDER QUALIFICATIONS***
TO BOARDS AND COMMISSIONS
(a) Tax Reinvestment Committee (2)

Issue
Council Members Joe Smith and Chip Adami currently serve on the City's Tax Reinvestment Committee. Their terms expire in May 2011. Since the Charter Amendment Election held in November 2011 changed the Election date to November instead of May, the terms for this board need to be extended to November 2011, to coincide with the Council terms.

Background
The mission of the Tax Reinvestment Committee is to promote the economic development of Sherman and the Grayson County area by serving as the review point for the tax reinvestment process.

Origination
The extension of terms originated with the City Clerk's Office.

Financial Consideration
There is no financial consideration.

Staff Recommendation
It is recommended that the City Council consider extending the terms of members serving on the Tax Reinvestment Committee to coincide with the Council Member terms.

Alternatives
The alternative is to appoint members to this board that do not coincide with the Council Member terms.

Attachments
A roster and by-laws for the Committee are attached for examination.

Prepared by:
Linda Ashby, City Clerk

Approved by:
George Olson, City Manager

MEMBERSHIP ROSTER

TAX REINVESTMENT COMMITTEE

LENGTH OF TERMS: One Year per By-Laws

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Joe Smith	1	A 5/20/2008 R 5/19/2009 R 5/18/2010	5/2009 5/2010 5/2011	1 2 3 4	Sherman Council Member Voting Member
Chip Adami	4	A 6/7/2005 R 6/6/2006 R 6/19/2007 R 5/20/2008 R 5/19/2009 5/18/2010	5/2006 5/2007 5/2008 5/2009 5/2010 5/2011	1 2 3 4 5 6	Sherman Council Member Voting Member
John Ramsay					Grayson County Voting Member
Johnny Waldrip					Grayson County Voting Member
Ralph Jones					Grayson County Jr. College Voting Member
Bill McFatridge					Grayson County Jr. College Voting Member
Cathy Renshaw					SISD Non-Voting Member
David Kennedy					SISD Non-Voting Member

NOTE: Two (2) Council Members are appointed to this committee.
Both SISD Non-Voting Members are eligible to vote for chairman only

CITY STAFF: City Manager George Olson
Revised 5/18/2010

T:\CITYCLERK\BOARDS\ROSTERS\TAX REINVESTMENT COMMITTEE

BYLAWS FOR TAX REINVESTMENT COMMITTEE
OCTOBER 1, 1995

Mission

The mission of the Tax Reinvestment Committee is to promote the economic development of Sherman and the Grayson County area by serving as the review point of the tax reinvestment process.

Authority

The Committee shall serve as a joint advisory committee to the taxing entities on the subject of tax reinvestment. To serve that purpose, the committee shall provide information on the abatement process, evaluate requests for abatements, and make recommendations on those requests to the governing bodies of each taxing entity. The committee shall not grant tax abatements. That responsibility is reserved by law to the governing bodies of each taxing entity.

Organization

The governing body of each taxing entity shall appoint two elected officials of that taxing entity to serve as representatives on the committee. Those entities which wish to consider and vote on all recommended abatements shall be *active entities* and their representatives shall be *active members*. Those entities which do not wish to consider and vote on all recommended abatements shall be *inactive entities* and their representatives shall be *inactive members*. The status of each taxing entity, in regards to active and inactive, is at the sole discretion of each governing body and such status may change from time to time. The committee may also appoint any number of *ex-officio members* to assist the committee in its work.

Terms

The term of appointment for all members shall be one calendar year. There shall be no limit on the number of terms which a member can serve.

Office of Chairman

The *active and inactive members* shall select from among active members, one member to serve as chairman. The duties of the chairman shall be conducting the meetings of the committee and signing the minutes of the meeting. The chairman shall be allowed to vote on all issues coming before the committee.

Quorum

The requirements for a quorum shall be met if at least four *active members* are present and if all *entities, both active and inactive*, are represented.

Voting

A measure shall be considered passed if a majority of the *active members* present at the meeting vote in favor of the measure. For the purposes of selecting the Chairman, inactive members shall vote.

Acceptance and Amendment of By-Laws

These bylaws shall be considered accepted if the governing bodies of all taxing entities, both *active and inactive*, approve them in open session. Amendments to these bylaws shall also require acceptance by the governing bodies of all taxing entities.

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.15

**** APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS***
(a) Tax Increment Financing Board #1 (3)

Issue
Mayor Bill Magers, Deputy Mayor Willie Steele, and Council Member Chip Adami currently serve on the City's Tax Increment Financing Board #1. Their terms expire in May 2011. Since the Charter Amendment Election held in November 2011 changed the Election date to November instead of May, the terms for this board need to be extended to November 2011, to coincide with the Council terms.

Background
The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing Reinvestment Zone Number One. TIF Zone Number One incorporates essentially all of the Sherman Town Center, on the west side of Highway 75 and south of Loy Lake Road.

Origination
The extension of terms originated with the City Clerk's Office.

Financial Consideration
There is no financial consideration.

Staff Recommendation
It is recommended that the City Council consider extending the terms of members serving on the Tax Increment Financing Board #1 to coincide with the Council Member terms.

Alternatives
The alternative is to appoint members to this board that do not coincide with the Council Member terms.

Attachments
A roster and information sheet for the Committee are attached for examination.

Prepared by:
Linda Ashby, City Clerk

Approved by:
George Olson, City Manager

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #1

LENGTH OF TERMS:
Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Bill Magers	4	A 6/7/2005 R 6/6/2006 R 6/19/2007 R 5/20/2008 R 5/19/2009 R 5/18/2010	5/2006 5/2007 5/2008 5/2009 5/2010 5/2011	1 2 3 4 5 6	Council Member
Willie Steele	1	A 6/19/2007 R 5/20/2008 R 5/19/2009 R 5/18/2010	5/2008 5/2009 5/2010 5/2011	1 2 3 4	Council Member
Chip Adami	4	A 6/7/2005 R 6/6/2006 R 6/19/2007 R 5/20/2008 R 5/19/2009 R 5/18/2010	5/2006 5/2007 5/2008 5/2009 5/2010 5/2011	1 2 3 4 5 6	Council Member
George Olson	n/a				City Manager
Robby Hefton	n/a				Assistant City Manager/CFO

NOTE:

CITY STAFF: George Olson, City Manager
Revised 5/18/2010

FACT SHEET

TAX INCREMENT FINANCING BOARD #1

Established by ORDINANCE 5095 – JANUARY 20, 2003

1. Number of Members: FIVE
2. Term of Appointment: REVIEW ANNUALLY
3. Consecutive Term Rule: N/A
4. Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER, AND ASSISTANT CITY MANAGER
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAT FOR THE SHERMAN TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER ONE
7. Departmental Responsibility: CITY MANAGER
8. Meeting Date: CALLED AS NECESSARY
9. Attendance Requirements: N/A

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PURPOSE:
The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Financing Reinvestment Zone Number One.

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.16

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

(a) Tax Increment Financing Board #2 (3)

Issue

Mayor Bill Magers, Deputy Mayor Willie Steele, and Council Member Chip Adami currently serve on the City's Tax Increment Financing Board #2. Their terms expire in May 2011. Since the Charter Amendment Election held in November 2011 changed the Election date to November instead of May, the terms for this board need to be extended to November 2011, to coincide with the Council terms.

Background

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing Reinvestment Zone Number Two. TIF Zone Number Two is comprised of the Central Business District and an area to the north of the district.

Origination

The extension of terms originated with the City Clerk's Office.

Financial Consideration

There is no financial consideration.

Staff Recommendation

It is recommended that the City Council consider extending the terms of members serving on the Tax Increment Financing Board #2 to coincide with the Council Member terms.

Alternatives

The alternative is to appoint members to this board that do not coincide with the Council Member terms.

Attachments

A roster and information sheet for the Committee are attached for examination.

Prepared by:
Linda Ashby, City Clerk

Approved by:
George Olson, City Manager

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #2

LENGTH OF TERMS:
Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Bill Magers	4	A 6/7/2005 R 6/6/2006 R 6/19/2007 R 5/20/2008 R 5/19/2009 5/18/2010	5/2006 5/2007 5/2008 5/2009 5/2010 5/2011	1 2 3 4 5 6	Council Member
Willie Steele	1	A 6/19/2007 R 5/20/2008 R 5/19/2009 R 5/18/2010	5/2008 5/2009 5/2010 5/2011	1 2 3 4	Council Member
Chip Adami	4	A 6/7/2005 R 6/6/2006 R 6/19/2007 R 5/20/2008 R 5/19/2009 R 5/18/2010	5/2006 5/2007 5/2008 5/2009 5/2010 5/2011	1 2 3 4 5 6	Council Member
George Olson	n/a				City Manager
Robby Hefton	n/a				Assistant City Manager/CFO

NOTE:

CITY STAFF: George Olson, City Manager
Revised 5/18/2010

FACT SHEET

TAX INCREMENT FINANCING BOARD #2

Established by ORDINANCE 5347 – NOVEMBER 7, 2005

1. Number of Members: FIVE
2. Term of Appointment: REVIEW ANNUALLY
3. Consecutive Term Rule: N/A
4. Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER, AND ASSISTANT CITY MANAGER
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAT FOR THE SHERMAN TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO
7. Departmental Responsibility: CITY MANAGER
8. Meeting Date: CALLED AS NECESSARY
9. Attendance Requirements: N/A

PURPOSE:
The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Financing Reinvestment Zone Number Two.

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.17

**** APPOINT/REMOVE OR CONSIDER QUALIFICATIONS***
TO BOARDS AND COMMISSIONS
(a) Tax Increment Financing Board #3 (3)

Issue
Mayor Bill Magers, Deputy Mayor Willie Steele, and Council Member Chip Adami currently serve on the City's Tax Increment Financing Board #3. Their terms expire in May 2011. Since the Charter Amendment Election held in November 2011 changed the Election date to November instead of May, the terms for this board need to be extended to November 2011, to coincide with the Council terms.

Background
The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing Reinvestment Zone Number Three. TIF Zone Number Three is comprised of the Sherman Commons development and portions of Loy Lake Road.

Origination
The extension of terms originated with the City Clerk's Office.

Financial Consideration
There is no financial consideration.

Staff Recommendation
It is recommended that the City Council consider extending the terms of members serving on the Tax Increment Financing Board #3 to coincide with the Council Member terms.

Alternatives
The alternative is to appoint members to this board that do not coincide with the Council Member terms.

Attachments
A roster and information sheet for the Committee are attached for examination.

Prepared by:
Linda Ashby, City Clerk

Approved by:
George Olson, City Manager

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #3

LENGTH OF TERMS:
Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Bill Magers	4	A 6/19/2007 R 5/20/2008 R 5/19/2009 R 5/18/2010	5/2008 5/2009 5/2010 5/2011	1 2 3 4	Council Member
Willie Steele	1	A 6/19/2007 R 5/20/2008 R 5/19/2009 R 5/18/2010	5/2008 5/2009 5/2010 5/2011	1 2 3 4	Council Member
Chip Adami	4	A 6/19/2007 R 5/20/2008 R 5/19/2009 R 5/18/2010	5/2008 5/2009 5/2010 5/2011	1 2 3 4	Council Member
George Olson	n/a				City Manager
Robby Hefton	n/a				Assistant City Manager/CFO

NOTE:

CITY STAFF: George Olson, City Manager
Revised 5/18/2010

FACT SHEET

TAX INCREMENT FINANCING BOARD #3

Established by ORDINANCE 5424 – NOVEMBER 6 , 2006

1. Number of Members: FIVE
2. Term of Appointment: REVIEW ANNUALLY
3. Consecutive Term Rule: N/A
4. Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER, AND ASSISTANT CITY MANAGER
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAT FOR THE SHERMAN TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER THREE
7. Departmental Responsibility: CITY MANAGER
8. Meeting Date: CALLED AS NECESSARY
9. Attendance Requirements: N/A

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PURPOSE:

The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Financing Reinvestment Zone Number Three.

SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. D.18

COUNCIL COMMENTS

The Honorable Bill Magers, Mayor

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. E.1

EXECUTIVE SESSION

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

Section 551.074 **Personnel Matters**

(a) Consider the Qualifications, Appointment and Removal of Members to Boards and Commissions:

(i) Historical Preservation Board (2)

(ii) Planning and Zoning Commission (2)

The Honorable Bill Magers, Mayor

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. F.1

OPEN MEETING
Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session

The Honorable Bill Magers, Mayor

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. F.2

ADJOURNMENT

The Honorable Bill Magers, Mayor

SHERMAN CITY COUNCIL
Agenda Communication Form

From: The Office of the City Manager **Date:** 5-16-2011

Subject: Agenda Item No. N/A

COUNCIL CALENDAR
2011
CITY COUNCIL MEETINGS

JANUARY

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

FEBRUARY

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

MARCH

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

APRIL

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

MAY

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

JUNE

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

JULY

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

AUGUST

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

SEPTEMBER

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

OCTOBER

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

NOVEMBER

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

DECEMBER

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

01/03/11 - January 3rd Council meeting cancelled
01/17/11 - M.L.K., Jr. Birthday / Regular Council Meeting
02/21/11 - Washington's Birthday / Regular Council Meeting
03/03/11 - 12 Noon Long-Term Planning Meeting
03/28//11 - 12 Noon Called Meeting for PH & Adoption of Ord. # (Annexation of 23.065 acres south of Dripping Springs Road and west of Cedar Park Village)
04/21/11 - 12 Noon Budget Planning Meeting in Council Chambers
05/02/11 - City Council Meeting Cancelled
06/17/11 - 8:00 AM Budget Workshop in Council Chambers

07/04/11 - Independence Day - Called Council Meeting on 07/05/11
09/05/11 - Labor Day / Called Council Meeting on 09/06/11