

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, MAY 15, 2017
5:00 P.M.**

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

Public Hearing

- B. 1. PUBLIC HEARING**
2017 Parks, Recreation, and Open Space Master Plan for the City of Sherman, Texas
- B. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6026**
Approving a Negotiated Settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division, Regarding the Company's 2017 Rate Review Mechanism Filings; Declaring Existing Rates to be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement; Finding the Rates to be Set by the Settlement Tariffs to be Just and Reasonable and in the Public Interest; Requiring Reconciliation and Rate Adjustments if Federal Income Tax Rates Change; Terminating the RRM Process for 2018 Pending Renegotiation of RRM Terms and Conditions; Requiring the Company to Reimburse ACSC's Reasonable Ratemaking Expenses; Declaring an Effective Date; Requiring Delivery of this Ordinance to the Company and the ACSC's Legal Counsel
- B. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6027**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District at 6120 North U.S. Highway 75, being 2.0689 acres in the W.S. Thurman Survey, Abstract No. 1265 (Stanley Blythe, Owner; QuikTrip, Tenant; John Pimentel, Representative; and Helvey-Wagner Surveying, Inc., Surveyors)
- B. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6028**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the R-2 (Multi-Family Residential) District at 820 North Sam Rayburn Freeway, being 0.321 acres in the J.B. McAnair Survey, Abstract No. 763 (Concord Village Apartments, Owners; Lisa Hankey, Representative; H&H Drafting and Design, Draftsman; and Underwood Drafting & Surveying, Inc., Surveyors)
- B. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6029**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Manufactured Home Sales in a C-2 (General Commercial) District/O-1.3 (FM Highway 691) Overlay District at 6220 Texoma Parkway, being 5.44 acres in the J.B. Shannon Survey, Abstract No. 1085 (CMH Homes, Inc., Owners; Gary Garza, Representative; and Sartin & Associates, Inc., Surveyor); 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: 6026, 6027, 6028 and 6029

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. 6217

Approving and Adopting the 2017 Parks, Recreation, and Open Space Master Plan for the City of Sherman, Texas

C. 2. RESOLUTION NO. 6218

Authorizing the Acceptance of a General Warranty Deed from Walter H. DeRonde and Mary T. DeRonde for the Conveyance of a 16.088 acre tract of land, more or less, situated in the Elizabeth Jones Survey, Abstract No. 625, City of Sherman, County of Grayson, State of Texas, being more fully described by metes and bounds in the attached Exhibit "A" and illustrated in the attached Exhibit "B"

C. 3. * RESOLUTION NO. 6219

Accepting the Contract with Crescent Constructors, Inc. as Complete for the Construction of the City of Sherman Wastewater Treatment Plant Headworks Lift Station Replacement and Electrical Upgrade Project

C. 4. * RESOLUTION NO. 6220

Awarding a Bid to and Authorizing Execution of a Contract with Andrews Building Service, Inc. for Janitorial Services in Certain City-Owned Facilities

C. 5. * RESOLUTION NO. 6221

Abandoning a Twenty-Two Foot (22') Utility Easement located in Block 3 of the W.M. Shannon Supplement, Volume 26, Page 291, Deed Records, Grayson County, Texas, and being more particularly described on the Exhibit "A" attached hereto and made a part hereof for all purposes, which Abandonment of Alley and Retainer of Utility Easement is recorded in Volume 910, Page 412 of the Deed Records of Grayson County, Texas

C. 6. * RESOLUTION NO. 6222

Abandoning a Sixteen Foot (16') Sanitary Sewer Easement located in Block 3 of the W.M. Shannon Supplement, Volume 26, Page 291, Deed Records, Grayson County, Texas, and being more particularly described on the Exhibit "A" attached hereto and made a part hereof for all purposes, which Sanitary Sewer Easement is recorded in Volume 962, Pages 45 and 66 of the Deed Records of Grayson County, Texas

C. 7. * RESOLUTION NO. 6223

Abandoning a Portion of a Twenty Foot (20') Sanitary Sewer Easement located in Lot 2, Block 2 of Independence Square Addition, Section Three, Volume 24, Page 78, and being more particularly described on the Exhibit "A" attached hereto and made a part hereof for all purposes, which Sanitary Sewer Easement is recorded in Volume 865, Page 640 of the Deed Records of Grayson County, Texas

C. 8. * RESOLUTION NO. 6224

Authorizing Execution of a Development Agreement with Midway Warehouse, LLC for the Construction of Public Water Mains in the Replat of Midway Industrial Park, a 4.26-acre Subdivision East of Texoma Parkway (S.H. 91) along Fallon Drive in the City of Sherman

Change Orders

D. 1. * CHANGE ORDER NO. 2

Approving Greater Texoma Utility Authority's Intent to Execute Change Order No. 2; Sherman Southwest Elevated 1.5 Million Gallon Tank; Landmark Constructors, L.P.; \$35,502.00 Increase

Other Business

E. 1. OTHER BUSINESS

Receive Presentation from Sherman Tourism/Main Street Manager Sarah McRae Regarding DowntownTX.org

E. 2. OTHER BUSINESS

Consider Request of the 2017 Neighborhood Recreational Committee to Temporarily Close Certain Streets for the Annual "Juneteenth Celebration" on Saturday, June 17, 2017

E. 3. OTHER BUSINESS

Consider Request of the Sherman Tourism/Main Street Manager to Temporarily Close Certain Streets and Use Certain City Facilities and Services for the "8th Annual Lights on the Lake" on Monday, July 3, 2017

E. 4. OTHER BUSINESS

Consider Request of the Sherman Tourism/Main Street Manager to Temporarily Close Certain Streets and Use Certain City Facilities and Services for the "35th Annual Sherman Arts Fest" on Saturday, September 16, 2017

E. 5. * OTHER BUSINESS

Replat Approval of Lots 11 & 12, Block 7, Belvedere Estates Addition, being 1.536 acres in the J.B. McAnair Survey, Abstract No. 763 and also being Lots 11 & 12, Block 7, Belvedere Estates Addition; Lauren Whitey Scheibmeir and Raymond and Patsy Harman, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (3213 and 3217 Redbud Trail)

E. 6. * OTHER BUSINESS

Replat Approval of Tuggle Repat in Windsor Place, being a Repat of Lots 1 and 16, Block 4, Windsor Place Addition, being 0.8214 acres in the J.B. McAnair Survey, Abstract No. 763 and also being all of Lots 1 and 16, Block 4, Windsor Place Addition; Grover and Kathleen Tuggle and Ann Mooney, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (2709 Dover Drive and 2702 Yorkshire Drive)

E. 7. * OTHER BUSINESS

Replat Approval of CAJC Addition, being 4.33 acres in the Daniel C. Shelp Survey, Abstract No. 1097; Flanagan Outdoor Power Equipment & Services, Inc., Owner; and Helvey-Wagner Surveying, Inc., Surveyor (5209 Texoma Parkway)

E. 8. * OTHER BUSINESS

Replat Approval of W.M. Shannon's Supplement, Block 3, Lot 7R, being part of Lots 7, 8, 9 and 10 and an Abandoned Alley in Block 3, W.M. Shannon's Supplement, containing 0.762 acres; Mike and Gina Adams, Owners; and Preston Trail Land Surveying, LLC, Surveyor (1711 and 1715 North Woods)

F. CITIZEN REQUESTS

G. MEDIA QUESTIONS

H. COUNCIL COMMENTS

Executive Session

I. 1. EXECUTIVE SESSION

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

Section 551.071 Consultation with City Attorney concerning Pending or Contemplated Litigation

Section 551.087 Deliberation Regarding Economic Development Negotiations:
(a) Deliberate Regarding Commercial or Financial Information that the City has Received from a Business Prospect and Deliberate any Offers or Incentives to the Business Prospect

The Council reconvenes into General Session

J. 1. OPEN MEETING

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

K. ADJOURNMENT

COUNCIL CALENDAR

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on May 11, 2017 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 11th day of May, 2017
City of Sherman, Texas

City Clerk

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

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

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

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

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

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

Mayor

David Plyler

Deputy Mayor

Jason Sofey

Council Members

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

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

Shawn C. Teamann, Council – District #1

Terrence R. Steele, Council – District #2

Pamela L. Howeth, Council – District #3

Charles H. Brown, Sr., Council – District #4



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

A.4.

Meeting Date: 05/15/2017

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 1, 2017

Attachments

May 1, 2017

Tax Increment Financing Policy

Sherman Retail Landscape

Sherman Retail Industry

laurel e.

May 1, 2017

MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR JASON SOFEY. COUNCIL MEMBERS BROWN, COUCH, HOWETH, STEELE, TEAMANN.

CALL TO ORDER

CALL TO ORDER

APPROVE MINUTES

**ECONOMIC
DEVELOPMENT
WEEK
(MAY 8-13, 2017)**

**MOTORCYCLE
SAFETY &
AWARENESS MONTH
(MAY 2017)**

1

“SHERMAN BIKE MONTH” – MAY 2017

Council Member Teamann presented a proclamation designating May 2017 as “Sherman Bike Month” to Sholdon Daniels, Parks and Recreation Board Chairman.

SHERMAN BIKE
MONTH
(MAY 2017)

Mr. Daniels thanked the City Council and the City of Sherman for being supportive of the bicycle infrastructure request. He said many people will take advantage of the changes, which might include shared bike lanes, dedicated bike lanes or additional signs. He said they appreciate the City trying to make it safer for bicyclists.

Mr. Daniels thanked Theresa Hutchinson, Parks and Recreation Manager; Michael Kelley; and Terry Templeton, for their help in moving forward with the Bike Sherman project.

RESOLUTION NO. 6212 – DECLARING SUPPORT FOR THE
PRIORITIZATION OF CITYWIDE BICYCLE INFRASTRUCTURE
IMPROVEMENTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING SUPPORT FOR THE PRIORITIZATION OF CITYWIDE BICYCLE INFRASTRUCTURE IMPROVEMENTS.

RES 6212
BICYCLE
INFRASTRUCTURE
IMPROVEMENTS

Robby Hefton, City Manager, said this item is a continuation of recognizing “Sherman Bike Month” and the renewed priorities on identifying different aspects of the park facilities and programs offered.

He said Council Members should have a draft copy of the newly updated Parks Master Plan which will be submitted to the City Council at a future Council Meeting. He said the resolution is one of many steps that the City will take to address the need and desire for the infrastructure improvements.

Steve Ayers, Director of Public Services, said the staff is looking at the Parks Master Plan, which will place an emphasis on bikes. They are working with all partners and reviewing the Master Plan, and he said they will be presenting some realistic first steps for the project in the future.

Council Member Teamann said he was very encouraged watching the local City government operate and see the citizen support for bicycle infrastructure improvements.

They have been meeting about adding some bicycle boulevards, which would be a shared roadway space to help interconnect Sherman parks. He said it was encouraging to see the plans that are happening now and the opportunity to build on those in the future.

Mr. Hefton said there are some items that would not be so costly, but would be more of a planning effort. However there

are some more costly items that would be budgetary, such as obtaining right-of-way and constructing actual paths. Those items will probably be discussed during the annual Budget Workshop. He said it is a long-term process.

Council Member Howeth said there are many students that walk to school, because they are older and don't think "biking is cool." She said seeing responsible, adult males biking and speaking about biking might be a good influence for the male students.

Council Member Couch felt it was indicative of a growing City to have this type of infrastructure. He felt it improved the quality of life and promoted the demographics, and would be an important economic development incentive. Council Member Steele agreed saying this would make Sherman more attractive to younger professionals.

ACTION TAKEN.

Motion by Council Member Teamann to adopt Resolution No. 6212, as presented. Second by Council Member Brown.

VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

PUBLIC HEARING

CONDUCT THE SECOND PUBLIC HEARING CONCERNING THE ANNEXATION OF A 459.6 ACRE TRACT OF LAND ON PRESTON CLUB DRIVE, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRATERRITORIAL JURISDICTION

Mr. Hefton said this is the second public hearing that is necessary for the annexation of Preston Club Estates. There is one more final action that will be taken at a Called Meeting on May 22, 2017.

No citizens appeared before the City Council to discuss the annexation of a 459.6 acre tract of land on Preston Club Drive.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 6025 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ISSUANCE OF "CITY OF SHERMAN, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS; ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF THE BONDS; DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF THE BONDS TO AUTHORIZED CITY

**ANNEXATION
PRESTON CLUB
DRIVE**

**ORD 6025
GENERAL OBLIGATION
BONDS**

OFFICIALS; AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY.

Mary Lawrence, Director of Finance, said several weeks ago, Garry Kimball, Managing Director, Specialized Public Finance, notified the City of a savings opportunity by refinancing some older bonds that were at a higher rate.

Mr. Kimball said in addition to assisting the City with the issuance of new bonds, they also monitor the portfolio of existing debt, looking for savings opportunities.

They have identified four previously issued series of bonds, Series 2006, Series 2008, Series 2009, and Series 2009 A, that have an average interest rate of approximately 4%, that go out to 2030. At the current rate, it would allow the City to bring the interest rate down to about 2.55%.

The net savings would be over \$500,000, and would be realized over the period of 2018 to 2030, at approximately \$40,000 annually. Mr. Kimball said they are not proposing to extend the original maturity date.

Mr. Hefton said Ms. Lawrence actually brought the proposal to the staff after talking with Mr. Kimball. He said they have a great working relationship to save taxpayer dollars. He said Sherman is in a “growth mode” now and talking about expansion plans, but the staff is also looking at ways to save money. Mr. Hefton added that \$40,000 per year may not seem like much, but that’s an employee, or street material, or more library books. The staff is working to make the tax dollars stretch.

No citizens appeared before the City Council to discuss Ordinance No. 6025.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ISSUANCE OF “CITY OF SHERMAN, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017”; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS; ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF THE BONDS; DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF THE BONDS TO AUTHORIZED CITY OFFICIALS; AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY.

ORD 6025
GENERAL OBLIGATION
BONDS

ACTION TAKEN.

Motion by Council Member Couch to adopt Ordinance No. 6025, as presented. Second by Deputy Mayor Sofey.

VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

OTHER BUSINESS

RECEIVE PRESENTATION FROM FINANCE DIRECTOR MARY LAWRENCE ON THE CITY OF SHERMAN'S TAX INCREMENT FINANCING POLICY

TAX INCREMENT FINANCING POLICY

Ms. Lawrence said in February 2017, the City Council approved an update to the Tax Increment Financing Policy, which is a method to fund infrastructure in a designated area, with money set aside for that particular purpose.

The "increment" is a captured, appraised value above the base value. As development occurs, the increased value is captured and the tax increment is put into a tax increment fund. The base value taxes stay with the City's general revenue. When the Tax Increment Reinvestment Zone ends, all tax goes back into the City's general revenue fund.

Ms. Lawrence said streets are constructed and the process starts the cycle of development in the designated zone. She said there are two ways of financing. The developer can finance the project and then the City reimburses him or the City can set aside the tax increment. Debt can be used with either method.

Creation of a TIRZ is governed by the Tax Code and Ms. Lawrence outlined the steps to approval. The Council will appoint a board to approve the proposed projects. By partnering with Grayson County, they help pay for part of the infrastructure, and it's a good leverage of the tax dollars. Currently the City has five TIRZ, with none designated as number four.

Ms. Lawrence said the impact of the TIRZ is that it makes the Effective Tax Rate a little higher, the City does lose the incremental tax revenue but there will be some offset by additional sales tax and utility revenue.

Tonight the City Council will consider two interlocal agreements with Grayson County and the appointment of membership to two boards.

Mr. Hefton said two things happen with the TIRZ districts. The first is that an additional ad valorem tax base is generated. However, a "bigger import" is the amount of sales

tax that is generated. He added that for every dollar the City receives in ad valorem taxes, it receives about \$4 in sales tax. No sales tax dollars are set aside as part of the tax increment. This sales tax helps keep the property taxes low for the citizens.

He added that it is a tool that the City has to enhance and hasten development in areas that would otherwise not develop or develop more slowly. It has been used strategically by the City, with the first zone being passed in 2003-2004, as Sherman Town Center was being built.

Zone 5 and 6 are the first TIRZs that Grayson County has participated in, which will allow more infrastructure development in these areas.

RESOLUTIONS

RESOLUTION NO. 6213 – AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SHERMAN AND GRAYSON COUNTY TO PARTICIPATE IN THE SHERMAN TAX INCREMENT REINVESTMENT ZONE #5

**RES 6213
TAX INCREMENT
REINVESTMENT
ZONE #5**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SHERMAN AND GRAYSON COUNTY TO PARTICIPATE IN THE SHERMAN TAX INCREMENT REINVESTMENT ZONE #5.

ACTION TAKEN.

Motion by Council Member Teamann to adopt Resolution No. 6213, as presented. Second by Council Member Steele.

VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6214 – AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SHERMAN AND GRAYSON COUNTY TO PARTICIPATE IN THE SHERMAN TAX INCREMENT REINVESTMENT ZONE #6

**RES 6214
TAX INCREMENT
REINVESTMENT
ZONE #6**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SHERMAN AND GRAYSON COUNTY TO PARTICIPATE IN THE SHERMAN TAX INCREMENT REINVESTMENT ZONE #6.

ACTION TAKEN.

Motion by Council Member Howeth to adopt Resolution No. 6214, as presented. Second by Deputy Mayor Sofey.

VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6215 – AUTHORIZING THE ACCEPTANCE OF A CONVEYANCE DOCUMENT FROM ARTEMIO CANTU

**RES 6215
PURCHASE OF**

AND MARIA CANTU FOR THE CONVEYANCE OF PROPERTY LOCATED AT 1309 CHURCHILL WAY, BEING LOTS 22 AND 23, BLOCK 2 OF CHURCHILL PARK ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 2, PAGE 92 OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

PROPERTY IN THE
FLOODPLAIN
(1309 CHURCHILL
WAY)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A CONVEYANCE DOCUMENT FROM ARTEMIO CANTU AND MARIA CANTU FOR THE CONVEYANCE OF PROPERTY LOCATED AT 1309 CHURCHILL WAY, BEING LOTS 22 AND 23, BLOCK 2 OF CHURCHILL PARK ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 2, PAGE 92 OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

Clint Philpott, Director of Engineering, said this is the third house that has been purchased with the FEMA Severe Repetitive Loss Grant that the City received about a year ago.

The grant pays 90% of the value of the home, with the City paying the other 10%. This grant allows the City to purchase property in the floodplain, in hazardous areas. All purchases are voluntary. The City has previously purchased homes on Lamberth Road and McGee Street through this program. Mr. Philpott said there will be several more similar purchases in the coming year.

ACTION TAKEN.

Motion by Council Member Steele to adopt Resolution No. 6215, as presented. Second by Council Member Teamann.

VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6216 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF AN EXCLUSIVE CONCESSION STAND LICENSE AGREEMENT WITH OTIS FOSTER, III AND MAVIS REGINA FOSTER DBA SUGAR BEAR FOR THE OPERATION OF A CONCESSION STAND IN FAIRVIEW, HAWN, AND ROSEDALE PARKS CONSISTENT WITH SCHEDULES PROVIDED BY THE PARKS AND RECREATION DEPARTMENT

RES 6216
CONCESSION STAND
IN FAIRVIEW, HAWN
& ROSEDALE PARKS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF AN EXCLUSIVE CONCESSION STAND LICENSE AGREEMENT WITH OTIS FOSTER, III AND MAVIS REGINA FOSTER DBA SUGAR BEAR FOR THE OPERATION OF A CONCESSION STAND IN FAIRVIEW, HAWN, AND ROSEDALE PARKS CONSISTENT WITH SCHEDULES

PROVIDED BY THE PARKS AND RECREATION
DEPARTMENT.
CONSENT AGENDA.

CHANGE ORDER NO. 1
SOLID WASTE CART BARN CONSTRUCTION PROJECT;
JERRY PAUL HIGGINS, LTD; \$34,839.00 INCREASE

The City Council approved Change Order No. 1 to Jerry Paul Higgins, Ltd., for a \$34,839 increase for the Solid Waste Cart Barn Construction Project.

During the initial construction assessment meeting, it was established that there was a need for a more intensive foundation to assure the integrity of the new building. Additional design work was completed by the contractor and their engineer.

This new design will increase the contract by an additional \$34,839 to complete, yielding a final contract price of \$199,612.

CONSENT AGENDA.

OTHER BUSINESS
RECEIVE PRESENTATION FROM AUSTIN COLLEGE
STUDENT SHAWN SLOWINSKI ON FINDINGS FROM A
RETAIL SURVEY PERFORMED IN CONJUNCTION WITH THE
SHERMAN CHAMBER OF COMMERCE

Eddie Brown, President, Sherman Chamber of Commerce, introduced two people that were instrumental in helping with the Retail Survey. He introduced Dr. Martinella Dryburgh, Director of the Austin College Posey Leadership Institute, and Cary Wacker, the Director for the Center for Community and Regional Development.

Mr. Brown introduced Shawn Slowinski, a Senior at Austin College, who presented his Senior Leadership Capstone Project on the Sherman Retail Landscape. Mr. Slowinski partnered with the Chamber of Commerce to study the retail environment in Sherman. This includes “retail leakage” which is business lost in Sherman when residents shop in other cities, and “shopper perceptions” about Sherman.

The survey was sent to Chamber members and contained seven questions. Eighty nine surveys were returned. Mr. Slowinski also provided a “Shopper Survey” with two questions, that received 18 responses during a Coffee with the Mayor event.

He outlined the survey results showing that almost 80% felt there was a good mix of local and national retailers and almost 85% saying there were more retailers in downtown than two years ago. The survey also showed that most respondents wanted more food and specialty retail options in Sherman. He gave examples of the types of businesses that would fall into the various categories.

CHANGE ORDER NO. 1
SOLID WASTE
CART BARN

RETAIL SURVEY

Mr. Slowinski said the three key findings from the survey were that respondents desire more name brand chain retailers, there is a pattern of wanting more variety across price points, and retail in Sherman has the potential for growth.

Mayor Plyler asked what the most requested restaurant was in the survey. Mr. Slowinski said the most requested was Pei Wei.

Council Member Brown said there is not much entertainment in Sherman for young adults. Currently there is only the skating rink. He said he is working to encourage a business such as Main Event to come to Sherman.

Council Member Couch verified that no socioeconomic status of citizens was captured. The survey was only sent to Chamber of Commerce members.

Mr. Hefton said it wasn't planned, but the timing of the survey coincides with the Council talking about the importance of developing or expanding a commercial and retail base with the two new TIRZs. He said there is room for expansion in Sherman and all that's needed is for the retailer to move here.

CONSIDER APPLICATIONS FOR THE SHERMAN DOWNTOWN OCCUPANCY INCENTIVE GRANT PROGRAM

Nate Strauch, Community and Support Services Manager, introduced the final set of applications for the "Jumpstart the Heart" Occupancy Incentive Program. Three of the applicants attended the meeting to present their business plan.

**DOWNTOWN
OCCUPANCY
INCENTIVE GRANT
APPLICATIONS**

Amanda Robinson presented her business plan for Board and Brush Sherman, Emmi Wilson presented hers for laurel e., and Sean Vanderveer presented his for The Lots on Travis Street.

Ms. Robinson said Board and Brush is a "do it yourself" instructional workshop for making high quality hand-painted wood signs. The store would be located at 215½ North Travis Street, Suite B. She gave some background about the company.

Ms. Wilson said laurel e. will be a women's ready-to-wear fashion boutique specializing in fashion forward and moderately priced women's clothing and accessories, as well as a small line of gift items. The store will be located at 110 South Crockett Street.

Mr. Vanderveer said The Lots on Travis Street will revive an empty lot at 117 North Travis Street and add a food truck lot to hold space for up to six food trucks or trailers at a time.

Council Members will discuss the applications in Executive Session.

DISCUSSION AND RECAP OF RECENT TEXOMA COUNCIL OF GOVERNMENTS MEETING

TCOG MEETING

Council Member Couch serves as Sherman's representative and Vice President, on the Texoma Council of Governments Board of Directors. He presented an update on recent issues at TCOG.

He explained that Dr. Susan Thomas, Executive Director of TCOG, was involved with a subordinate and she failed to inform the Board of that relationship. She also failed to inform the Board of allegations of fraud and abuse within the employee's apartment. She cost the taxpayers \$930,000 on a Whistleblower's lawsuit.

Council Member Couch said these issues indicate that her contract does not need to be renewed. He said there are six public officials, one in Grayson County, that "can look their constituents in the eye and say that behavior is okay."

He added that TCOG is responsible for dispersing about \$10 million in taxpayer dollars annually to support some of the most vulnerable citizens.

He said, under Dr. Thomas, TCOG has grown larger and less efficient using more tax dollars every single year. Council Member Couch felt that TCOG has lost track of its core mission, which is to serve the taxpayers of Cooke, Grayson, and Fannin Counties. He said there is also "out of control government spending and lack of accountability."

He said it was their job, as representatives of the taxpayers, to make a change at the top, in order to change those things. He said the organization "is the poster child" for government bloat, and features reckless spending, corruption, and unaccountability.

He encouraged Dr. Thomas to step down from her position as Executive Director and if she doesn't he encouraged the Board to "step up to the plate" and vote to remove her.

Currently there are 13 members on the TCOG Board that can vote. One member was out of town, so the vote to remove Dr. Thomas resulted in a six-to-six tie. Grayson County stood united in the vote.

Council Member Couch said all depositions are available to the public. He added that Dr. Thomas must be removed by vote of the Board of Directors. It was tabled until the June 2017 Meeting. Her contract ends August 31, 2017. Council Member Teamann confirmed that a seven person vote would be needed to renew her contract.

CITIZENS REQUESTS

There were no citizens requests.

CITIZENS REQUESTS

MEDIA QUESTIONS

There were no media questions.

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

TAX INCREMENT REINVESTMENT ZONE #5 BOARD (3)

Ms. Lawrence said the next two agenda items are the board appointments for the Tax Increment Reinvestment Zones #5 and #6 that were discussed earlier in the meeting. The Board will be approving the project and financing plan. It is composed of five members, three from the City Council, one from Grayson County, and the City Manager.

Mr. Hefton said the Mayor serves on the TIRZ Boards that have already been appointed for the City.

TAX INCREMENT REINVESTMENT ZONE #6 BOARD (3)
ACTION TAKEN.

Motion by Council Member Steele to appoint Mayor David Plyler, Deputy Mayor Jason Sofey, and Council Member Shawn Teamann to the Tax Increment Reinvestment Zone #5 Board and to appoint Mayor David Plyler, and Council Members Pam Howeth and Kevin Couch to the Tax Increment Reinvestment Zone #6 for a term from May 2, 2017 to November 2017. Second by Council Member Brown.

VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

COUNCIL COMMENTS

DOWNTOWN OCCUPANCY GRANT

Council Member Teamann said he was excited to see the new businesses apply for the Downtown Occupancy Grant.

PROCLAMATIONS

Council Member Teamann said he was excited about the proclamations tonight, especially the ones for “Motorcycle Safety and Awareness Month” and “Sherman Bike Month.” He was glad to see that the City was continuing to support these activities.

APRIL 2017 BUILDING PERMIT LIST

Council Member Couch said the April 2017 Building Permit List included a \$1.5 million car wash, a \$250,000 gas station remodel, an \$820,000 new store on US Hwy 82, and 15 residential homes with an average value of \$180,000. This amounts to a total of about \$6 million in private sector investment in the City in one month. He said growth leads to more growth.

**SHERMAN INDEPENDENT SCHOOL DISTRICT BOND
ELECTION**

Council Member Couch said Early Voting on the Sherman

MEDIA QUESTIONS

**TAX INCREMENT
REINVESTMENT
ZONE #5**

**TAX INCREMENT
REINVESTMENT
ZONE #6**

**DOWNTOWN
OCCUPANCY GRANT**

PROCLAMATIONS

**APRIL BUILDING
PERMIT LIST**

SISD BOND ELECTION

Independent School District Bond Election ends tomorrow. He said opponents of the bond issue have indicated that Sherman isn't growing or that the growth will stop if a new high school is built. He said he voted and "backed the bond" and encouraged other citizens to make their voice heard and keep Sherman growing.

"CRAWS FOR PAWS" EVENT

Council Member Steele said it's always good when you see young people that grew up in Sherman, moved to other cities, but that want to come back to Sherman to "plant roots."

He said he recently attended a "Craws for Paws" event sponsored by Texoma Arts and Mentoring Program, to help underprivileged children. He asked citizens to encourage the young people and give them good community support.

CRUSHED CONCRETE FOR PROJECTS

Council Member Steele said the City crushes concrete for projects and he asked if they would want concrete from a business that is removing it from their facility.

Mr. Hefton said the City does have an area on Ida Road that is a storage ground for concrete that ultimately gets crushed. The crushed concrete is then used as base for projects. This process costs about half the amount of using other base material and saves taxpayer money. He thought the business owner would need to haul the concrete to the City's facility.

TAX INCREMENT REINVESTMENT ZONES

Deputy Mayor Sofey said the TIRZs that are in place in Sherman help with growth. There will be millions of dollars invested in the community in both the newly designated areas.

SISD BOND ELECTION

Deputy Mayor Sofey encouraged citizens to vote in the SISD Bond Election.

YOUNG PEOPLE COMING HOME TO SHERMAN

Council Member Howeth said she was very pleased with the number of young people that are coming home to Sherman. When she has them in class as a senior, they only think about getting out of Sherman.

She said eventually they determine that Sherman was a pretty good place to live and come back to start businesses and families, and some are elected to office. She added that Sherman is a great place to live and raise a family.

YOUNG PEOPLE COMING HOME TO SHERMAN

Council Member Brown said he was excited about what's going on in Sherman and to see the young people coming back. He said there are incentives to go downtown.

CRAWS FOR
PAWS EVENT

CRUSHED CONCRETE
FOR PROJECTS

TIRZS

SISD BOND ELECTION

YOUNG PEOPLE
COMING HOME
TO SHERMAN

YOUNG PEOPLE
COMING HOME
TO SHERMAN

He is still working to bring young adult and family entertainment to Sherman.

GROWTH THROUGH ANNEXATION

Mayor Plyler said they talked about Sherman growing and the annexation on tonight's agenda is to annex nearly 500 acres. Sherman is growing and looking forward to future growth.

**GROWTH THROUGH
ANNEXATION**

HOT SUMMER NIGHTS

Mayor Plyler thanked Sarah McRae Tourism/Main Street Manager, for her hard work in putting together the Hot Summer Nights line-up this year. He said it's probably one of the best in the State. He said he was particularly excited about Three Dog Night and Blue Oyster Cult. There are also some great Texas country bands scheduled.

HOT SUMMER NIGHTS

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

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

EXECUTIVE SESSION

- | | |
|-----------------|---|
| SECTION 551.071 | CONSULTATION WITH CITY
ATTORNEY CONCERNING
PENDING OR CONTEMPLATED
LITIGATION |
| SECTION 551.074 | PERSONNEL MATTERS
CONSIDER THE QUALIFICATIONS,
APPOINTMENT AND REMOVAL OF
MEMBERS TO BOARDS AND
COMMISSIONS:
PLANNING AND ZONING
COMMISSION (2) |
| SECTION 551.087 | DELIBERATE REGARDING
ECONOMIC DEVELOPMENT
NEGOTIATIONS:
DELIBERATE REGARDING
COMMERCIAL OR FINANCIAL
INFORMATION THAT THE CITY
HAS RECEIVED FROM A
BUSINESS PROSPECT AND
DELIBERATE ANY OFFERS OR
INCENTIVES TO THE BUSINESS
PROSPECT |

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 6:28 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:03 p.m. and reconvened in Open Meeting.

COUNCIL MINUTES – MAY 1, 2017

OPEN MEETING

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

PLANNING AND ZONING COMMISSION (2)

ACTION TAKEN.

Motion by Council Member Steele to remove Chris Vellotti and Sam Thorpe from the Planning and Zoning Commission and replace them with David Downtain and Trish Bridges for a full term from May 2, 2017 to May 2, 2019. Second by Council Member Couch.

VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

ACTION TAKEN.

Motion by Council Member Couch to appoint Clay Mahone to serve as Chairman of the Planning and Zoning Commission for a term from May 2, 2017 to May 2, 2019.

Second by Council Member Teamann.

VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

CONSIDER APPLICATIONS FOR THE SHERMAN DOWNTOWN OCCUPANCY INCENTIVE GRANT PROGRAM

ACTION TAKEN.

Motion by Council Member Howeth to approve the applications of laurel e. and Board and Brush Sherman, into the Downtown Occupancy Incentive Grant Program, as presented. Second by Council Member Couch.

VOTING AYE: Brown, Couch, Howeth, Sofey, Steele, Teamann.

VOTING NAY: None.

MOTION CARRIED.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:04 p.m.

OPEN MEETING

PLANNING & ZONING COMMISSION

DOWNTOWN OCCUPANCY INCENTIVE GRANT APPLICATIONS

ADJOURNMENT

MAYOR _____

CITY CLERK

City of Sherman Tax Increment Financing

Finance Department

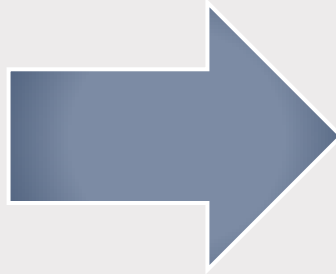
March 6, 2017

Purpose

Promote development or redevelopment that would not occur solely through private investment in the reasonably foreseeable future.

Tax Increment Reinvestment Zone

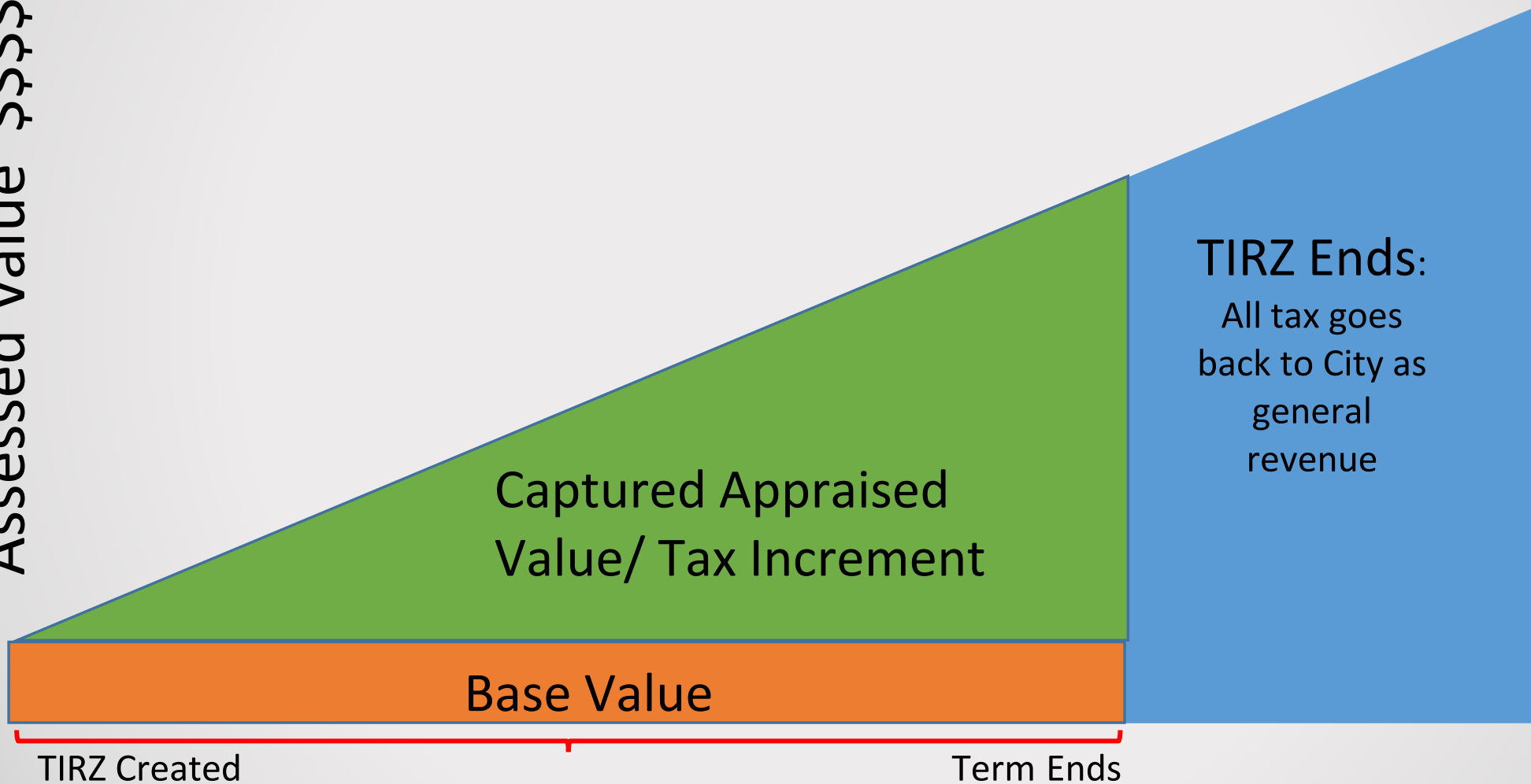
Creation of a Tax
Increment
Reinvestment Zone



Tax Increment - property tax
revenue growth from an
increase in assessed value
within the zone

Tax Increment

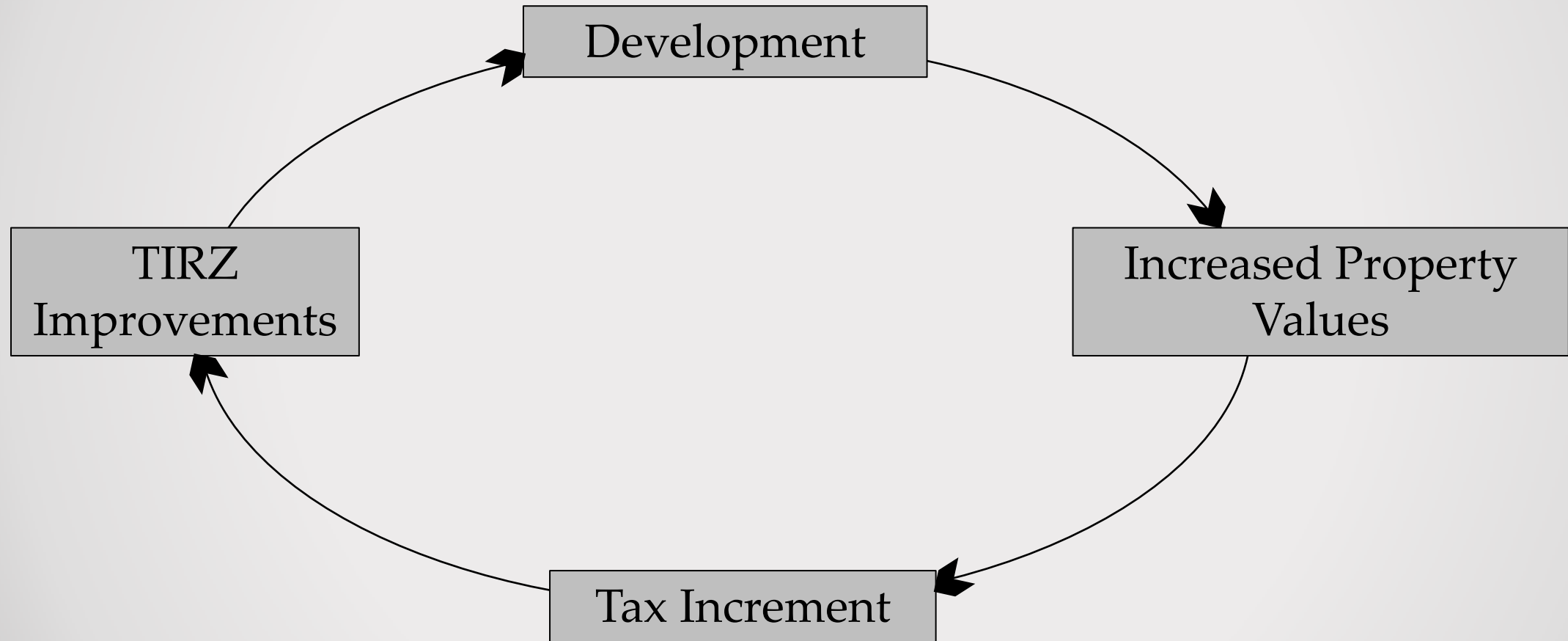
Assessed Value \$\$\$



Criteria

- The zone area must meet one of four criteria
 - **Sound growth is impaired**, the area is an economic or social liability or public health menace
 - Predominantly undeveloped and **sound growth is impaired**
 - Federally assisted new community
 - Regional commuter system

In other words, public investment will stimulate economic development in the zone



Two Ways of Financing

- Developer finances project, then city reimburses
 - Town Center
 - Woodmont
- City sets aside tax increment
 - Downtown

Texas Statute

- Tax Code Section 311
 - Designate area
 - Preliminary Reinvestment Zone Financing Plan
 - Public Hearing
 - Ordinance
 - Interlocal?
 - Appoint Board
 - Project and Financing Plans

City of Sherman TIF Policy

- Purpose and Objectives
 - Economic development
 - Primarily industrial and commercial
- Creation Criteria
 - Statutory requirements
 - Ability to generate increment within 2 years
 - Participation by other taxing entities and developers
 - Development unlikely without infrastructure improvements
 - Incentive tool to recruit investment
- Eligibility
 - Construction Schedule
 - Project costs
 - Tax increment projection

Current TIRZ

Tax Increment Reinvestment Zones

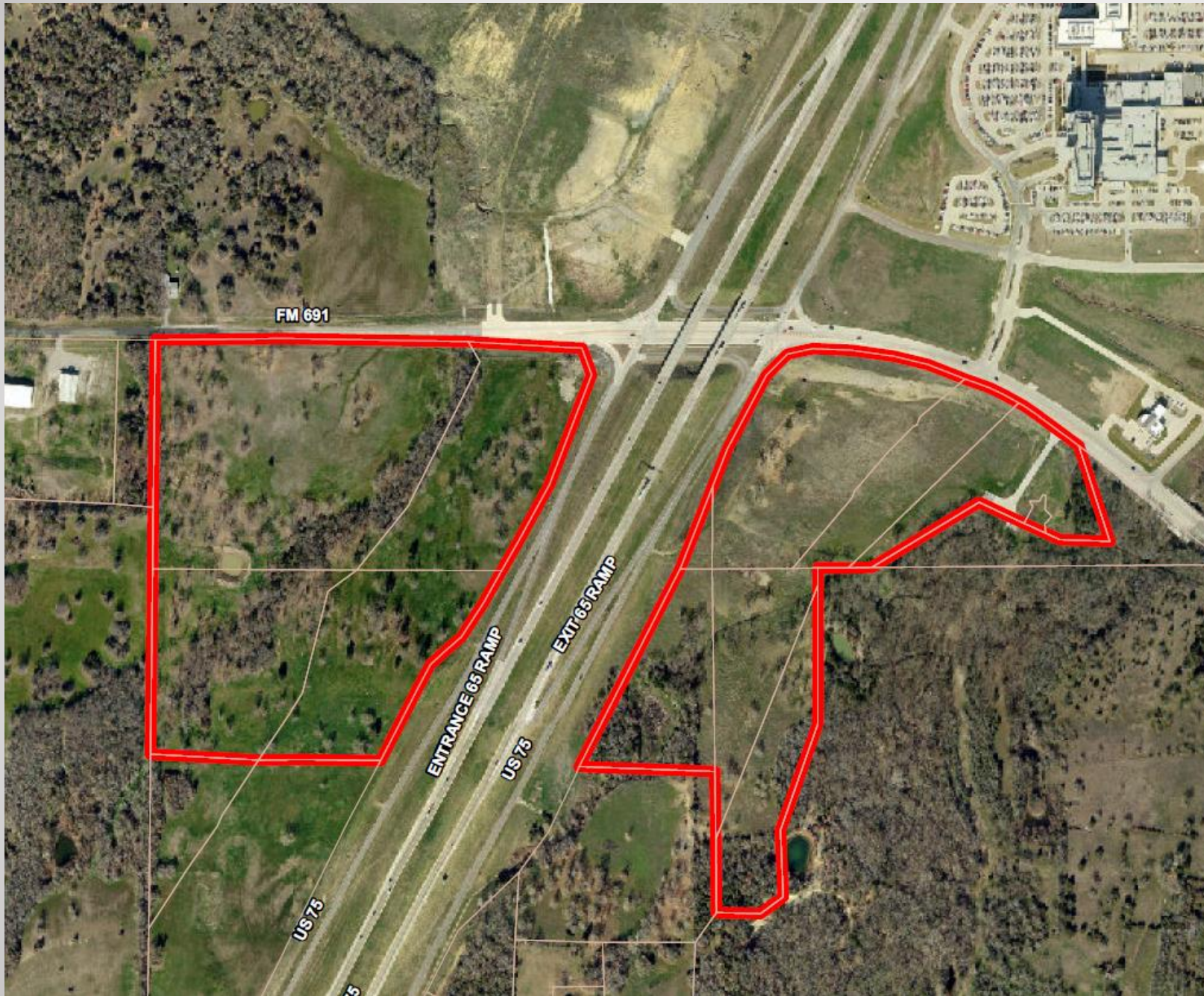
March 6, 2017

Zone Number	Description	Base	Net Taxable		
			1/1/2016	TIF Taxable	TIF Taxes
TIRZ #1	Town Center	\$ 3,552,682	\$ 132,594,832	\$ 129,042,150	\$ 279,847
TIRZ #2	Downtown	15,263,809	37,458,737	22,194,928	87,515
TIRZ #3	Woodmont	5,915,805	43,870,422	37,954,617	149,655
TIRZ #5 *	Sherman Crossroads	4,085,797	4,085,797	-	-
TIRZ #6 *	Sherman Landing	5,960,961	5,960,961	-	-
		\$ 34,779,054	\$ 223,970,749	\$ 189,191,695	\$ 517,017

* Estimated

TIRZ #5 Sherman Crossroads





TIRZ #6

TIRZ Impacts & Issues

- Effective Tax Rate is higher
- Incremental tax - General Fund loss may be offset
- Participation by other taxing entities
- Other funding options
- Other development tools
 - Tax Abatements
 - SEDCO
 - Chapter 380 Agreements
 - Hotel/Motel Taxes

Questions?

Sherman Retail Landscape

**Austin College Capstone Leadership
Project produced in partnership with
the Sherman Chamber of Commerce**



Prepared by Shawn Slowinski
as a part of the Austin College LEAD 495: Senior conference:
Advanced studies class, Spring 2017,
in cooperation with the Center for Community and Regional Development
Cover photo: shermanchamber.us

Table of Contents

4	Introduction
5	Methodology
	E-survey
	Shopper survey
6	Results
	Question 1
	Questions 3-7
	Question 2—Analysis
13	Key Findings

Acknowledgements

Austin College Posey Leadership Institute
Martinella Dryburgh, PhD, *Director*

Center for Community and Regional Development
Cary Wacker, *Director*

Austin College Executive-in-Residence Stephanie Motz

The Sherman Chamber of Commerce
Eddie Brown, *President/CEO*

Introduction

When thinking of the Sherman retail landscape, “growing quickly” is what comes to mind. With this research, the goal was to learn more about this environment and provide quality evidence that point towards clear action steps. The research was done over the length of one college semester, so it is limited in scope, but it does provide a snapshot of shopper and business attitudes. The project was produced for an Austin College Capstone Leadership project in partnership with the Sherman Chamber of Commerce. Analysis of information learned through two surveys could help city officials make educated decisions for the future in the goods and services industry.

Three Key Observations

- 1. Respondents desire more name brand chain retailers**
- 2. There is a pattern of wanting more variety across price points including upscale choices**
- 3. Retail in Sherman still has potential for growth**

Sherman Chamber of Commerce:

“The Sherman Chamber of Commerce is a nonprofit organization made up of local business, churches, nonprofits, local government officials and volunteers that work together to promote our community.”

- shermanchamber.us



Methodology

Early in the project, input was provided by President/CEO of the Sherman Chamber of Commerce, Eddie Brown, to determine the best methodology to gather the information wanted. With the limited time frame, instead of handing out surveys face-to-face, online surveying was chosen in order to reach more respondents, receive results back more quickly and for easier analysis.

The primary survey was constructed on www.surveymonkey.com, with assistance from Austin College faculty member Stephanie Motz, Retail Executive in Residence. This survey was sent to Chamber members to ask their opinions on what is missing from the retail landscape in Sherman, and gather some of their thoughts on the perception of Sherman's current retail climate. This survey also gathered opinions on the health of current businesses in Sherman and their expectations for growth/expansion.

Question 2, which asked respondents to name retailers and restaurants they believed "missing" from local shopping options, generated a significant number of responses. Later in the semester, a second, two-question survey was designed to allow some face-to-face responses. These questions allowed for free response. Attendees at Sherman's "Coffee with the Mayor" event were surveyed to generate additional responses to the question of what is missing in the Sherman retail landscape.

From the e-survey, 89 responses were received. In addition, there were 18 responses from the Coffee with the Mayor event. Combined with the "SurveyMonkey" instrument, Question 2 yielded a total of 107 unique respondents.

Questions from the two surveys are displayed on the following page.

E-Survey

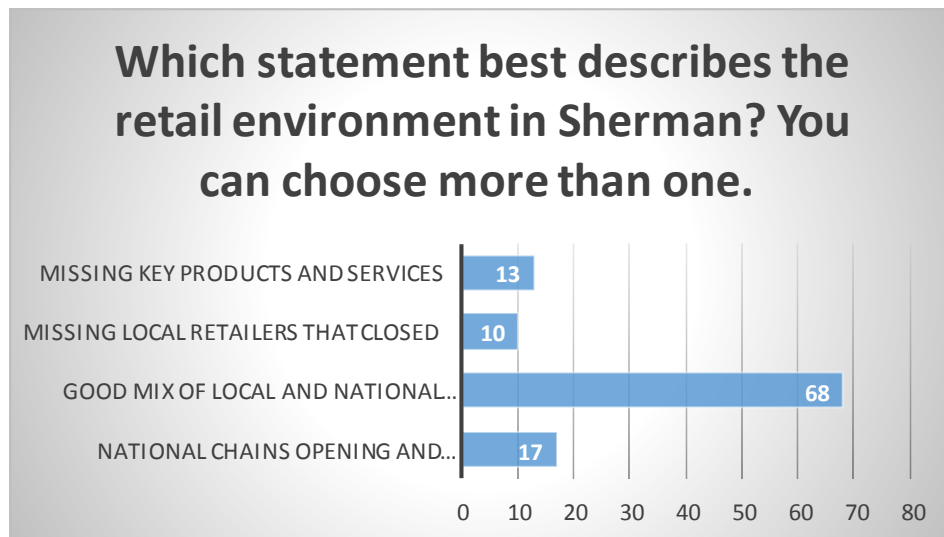
1. Which statement best describes the retail environment in Sherman? You can choose more than one.
 - A. Missing key products and services
 - B. Missing local retailers that closed
 - C. Good mix of local and national retailers
 - D. National chains opening and thriving
2. What retailer or type of retail is missing in Sherman?
[Comment box]
3. Do you think there are more retailers in downtown Sherman than two years ago?
 - A. Yes
 - B. No
4. What do retailers misunderstand about shoppers in Sherman?
[Comment box]
5. How long has your business been in Sherman? (If business owner/manager)
[Comment box]
6. Are your revenues higher than they were a year ago? (If business owner/manager)
 - A. Yes
 - B. No
 - C. Stayed the same
7. Do you plan to hire additional staff this year? (If business owner/manager)
 - A. Yes
 - B. No

In-Person/Shopper Survey

1. Are you a Sherman resident? If not, what city are you from?
2. Please name the restaurant(s)/retail store(s) you wish were in Sherman

Results

Question 1

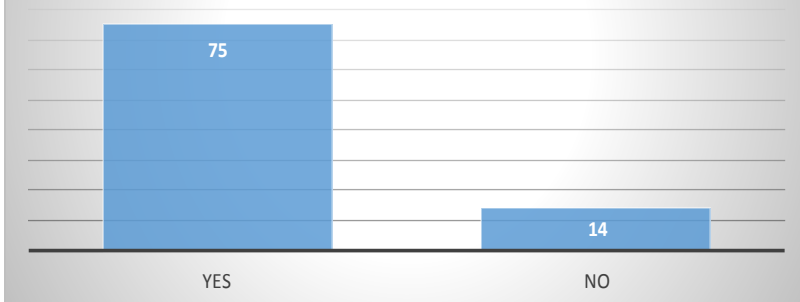


- 68 respondents (76.4%) selected the answer “Good mix of local and national retailers.”
- 17 respondents (19.1%) selected “National chains opening and thriving.”
- 13 respondents (14.61%) selected “Missing key products and services”
- 10 respondents (11.24%) selected the answer choice, “Missing local retailers that closed.”

Results

Question 3

Do you think there are more retailers in downtown Sherman than two years ago?



- 75 respondents (84.27%) said yes
- 14 (15.73%) said no

Question 4

What do retailers misunderstand about shoppers in Sherman?

For the business owners/managers, the fourth question was another free response and it was harder to collect tangible, quantifiable data since they were opinions of the respondents. But the recurring themes of the responses could be paraphrased into three key observations that tie together the similarities of respondent opinions.

- **Customer service is more important to success than retailers realize**
- **Retailers seem to label Sherman as a “small town”**
- **Shoppers in Sherman go to McKinney, or elsewhere, to shop more than retailers think.**

Results

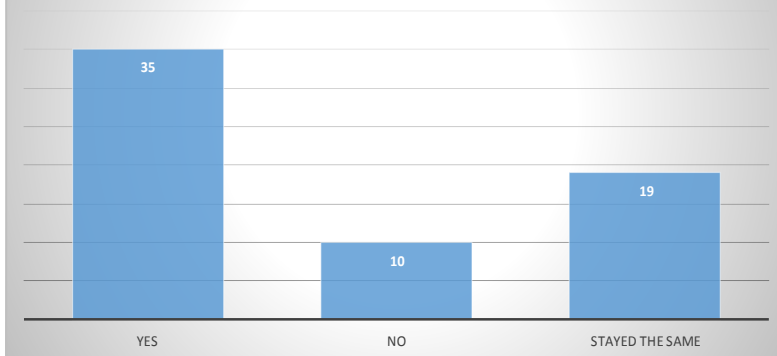
Question 5

How long has your business been in Sherman? (If business owner/manager)

- 1 - 85 year range

Question 6

**Are your revenues higher than they were a year ago?
(If business owner/manager)**



- 35 (54.69%) answered yes,
- 19 (26.6%) answered stayed the same
- 10 (15.63%) answered no

Question 7

Do you plan to hire additional staff this year? (If business owner/manager)

- 44 (65.67%) said yes
- 23 (34.33%) said no.

Results

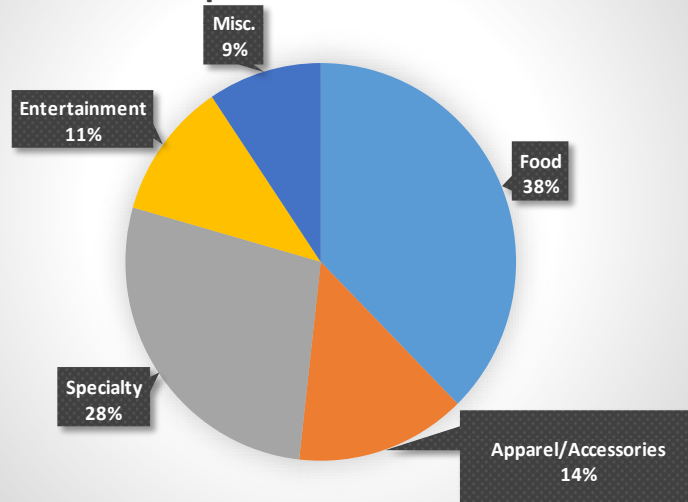
Analysis of Question 2: What retailer or type of retail is missing in Sherman?

In the responses received from the combined surveys, 146 types of retail were mentioned as desired for the Sherman market. The most requested retail category was food with 64 mentions of brand names or types of food. Within that category, respondents primarily asked for different types of national chain restaurants. Chart 1 illustrates the overall distribution of requested retail options, while Chart 2 depicts the Food category requests.

Chart I

- Food - 64
- Specialty - 47
- Apparel/Accessories - 24
- Entertainment - 19

**Desired Retail Options
Response Distribution**



Food Category

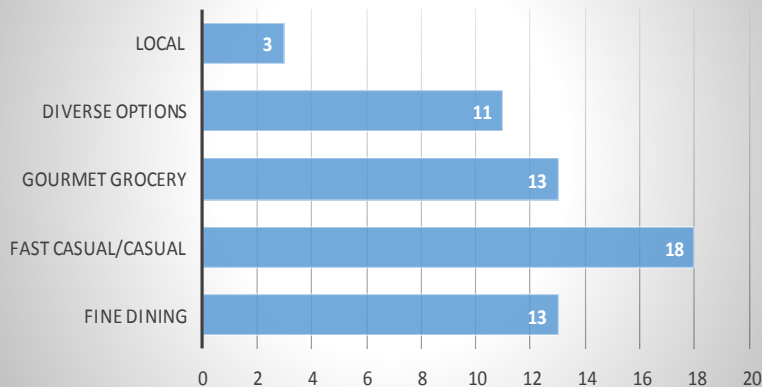


Chart II

Examples:

- Pei Wei
- Raising Canes
- Cheesecake Factory
- "Nice steakhouse"
- Mexican, Sushi, Artisan, Organic, Food Trucks
- Whole Foods, HEB



Results

Question 2

Specialty-type stores were mentioned in 47 requests:

Examples

- HomeGoods
- Kendra Scott
- Kirkland's
- Pier One
- Vera Bradley
- Specs

The HomeGoods logo features the brand name in a red, cursive-style font with a registered trademark symbol.The Half Price Books logo consists of the words "HALF PRICE" in white on a red rectangular background, followed by the word "BOOKS" in a large, bold, white serif font.The Total Wine & More logo features the words "Total Wine" in red and "MORE" in green, with a small graphic of a bunch of purple grapes between the words.The Spec's logo includes the word "SPEC'S" in a large, bold, red sans-serif font, with the tagline "WINES • SPIRITS • FINER FOODS" in a smaller font below it, and a cartoon rabbit character to the right.The Pier 1 Imports logo features the brand name in a bold, blue, sans-serif font.The Kendra Scott logo features a yellow geometric design above the brand name "KENDRA SCOTT" in a black, sans-serif font.

Apparel/Accessories brands were mentioned 24 times:

Examples:

- Macy's
- Men's Warehouse
- DSW

The DSW logo features the letters "DSW" in a large, white, serif font on a black background, with the tagline "DESIGNER SHOE WAREHOUSE" in a smaller font below it.The Gap logo consists of the word "GAP" in a white, serif font on a dark blue square background.The Men's Warehouse logo features a large, stylized "M" and "W" with the tagline "MEN'S WAREHOUSE" in a smaller font between them.The Macy's logo features a red star followed by the word "macy's" in a lowercase, black, sans-serif font.

Results

Question 2

Entertainment/Miscellaneous

Entertainment and *Miscellaneous* were the smallest categories but entertainment still had 19 requests that mainly consisted of kids' entertainment and more specific activities like bowling, mini golf, go-carts, etc.. *Miscellaneous* captured services that had only one mention or did not fit in other major categories. Some examples are mall rejuvenation or national chain gas stations or consignment stores.

Entertainment: 19 requests

Examples:

- Bowling
- Go-cart
- Minigolf
- Kids

Miscellaneous: 16 requests

Examples:

- Chain Gas stations
- Consignment stores
- Mall rejuvenation
- Downtown bars/
business

Analysis of Desired Retail Options:

3 Key Findings

1. Respondents desire more name brand chain retailers
2. There is a pattern of wanting more variety across price points including more upscale choices
3. Retail in Sherman still has potential for growth

The first key observation from the surveys was that respondents desire more “name brand” chain or franchise retailers. Based on the results from Question 2, things that are requested are mainly national chain retailers, whether that be restaurants or clothing stores or specialty. Each category contains many different name brand retailers and if the respondents are suggesting it, they likely will support a location in Sherman.

The next key observation is that there is a pattern of wanting more variety across price points including upscale choices. According to the surveys, shoppers note a lack of “better” shopping, whether that be food or clothing. There were 9 mentions for mid to high end restaurants, 7 mentions for higher end shopping and 9 mentions for gourmet grocery stores. That totals to 25 mentions for higher end retail. This does not include the requests for certain specialty stores that could be higher end, some diverse food options that could be a little more expensive and national chain retailers. But the key factor in that the survey reflects local residents’ desire for many different choices. Although the results received are not a representation of the whole population of Sherman, it is significant that this category of request is prevalent.

The last key observation is that retail in Sherman still has potential for growth. One misconception identified in the survey is that people in Sherman stay in Sherman to shop. According to the respondents, many people are traveling to McKinney or other surrounding cities to shop the retailers and restaurants that are not in Sherman. While Sherman has grown tremendously in the past decade with the Sherman Town Center and Sherman Commons developments, City and Chamber officials should continue to encourage retail developments that attract the “brands” that will keep shoppers in Sherman.

Produced for the Sherman Chamber of Commerce by Austin College,
LEAD 495: Senior conference: Advanced studies class, Spring 2017,
900 N. Grand Ave., Suite 61635 Sherman, TX 75090
Photo credits: Austin College, the Chamber and Google Images



Sherman Retail Industry

Senior Leadership Capstone Project

By Shawn Slowinski

Sherman Chamber of Commerce/SEDCCO

- Leadership Capstone Project
- Retail environment in Sherman
 - Retail leakage & Shopper perceptions
- Coordinated with Eddie Brown – President/CEO
 - Chamber members – business owners/managers
 - Professor Stephanie Motz – survey

Chamber Member Survey

- 7 Questions – refer to Report
- Via Surveymonkey
- Sent through Sherman Chamber of Commerce
- 89 surveys returned

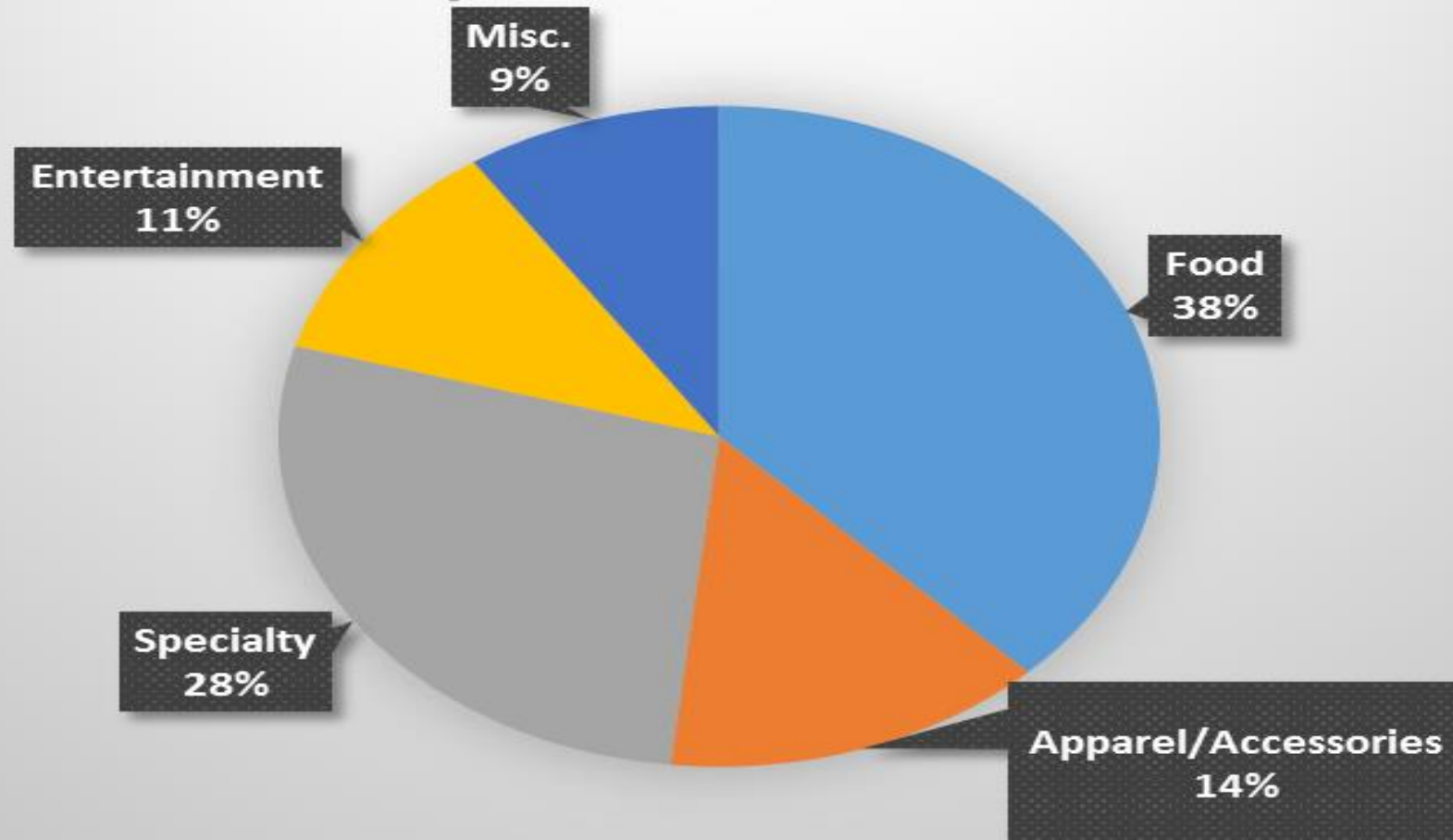
Sherman Shopper Survey

- 2 Questions:
 - Sherman resident? What retailer is missing?
- 18 responses – Coffee with the Mayor
- Combined with e-survey - 107 responses

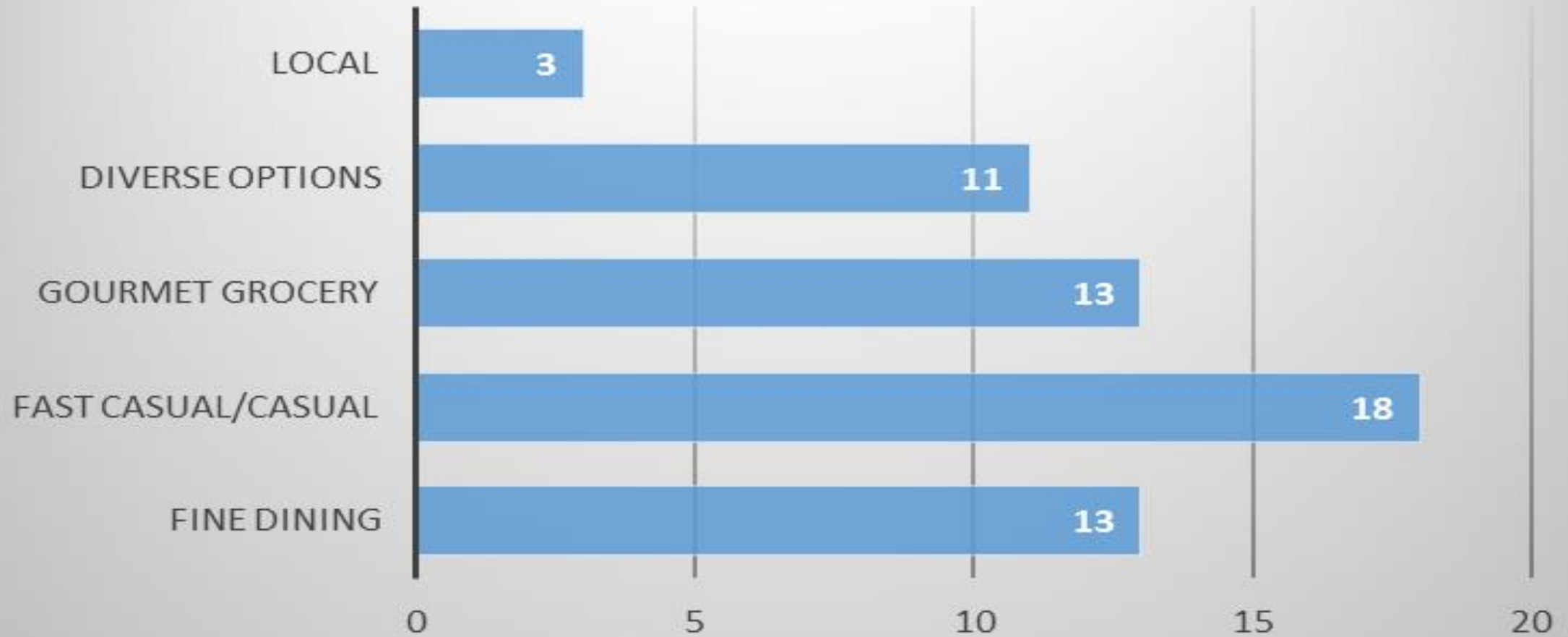
Survey Results

- Almost 80% - good mix of local and national retailers
- Almost 85% - more retailers in downtown than 2 years ago
- For business owners/managers
 - 55% - revenues increased, 30% - they stayed the same
- Misunderstandings about Sherman Retail Market
 - Customer service, “small town,” shoppers go to McKinney

Desired Retail Options Response Distribution



Food Category



Food - 64

- Diverse
 - Sushi, Mexican, Bagel, Organic, Food Trucks
- Gourmet
- Fast Casual/Casual
- Fine Dining
 - Nice Steakhouse



Specialty - 47



KENDRA SCOTT

Apparel/Accessories - 24



Entertainment/Misc. – 19/16

- Entertainment

- Kids Entertainment
- Bowling (PINSTACK)
- Mini Golf/TopGolf
- Go-carts

- Miscellaneous

- Chain gas stations – QT, Race Trac
- Consignment stores
- Mall rejuvenation
- Downtown business/bars

3 Key Findings

- 1. Respondents desire more name brand chain retailers
- 2. There is a pattern of wanting more variety across price points
 - Including upscale choices
- 3. Retail in Sherman still has potential for growth

Questions?

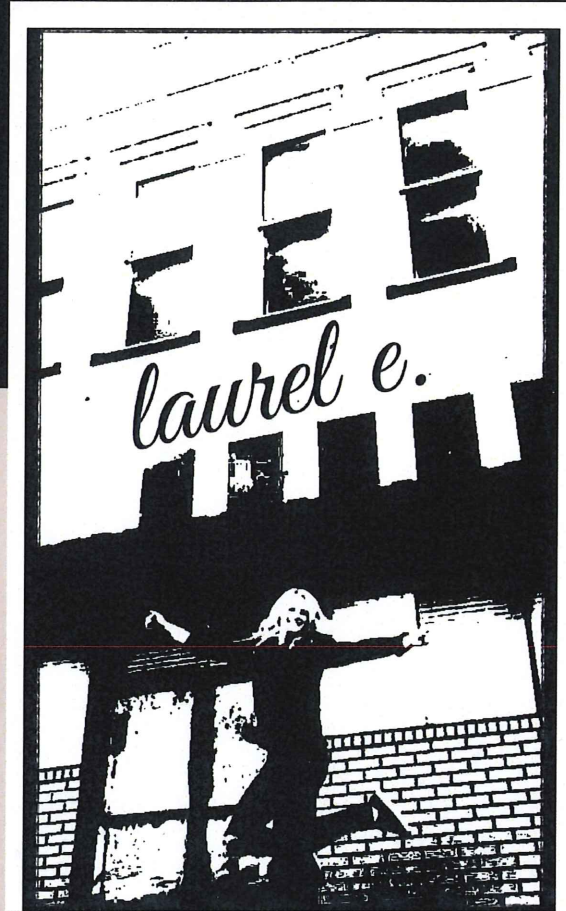
laurel e.

Laurel E. (Emmi)Wilson

2011 Sherman ISD Graduate

2015 Graduate of Midwestern State University

BS Criminal Justice



Business Plan

Store Location: 110 S. Crockett

On-The-Square

Women's Fashion Boutique

75% Women's Fashion 25% Gifts

Projected Grand Opening—August 5, 2017

Store Hours: M-F 11am-6pm

Sat-11am-5pm

Sun-1pm-5pm (Holidays)

Be You

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SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.1.

Meeting Date: 05/15/2017

Prepared By: Steve Ayers, Director of Public Services

Approved By: Robby Hefton, City Manager

Caption:

PUBLIC HEARING

2017 Parks, Recreation, and Open Space Master Plan for the City of Sherman, Texas

Issue:

Holding a public hearing on the City of Sherman's 2017 Parks, Recreation, and Open Space Master Plan

Background:

The Sherman Parks and Recreation Department has worked with Dunkin, Sims, Stoffels, Inc. to create a new Master Plan, the purpose of which is to establish short and long term priorities for the maintenance, operation and future development of Sherman's parks, trails, recreation programs and facilities. The Plan update was a process that spanned about twelve (12) months and included several community input sessions to gather citizen input, ensuring the Master Plan was aligned with community priorities.

The Plan update is now complete and implementation guidelines for the Plan were reviewed by the Parks and Recreation Board at their May 4, 2017 meeting. As a result, the Plan is being provided to the Council for their final approval and adoption, after providing for a public hearing to allow for any final citizen input. Following this public hearing, a resolution adopting the Plan will be presented to the Council for their consideration.

Origination:

City Council and Staff

Financial Consideration:

There is no financial impact to holding this public hearing.

Staff Recommendation:

Board Recommendation

At the May 4, 2017 meeting, the Sherman Parks and Recreation Board voted unanimously to recommend that the City Council implement the 2017 Parks, Recreation, and Open Space Master Plan for the City of Sherman, Texas.

Alternatives:

No alternatives are recommended.

Attachments

2017 Sherman Parks, Recreation, and Open Space Master Plan



2017
City of Sherman
Parks, Recreation, and Open Space
Master Plan



Prepared by: Dunkin Sims Stoffels, Inc.
Landscape Architects / Planners



Acknowledgements

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Dunkin Sims Stoffels, Inc.



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Introduction





I. INTRODUCTION

Due to land development and growth, municipalities are constantly challenged to provide and maintain basic services and amenities for their citizens. In addition to water, sanitary sewer, road improvements, police and fire services, cities also provide parks, recreational opportunities, and areas for leisure and passive activities.

SHERMAN'S MISSION STATEMENT

"The mission of the City of Sherman Parks and Recreation Department is to enhance the quality of life in Sherman by providing the finest parks, facilities, programs and services in the area."

The City of Sherman is a growing city in North Central Texas. U.S. Highway 75 is a major north/south thoroughfare which connects Sherman to the employment centers in the cities of Plano, Frisco and McKinney. U.S. Highway 75 bisects Sherman in half for east/west sections. Sherman is also approximately 13 miles south of Oklahoma. This growth rate necessitates the need for advance planning to ensure that municipal service systems, including parks and recreation, keep pace with increasing demands upon these systems. In the last 25 years, parks and open space planning has become a specialized area within the overall municipal planning structure. The existing population of Sherman is 41,200 and is expected to continue growing to a population of 50,600 by the year 2030. As the City grows and expands, land must be identified and acquired for park and recreation use. With this proportion of land area that will be devoted to the acquisition and development of parks and open space areas will be significant factors in maintaining a high quality of life for citizens in Sherman. These growth characteristics indicate that the City should continue taking a "hands-on" approach in guiding the development of the City. These factors also enable the citizens of Sherman to enjoy a unique and fulfilling quality of life.

PREVIOUS PLANNING STUDIES

The previous Parks and Recreation Master Plan was prepared in 2005 and a chapter addressing Parks and Recreation was prepared in the Sherman Comprehensive Plan in 2009. The 2005 Parks and Recreation Master Plan was comprehensive in nature with an emphasis on immediate park and recreation needs. However, due to current changing recreational trends, aging recreational facilities and a growing population there is now a need for a new document to guide park and recreation planning and development, leading to the creation of this *Parks, Recreation, & Open Space Master Plan*.



GOALS AND OBJECTIVES

Goals provide a statement for achievement or accomplishment. Objectives are a perceived means through which the goal(s) can be partially or fully attained. Identified within this section are the ways and methods of implementing the *Parks, Recreation & Open Space Master Plan* recommendations. Critical to the implementation of these goals and objectives is the *Ten-Year Action Plan*, which should be updated annually by the Sherman Parks Board, working in close association with City staff and the City Council.

The following are the goals and objectives for the Sherman park system:

GOAL: Provide passive and active recreational opportunities for all citizens.

Objectives:

- Increase quality recreational opportunities for all Sherman citizens. Evaluate and address the needs of challenged and disabled citizens.
- Offer a wide variety of facilities, programs and park areas to meet the recreational needs of a diverse population with various levels of ability and skill.
- Provide an equitable geographic distribution of parks and recreational facilities.
- Plan for the orderly replacement of an aging park and recreational infrastructure to ensure existing recreational opportunities are not lost.
- Encourage cooperation with other agencies, as well as community organizations, to provide cost-effective services and optimize benefits to citizens.
- Acquire land to provide for future parks and recreational facilities.
- Enhance access to the greenbelts and major creek corridors by developing a continuous trail system.



GOAL: Create a system of parks, open spaces, trails and facilities that meet the needs of residents of all ages.

Objectives:

- Maintain a current Parks, Recreation, Open Space and Trails Master Plan.
- Make developing a comprehensive trail network an integral part of the City's parks and recreational facilities planning and funding processes by working with the Planning and Transportation Department's funding.
- Strive for diverse parks and recreational facilities with both passive and active recreation opportunities, to meet the needs of various age and ability groups.
- Identify and protect sensitive environmental areas and provide natural open spaces within the community.
- Provide all-inclusive playgrounds and other appropriate facilities in existing parks to address the needs of all children.

GOAL: Use the Parks, Recreation, and Open Space Master Plan as a guide for park land acquisition, open space protection, and trail development.

Objectives:

- Provide an equitable geographic distribution of parks and recreational facilities. Achieve this by acquiring necessary parkland, open space, and trail linkages at the time of development review. This should be done in accordance with the classification of parks identified by the Parks, Recreation, Open Space and Trails Master Plan.
- Use City and Extraterritorial Jurisdiction (ETJ) demographic and population projections to determine the types of parks and amount of land needed to adequately serve future park needs based on the projected number of citizens.
- Review, and update as needed, the City's Parkland Dedication Ordinance as it relates to providing parks, open space, and linkages throughout the City and ETJ.
- Continue to work with developers to acquire park land and corridors as needed for Sherman citizens.
- Develop a set of guidelines for public/private partnerships in the building of parks.
- Identify floodplain creek corridors, rights-of-way, and utility easements for possible trail linkage opportunities to increase hike & bike connectivity within the City, as well as in the region.



GOAL: Plan for a comprehensive hike & bike trail system.

Objectives:

- Develop a comprehensive hike & bike trail system with input from citizens and community stakeholders.
- Determine ways in which connections can be made between schools, parks, neighborhoods, retail centers, and major points of interest throughout the City and region.
- Examine creeks and floodplain throughout the City for potential hike & bike trail possibilities.
- Allocate funds, on an annual and consistent basis, to build hike & bike trail connections as part of a Capital Improvement Program (CIP).
- Examine ways in which trail/pedestrian connections can be made within existing developed areas of Sherman.
- Review development proposals with connectivity and walkability objectives considered.
- Work with Sherman Texas utilities to utilize their easements for potential trail corridors and connections in Sherman and the region.
- Work with municipal, regional and state to provide a consistent signage for hike & bike trails on bike-marked streets.

GOAL: Preserve and conserve Sherman's natural areas, greenbelts and open space for the enjoyment and environmental education of current and future citizens.

Objectives:

- Develop a system of greenbelts along the major creek corridors.
- Incorporate significant natural areas into the park system – woodlands and wildlife.
- Provide opportunities to enjoy nature by cooperatively developing outdoor learning areas, and interpretative trails.
- Work with utility easements to provide trails and trail links to parks, schools and retail.



GOAL: Cooperation with the City of Sherman's Independent School District (SISD), to provide cost-effective services and optimize benefits to citizens.

Objectives:

- Create partnerships with the Sherman Independent School District in developing joint school/park sites.
- Continue coordination efforts between the City of Sherman and Sherman Independent School District Staff to provide successful and mutually beneficial recreation programming.
- Explore funding opportunities with the Sherman Independent School District in an effort to expand, enhance, or build new parks and facilities within the City and ETJ.

POLICIES AND ORDINANCES

The effectiveness of these implementation mechanisms is dependent upon the proper coordination of input from contributing bodies or groups including elected City officials - appointed boards and commissions - City staff, sports groups, and most importantly the citizens of Sherman. All parties must communicate and work collectively toward common goals. Only this sort of communication and coordination will ensure successful development of the park system. An example of this communication, at the staff level, would be the incorporation of the *Parks, Recreation & Open Space Master Plan* during review of proposed development plans by the City.

PLAN DEVELOPMENT PROCESS

The City Council recognized the need for a comprehensive analysis of the park system in Sherman. The City employed a private consulting firm (Dunkin Sims Stoffels, Inc.) to update the *Parks, Recreation & Open Space Master Plan*. The consultant worked with the City of Sherman Parks & Recreation Department staff to develop this *Master Plan*.

Meetings were held with the Sherman Parks & Recreation Department staff to examine collected needs, findings and preliminary recommendations. To obtain a comprehensive and complete analysis of the City's park and recreation needs, and park system, three methodologies were used for this evaluation: public hearings, standards-based analysis, and demand-based recreation analysis.

The *Master Plan* provides the City long-range planning for future areas of urbanization for the next ten years (2027). The time period of the financial plan, as set forth in this *Master Plan* (specifically within the Implementation sub-section) is ten (10) years. The prioritization listing identifies certain projections as high priorities for development with the priorities based on satisfying a stipulated/recognized need. It is recommended the Master Plan be evaluated and updated in 2022.

Existing Inventory of Areas and Facilities





II. EXISTING INVENTORY OF AREAS AND FACILITIES

CITY OF SHERMAN PARKS

The well-being of the people in a community is dependent upon many factors, one of which is recreation. Parks and Recreational facilities provide benefits to people of all ages. They offer places for young families to gather with children to enjoy the outdoors and playtime and provide trails for everyone to enjoy. In Sherman one can enjoy Passive Recreation opportunities at Herman Baker Park, Pecan Grove West, or Lucy Kidd-Key Park or participate in many activities organized at Fairview, Old Settlers, or Center Street Parks.

The intent of this section is to evaluate Sherman's existing parks and recreational facilities and define a plan that will guide the City as it grows to ensure that a quality park and recreation system becomes an important part of the growth.

The following information documents existing park and recreational facilities in Sherman. The listing beginning on the following page is an enumeration of the existing parks, their size and the National Recreation Park Association park classification which best describes their function within the City's park system.





NEIGHBORHOOD PARKS

Austin Street Playground

Address: Austin Street North of Center Street
(East Side of Town)

Size: 1 Acre

Facilities: Historic Cemetery, Playground Equipment, Picnic Table (1)

Recommended Improvements:

- Benches (3) \$ 4,500.00
- Remove Playground Equipment \$ 500.00
- Individual Cover Picnic Tables (2) \$13,000.00
- \$18,000.00

Binkley Park

Address: 101 Binkley Park Drive

Size: 42 Acres

Facilities: Pavilion (28-foot diameter), Walking Trail (0.59 miles),
Picnic Tables (2), Grill (1), Drinking Fountain (1),
7 Miles Mountain Bike Trail

Recommended Improvements:

- Playground Structures with Shade Structure \$150,000.00





Cherry Street Park

Address: 1401 Cherry Park Drive

Size: 7 Acres

Facilities: Basketball Court (Lighted), Playground Equipment (2),
Drinking Fountain (1)

Recommended Improvements:

- Concrete Walking Trail ½ Mile.....\$150,000.00



Ely Park

Address: 919 South Austin Street

Size: 3 Acres

Facilities: Pavilion, Softball Field (Unlit), Playground Equipment,
Backstop (1), Picnic Tables (2), WWII Memorial Monuments

Recommended Improvements:

- New Picnic Pavilion (Add Stone to Column & Renovate).....\$ 25,000.00
- Permanent Playground Border.....\$ 20,000.00
- New Playground with Shade Structure.....\$100,000.00
- \$145,000.00





Fielder Park

Address: 1100 East Pecan

Size: 2 Acres

Facilities: Basketball Court (Full Size), Pavilion (1), Playground Structure & Swings, Walking Trail (.23 Mile) around the Perimeter of the Park (Lighted), Picnic Tables (2), Grill (1)

Recommended Improvements:

- None At This Time



Hillcrest Park

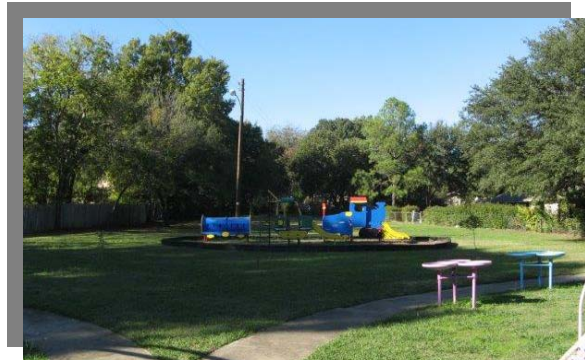
Address: 1205 Hillcrest

Size: 1 Acre

Facilities: Pavilion (1), Playground Structures and Equipment, Picnic Tables (2), Drinking Fountain (1)

Recommended Improvements:

- Replace Playground Equipment with Two Modular Playgrounds & Swings...\$400,000.00
- Pavilion 30' Diameter.....\$ 75,000.00
- Benches (8).....\$ 10,000.00
- New Drinking Fountain.....\$ 7,000.00
- Pedestrian Lights.....\$ 50,000.00
- Site Work & Concrete.....\$200,000.00
- \$742,000.00**





Martin Luther King Jr. Park

The Parks and Recreation Department administrative office and two activity centers are located adjacent to the park.

Address: 922 North East Street

Size: 4 Acres

Facilities: 0.58-Mile Walking Trail, Basketball Court, Multi-Use Field, Pavilions (4), Grills (7), Picnic Tables (15), Drinking Fountains (2), Restroom Facility, Playground Equipment, Swings, Steel Slides, Misc. Equipment (2)

Recommended Improvements:

➤ One Pavilion.....	\$ 80,000.00
➤ New Playground with Shade Structure.....	<u>\$100,000.00</u>
	\$180,000.00

Pecan Grove Park - East

Address: 2300 Pecan Grove Road

Size: 2 Acres

Facilities: 0.21-Mile Hiking Trail, Fishing Access to Dean Gilbert Lake, Pavilion (1), Playground Structure

Recommended Improvements:

➤ Pedestrian Lights on Trails.....	\$175,000.00
➤ Add Pre-Fabricated Restroom.....	<u>\$175,000.00</u>
	\$350,000.00



Rosedale Park

Address: 1400 South Gribble

Size: 6 Acres

Facilities: Baseball Field (1) Lighted, Playground Equipment

Recommended Improvements:

- New Playground with Shade Structure.....\$100,000.00



Rex Cruse

Address: Kent Drive

Size: 1 Acre

Facilities: Playground, Backstop

Recommended Improvements:

- New Playground with Shade Structure.....\$100,000.00

Lamar Street Playground

Address: Lamar Street

Size: 1 Acre

Facilities: Picnic Table (1), Swing Set (1)

Recommended Improvements:

- 50' Pedestrian Bridge.....\$150,000.00
- Concrete Walking Trail.....\$200,000.00
- Picnic Tables (4).....\$ 6,000.00
- Benches (4).....\$ 5,000.00
- \$361,000.00



COMMUNITY PARKS

Center Street Park

Address: 1401 West Center Street

Size: 20 Acres

Facilities: 50-by-40-Foot Pavilion, Playground Structure, Two Football/Soccer Athletic Fields (Lighted), Walking Trail (.48 miles), Picnic Tables (6)

Recommended Improvements:

- None At This Time



Fairview Park

Address: 1121 West Taylor Street

Size: 87 Acres

Facilities: Pavilions (4), Tennis Courts (4), Multiple Soccer/Football Fields (6-10 Little League-Age 16), Playground Equipment, The Splash, Softball Fields (3) – Adult Only 300 (Lighted), 2 ½ Mile Walking Trail, Veterans baseball field (High School Plays Here) Lighted, Sand Volleyball Courts (2) Lighted, Restroom Facilities (2)

Recommended Improvements:

- New Restroom/Concession (2,000 S.F.).....\$ 850,000.00
 - Parking Lot Expansion (130 New Spaces).....\$ 350,000.00
- \$1,200,000.00





Hawn Park

Address: 1202 South Dewey
Size: 20 Acres

Facilities: 0.71-Mile Walking Trail, Enclosed Skate Park, Playground Equipment with Swing Sets, Sand Volleyball Court, Spray Ground, Pavilion, Practice Fields (2), Restroom Facility, Drinking Fountain (1)

Recommended Improvements:

- Renovate One Pavilion.....\$250,000.00
- Add New Pavilion.....\$100,000.00
- New Skate Ramps.....\$200,000.00
- \$550,000.00



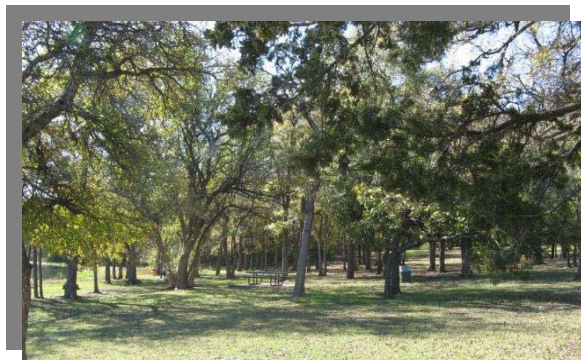
Herman Baker Park

Address: 2500 West Center Street
Size: 83 Acres

Facilities: Picnic Tables (19), 34-Acre Lake, 1 ½ Mile Natural Trail System

Recommended Improvements:

- Expand Nature Trail.....\$ 50,000.00
- Create Nature Center.....\$150,000.00
- \$200,000.00





Old Settlers Park

Address: 1609 North Harrison
Size: 27 Acres

Facilities: Baseball Fields (5), Softball Quad Athletic Fields, Playground Equipment in Quad (2), Two Basketball Courts, Pavilion, Picnic Table (8), Restroom/Concession (2), Walking Trail, Drinking Fountain (1), Grills (2)

Recommended Improvements:

- Prepare a Master Plan to Evaluate East Baseball Fields & Lighting.....\$20,000.00



Pecan Grove Park - West

Address: 3200 Canyon Creek Drive
Size: 117 Acres

Facilities: Amphitheater, Fishing Access to Dean Gilbert Lake, Pavilions (5), Playground Structures (2), Walking Trail, 18-Hole Disc Golf

Recommended Improvements:

- None At This Time





Pecan Grove West Athletic Complex

Address:

Size: 26 Acres

Facilities: Undeveloped

Recommended Improvements:

- Prepare a Master Plan





SPECIAL USE PARKS

Activity Center

Address: 1003 East Street

Size: N/A

Facilities: Large Activity Room, Game Room, Music Room, Craft Room, Conference Room

Recommended Improvements:

- None At This Time

Glennie O. Ham Community Center

Address: 1002 North Music Street

Size: N/A

Facilities: Activity Room, Meeting Room, Kid's Craft Room

Recommended Improvements:

- None At This Time

Lucy Kidd – Key Park

Address: North Elm Street & West Pecan

Size: 1.5 Acres

Facilities: Gazebo, Historic Statue

Recommended Improvements:

- Park Benches (4).....\$5,000.00





Taylor Street Complex

Address: 1424 West Taylor Street

Size: 1 Acre

Facilities: Basketball, Pickleball

Recommended Improvements:

- Expand Parking.....\$50,000.00

[illegible]

Factors Influencing Planning for Parks





III. FACTORS INFLUENCING PLANNING FOR PARKS

TRANSPORTATION ROUTES & THOROUGHFARES

Sherman is the largest city north of McKinney, Texas before entering Oklahoma. Sherman is bisected east/west by U.S. Highway 75. U.S. Highway 82 is a major thoroughfare which connects to Gainesville to the west and Paris, Texas to the east. Much retail and commercial development has already occurred along these highways. This trend is likely to continue as the City becomes increasingly populated and the need for retail and commercial development increases. These retail sales tax dollars represent an opportunity for funding for the park and recreation services that Sherman will need to support its growing number of citizens.

DEMOGRAPHIC PROFILE

The U.S. Census estimated the population of Sherman in 2010 to be approximately 38,521 people. The City of Sherman estimates the population in 2030 to be 50,600. The current population is 41,200. The City is anticipated to continue experiencing rapid growth, making the provision of park and recreational services even more important to address in the short and long terms.

Race/Ethnicity and Age Composition

Table 1 illustrates the race and ethnic composition of the City of Sherman according to the U.S. Census Bureau. The table shows the diversity of the local population. The *White/Caucasian* group comprises the largest percentage, with the *Hispanic Origin* category representing the second largest. *African American* individuals also represent a relatively large percentage of the local population.

TABLE 1: RACE/ETHNICITY DISTRIBUTION

Race/Ethnicity	Number	Percent
White/Caucasian	27,599	71.6%
African American	4,265	11.1%
American Indian or Aleut	536	1.4%
Asian/Pacific Islander	648	1.7%
Other ⁽¹⁾	5,473	14.2%
Total	38,521	100%
Hispanic Origin ⁽²⁾	7,881	20.5%

Source: 2010 U.S. Census
⁽¹⁾ Includes "Two or More Races"
⁽²⁾ Hispanic/Spanish Origin may be of any race and may be included in any category. It is therefore not included in the total, but is separately included.

TABLE 2: AGE COMPOSITION & DISTRIBUTION

Age Groups	Number	Percent
School Age Children & Young Adults (19 & Under)	11,243	29.2%
College/New Family (20-34 years old)	8,853	22.9%
Prime Labor Force (35-49 years old)	7,032	18.3%
Older Labor Force (50-64 years old)	6,312	16.4%
Elderly (65 + years old)	5,081	13.2%
Total	38,521	100%

Source: 2010 U.S. Census



The age composition of the population within a city can also provide insight into the types of park and recreation facilities and services the City may need to provide. As reflected in *Table 2*, the largest age group is the *School Age Children & Young Adults* (0-19 years old). This age group generally represents the largest number of people that use a community's park facilities because of league sports and other organized play activities. Sherman also has a high percentage of people in the College/New Family category (20-34 years old); many in this age group play organized adult sports. The *Older Labor Force* and the *Elderly* groups also together comprise a significant percentage of the City's population at 29.6 percent; these groups tend to utilize hike-and bike trails and passive open space areas. Clearly, groups of all of ages have recreational needs.

Household Income

Household income for Sherman, according to the 2015 U.S. Census Update, was used as the base data for the percentages shown in *Table 3* to determine current percentages for the current population. The highest percentage of households in Sherman are within the less than \$14,999 income category. The lowest percentages are in the range of \$200,000 and above.

TABLE 3: 2013 HOUSEHOLD INCOME DISTRIBUTION

Income Level	Number	Percentage
Less than \$14,999	6,549	17%
\$15,000 to \$24,999	5,046	13.1%
\$25,000 to \$34,999	4,468	11.6%
\$35,000 to \$49,999	6,086	15.8%
\$50,000 to \$74,999	6,125	15.9%
\$75,000 to \$99,999	5,162	13.4%
\$100,000 to \$149,999	3,159	8.2%
\$150,000 to \$199,999	1,271	3.3%
\$200,000 or more	655	1.7%
Total	38,521	100
Source: U.S. Census 2015 Update		



PARK FACILITIES BY CLASSIFICATION

To deliver a variety of recreational features in an efficient manner, parks must be defined by type. This differentiation allows a more exact examination of where a community might be lacking. For example, one large regional park is a wonderful asset to a community and it meets the need for children to play organized sports. However, neighborhood parks with play structures that citizens can walk to for their children to play are also an important part of the overall park system. Another example is the need for trail linkages that many people of all ages can use. These parks combine to create a cohesive park system that is a varied as the people it serves.

NATIONAL RECREATION AND PARK ASSOCIATION GUIDELINES AND STANDARDS

Guidelines and standards recommended by the National Recreation and Park Association (NRPA) have been followed by cities for many years to define the hierarchy for their park systems. The following describes the NRPA classification of parks, including their respective description, locational criteria within the community, and criteria related to size. Only the park classifications selected specifically for the City of Sherman are described in the following sections. Once established, the related park classification guidelines are then applicable for structuring the Sherman park system in an orderly manner – a manner that is responsive to the recreational demands being generated by the present, as well as future, population.

Neighborhood Parks

The neighborhood park is considered to be the most important feature of a park system and is one of the major cohesive elements in neighborhood design. Its primary function is the provision of recreational space for the entire neighborhood which surrounds it. Space in the neighborhood park should be distributed between active and passive uses.

- (a) The neighborhood park should be located near the center of a neighborhood area/park planning area and have a service area of approximately one-half mile to one-quarter mile.
- (b) The size should be related to the service area population and the menu of activities chosen for placement in the park. Five (5) to ten (10) acres is the optimal size for this park.
- (c) Safe and convenient pedestrian access is considered important to a neighborhood park location.
- (d) Generally, the location should not be adjacent to a heavily traveled major or minor thoroughfare.
- (e) When it is possible to combine an elementary or middle school with this type of park, the





two features further enhance the identity of the neighborhood by providing a central location for recreation and education and a significant open space feature within the neighborhood.

(f) Facilities normally provided at a neighborhood park consist of:

- Playground equipment for small children.
- A multiple purpose hard surfaced play area.
- Space for court games, such as basketball, tennis, volleyball and in-line hockey in addition to walking/jogging trails
- Playfield space for non-organized competitive games such as baseball, football and soccer
- Passive space possibly for a pavilion with tables and grills, restrooms, drinking fountains and sitting areas.
- Off-street parking is a consideration if users are beyond an acceptable walking distance or if users need to drive to access the park.
- It is not desirable to light athletic facilities in a neighborhood environment since lighting is often objectionable to nearby residents; however, some lighting for security purposes should be incorporated into the park.
- The allocation of space in the neighborhood park should be approximately 50 percent passive area and 50 percent active area. The above facilities are those generally considered for active space. The passive space should be used to develop the character of the park by creating an open landscaped setting with trails, sitting area, and picnic space. This park becomes an integral part of the neighborhood.

SHERMAN NEIGHBORHOOD PARKS	ACREAGE
Austin Street Playground	1
Binkley Park	42
Cherry Street Park	7
Ely Park	3
Fielder Park	2
Hillcrest Park	1
Martin Luther King Jr. Park	4
Pecan Grove Park – East	2
Rosedale Park	6
Rex Cruse	1
Lamar Street Playground	1
Total Acreage for Neighborhood Parks:	70



Community Parks

A community park is larger in size than a neighborhood park and provides service to several neighborhoods or specific sections of the community. The community park is oriented primarily toward providing recreational opportunities not feasible in a neighborhood park. This type of park should be developed for both active and passive use.

- (a) A community park serves several neighborhood areas, and should therefore be conveniently accessible by automobile and include provisions for off-street parking.
- (b) The optimal size for the community park is between 40 and 150 acres. This size should be based on its intended use and the population residing in the service area. Natural features such as terrain, tree cover, flood prone areas, and water features are all factors to be used in selecting and sizing this type of park.
- (c) Activities provided should include both active and passive space.
- (d) Space for active uses associated with neighborhood parks including field and court games.
- (e) Passive spaces more extensive than the neighborhood park for trails, natural areas, picnicking, and ornamental or natural landscape areas.
- (f) Facilities for cultural activities such as plays or concerts; possibly provide an amphitheater.
- (g) Lighted or unlighted athletic fields or facilities may be placed in community parks provided careful thought is given to their design and location.
- (h) A community park should be well removed from the residential environment due to the traffic, noise, and lights associated with the sports complex.
- (i) Based on use, accessibility and other requirements, the community park should be located in a non-residential area served by major thoroughfares.
- (j) Sites are not recommended to be less than 40 acres with the optimal site ranging upward to 80-150 acres, if demand is present.
- (k) Although community parks are designed primarily for competitive play by both young people and adults, other features should be included in the complex. Among these are play apparatus, court game space, picnicking facilities, and trails.
- (l) Support facilities in a sports complex include restrooms, concessions, multi-purpose building(s), and maintenance facilities.
- (m) Parking is a major consideration for the sports complex. Spaces should be allocated to accommodate those currently participating, those lingering following the previous games and those arriving to participate in the next scheduled game.





SHERMAN COMMUNITY PARKS	ACREAGE
Center Street Park	20
Fairview Park	87
Hawn Park	20
Herman Baker Park	83
Old Settlers Park	27
Pecan Grove Park - West	117
Pecan Grove West Athletic Complex	26
Total Acreage for Community Parks:	380

Special Use Parks

These parks or recreational spaces are identified by a single use, and fall into three categories:

- (a) *Historical/cultural/social sites* - which offer recreational opportunities because of their unique characteristics.
- (b) *Recreational facilities* - single purpose facilities such as a recreation center, senior center, community center, golf course, or marina.
- (c) *Outdoor recreational facilities* - uses such as a tennis center, stadium, or possibly a special type of sports complex designed specifically for a single sport.

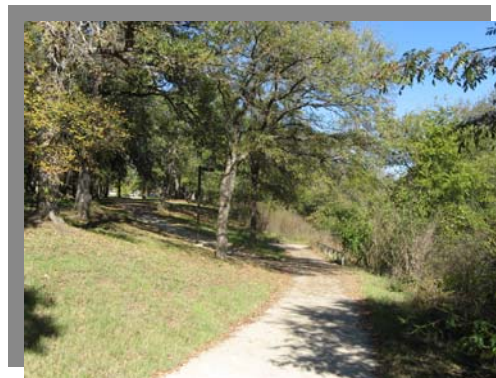
SHERMAN SPECIAL USE PARKS	ACREAGE
Activity Center	N/A
Glennie O. Ham Community Center	N/A
Lucy Kidd – Key Park	1.5
Taylor Street Complex	1.0
Total Acreage for Special Use Parks:	2.5



Open Space / Greenbelts

This classification applies to types of land which have characteristics either identifying them as undevelopable land or suitable for use as a component linking other park areas.

- (a) These spaces are generally natural corridors along creeks/flood prone areas or along easements containing a man-made feature.
- (b) There is no specific size for these spaces; however, establishing a minimum width is important to the function of the greenway, particularly if used as a location for a trail. This width should not be less than 50 feet. Where the greenway is on either side of a natural drainage course, a minimum of fifteen feet shall be provided for foot traffic or motorized vehicles performing maintenance along the greenway.



There are trails in creek corridors of Fairway Park, Center Street Park, and Binkley Park; however, long continuous floodplain or creek corridors do not exist. Currently Sherman does not have property in a major floodplain or creek corridor.

SHERMAN OPEN SPACE / GREENBELTS	ACREAGE
None at this time	0
Total Acreage for Open Space / Greenbelts:	0

Needs Assessment & Identification



GENERAL ASSESSMENT

PUBLIC INPUT MEETINGS

[illegible]

Attendees were given three color dots to place on the dot board display to choose their most desired park amenity. The following is a summary of the amenities that were chosen (in order of priority by amount of dots per item). Under the “Other” category these were listed once – Boccee, Amphitheater, Kayak Paddle Board Rental at Pecan Grove, Kayaks and Trail System for Bike/Walking/Skateboarding/Running.

- | | |
|-----------------------------|----------------------------|
| 1.) Hike & Bike Trails (19) | 11.) Swimming Pool (2) |
| 2.) Skate Park (14) | 12.) Additional Parks (1) |
| 3.) Dog Park (13) | 13.) Soccer Fields (1) |
| 4.) Basketball Courts(7) | 14.) Volleyball Courts (1) |
| 5.) Tennis/Pickleball (3) | 15.) Disc Golf (1) |
| 6.) Paved Bike Lanes (2) | 16.) Recreation Center (1) |
| 7.) Baseball Fields (2) | 17.) Pavilions (1) |
| 8.) Football Fields (2) | 18.) Softball Fields (1) |
| 9.) Sports Complex (2) | 19.) Playgrounds (1) |
| 10.) Open Space/Nature (2) | 20.) Splash Pad (1) |



STANDARD-BASED ANALYSIS

This approach is used to assist in assessing the future recreational needs for Sherman, and follows established and recognized standards for assessing the quantity of park land and the number of facilities that are required to meet the needs of a given population.

Facility-Recreation Standard

One source is the National Recreation and Park Association (NRPA). The NRPA has functioned as a source of guidance for park standards and development for a number

of years. The NRPA's standards are suggested to be a guide for determining park and open space needs. From community to community, differences will be found in the socio-economic and cultural characteristics, and in climatic conditions. Therefore, the range of demands and preferences for recreational activities will vary with these differences. Obviously, these variances will directly influence a uniform standard for all locations. NRPA is very specific to point out that their data is to be used only as a guide to the development of local standards. Therefore, the NRPA provides input to the formation of local needs. *Table 4* above shows a standards analysis for the current population of 41,200 people, and *Table 5* on next page illustrates a standards analysis for Sherman's population of 50,600 people in year 2030.

This is a standard comparison which illustrates the level of services provided at 41,200 and what the projected facilities need would be for the anticipated population of 50,600 by year 2030. Again, it is important to note that these are national standards and the comparison will vary from city-to-city. It is common for larger cities to provide recreational facilities for smaller communities nearby. Often, smaller communities do not have recreational facilities and depend on larger area cities for these resources. However, it should be noted that the Sherman Parks System also provides recreational opportunities for citizens outside the City limits.

TABLE 4: FACILITY STANDARD ANALYSIS USING EXISTING POPULATION OF 41,200

Facility	NRPA Standards	Current Sherman Inventory	Recommendation
Basketball	1/5,000	5	1/4,000 = 11
Tennis Courts	1/2,000	4	1/8,000 = 6
Youth Baseball	1/20,000	7	1/5,000 = 9
Youth Softball	1/5,000	3	1/5,000 = 9
Adult Softball	1/5,000	3	1/5,000 = 9
Football	1/20,000	2	1/65,000 = 1
Youth Soccer	1/10,000	3	1/5,000 = 9
Playgrounds (1)	NS	14	(1)
Picnic Tables	NS	59	1/300 = 137
Swimming Pool	1/20,000	1	1/30,000 = 2
Trails	NS		As many as possible*
Recreation Center	1/20,000		1/30,000 = 1

(1) One playground should be installed in each neighborhood, community and regional park
Table assumes lighted facilities
NS = No Standard
NRPA = National Recreation and Parks Association
*As many as possible in order to provide a comprehensive system of pedestrian trails that connect residential areas to parks, schools and open space

**TABLE 5: FACILITY STANDARD ANALYSIS USING ESTIMATED POPULATION OF 50,600 IN YEAR 2030**

Facility	NRPA Standards	Current Sherman Inventory	Recommendation
Basketball	1/5,000	5	1/4,000 = 13
Tennis Courts	1/2,000	4	1/8,000 = 7
Youth Baseball	1/20,000	7	1/5,000 = 11
Youth Softball	1/5,000	3	1/5,000 = 11
Adult Softball	1/5,000	3	1/5,000 = 11
Football	1/20,000	2	1/65,000 = 1
Youth Soccer	1/10,000	3	1/5,000 = 11
Playgrounds (1)	NS	14	(1)
Picnic Tables	NS	59	1/300 = 168
Swimming Pool	1/20,000	1	1/30,000 = 1
Trails	NS		As many as possible*
Recreation Center	1/20,000		1/30,000 = 1

(1) One playground should be installed in each neighborhood, community and regional park
 Table assumes lighted facilities
 NS = No Standard
 NRPA = National Recreation and Parks Association
 *As many as possible in order to provide a comprehensive system of pedestrian trails that connect residential areas to parks, schools and open space



DEMAND-BASED ANALYSIS

Sports League Association Interviews

On February 27, 2017 the following Sherman leagues were interviewed at the Sherman Park and Recreation office. League presidents, board members or representatives were questioned and explained their league size, membership, league activities and field use. The following was documented.

Baseball – Sherman Youth Sports Association

The Sherman Youth Sports Association for the spring 2017 season has 420 participants, with approximately eleven (11) to twelve (12) children per team; the equivalent to approximately thirty-seven (37) teams. In order to provide each team two (2) games per week the league uses the fields at Old Settler Park on Mondays, Tuesdays, Thursdays, and on Saturdays from 9:00 AM until 6:00 PM. They do not schedule games on Wednesday or Friday nights or on Sundays. The league currently has enough field capacity to accommodate these teams and games. However, using the fields four (4) days a week leaves little room for expansion or growth and make-up games due to weather. The baseball league will need additional fields in the near future.

Softball – Sherman Youth Sports Association

The Sherman Girls Softball Association also uses the fields at Old Settlers Park. The league has 235 members and approximately twenty (20) teams. In the spring one field is used by the Austin College Womens Softball Team and is not available to youth leagues. The Girls Softball League uses the fields seven (7) days a week for practice and games. The softball league is experiencing moderate growth and will need additional fields.

Sherman – Texoma Soccer Association

The Texoma Soccer Association uses the soccer fields at Fairview Park for their league play. The leagues serve Grayson County residents. The league has approximately 965 members which composes approximately 120 teams. The league plays games on Saturdays. At present, six (6) to ten (10) fields are adequate to serve their needs. However, there were other issues which effect league play and games.

There are traffic and parking concerns at Fairview Park during league play. The park is crowded and vehicular ingress and egress is a problem. Games are postponed due to rain or wet conditions which helps maintain the turf; however, some of the field(s) are currently in need of repair. The Soccer Association is expanding beyond the capacity that Fairview Park can provide. An expansion of soccer fields should be a high priority.



Park Land Acreage Analysis

Park land acreage analysis is also evaluated on the basis of Sherman's current population, as shown in Table 6 below. This evaluation is a reliable guide and analysis for park land comparison. The acreage required per 1,000 populations varies for each park classification. For long range planning, this is a useful tool for determining future park land acreage acquisition.

As mentioned previously, the neighborhood park is an important aspect to the overall municipal park system. The ratio of 2.5 acres per 1,000 population should not be confused with the minimum acreage size. The minimum acreage for a neighborhood park should be five (5) acres for several important reasons. A minimum of five (5) acres provides enough land to develop playgrounds, small pavilions, etc. A smaller tract will limit the facilities and the recreational opportunities available to citizens. In the event that a city accepts a smaller tract of land, in the one (1) acre to three (3) acre range, maintenance of these parks would be time consuming and would also require an increase to the City's maintenance budget. A minimum of five (5) acre tracts is therefore recommended for Neighborhood Park development.

TABLE 6: PARK LAND ACREAGE ANALYSIS					
Park Type	Recommended Acres per 1,000 Persons	Existing Acreage for Sherman Parks	Acreage Needed for Existing 2017 Population of 41,200	Acreage (+/-)	Acreage Needed for Estimated Population of 50,600 in Year 2030
Neighborhood Park	2.5 acres	70	103	-33	126.5
Community Park	5 acres	380	206	174	253
Special Use Park	2 acres	2.5	82.4	-79.9	101.2
Open Space/Greenbelts	6-8 acres	0	329.6	-329.6	404.8
Acres:	17.5 acres	452.50	721	-268.5	885.5

The Community Park category is high because of the large number of acres at Herman Baker (83 acres) and Pecan Grove Park West (117 acres). Those parks are community, passive-type use parks. Athletic Complexes are found in the Community Park category. Based on this analysis, there is a need for additional park land for athletic facilities in the future.

FUTURE PARK IMPROVEMENTS & RECOMMENDATIONS





V. FUTURE PARK IMPROVEMENTS & RECOMMENDATIONS

EXISTING PARK IMPROVEMENTS

The focus of this section will be the renovation of existing parks. The improvements are based on an analysis of existing facilities. Descriptions of these parks and related recommendations begin on the following page.

Preliminary cost estimates have also been prepared for each park element or improvement. The costs are general for specific elements such as benches, playgrounds, picnic tables, etc. Items such as drainage improvements and field renovation should be analyzed at the time of the proposed improvements as these items requires a detail site analysis which is not included in this Parks, Recreation and Open Space Master Plan.

In general, all parks and facilities should consider the senior and physically challenged citizens. These citizens have specific needs which must be considered and accommodated within the design process of any park. With all this in mind, all recreational activity facilities should be accessible to all age groups and physical capabilities.





THE IMPORTANCE OF PARK ACQUISITION

The City of Sherman currently has a good distribution of parks that serve the City well. The various types of park classifications provide differing recreational opportunities, some for neighborhoods, some for organized sports, some for passive play, etc. It is important for a city to have a diverse park system, and thereby provide its citizenry with varying recreational choices.

Not only is a diverse park system important, but also the size and scope of that system is important; the size and scope needs to adequately serve a city's population base. Sherman is projected to increase in population from its current number of 41,200 people in 2017 to 50,600 by the year 2030. The City is experiencing this growth due to the current upswing in the economy and the recognition of Sherman as a great place to live and work. The population that is projected creates a challenge for the City to continually provide adequate park and recreational facilities that meet the needs of citizens in tandem with this growth. Not only will population growth within the City itself need to be considered, but also as the Sherman City limits expand through the annexation process in its extraterritorial jurisdiction (ETJ).

For all these reasons, the act of acquiring park land is one of the most important components in park development. Doing so is the only way that a city can meet its obligations to provide a diverse and size-appropriate park system. Key to this is to note that as Sherman grows and land is developed into residential and commercial uses, the absolute best opportunity for park land acquisition is lost unless park land is acquired concurrently with the new development, both within the City limits and in the ETJ.

FUTURE NEIGHBORHOOD PARK ACQUISITION

The neighborhood park is considered to be the core unit in a municipal park system because it provides recreation opportunities within walking distance of homes. The service area of a neighborhood park, therefore, is considered to be a one-mile radius because most people are able to comfortably walk that distance (or less) to enjoy a park.

The *Future Park Plan* illustrates the generally proposed location of future neighborhood parks, shown as one-mile circles (to represent a radius) on the map. This shows the need for the City to acquire land for and build new neighborhood parks to the north and west, adjacent to Highway 82. Again, the location of the neighborhood parks as shown on the *Future Park Plan* is generalized and is not intended to identify specific parcels or lots for park land acquisition; the Sherman Park Department and Planning Department will recommend specific property acquisition to the Parks and Recreation Board when the time is appropriate based on growth and development. The goal is to show where a neighborhood park is anticipated to be needed to serve the citizens within that radius as population growth occurs. An additional ten (10) neighborhood parks, within the current limit, should be obtained. As previously stated, a neighborhood park should be between five (5) and ten (10) acres; therefore, an addition of 50 to 100 acres of neighborhood park land should be acquired. In the ETJ it is projected another twenty-nine (29) neighborhood parks will be necessary, totaling an estimated 145 to 290 acres of neighborhood park land to address this need.



FUTURE COMMUNITY PARKS, GREENBELTS AND SPECIAL USE PARKS

Community Parks

Community parks typically provide organized athletic fields and other associated park facilities such as playgrounds, pavilions, splash pads, trails, etc. The City of Sherman currently has approximately 453 acres of community park land in the park system. It should be noted that currently, Sherman services not only its citizens, but also people who live outside the City limits and in Grayson County, due to a lack of facilities in those surrounding areas. This creates a need for the City to provide additional park facilities to supplement the additional population that is served.

As part of this park planning process, public hearings and sports association interviews were conducted. Partially as a result of those efforts, it has been determined that there is a shortage of community park facilities, specifically for baseball/softball. The Sherman Independent School District uses Veterans Field for boys' baseball and Austin College softball uses one of the fields at Old Settlers Park.

To address current needs and future growth, the City will need to acquire an additional 100 to 175 acres of community park land. Designing and building a baseball/softball complex within a new community park should be a primary goal.

Hike and Bike Trail Plan

Trails and Hike & Bike Trails were identified by the public as the number one priority and need in Sherman. Hike and bike trails provide recreational opportunities to all citizens and all age groups. Trails for biking, walking, skateboarding and running are important to Sherman citizens. The trails in Fairview Park, Pecan Grove West Park, Hawn Park and Binkley Park are contained within the limits of the park.

A Bike/Pedestrian Plan can be used to guide the City in acquisition of property for trail construction and evaluation of future and existing thoroughfares for on-street bike lanes. Not only is it a valuable asset for the City when determining future trail connections, but it also is valuable in helping the City apply for grant assistance for trail construction. Connecting trails was listed as the #2 priority during the May 5, 2016 public meeting.

Indoor Recreation Centers

Sherman addresses the need for indoor recreation with the Glennie O. Ham Community Center and Taylor Street Complex. The City of Sherman has several needs at this time in terms of its parks system. An indoor recreation center is one of these needs. Typically, cities provide indoor recreational opportunities in the form of a recreation center. These facilities provide for organized work out programs such as aerobic exercise, weight lifting, and stationary low-impact bikes and treadmills. Basketball and racquetball also cultivate recreation opportunities. Typically, recreation centers are approximately 20,000 to 60,000 square feet. These facilities range in cost between \$2,000,000 to



\$20,000,000 dollars. This cost is based on the final square footage and the amenities in the center. The City should plan on construction of this facility within the next five to ten years.

Aquatic Facilities

Sherman has the Splash facility at Fairview Park and the splash pad at Hawn Park. Aquatic facilities were mentioned as desired recreational elements during public hearings. Aquatic facilities can be built as full service aquatic parks, which consist of pools, slides, wading pools and water play features. Initial cost for a facility of this type is estimated at \$3,000,000 to \$6,000,000. These large multi-million dollar water parks often have a service area larger than the City limits of Sherman and are typically classified as a regional facility. The City should look at a marketing study or a feasibility analysis while considering an aquatic facility of this scale.

Another feature is a spray park or splash park, which can be built with approximately \$400,000 to \$750,000. The ultimate size of an aquatic facility is largely dependent on the service area. These types of facilities are often located in community parks. The City should plan to construct an aquatic facility within the next five years.

Greenbelts and Open Space

One of the primary uses of greenbelts and open space is for hike and bike trail corridors and preservation of open space. The City currently does not have an extensive trail system in a Greenbelt or Creek Corridor. Based on the Needs Assessment survey and the Ten-Year Priority List, hike and bike trails or multi-use trails has been identified as the number one requested recreational element in Sherman. Although trails are developed in neighborhood and community parks, the most optimal location is in the greenbelts and open spaces of creek corridors.

These trails can become destination trails to adjacent cities and internal to Sherman provide pedestrian trails to retail areas, and to connect parks to other parks and public areas. When property adjacent to creeks and floodplains is developed, floodplain property should be dedicated to the City for Open Space and Greenbelts.

The City should accept floodplain areas as a donation and should not purchase the land, unless the City foresees a need for a critical purchase in order to preserve land and/or provide a link to another park. These open spaces preserve trees and native areas and enhance the educational and passive use of floodplains and open space for park patrons.

Special Use Parks

The City has several Special Use Parks: the Activity Center, Glennie O. Ham Community Center, Lucy Kidd – Key Park and Taylor Activity Center are examples of special use parks. The City may acquire/construct additional special use facilities as acquisition and development of special use parks are added.

Future Park Plan

LEGEND

Boundaries, Water, & Infrastructure

- Sherman City Limits
- Extraterritorial Jurisdiction (2 mile)
- Railroads
- Lakes
- Streams
- Places

Future Land Use

- Natural
- Vacant
- Agricultural and Rural
- Countryside
- Estate
- Suburban Residential
- Auto-Urban Single-Family Residential
- Auto-Urban Multi-Family Residential
- Manufactured Homes
- Auto-Urban Commercial
- Urban/Downtown
- Industrial
- Business Park and Research
- Public/Institutional
- Parks and Recreation

- Neighborhood Park within ETJ

- Neighborhood Park within City Limits

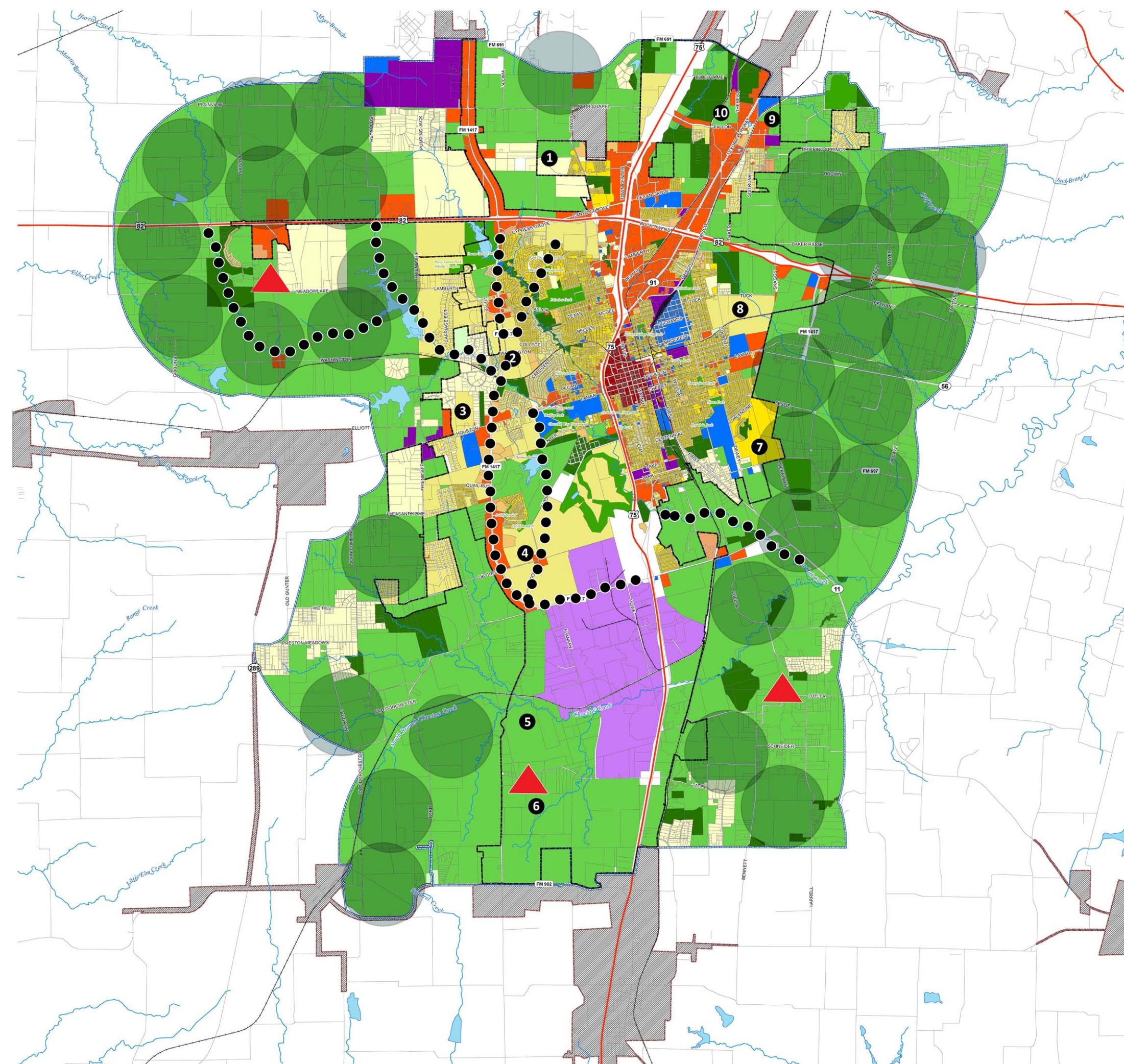
- Community Park

- Future Hike & Bike Trail

Note: Symbols are general locations indicating a park need for a service area. Symbols are not site specific.

0 1,250 2,500 5,000 7,500 10,000 Feet

1 inch = 2,500 feet





PARK MAINTENANCE STANDARDS

The purpose of this section is to provide a general analysis of municipal park maintenance. The following park maintenance standards for the Sherman park system are classified into four (4) levels of maintenance. The levels are designated by Class A, Class B, Class C and Class D, with Class A serving as the highest level of maintenance in terms of man-hours and cost.

The following chart is based on the National Recreation and Park Association's maintenance labor standards. Although the classification system provides a realistic guide to park maintenance, it should be noted that the labor equipment and materials needed are general in nature and can be used as a starting point to establish park maintenance budgets. Each park superintendent has a different philosophy and approach to park maintenance and alternative ways to achieve their maintenance goals. These charts and man-hours are only for park maintenance. They do not include hours for preparation of special events, such as parades, concerts, Christmas lighting, etc.

The City currently has 452.50 acres of park land. Based on the standards from the National Recreation and Park Association it takes 118 man-hours to maintain one acre of park land. The 118 hours is an average which consists of all types of park land in the City. Therefore, per acre maintenance costs would be 118 acre hours x \$12.00 per hour (Sherman average rate) + 75% for equipment and supplies. The maintenance and operation of park cost in Sherman would be estimated as \$2,478.00 per acre.

The Maintenance Level Costs chart provides a maintenance level with a percentage factor for equipment and supplies.

TABLE 7: Maintenance Level Costs

Maintenance Level	Factor	Cost/Acre/Year
A	+50%	\$3,720.00
B	+20%	\$2,980.00
C	Average	\$2,480.00
D	-10%	\$2,240.00

Identified and described are the four levels of park maintenance classifications and the minimum standards for each class. The existing parks in Sherman are also designated into each maintenance class, as shown in Table 8.

As a municipal park system evolves and develops, care and maintenance of the parks, open spaces and recreation equipment must be maintained. The maintenance costs identified above is a simple reminder of on-going employee and budget requirements which must be established.



Table 8: Sherman Park Classifications and Maintenance Standards

Neighborhood Parks	Acreage
Austin Street Playground	1
Binkley Park	42
Cherry Street Park	7
Ely Park	3
Fielder Park	2
Hillcrest Park	1
Martin Luther King Jr. Park	4
Pecan Grove Park - East	2
Rosedale Park	6
Rex Cruse	1
Lamar Street Playground	1
Total Acreage for Neighborhood Parks:	70
Community Parks	Acreage
Center Street Park	20
Fairview Park	87
Hawn Park	20
Herman Baker Park	83
Old Settlers Park	27
Pecan Grove Park - West	117
Pecan Grove West Athletic Complex	26
Total Acreage for Community Parks:	380
Special Use Parks	Acreage
Activity Center	N/A
Glennie O. Ham Community Center	N/A
Lucy Kidd - Key Park	1.5
Taylor Street Complex	1
Total Acreage for Special Use Parks:	2.5
Open Space / Greenbelts	Acreage
None At This Time	0
Total Acreage for Open Space / Greenbelts:	0
Total Acreage for All Parks:	452.5

- CLASS 'A'**- High Maintenance mow once per week (Flower & Shrub Beds)
- CLASS 'B'** - High Maintenance mow once per week (Limited flower beds, shrub beds are included)
- CLASS 'C'** - Medium to Low Maintenance (Mow as needed during the season - no irrigation)
- CLASS 'D'** - Mow 1 to 2 times annually or as needed



Park Classification and Maintenance Standards Sherman Parks Department

General Statement

Class A.....High Maintenance mow once per week

Flower and Shrub Beds

- Activity Center
- Austin Street Playground
- Binkley Park
- Center Street Park
- Cherry Street Park
- Ely Park
- Fairview Park
- Fielder Park
- Glennie O. Ham Community Center
- Hawn Park
- Herman Baker Park
- Hillcrest Park
- Lamar Street Playground
- Lucy Kidd – Key Park
- Martin Luther King Jr. Park
- Old Settlers Park
- Pecan Grove Park – East
- Pecan Grove Park – West
- Pecan Grove West Athletic Complex
- Rex Cruse
- Rosedale Park
- Taylor Street Complex

Class B.....High Maintenance mow once per week

Limited flower beds, shrub beds are included

- _____

Class C.....Medium to Low Maintenance

Mow as needed during the season

No irrigation

- _____

Class D.....Mow 1 to 2 times annually or as needed

- _____



CLASS A SERVICE LEVEL:

Turf:

- Mowing to be performed one time per week or as needed for special events. Mowing height to be 1 ½ inches high.
- Edging and weed eating to be done one time per week during the active growing season of March through October, and once per month from November through February.
- Weed control to be done as necessary year round for control of warm and cool season weeds in turf.
- Fertilizing to be done a minimum of two times per year for proper health of turf areas. Amount of fertilizing shall be recommended for Bermuda turf and winter Over Seed grass.
- Aerating to be done one time per year and overdressed with soil amendment.

Shrub Beds:

- Pruning of shrubs to be done two times per year as needed depending on species to keep a neatly maintained appearance and size. Native grasses and feather grasses shall be pruned as needed.

Seasonal Color Beds:

- All season color beds shall be maintained with a loose friable high in organic content as needed – depending on annuals/perennials.

Pest Control:

- Pest Control shall be provided as observed and needed. Fire Ant control needs to be done as necessary year round.

Tree Care:

- Trees shall be monitored each year in winter months and pruned by a qualified arborist.

Irrigation:

- Irrigation system should be inspected and repaired on a weekly basis, as needed.

Litter Control:

- As needed on a daily basis.



CLASS B SERVICE LEVEL:

Turf:

- Mowing to be performed one time per week during normal league play and twice for tournament play and during active growing seasons of March through October. Mowing height to be 1 ½" inches high.
- Edging and weed eating to be done one time per week during the active growing season of March through October, and once per month from November through February.
- Weed control to be done as necessary year round for control of warm and cool season weeds in turf.
- Fertilizing to be done a minimum of two times per year for proper health of turf areas. Amount of fertilizing shall be recommended for Bermuda turf and winter Over Seed grass.
- Aerating to be done one time per year and overdressed with soil amendment.

Shrub Beds:

- Pruning of shrubs to be done two times per year as needed depending on species to keep a neatly maintained appearance and size. Native grasses and feather grasses shall be pruned as needed.

Seasonal Color Beds:

- N/A

Pest Control:

- Pest Control shall be provided as observed and needed. Fire Ant control needs to be done as necessary year round.

Tree Care:

- Trees shall be monitored each year in winter months and pruned by a qualified arborist.

Irrigation:

- Irrigation system should be inspected and repaired on a weekly basis, as needed.

Litter Control:

- As needed on a daily basis.



CLASS C SERVICE LEVEL:

Turf:

- Mowing to be performed one or two times per year or as needed for special events.
- Edging and weed eating to be done, as needed around structures or parking areas, one time per week during the active growing season of March through October, and once per month from November through February.
- Weed control to be done as necessary.

Shrub Beds:

- N/A

Seasonal Color Beds:

- N/A

Pest Control:

- Fire Ant control needed around pedestrian areas, restrooms, etc.

Tree Care:

- N/A

Irrigation:

- N/A

Litter Control:

As needed weekly.



CLASS D SERVICE LEVEL

Turf:

- Mowing to be performed one time per year or as needed for safety measures.
- Aerating to be done one time per year and overdressed with soil amendment.

Shrub Beds:

- N/A

Seasonal Color Beds:

- N/A

Pest Control:

- N/A

Tree Care:

- N/A

Irrigation:

- N/A

Litter Control:

- N/A



TEN-YEAR ACTION PLAN/PRIORITY LIST

The Ten-Year Action Plan/Priority List as outlined in Table 9, for outdoor facilities, and Table 10, for indoor facilities, represents the culmination of the Parks, Recreation & Open Space Master Plan. It is the synoptic conclusion of the park master planning process. Annual review of the action plan by the City Staff, City Council members, Sherman Parks and Recreation Board members and citizens will allow analysis of action item recommendations for acquisition, improvements and new facilities to enhance the quality of Sherman Parks and Recreation System to maximum effect.

TABLE 9: TEN-YEAR ACTION PLAN – RECREATIONAL FACILITY PRIORITY LISTING FOR OUTDOOR FACILITIES

Priority	Facility	Timing	Estimated Cost	Possible Funding Sources
1.	Hike and Bike Trails	2017 - 2019	\$300,000/Mile	Bonds, Grants, Private Donations
2.	Playgrounds	2017 - 2019	\$80,000/Each	Bonds, Grants, Private Donations
3.	Youth Baseball Fields	2017 - 2019	\$300,000	Bonds, Grants, Private Donations
4.	Youth Soccer Field	2017 - 2019	\$325,000	Bonds, Grants, Private Donations
5.	Youth Softball Field	2017 - 2019	300,000	Bonds, Grants, Private Donations
6.	Football Fields	2017 - 2019	\$250,000/Each	Bonds, Grants, Private Donations
7.	Picnic Pavilion	2017 - 2019	\$25,000 to \$100,000	Bonds, Grants, Private Donations
8.	Practice Open Space	2017 - 2019	\$25,000/Acre	Bonds, Grants, Private Donations
9.	Sand Volleyball	2017 - 2019	\$30,000 Each	Bonds, Grants, Private Donations
10.	Tennis Courts	2017 - 2019	\$80,000 Each	Bonds, Grants, Private Donations
11.	Splash Park	2017 - 2019	\$300,000 to \$500,000	Bonds, Grants, Private Donations
12.	Disc Golf	2017 - 2019	\$30,000/Each	Bonds, Grants, Private Donations
13.	Skate Park	2017 - 2020	Varies	Bonds, Grants, Private Donations
14.	Open Space Acquisition	2017 - 2019	Varies	Bonds, Grants, Private Donations
15.	Park Benches	2017 - 2019	\$1,750/Each	Bonds, Grants, Private Donations
16.	Dog Park	2017 - 2019	\$100,000 to \$300,000	Bonds, Grants, Private Donations
17.	Picnic Tables	2017 - 2019	\$1,200 Each	Bonds, Grants, Private Donations
18.	Adult Softball	2017 - 2023	\$350,000	Bonds, Grants, Private Donations
19.	Wetland Interpretive Area	2017 - 2023	Varies	Bonds, Grants, Private Donations
20.	Nature Preserve	2017 - 2023	Varies	Bonds, Grants, Private Donations
21.	Nature Trail	2017 - 2023	Varies	Bonds, Grants, Private Donations
22.	Regional Arboretum	2017 - 2023	Varies	Bonds, Grants, Private Donations
23.	Recreation Center	2017 – 2023	Varies	Bonds, Grants, Private Donations



TABLE 10: TEN-YEAR ACTION PLAN – RECREATIONAL FACILITY PRIORITY LISTING FOR INDOOR FACILITIES

Priority	Facility	Timing	Estimated Cost	Possible Funding Sources
1.	Indoor Aquatic	2022 - 2027	Varies	Bonds, Grants, Private Donations
2.	Indoor Track	2022 - 2027	Varies	Bonds, Grants, Private Donations
3.	Multi-Purpose Court	2022 - 2027	Varies	Bonds, Grants, Private Donations
4.	Aerobic Room	2022 - 2027	Varies	Bonds, Grants, Private Donations
5.	Arts & Crafts	2022 - 2027	Varies	Bonds, Grants, Private Donations
6.	Racquetball	2022 - 2027	Varies	Bonds, Grants, Private Donations
7.	Weight Room	2022 - 2027	Varies	Bonds, Grants, Private Donations
8.	Computer Game Room	2022 - 2027	Varies	Bonds, Grants, Private Donations





FUNDING SOURCES

This *Parks, Recreation and Open Space Master Plan* recommends the development of a number of new parks, and further development in some existing parks. Once completed, these recommended improvements represent a substantial public investment in parks and open space as the City grows and develops. The various sources of funds for these improvements are as important as the diversity of those sources. When there are several sources of funds for implementing this *Parks, Recreation and Open Space Master Plan*, then no one source is overburdened, and the *Parks, Recreation and Open Space Master Plan* has a better probability of successful implementation. The sources discussed below relate to the purchase, development, and/or renovation/expansion of park land and facilities.

Park Dedication Fees

Park Dedication Fees are collected on dwelling units which are approved by the City. Cities should periodically review the land and fee dedicated for park acquisition and development. This review should analyze the cost of land and park development compared to the monetary fee collected in order to ensure the fee and dedication amount is adequate to provide for park development. As a guide, the City may evaluate other cities' fees and dedication. This analysis should compare cities of similar population as Sherman.

General Fund

This source of funding is supported by ad valorem tax revenues. It is generally the primary source of funds for maintenance and operation of the existing park system. The general fund is also the source for projects requiring smaller amounts of capital investment. Although projects funded by this source make a small annual contribution to the expansion of the park system, analysis over a number of years usually reflects a major accomplishment in improvements to the park system. It is important to include funding for on-going maintenance and staff requirements for new developments and improvements.

Hotel Occupancy Tax

The Hotel Occupancy Tax is a tax levied on hotel rooms and lodging. This tax could be used for certain park developments such as athletic facilities and community parks.

Bonds

Bonds are generally the most common funding source utilized by cities for the purchase of land and for providing development monies. There are two types of bonds which are used for parks, both of which must be approved by referendum.



General Obligation Bond – The General Obligation Bond is amortized using ad valorem taxes and is used for the funding of capital projects which are not supported by a revenue source. These projects include water service, sanitary sewer service, and park acquisition and development. The availability of bonding for parks is often dependent upon the overall municipal needs funded by this source. Capital items, such as purchase of land and physical improvements with a useable life expectancy of 15 to 20 years, can be funded with general obligation bonds.

Revenue Bonds – Revenue bonds fund projects which produce enough revenue to retire their debt, such as golf courses, batting cages, and enterprise-oriented park projects.

Private Donations

This source of financial assistance would usually come from a citizen, an organization, or a business with an interest in assisting with the development of the park system. Land dedication is not an uncommon occurrence when property is being developed. The location of a neighborhood park within a residential development offers additional value to residential units within that neighborhood, especially if the residential development is occupied by younger families with children.

Private donations may also be received in the form of funds, facilities, recreation equipment, art or in-kind services. Donations from local and regional businesses, as sponsors for events or facilities, should be pursued.

Sales Tax Option (4B)

The passage of Senate Bill 376 in 1992 gave cities an economic development tool which provided a sales tax that could be levied for park and recreation purposes.

Texas Recreation and Parks Account (TRPA) Program

The TRPA Program is administered by the Texas Parks and Wildlife Department (TPWD). The TPWD program allows a city to request matching funds for both the acquisition and construction of park facilities. Currently, funds are available on a fifty percent (50%) cost share basis; the maximum amount for which a grant request can be is \$500,000. The grant is secured through submission of an application which follows a standard format for applicants. All applications received are ranked by a point system designed to evaluate the need for the purchase or construction being requested. Funds are distributed among the applicants having the greater number of points, until all allocated funds are expended.

Applications to the TPWD can be made annually, with a six-month waiting period following the submission date before successful applicants are notified. The number of applications a city may submit at any given time is based on both past performance on grants and TPWD evaluation criteria. This funding source is used by many communities. The competitiveness of the program generally allows cities having bona fide park needs to prevail in obtaining funds.



Urban and Community Forest Challenge Grant

Matching grants are available on a 50/50 cost share basis from the Texas Department of Forestry. A variety of projects including: program development, beautification and staffing and training workshops are considered. These are small grants of \$5,000 to \$10,000.

Transportation Alternative Program

Available in 2014, funds will be available for projects including, bicycle and pedestrian facilities, trails, rails-to-trails, historic preservation and similar projects.

Public Improvements District (P.I.D.)

When authorized by City Council and in compliance with state laws, new developments can establish a Public Improvement District (P.I.D.). As a taxing district the P.I.D. provides funds specifically for the operation and maintenance of public facilities such as parks and major boulevards.

Tax Increment Financing District (T.I.F.)

A T.I.F. is a tool used by local government to finance public improvements in a defined area as approved by the City Council. When an area is designated a T.I.F. district the tax base is frozen at the current level. As development occurs within the T.I.F., the increased value of property, the tax increment is captured. The tax increments are posted to a separate fund to finance public improvements' within the district.

IMPLEMENTATION

Identified within this section are the ways and methods of implementing the recommendations within this *Parks, Recreation and Open Space Master Plan*. Critical to its implementation is the action plan, which should be developed annually by the City of Sherman.

Policies and Ordinances

The accuracy of these implementation mechanisms is dependent upon the proper coordination of input from contributing bodies including City officials, elected and appointed, City staff, the Sherman school district, surrounding municipalities, sports groups, and most importantly the citizens of Sherman. All parties must communicate and work collectively toward common goals, only this will ensure the successful development of the park system. An example of this communication, at the staff level, would be the incorporation of the *Parks, Recreation & Open Space Master Plan* during review of proposed development plans with various entities involved.



Ordinances provide the legal framework for implementation of this *Master Plan*, and therefore, aid in park system development and protection. Outlined below is the Watershed Management and Drainageway Ordinance. This ordinance is directly related to land acquisition in floodplain areas for creek corridor and trail development.

Watershed Management and Drainageway Ordinances

These ordinances protect and preserve greenbelts and floodplains. They provide a tool to manage the drainage and floodplains within Sherman. The ordinances respond to Federal Emergency Management Agency (FEMA) and National Pollutant Discharge Elimination System (NPDES) mandates for cities. These tools may be drafted in a format as restrictive as the City wishes. A reciprocal benefit of the preservation of these areas would be their use as linear greenbelts and connections to destinations throughout the City.

PLAN SUMMARY

This *Parks, Recreation & Open Space Master Plan* is a fluid planning tool which will guide the development and acquisition of new park land and recreational facilities. The Master Plan has identified the need for park improvements, recreational athletic fields, facilities, and restoration of existing parks. As with any public or municipal project, the amount of available funding or potential to retire debt is the controlling factor in deciding which project or projects should be completed first.

As identified, renovation projects for existing parks typically have smaller construction budgets. The renovations specified in this *Master Plan* outline required new construction. These types of projects generally receive money from the City's general fund and/or a bond issue which requires voter approval. Projects of this nature and scope outlined in the *Master Plan* would take approximately 6 to 8 months to complete. The larger renovation projects, such as field renovation or community parks, should allow for 12 to 14 months to complete. This includes development of plans and specifications and construction.

This *Parks, Recreation and Open Space Master Plan* should be reviewed annually or after a major project or task has been accomplished.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.2.

Meeting Date: 05/15/2017

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6026

Approving a Negotiated Settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division, Regarding the Company's 2017 Rate Review Mechanism Filings; Declaring Existing Rates to be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement; Finding the Rates to be Set by the Settlement Tariffs to be Just and Reasonable and in the Public Interest; Requiring Reconciliation and Rate Adjustments if Federal Income Tax Rates Change; Terminating the RRM Process for 2018 Pending Renegotiation of RRM Terms and Conditions; Requiring the Company to Reimburse ACSC's Reasonable Ratemaking Expenses; Declaring an Effective Date; Requiring Delivery of this Ordinance to the Company and the ACSC's Legal Counsel

Issue:

Ratification of a Negotiated Settlement between Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company")

Background:

The Rate Review Mechanism ("RRM") tariff was approved by ACSC Cities as part of the settlement agreement to resolve the Atmos Mid-Tex 2007 system-wide rate filing at the Railroad Commission. The RRM allows cities to conduct a more comprehensive review of all of the information regarding changes to Atmos's revenues and expenses, as well as its invested capital. In early 2013, the City adopted a renewed RRM tariff for an additional five years. ACSC and Atmos have reached a negotiated resolution addressing Atmos's fourth filing (the 2016 RRM rate increases) pursuant to the renewed RRM tariff.

The Ordinance reflects a negotiated settlement of Atmos's 2017 RRM filing, a rate increase of \$48 million on a system-wide basis (a \$38.8 million increase to cities), approximately \$4.4 million less than what the Company would have been entitled to receive under the Gas Reliability Infrastructure Program ("GRIP"), the statute that allows Atmos to bypass the City's rate regulatory authority to increase its rates annually to recover capital investments. The settlement also produces a result that is better than what would have been expected if the Company had appealed its case to the Railroad Commission. The Ordinance includes the new tariffs (Attachment A), proof of revenues, and a spreadsheet establishing a baseline for pensions for the next RRM filing (Attachment B).

The ACSC General Counsel recommends the City adopt the proposed ordinance approving the negotiated settlement agreement resolving the 2017 RRM filing and implementing the rate changes to take effect June 1, 2017.

Origination:

Geoffrey M. Gay, General Counsel to the ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C.

Financial Consideration:

Approval of this ordinance will result in rates that implement a \$38.8 million increase in Atmos's revenues effective June 1, 2017, and a monthly increase of \$2.04, or about 3.87%, for the average residential customer.

Staff Recommendation:

It is recommended that the City Council adopt the ordinance and approve the Negotiated Settlement with Atmos Mid-Tex.

Alternatives:

As the ACSC Negotiation Team has negotiated the most beneficial settlement, no other alternatives are recommended.

Attachments

Ordinance No. 6026

Attachments A and B to Ordinance

Staff Report

ORDINANCE NO. 6026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION, REGARDING THE COMPANY’S 2017 RATE REVIEW MECHANISM FILINGS; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING RECONCILIATION AND RATE ADJUSTMENTS IF FEDERAL INCOME TAX RATES CHANGE; TERMINATING THE RRM PROCESS FOR 2018 PENDING RENEGOTIATION OF RRM TERMS AND CONDITIONS; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; DECLARING AN EFFECTIVE DATE; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL; 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 a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a new Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, on March 1, 2017, Atmos Mid-Tex filed its 2017 RRM rate request with ACSC Cities; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2017 RRM filing through its Executive Committee, assisted by ACSC’s attorneys and consultants, to resolve issues identified in the Company’s RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$48 million on a system-wide basis; and

WHEREAS, the attached tariffs implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications; and

WHEREAS, the Company and ACSC have agreed that rates should be adjusted if any change in federal income tax rates is implemented during the period that rates approved herein remain in place; and

WHEREAS, because ACSC believes that certain provisions of the current terms and conditions of the RRM tariff are inconsistent with market conditions, the City expects renegotiation of the current RRM tariff in the Summer of 2017;

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 that the settled amount of an increase in revenues of \$48 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2017 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

SECTION 3. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment A, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$48 million in revenue over the amount allowed under currently approved rates, as shown in the Proof of Revenues attached hereto and incorporated herein as Attachment B; such tariffs are hereby adopted.

SECTION 4. That the ratemaking treatment for pensions and other post-employment benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Attachment C, attached hereto and incorporated herein.

SECTION 5. Consistent with Texas Utilities Code Section 104.055(c), Atmos Energy's recovery of federal income tax expense through the Rider RRM has been computed using the statutory income tax rate. In the event that a change in the statutory income tax rate is implemented during the Rider RRM Rate Effective Date, Atmos Energy shall reconcile the

difference between the amount of federal income tax expense included in the Rider RRM calculation for the Rate Effective Date with the amount of federal income tax expense authorized under the new statutory income tax rate. The reconciliation period shall be from the date on which any new statutory income tax rate is implemented through the Rate Effective Date. An interest component calculated at the customer deposit interest rate then in effect as approved by the Railroad Commission of Texas shall be applied to the federal income tax expense reconciliation. Further, any required reconciliation of federal income tax expense shall be included as part of Atmos Mid-Tex's next annual RRM filing and shall be returned to or recovered from customers as a one-time credit or surcharge to the customer's bill.

SECTION 6. The City requires renegotiation of RRM tariff terms and conditions during the Summer of 2017. If an agreed renegotiated RRM tariff cannot be achieved, the City will terminate the RRM process and consider initiation of a traditional rate case to reduce the Company's authorized return on equity.

SECTION 7. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2017 RRM filing.

SECTION 8. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

SECTION 9. 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 10. That consistent with the City Ordinance that established the RRM process, this Ordinance shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after June 1, 2017.

SECTION 11. That a copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LJB Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

SECTION 12. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2017.

ADOPTED on this the _____ day of _____, 2017.

EFFECTIVE DATE on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

RATE SCHEDULE:	R – RESIDENTIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2017	PAGE:

Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 19.60 per month
Rider CEE Surcharge	\$ 0.02 per month ¹
Total Customer Charge	\$ 19.62 per month
Commodity Charge – All <u>Ccf</u>	\$0.14427 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2016.

RATE SCHEDULE:	C – COMMERCIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2017	PAGE:

Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 44.70 per month
Rider CEE Surcharge	\$ 0.08 per month ¹
Total Customer Charge	\$ 44.78 per month
Commodity Charge – All Ccf	\$ 0.09279 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹ Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2016.

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2017	PAGE:

Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 799.75 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.3374 per MMBtu
Next 3,500 MMBtu	\$ 0.2470 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0530 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

Attachment A
RRC Tariff No:

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2017	PAGE:

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2017	PAGE:

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 799.75 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.3374 per MMBtu
Next 3,500 MMBtu	\$ 0.2470 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0530 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

Attachment A
RRC Tariff No:

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2017	PAGE:

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2017	PAGE:

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification

$WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf

R_i = Commodity Charge rate of temperature sensitive sales for the i^{th} schedule or classification.

HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class

NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.

ADD = billing cycle actual heating degree days.

BL_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the j th customer in i th rate schedule is computed as:

$$WNA_j = WNAF_i \times q_{ij}$$

Where q_{ij} is the relevant sales quantity for the j th customer in i th rate schedule.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2017	PAGE:

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>
Abilene	9.79	0.1347	93.16	0.6060
Austin	10.37	0.1483	190.68	0.9069
Dallas	13.36	0.2089	180.35	1.0191
Waco	9.64	0.1348	124.37	0.5791
Wichita Falls	11.20	0.1412	107.96	0.5571

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the Company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the Company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the Company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

[illegible]

With Proportional Increase all classes but Residential and a 40% residential base charge increase:

		Current	Prospective	Revenues
Residential Base Charge	\$	19.08	\$ 0.77	\$ 13,969,407
Residential Consumption Charge	\$	0.11378	\$ 0.02502	20,954,111
Commercial Base Charge	\$	41.70	2.96	4,345,614
Commercial Consumption Charge	\$	0.08494	0.00797	4,345,614
I&T Base Charge	\$	737.00	62.70	592,856
I&T Consumption Charge Tier 1 MMBTU	\$	0.3096	0.0278	279,522
I&T Consumption Charge Tier 2 MMBTU	\$	0.2267	0.0203	225,635
I&T Consumption Charge Tier 3 MMBTU	\$	0.0486	0.0044	87,699
				<u>\$ 44,800,457</u>

In accordance with RRM tariff:

	Proposed Change	Proposed Change In Revenues	Proposed Rates	Proposed Revenues
Residential Base Charge	\$ 0.52	\$ 9,385,859	\$ 19.60	\$ 353,851,897
Residential Consumption Charge	\$ 0.03049	25,534,444	\$ 0.14427	120,821,718
Commercial Base Charge	\$ 3.00	4,409,676	\$ 44.70	65,707,365
Commercial Consumption Charge	\$ 0.00785	4,280,326	\$ 0.09279	50,595,093
I&T Base Charge	\$ 62.75	593,364	\$ 799.75	7,562,427
I&T Consumption Charge Tier 1 MMBTU	\$ 0.0278	279,726	\$ 0.3374	3,394,949
I&T Consumption Charge Tier 2 MMBTU	\$ 0.0203	225,178	\$ 0.2470	2,739,848
I&T Consumption Charge Tier 3 MMBTU	\$ 0.0044	88,488	\$ 0.0530	1,065,879
		<u>\$ 44,797,060</u>		<u>\$ 605,739,177</u>

ATMOS ENERGY CORP., MID-TEX DIVISION
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL
TEST YEAR ENDING DECEMBER 31, 2016

Line No.	Description	Shared Services		Mid-Tex Direct			Adjustment Total
		Pension Account Plan ("PAP")	Post-Retirement Medical Plan ("FAS 106")	Pension Account Plan ("PAP")	Supplemental Executive Benefit Plan ("SERP")	Post-Retirement Medical Plan ("FAS 106")	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Fiscal Year 2017 Willis Towers Watson Report as adjusted (1), (3)	\$ 5,004,862	\$ 2,864,121	\$ 8,234,627	\$ 194,941	\$ 4,375,142	
2	Allocation to Mid-Tex	45.03%	45.03%	71.23%	100.00%	71.23%	
	Fiscal Year 2017 Actuarially Determined O&M Benefits (Ln 1 x Ln 2)						
3		\$ 2,253,477	\$ 1,289,592	\$ 5,865,537	\$ 194,941	\$ 3,116,420	
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
	Fiscal Year 17 Willis Towers Watson Benefit Costs To Approve (excluding Removed Cost Centers) (Ln 3 x Ln 4)						
5		\$ 2,253,477	\$ 1,289,592	\$ 5,865,537	\$ 194,941	\$ 3,116,420	\$ 12,719,968
6							
7							
8	Summary of Costs to Approve:						
9							
10	Total Pension Account Plan ("PAP")	\$ 2,253,477		\$ 5,865,537			\$ 8,119,015
11	Total Post-Retirement Medical Plan ("FAS 106")		\$ 1,289,592			\$ 3,116,420	4,406,012
12	Total Supplemental Executive Retirement Plan ("SERP")				\$ 194,941		194,941
13	Total (Ln 10 + Ln 11 + Ln 12)	\$ 2,253,477	\$ 1,289,592	\$ 5,865,537	\$ 194,941	\$ 3,116,420	\$ 12,719,968
14							
15							
16	O&M Expense Factor	74.05%	74.05%	37.75%	20.00%	37.75%	
17							
18	Expense Portion (Ln 13 x Ln 16)	\$ 1,668,700	\$ 954,943	\$ 2,214,432	\$ 38,988	\$ 1,176,551	\$ 6,053,614
19							
20	Capital Factor	25.95%	25.95%	62.25%	80.00%	62.25%	
21							
22	Capital Portion (Ln 13 x Ln 20)	\$ 584,777	\$ 334,649	\$ 3,651,105	\$ 155,953	\$ 1,939,870	\$ 6,666,354
23							
24	Total (Ln 18 + Ln 22)	\$ 2,253,477	\$ 1,289,592	\$ 5,865,537	\$ 194,941	\$ 3,116,420	\$ 12,719,968

May 15, 2017

STAFF REPORT

The City, along with other similarly situated cities served by Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), is a member of the Atmos Cities Steering Committee (“ACSC”). The RRM Tariff was originally adopted by ACSC member cities in 2007 as an alternative to the Gas Reliability Infrastructure Program (“GRIP”), the statutory provision that allows Atmos to bypass the City’s rate regulatory authority to increase its rates annually to recover capital investments. The RRM Tariff has been modified several times, most recently in 2013.

The 2017 RRM filing is the fifth RRM filing under the renewed RRM Tariff. On March 1, 2017, Atmos made a filing requesting \$57.4 million additional revenues on a system-wide basis. Because the City of Dallas has a separate rate review process, exclusion of Dallas results in the Company requesting \$46.4 million from other municipalities.

Environs customers (ratepayers outside municipal limits) remain under the Railroad Commission’s exclusive original jurisdiction and have their rates set through the GRIP process. If the Company had used the GRIP process rather than the RRM process it would receive a \$52.4 million increase, or about \$4.4 million more than will be approved by the Ordinance. ACSC and the Company have reached an agreement, reflected in the Ordinance, to reduce the Company’s request by \$9.4 million, such that the Ordinance approving new rates reflects an increase of \$48 million on a system-wide basis, or \$38.8 million for Mid-Tex Cities, exclusive of the City of Dallas.

The tariffs attached to the Ordinance approve rates that will increase the Company’s revenues by \$38.8 million for the Mid-Tex Rate Division, effective for bills rendered on or after June 1, 2017. The monthly residential customer charge will be \$19.60. The consumption charge will be \$0.14 per Ccf. The monthly bill impact for the typical residential customer consuming 46.8 Ccf will be an increase of \$2.04, or about 3.87%. The typical commercial customer will see an increase of \$6.27, or 2.37%. Attached to this Model Staff Report is a summary of the impact of new rates on the average bills of all customer classes.

The ACSC Executive Committee and its designated legal counsel and consultants recommend that all Cities adopt the Ordinance with its attachments approving the negotiated rate settlement resolving the 2017 RRM filing, and implementing the rate change.

Explanation of “Be It Ordained” Sections:

1. This section approves all findings in the Ordinance.
2. This section finds the settled amount of \$48 million on a system-wide basis to be a comprehensive settlement of gas utility rate issues arising from Atmos Mid-Tex’s 2017 RRM filing, and that such settlement is in the public interest and is consistent with the City’s statutory authority.
3. This section finds the existing Atmos Mid-Tex rates to be unreasonable, and approves the new tariffed rates providing for additional revenues over currently-billed rates of \$48 million on a system-wide basis and adopts the attached new rate tariffs (Attachment A).

4. This section establishes the baseline for pensions and other post-employment benefits for future rate cases (Attachment C).
5. This section requires a rate reconciliation in the event that federal income tax rates change.
6. This section requires renegotiation of current RRM terms and conditions this Summer and if new terms and conditions are not agreed to by both parties, the RRM process will be terminated and Cities will be encouraged to pass show cause resolutions to trigger a traditional rate case at the Railroad Commission.
7. This section requires the Company to reimburse Cities for reasonable ratemaking costs associated with reviewing and processing the RRM filing.
8. This section repeals any resolution or ordinance that is inconsistent with this Ordinance.
9. 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.
10. This section provides for an effective date upon passage which, according to the Cities' ordinance that adopted the RRM process, is June 1, 2017.
11. 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.
12. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

**ATMOS ENERGY CORP., MID-TEX DIVISION
AVERAGE BILL COMPARISON - BASE RATES
TEST YEAR ENDING DECEMBER 31, 2016**

Line							June 1, 2016	
							PROPOSED	CHANGE
1	Rate R @ 46.3 Ccf						CURRENT	
2	Customer charge					\$ 19.10		
3	Consumption charge	46.3	CCF	X	\$ 0.11378	= 5.27		
4	Rider GCR Part A	46.3	CCF	X	\$ 0.28325	= 13.11		
5	Rider GCR Part B	46.3	CCF	X	\$ 0.25447	= 11.78		
6	Subtotal					\$ 49.26		
7	Rider FF & Rider TAX		\$ 49.26	X	0.07142	= 3.52		
8	Total					\$ 52.78		
9								
10	Customer charge						\$ 19.60	
11	Consumption charge	46.3	CCF	X	\$ 0.14427	= 6.68		
12	Rider GCR Part A	46.3	CCF	X	\$ 0.28325	= 13.11		
13	Rider GCR Part B	46.3	CCF	X	\$ 0.25447	= 11.78		
14	Subtotal					\$ 51.17		
15	Rider FF & Rider TAX		\$ 51.17	X	0.07142	= 3.65		
16	Total					\$ 54.82		\$2.04
17								3.87%
18								
19	Rate C @ 371 Ccf						CURRENT	
20	Customer charge					\$ 41.75		
21	Consumption charge	371.0	CCF	X	\$ 0.08494	= 31.51		
22	Rider GCR Part A	371.0	CCF	X	\$ 0.28325	= 105.07		
23	Rider GCR Part B	371.0	CCF	X	\$ 0.18646	= 69.17		
24	Subtotal					\$ 247.50		
25	Rider FF & Rider TAX		\$ 247.50	X	0.07142	= 17.68		
26	Total					\$ 265.18		
27								
28	Customer charge						\$ 44.70	
29	Consumption charge	371.0	CCF	X	\$ 0.09279	= 34.42		
30	Rider GCR Part A	371.0	CCF	X	\$ 0.28325	= 105.07		
31	Rider GCR Part B	371.0	CCF	X	\$ 0.18646	= 69.17		
32	Subtotal					\$ 253.36		
33	Rider FF & Rider TAX		\$ 253.36	X	0.07142	= 18.09		
34	Total					\$ 271.45		\$6.27
35								2.37%

36	Rate I @ 4364 MMBTU					CURRENT	PROPOSED	CHANGE
37	Customer charge					\$ 738.00		
38	Consumption charge	1,500	MMBTU	X \$ 0.3096	=	464.40		
39	Consumption charge	2,864	MMBTU	X \$ 0.2267	=	649.26		
40	Consumption charge	0	MMBTU	X \$ 0.0486	=	-		
41	Rider GCR Part A	4,364	MMBTU	X \$ 0.2900	=	1,265.76		
42	Rider GCR Part B	4,364	MMBTU	X \$ 0.4373	=	1,908.41		
43	Subtotal					\$ 5,025.83		
44	Rider FF & Rider TAX		\$ 5,025.83	X 0.07142	=	358.93		
45	Total					<u>\$ 5,384.76</u>		
46								
47	Customer charge						\$ 799.75	
48	Consumption charge	1,500	MMBTU	X \$ 0.3374	=		506.10	
49	Consumption charge	2,864	MMBTU	X \$ 0.2470	=		707.40	
50	Consumption charge	0	MMBTU	X \$ 0.0530	=		-	
51	Rider GCR Part A	4,364	MMBTU	X \$ 0.2900	=		1,265.76	
52	Rider GCR Part B	4,364	MMBTU	X \$ 0.4373	=		1,908.41	
53	Subtotal						\$ 5,187.42	
54	Rider FF & Rider TAX		\$ 5,187.42	X 0.07142	=		370.47	
55	Total						<u>\$ 5,557.89</u>	\$173.13
56								3.22%
57	Rate T @ 4364 MMBTU					CURRENT	PROPOSED	CHANGE
58	Customer charge					\$ 738.00		
59	Consumption charge	1,500	MMBTU	X \$ 0.3096	=	464.40		
60	Consumption charge	2,864	MMBTU	X \$ 0.2267	=	649.26		
61	Consumption charge	0	MMBTU	X \$ 0.0486	=	-		
62	Rider GCR Part B	4,364	MMBTU	X \$ 0.4373	=	1,908.41		
63	Subtotal					\$ 3,760.07		
64	Rider FF & Rider TAX		\$ 3,760.07	X 0.07142	=	268.54		
65	Total					<u>\$ 4,028.61</u>		
66								
67	Customer charge						\$ 799.75	
68	Consumption charge	1,500	MMBTU	X \$ 0.3374	=		506.10	
69	Consumption charge	2,864	MMBTU	X \$ 0.2470	=		707.40	
70	Consumption charge	0	MMBTU	X \$ 0.0530	=		-	
71	Rider GCR Part B	4,364	MMBTU	X \$ 0.4373	=		1,908.41	
72	Subtotal						\$ 3,921.66	
73	Rider FF & Rider TAX		\$ 3,921.66	X 0.07142	=		280.08	
74	Total						<u>\$ 4,201.74</u>	\$173.13
75								4.30%



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.3.

Meeting Date: 05/15/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6027

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District at 6120 North U.S. Highway 75, being 2.0689 acres in the W.S. Thurman Survey, Abstract No. 1265 (Stanley Blythe, Owner; QuikTrip, Tenant; John Pimentel, Representative; and Helvey-Wagner Surveying, Inc., Surveyors)

Issue:

To consider the request of Stanley Blythe (Owner), QuikTrip (Tenant), John Pimentel (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 6120 North U.S. Highway 75, being 2.0689 acres in the W.S. Thurman Survey, Abstract No. 1265 for a zone change from an R-1 (One Family Residential) District and SF-1 (Single Family Residential) District to a C-1 (Retail Business) District

Background:

The property is located at 6120 North U.S. Highway 75; the southwest corner of U.S. Highway 75 and F.M. 691. The prospective buyer would like to change the zoning on the property from an R-1 (One Family Residential) District and SF-1 (Single Family Residential) District to a C-1 (Retail Business) District to construct a 5,773 square foot, 24-hour QuikTrip Convenience Store with gasoline sales.

QuikTrip is a privately held company headquartered in Tulsa, Oklahoma. Founded in 1958, QuikTrip has grown to a more than \$11 billion company with 700 plus stores in eleven states. QuikTrip has been ranked on the list of "Best Companies to Work For" for the last fourteen years by Fortune magazine, while being on Forbes Top 100 Companies.

The convenience store will have twenty (20) fueling stations for retail motor fuel sales, which will operate twenty-four (24) hours a day, seven (7) days a week. The exterior finish on the building will be brick veneer. Seventy-two (72) parking spaces will be provided.

Origination:

Stanley Blythe (Owner)

QuikTrip (Tenant)

John Pimentel (Representative)

Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the April 18, 2017 regular meeting, the Planning and Zoning Board voted 8/0 to recommend to the City Council that the zone change be approved.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6027

Location Map

Zoning Map

Zoning Sign Photo

Topo

Site Plan

Elevations

Landscape Plan

Staff Review Letter

P&Z Communication

ORDINANCE NO. 6027

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT AT 6120 NORTH U.S. HIGHWAY 75, BEING 2.0689 ACRES IN THE W.S. THURMAN SURVEY, ABSTRACT NO. 1265, (STANLEY BLYTHE, OWNER; QUIKTRIP, TENANT; JOHN PIMENTAL, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, INC., SURVEYORS); PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the C-1 (Retail Business) District at 6120 North U.S. Highway 75, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING a tract of land located in the City of Sherman, Grayson County, Texas, part of the W.S. Thurman Survey, Abstract No. 1265, a portion of that certain called 71.5452 acres tract of land, as described by Special Warranty Deed to Homer H. Blythe and wife, Verna E. Blythe, as recorded in Volume 1335, Page 41, a portion of that certain called 45.414 acres tract of land, inventoried as Schedule A, Item No. 4 in that certain Order Admitting Will to Probate and Authorizing Letters Testamentary (Cause No. 94-0-363P) assigning Stanley Blythe as the Independent Executor of the Estate of said Homer H. Blythe, as recorded in Volume 559, Page 598, Probate Records, Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a concrete monument found at the intersection of the south right-of-way line of F.M. 691 (also known as Grayson Drive, a variable width public right-of-way) and the west right-of-way line of U.S. Highway 75 (a variable width public right-of-way), same being the most northerly northeast corner of said 45.414 acres tract;

THENCE along said west right-of-way line as follows:

South 20 degrees 00 minutes 41 seconds East, a distance of 94.75 feet to a concrete monument found;

South 21 degrees 14 minutes 23.28 seconds West, a distance of 267.15 feet to a 5/8 inch iron rod with plastic cap stamped "SCI" set, from which a concrete monument found bears South 21 degrees 14 minutes 23 seconds West, a distance of 186.83 feet;

THENCE departing said west right-of-way line, over and across said 45.414 acres as follows:

North 73 degrees 48 minutes 47.92 seconds West, a distance of 251.30 feet to a 5/8 inch iron rod with plastic cap stamped "SCI" set, the beginning of a non-tangent curve to the left;

Along said curve to the left through a central angle of 13 degrees 49 minutes 02.83 seconds, a radius of 330.00 feet, an arc length of 79.58 feet, a chord bearing of North 07 degrees 34 minutes 35.50 seconds East and a chord distance of 79.39 feet;

North 00 degrees 40 minutes 04.08 seconds East, a distance of 192.71 feet to a 5/8 inch iron rod with plastic cap stamped "SCI" set in the south right-of-way line of said F.M. 691;

THENCE along said south right-of-way line, South 89 degrees 19 minutes 55.92 seconds East, a distance of 293.00 feet to the **POINT OF BEGINNING and containing 90,120 square feet or 2.0689 acres of land more or less.....**

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

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

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

INTRODUCED on this the _____ day of _____, 2017.

ADOPTED on this the _____ day of _____, 2017.

EFFECTIVE DATE on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

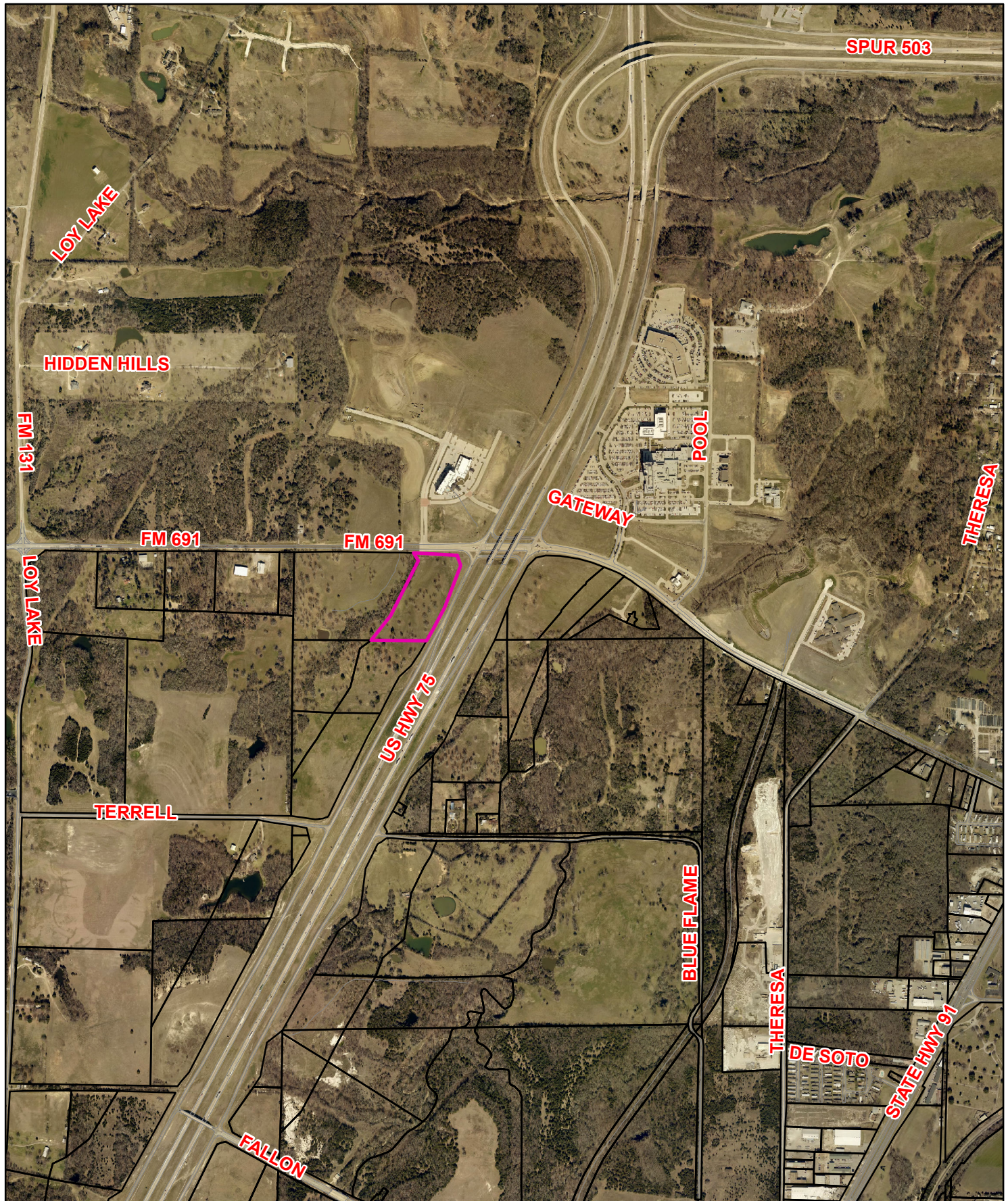
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

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

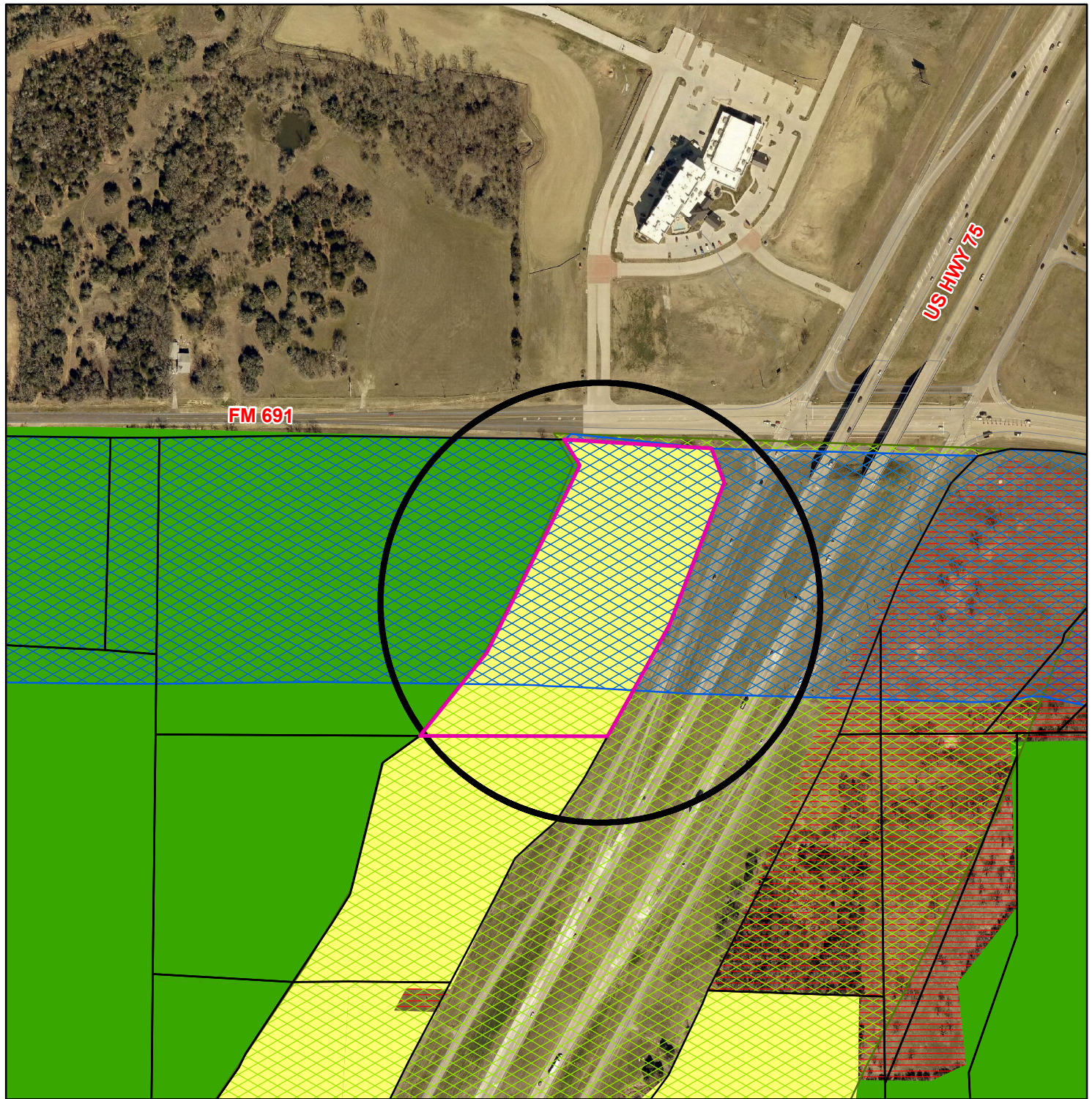


6120 N. U.S. Highway 75



1 in = 1,250 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 6120 N. U.S. Highway 75

Legend

Special Districts Overlay

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

Transportation Corridor Zoning Districts

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

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



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

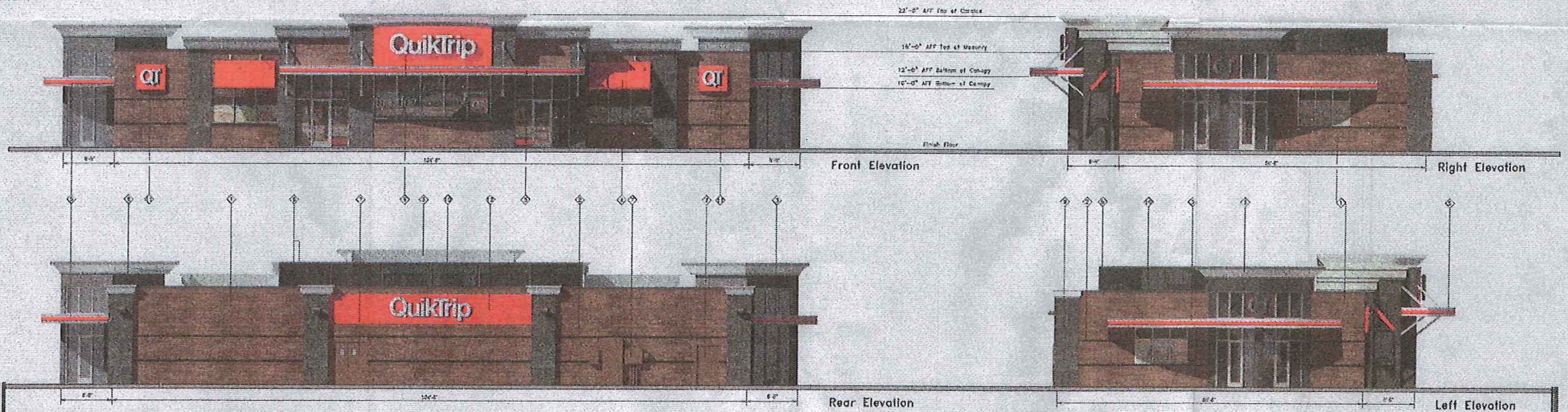
1 in = 400 ft

6120 N. U.S. Highway 75



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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
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QuikTrip.

4305 South 138th East Ave.
Tulsa, OK 74134-7000
P.O. Box 3475
Tulsa, OK 74110-9475
(918) 510-2700

Store # 1918 Angle Entry w/ CL-44R Rear Signage

Address: SWC of FM 691 & US 75

City, State: Sherman, TX

Serial # 08-1918-BSPI

Scale: 1/16"=1'-0"

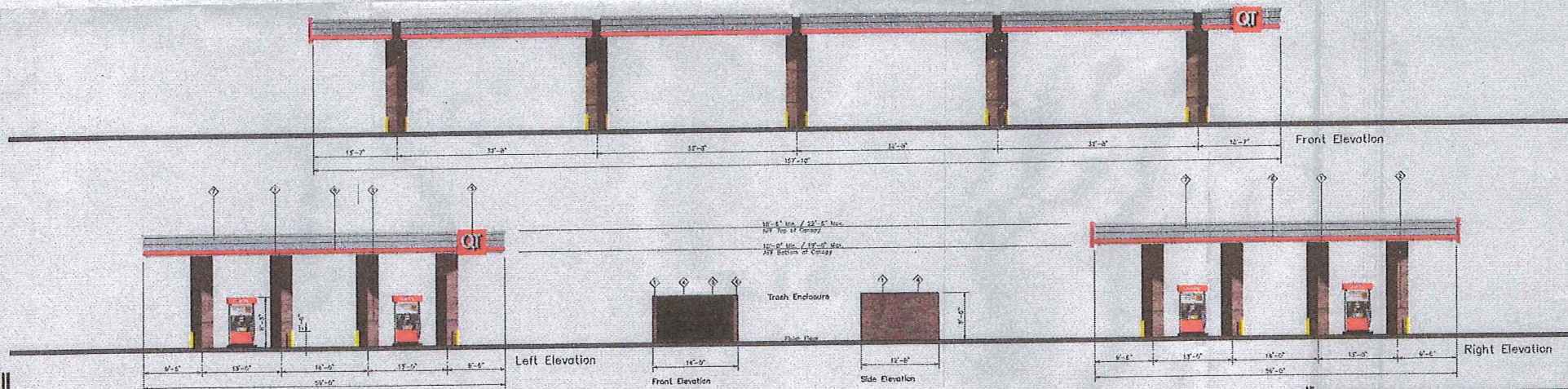
Issue Date: 12.06.16

Drawn By: TR

Rev/Notes:

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REPRODUCTION, OR SALE IN WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

#	FINISH	MANUFACTURER	SPECIFICATION
1	FOUNDATION	INTERLOCK BRICK	ASTM INTERNATIONAL (ASTM)
2	FOUNDATION	INTERLOCK BRICK	ASTM INTERNATIONAL (ASTM)
3	FOUNDATION	INTERLOCK BRICK	ASTM INTERNATIONAL (ASTM)
4	FOUNDATION	INTERLOCK BRICK	ASTM INTERNATIONAL (ASTM)
5	FOUNDATION	INTERLOCK BRICK	ASTM INTERNATIONAL (ASTM)
6	FOUNDATION	INTERLOCK BRICK	ASTM INTERNATIONAL (ASTM)
7	FOUNDATION	INTERLOCK BRICK	ASTM INTERNATIONAL (ASTM)
8	FOUNDATION	INTERLOCK BRICK	ASTM INTERNATIONAL (ASTM)
9	FOUNDATION	INTERLOCK BRICK	ASTM INTERNATIONAL (ASTM)
10	FOUNDATION	INTERLOCK BRICK	ASTM INTERNATIONAL (ASTM)
11	FOUNDATION	INTERLOCK BRICK	ASTM INTERNATIONAL (ASTM)
12	FOUNDATION	INTERLOCK BRICK	ASTM INTERNATIONAL (ASTM)



QuikTrip.

4700 Smith Street, Suite 200
Tulsa, OK 74114-7008
P.O. Box 2470
Tulsa, OK 74101-2470
(918) 613-7700

Store # **1918** Double Stack 10 Canopy Elevations

Address: **SWC of FM 691 and US 75**

City, State: **Sherman, TX**

Serial # **08-1918-GD10** Scale: **1/16"=1'-0"** Issue Date: **11.23.16** Drawn By: **JK**

Rev/Notes:

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QD	FRSH	MANUFACTURER	DESCRIPTION
1	CONCRETE	STANDARD CONCRETE	STANDARD CONCRETE
2	STEEL	STEEL	STEEL
3	PAINT	PAINT	PAINT
4	GLASS	GLASS	GLASS
5	WALL	WALL	WALL
6	CEILING	CEILING	CEILING
7	FLOOR	FLOOR	FLOOR
8	DOOR	DOOR	DOOR
9	WINDOW	WINDOW	WINDOW
10	ROOF	ROOF	ROOF

STAFF REVIEW LETTER

April 12, 2017

Stanley L. Blythe
1105 Emerald Ct.
Colleyville, TX 76034

Helvey-Wagner Surveying
222 W. Main St.
Denison, TX 75020

QuikTrip Corporation
John Pimentel
1120 N. Industrial Blvd.
Euless, TX 76039

Dear Applicants,

The request for site plan approval for a QuikTrip Convenience Store with Gasoline Sales for the property located at 6120 North U.S. Highway 75, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 18, 2017 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-1 (Retail Business) District, the O-1 (75 & 82 Overlay) District, the O-1.3 (F.M. Highway 691) Overlay District, the sign ordinance, the screening ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking is permitted on paved surfaces only (concrete or asphalt).
4. A parking space is considered to be 9'x20'.
5. All parking shall be on private property and shall not encroach into U.S. Highway 75 access road or FM 691 right-of-way.
6. The exterior façade is required to be masonry or equivalent unless an exception is approved.
7. The fence is located outside the property line; it will need to be on your private property.
8. Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way.
9. Any structures or signs built over any of the easements on the property will require approval for an encroachment easement from the City Council.
10. Shall comply with all EPA, City, Federal and State regulations for this use.
11. The trash dumpster will need to be located inside the main building area.
12. Restrict lighting in and around the windows; no flashing of intermittent lights or lights that change colors that cause a glare or brightness to a degree that constitutes a hazard or nuisance to traffic is allowed.
13. Review the zoning and development ordinance for additional requirements.
14. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

15. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from City of Sherman Engineering Department.
16. Platting of the property is required.
17. Additional water line easement required on F.M. 691.
18. Water to be extended to serve the development.
19. City may consider oversizing water line.
20. Waterline to be installed 10 feet from existing sewer.
21. Require 25 foot water/sewer easement along F.M. 691 and U.S. Hwy. 75.
22. Pro-Rata for sewer only will be due at the time of development.
23. Verify fire lane requirements with Fire Marshall.
24. Street off of F.M. 691 should be a dedicated street.
25. Street off of U.S. Hwy. 75 to be a private drive with a mutual access easement.
26. Sign may have to be moved per widened easement.
27. Encroachment agreement requirement for signs within easement.
28. Final site plans, utility, drainage, and grading plan shall be provided and approved by the City Engineering Department.
29. Detention in accordance with City criteria will be required as the site develops.
30. The location of the trash receptors must be approved by the Public Works Department.
31. Both driveway accesses shall have properly designed drainage culverts.
32. Coordinate with TxDOT regarding drainage on F.M. 691.
33. Water line shall be extended to the northwest property line.
34. Pro-Rata shall be required for connection to the existing sewer line.
35. Side streets shall not be in a radius and shall have Type III barricade for street continuation to the south.
36. Require agreement from Owner to cover costs of moving and/or repairing sign if necessary due to sign encroaching into easement.
37. Sign may have to be moved due to widening of easement.

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

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

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

Respectfully,



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

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

Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Director of Public Services
Amber Doan, Engineering Coordinator



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

Agenda Item No. 6.

Meeting Date: 04/18/2017

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

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliott, Commissioner

Chris Vellotti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

Clay Mahone, Commissioner

Requested Action/Proposed Use:

6120 N. U.S. HIGHWAY 75

The request of Stanley Blythe (Owner), QuikTrip (Tenant), John Pimentel (Representative) and Helvey-Wagner Surveying (Surveyor) concerning the property located at 6120 North U.S. Highway 75, being 2.0689 acres in the W.S. Thurman Survey, Abstract No. 1265, as follows:

Planning and Zoning Commission

- Zone change and site plan approval under Ordinance No. 2280, Section 12, from an R-1 (One Family Residential) District and SF-1 (Single Family Residential) District to a C-1 (Retail Business) District.
- Site plan approval for a QuikTrip Convenience Store with Gasoline Sales

Background:

The property is located at 6120 North U.S. Highway 75; the southwest corner of U.S. Highway 75 and F.M. 691. The prospective buyer would like to change the zoning on the property from an R-1 (One Family Residential) District and SF-1 (Single Family Residential) District to a C-1 (Retail Business) District to construct a 5,858 square foot, 24 hour QuikTrip Convenience Store with gasoline sales. The convenience store will have twenty (20) fueling stations for retail motor fuel sales, which will operate twenty-four (24) hours a day, seven (7) days a week. The exterior finish on the building will be brick veneer. Sixty-two (62) parking spaces will be provided.

Adjacent Zoning:

SF-1 (Single Family Residential) District

R-1 (One Family Residential) District

Origination:

Stanley Blythe (Owner)

QuikTrip (Tenant)

John Pimentel (Representative)

Master Plan Designation:

Suburban Commercial - Suburban character primarily from reduced site coverage relative to more auto-oriented commercial development. Especially at key community entries and along high-profile corridors, may also involve other criteria to yield less intensive and more attractive development outcomes relative to auto-oriented areas, including higher standards for landscaping (along street frontages and within parking areas), signs, and building design. Range of commercial retail and service uses, at varying scales and intensities depending on the site.

Number of notices mailed:

2

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Survey/Topo

Site Plan

Elevations

Landscape Plan

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.4.

Meeting Date: 05/15/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6028

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the R-2 (Multi-Family Residential) District at 820 North Sam Rayburn Freeway, being 0.321 acres in the J.B. McAnair Survey, Abstract No. 763 (Concord Village Apartments, Owners; Lisa Hankey, Representative; H&H Drafting and Design, Draftsman; and Underwood Drafting & Surveying, Inc., Surveyors)

Issue:

To consider the request of Concord Village Apartments (Owners), Lisa Hankey (Representative), H&H Drafting and Design (Draftsman) and Underwood Drafting & Surveying, Inc. (Surveyors) concerning the property at 820 North Sam Rayburn Freeway, being 0.321 acres in the J.B. McAnair Survey, Abstract No. 763 for a zone change from an R-1 (One Family Residential) District to an R-2 (Multi-Family Residential) District

Background:

The property is located at 820 North Sam Rayburn Freeway, between Brockett and Birge Streets; Concord Village Apartments is the tenant. Concord Village Apartments purchased this tract in 2001; it was part of a tract with a house located on the lot on North Woods Street. A zone change from an R-1 (One Family Residential) District to an R-2 (Multi-Family Residential) District was approved by the Planning and Zoning Commission on August 16, 2011, but was denied at the City Council Meeting on this property. At that time, the owners were proposing a two-story, twelve bedroom apartment building with eight units. An exception to allow an addition to a 6' privacy fence in lieu of the required masonry perimeter wall to surround the development was denied at the August 16, 2011 Planning and Zoning Commission Meeting based on opposition from the neighborhood, the proximity of the housing in the neighborhood, and the ordinance that was in place.

The owners are requesting to rezone a 0.321 acre tract to the north for an addition to the existing apartment complex. The addition will be a single story triplex (2 - two bedroom apartments and 1 - one bedroom apartment) with an attached 593 square foot office for the apartment complex; for a total of 3,770 square feet. The exterior finish on the building will be brick. They are also requesting an exception to allow the extension of a 6' tall wood privacy fence in lieu of the required masonry perimeter wall.

Origination:

Concord Village Apartments (Owners)
Lisa Hankey (Representative)
H&H Drafting and Design (Draftsman)
Underwood Drafting & Surveying, Inc. (Surveyors)

Financial Consideration:

None

Staff Recommendation:

At the April 18, 2017 regular meeting, the Planning and Zoning Board voted 8/0 to recommend to the City Council that the zone change be approved.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6028
Location Map
Zoning Map
Zoning Sign Photo
Site Plan
Site Plan
Elevations
Floor Plan
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT AT 820 NORTH SAM RAYBURN FREEWAY, BEING 0.321 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, (CONCORD VILLAGE APARTMENTS, OWNERS; LISA HANKEY, REPRESENTATIVE; H&H DRAFTING AND DESIGN, DRAFTSMAN; AND UNDERWOOD DRAFTING & SURVEYING, INC., SURVEYORS); PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the R-2 (Multi-family Residential) District at 820 North Sam Rayburn Freeway, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the County of Grayson, State of Texas, being a part of the J. B. McAnair Survey, Abstract No. 763 and being that tract of land described as Parcel No. 2 in General Warranty Deed from Lisa M. Hankey to Ray Jean Hankey, Trustee of the Shannon Michelle O'Donley Irrevocable Trust as recorded in Volume 4752, Page 259, Real Property Records, Grayson County, Texas and being described by metes and bounds as follows:

BEGINNING at a ½" steel rod set at northeast corner of said Parcel No. 2, said rod also being in the southwesterly right-of-way line of the Texas Pacific Railroad;

THENCE South 40° 05' 26" East with said right-of-way line a distance of 70.61 feet to a found ½" steel rod at the northeast corner of Parcel No.1 as described in said Volume 4752, Page 259;

THENCE North 89° 19' 40" West with the north line of said Parcel No. 1, a distance of 275.87 feet to a found ½" steel rod at the northwest corner of said Parcel No. 1, also being the southwest corner of said Parcel No. 2;

THENCE North 01° 35' 17" East with the west line of said Parcel No. 2, a distance of 57.55 to the northwest corner of said Parcel No. 2;

THENCE South 88° 18' 42" East with the north line of said Parcel No. 2, a distance of 228.89 feet to the **POINT-OF-BEGINNING and containing 0.321 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 _____, 2017.

ADOPTED on this the _____ day of _____, 2017.

EFFECTIVE DATE on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

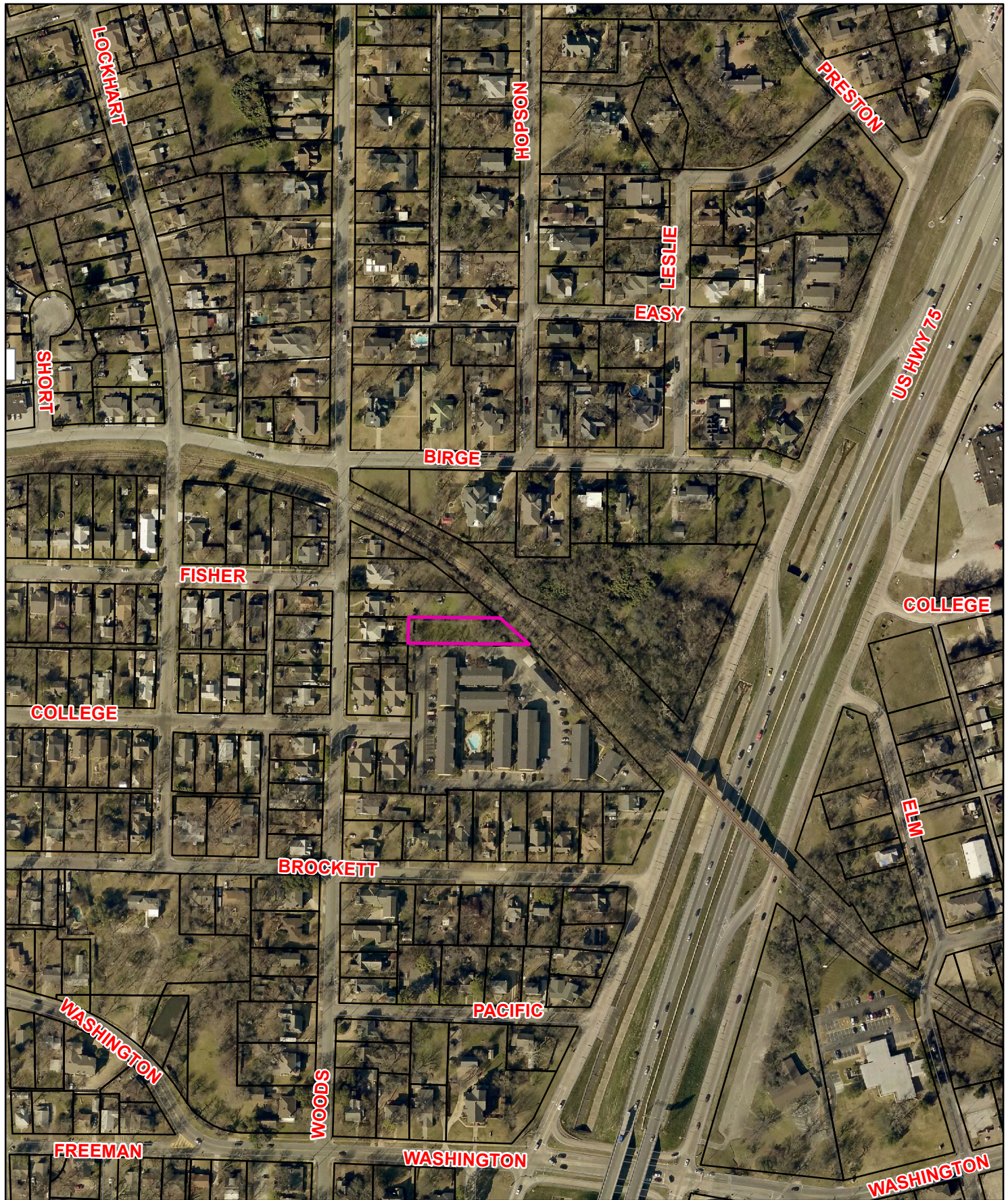
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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

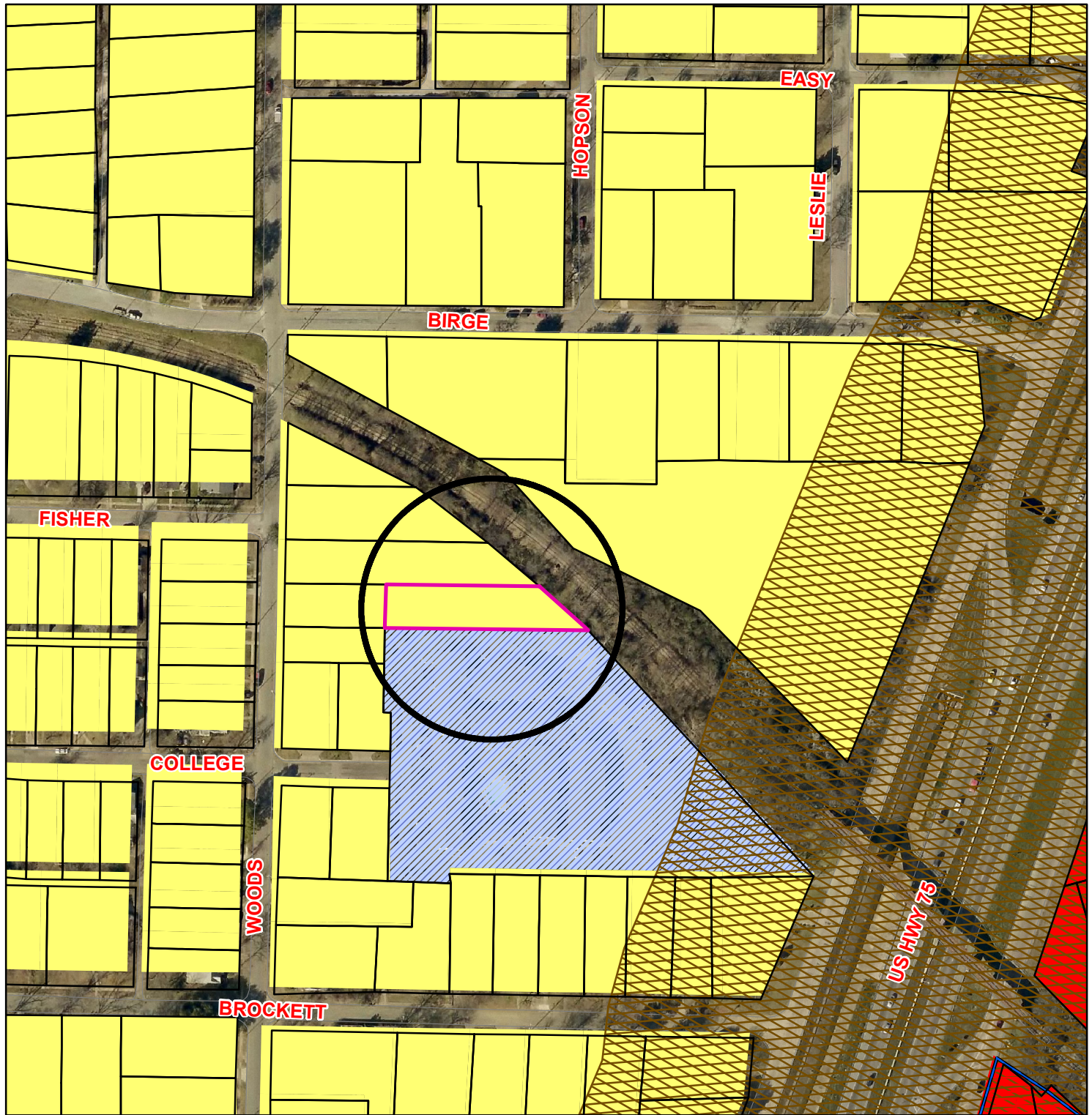


820 N. Sam Rayburn Freeway



1 in = 300 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 820 N. Sam Rayburn Freeway

Legend

Special Districts Overlay

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

Transportation Corridor Zoning Districts

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

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



City of Sherman, Texas
Developmental Services Department



1 in = 194 ft

820 N. Sam Rayburn Freeway



J.B. MCANAIR SURVEY
ABSTRACT NO. 706

0.50 AC
COLLIN M. DALY
VOL. 411, PAGE 54
O.P.R.G.C.T.

50' X 150'
LINDA MARIE MOHS
VOL. 4490, PAGE 220
O.P.R.G.C.T.

50' X 150'
KENNEDY & MENSHEW PROPERTIES INC.
VOL. 3575, PAGE 791
O.P.R.G.C.T.

BLOCK 1

ELLIS ADDITION
VOL. 15, PAGE 75
P.R.G.C.T.

COLLEGE STREET

ELLIS ADDITION
VOL. 15, PAGE 75
P.R.G.C.T.

BLOCK 2

T. J.
SHANNON
TOWN PLAT
BLOCK 11

J. C. STINSON FIRST ADDITION
VOL. 416, PAGE 509
D.R.G.C.T.

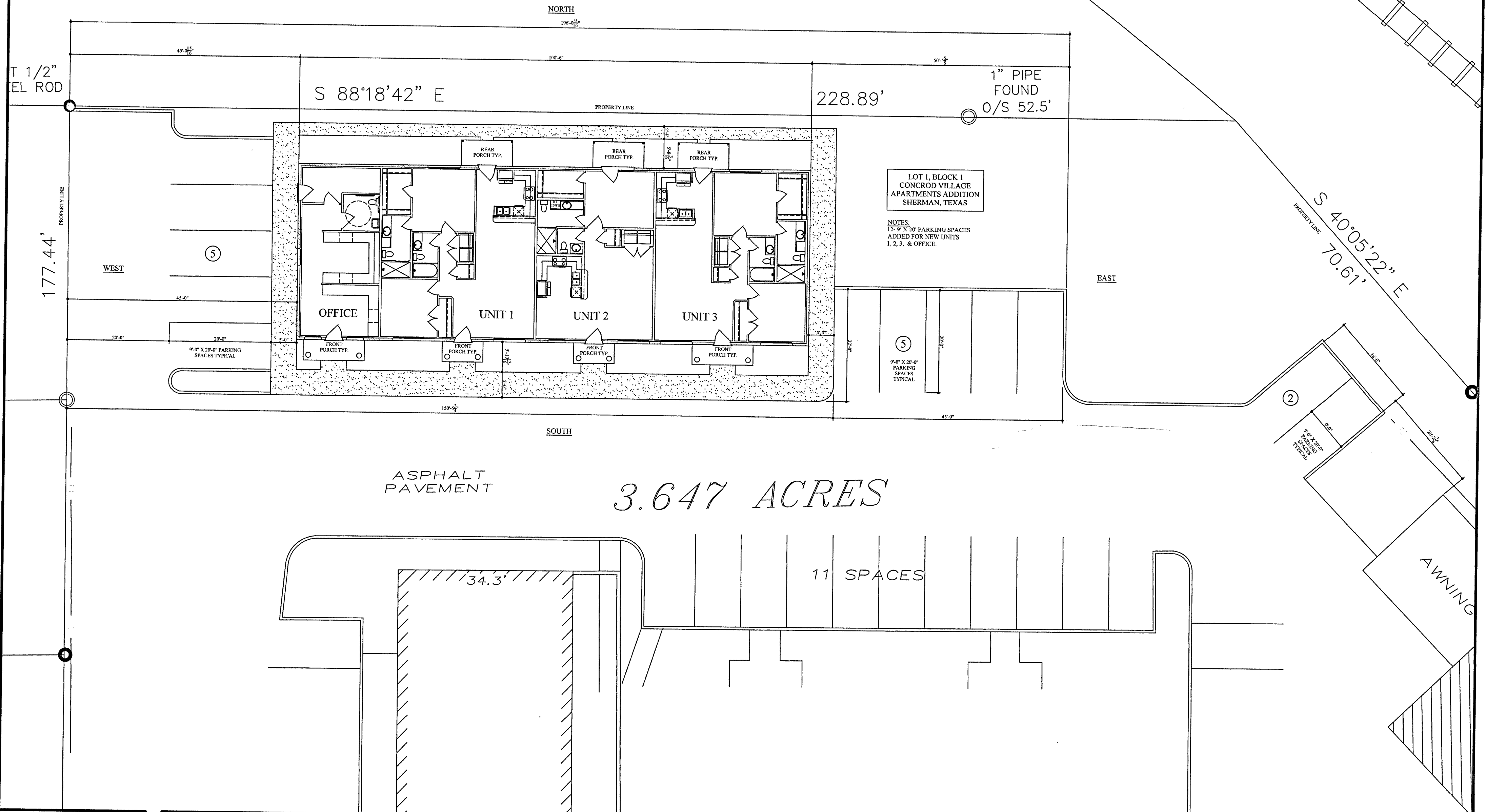
SITE PLAN
LOT 1, BLOCK 1
CONCORD VILLAGE
APARTMENTS ADDITION
SHERMAN, TEXAS

H & H
DRAFTING AND DESIGN
305 W. WOODWARD SUITE #213
DENISON, TEXAS 75020
OFFICE: (903) 463-9770 FAX: (903) 463-3613

ISSUANCE:
DATE: MARCH 2017
DESIGNED BY: EDDY HULSEY
DRAWN BY: TERRY TOBIAS
SCALE:
1" = 30'-0"

A CUSTOM BUILDING FOR:
OVERALL SITE PLAN

SHEET NUMBER:
C-1



C-1

A CUSTOM BUILDING FOR:
CONCORD VILLAGE APARTMENTS

SITE PLAN

ISSUANCES:

DATE: MARCH 2017
DESIGNED BY: EDDY HULSEY
DRAWN BY: TERRY TOBIAS

SCALE: N.T.S.

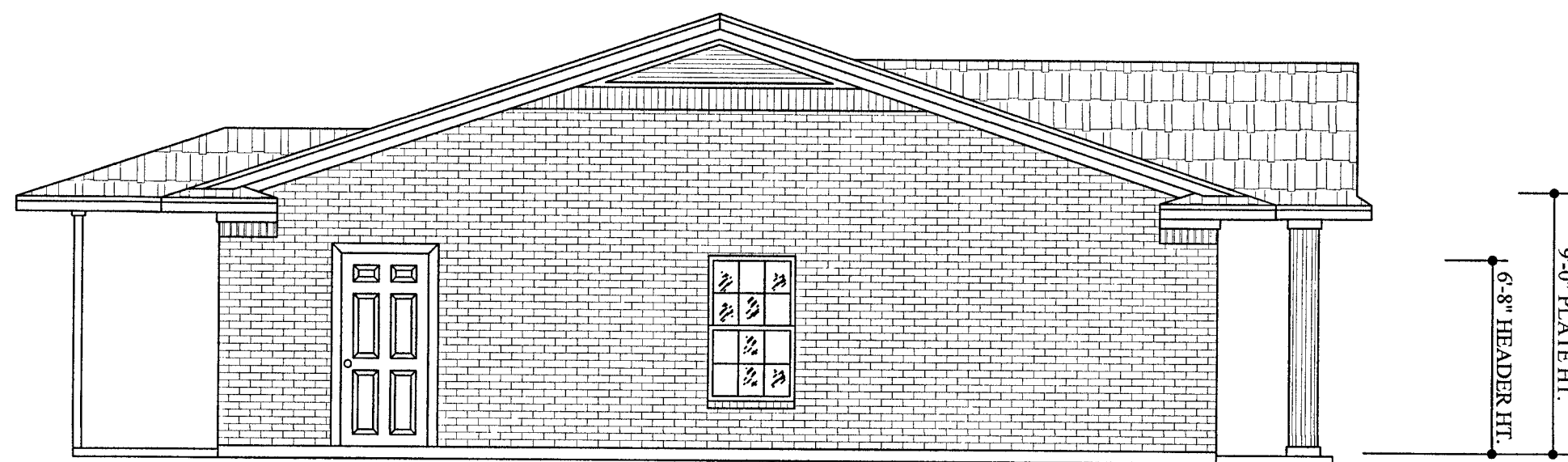
H & H
DRAFTING AND DESIGN

305 W. WOODARD SUITE #213
DENISON, TEXAS 75020

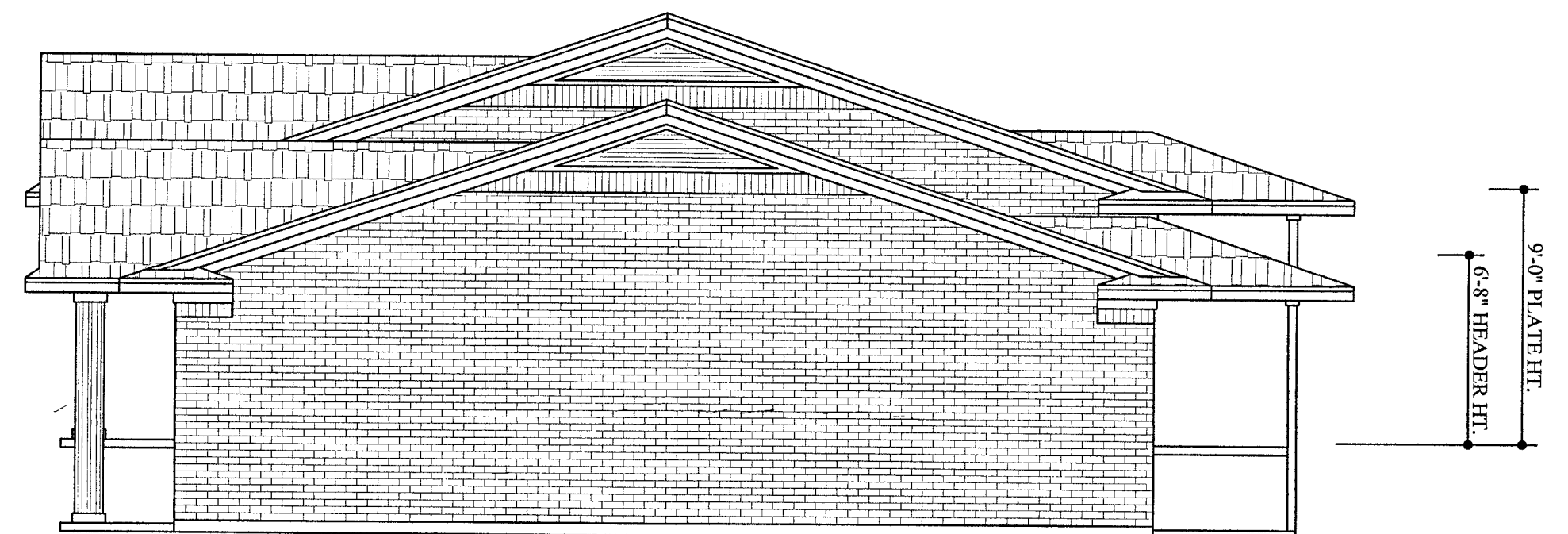
OFFICE: (903) 463-9770 FAX: (903) 463-3613



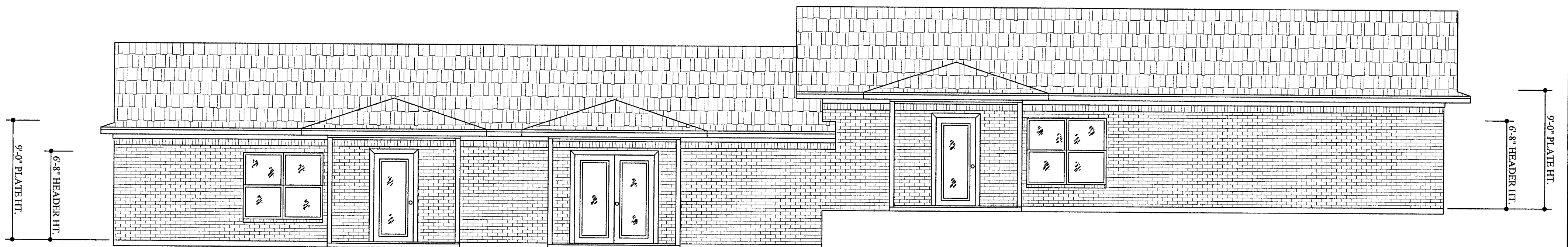
FRONT ELEVATION
(SOUTH)



LEFT ELEVATION
(WEST)



RIGHT ELEVATION
(EAST)



REAR ELEVATION
(NORTH)

A-2

SHEET NUMBER:

A CUSTOM BUILDING FOR:
CONCORD VILLAGE APARTMENTS

ELEVATIONS

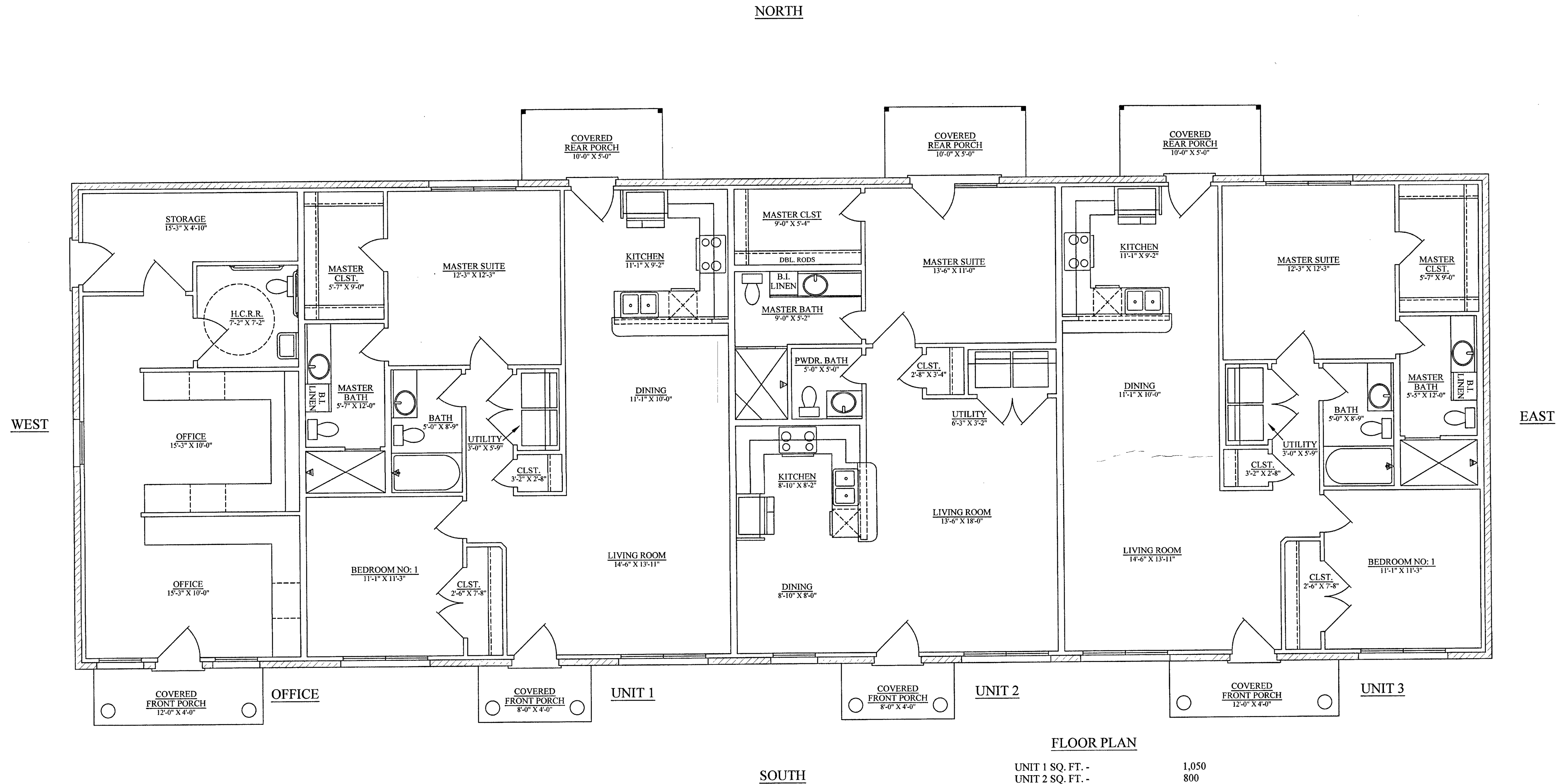
SCALE:
N.T.S.

DATE: MARCH 2017
DESIGNED BY: EDDY HULSLEY
DRAWN BY: TERRY TOBIAS

ISSUANCES:

H & H
DRAFTING AND DESIGN

305 W. WOODARD SUITE #213
DENISON, TEXAS 75020
OFFICE: (903) 463-9770 FAX: (903) 463-3613



FLOOR PLAN

UNIT 1 SQ. FT. -	1,050
UNIT 2 SQ. FT. -	800
UNIT 3 SQ. FT. -	1,051
OFFICE SQ. FT. -	559
FRONT PORCHES SQ. FT. (4) -	160
REAR PORCHES SQ. FT. (3) -	150
TOTAL BUILDING SQ. FT. -	3,211

A-1

A CUSTOM BUILDING FOR:
CONCORD VILLAGE APARTMENTS

FLOOR PLAN

SCALE:
N.T.S.

H & H
DRAFTING AND DESIGN

305 W. WOODARD SUITE #213
DENISON, TEXAS 75020
OFFICE: (903) 463-9770 FAX: (903) 463-3613

DATE: MARCH 2017
DESIGNED BY: EDDY HULSEY
DRAWN BY: TERRY TOBIAS

ISSUANCES:

STAFF REVIEW LETTER

April 12, 2017

Lisa Hankey
PO Box 2066
Sherman, TX 75091

H&H Drafting & Design
305 W. Woodard, Ste. 213
Denison, TX 75020

Underwood Drafting & Surveying
3404 Interurban Rd.
Denison, Texas 75020

Dear Applicants,

The request for a zone change and site plan approval for an addition of a triplex and office for Concord Village Apartments for the property located at 820 North Sam Rayburn Freeway, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 18, 2017 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the R-2 (Multi-Family Residential) District, the screening ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. A minimum 6' masonry perimeter wall shall be provided to surround the development unless an exception is granted.
3. Fire lanes, access and codes shall be coordinated with the Fire Marshal, (903.892.7267).
4. Parking shall be provided for one space per bedroom, minimum two per unit and one space per 400 square feet for the office; a parking space is considered to be 9'x20'.
5. Parking is permitted on improved surfaces (concrete or asphalt)
6. Replatting of the property is required.
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

1. Platting is required of both parcels to be Concord Village Apartments (Property IDs 214632 & 159334).
2. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
3. The location of the trash receptors must be approved by the Public Works Department.
4. Verify fire lane requirements with Fire Marshall.
5. Detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department.
6. Final site plans, utility, drainage and grading plan shall be provided and approved by the City of Engineering Department.

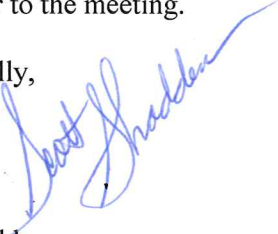
7. Engineering plans for grading and storm drain design in accordance with City ordinances shall be submitted to the City Engineer for approval.
8. Internal water and sewer lines will be privately owned and maintained. Sewer capacity shall be verified for proposed use.

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

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

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

Respectfully,



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

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

Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Director of Public Services
Amber Doan, Engineering Coordinator



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

Agenda Item No. 9.

Meeting Date: 04/18/2017

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

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliott, Commissioner

Chris Vellotti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

Clay Mahone, Commissioner

Requested Action/Proposed Use:

820 N. SAM RAYBURN FREEWAY

The request of Concord Village Apartments (Owners), Lisa Hankey (Representative), H&H Drafting and Design (Draftsman) and Underwood Drafting & Surveying, Inc. (Surveyor) concerning the property at 820 North Sam Rayburn Freeway, being 3.647 acres in the J.B. McAnair Survey, Abstract No. 763, as follows;

Planning and Zoning Commission

R-2 (Multi-family Residential) District Zoning – 0.32 acres in the J.B. McAnair Survey, Abstract No. 763, Zone change and site plan approval for an addition of a triplex and office for Concord Village Apartments under Ordinance No. 2280, Section 12, from an R-1 (One Family Residential) District to an R-2 (Multi-family Residential) District.

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.3, Subsection (7) to allow an extension of a 6' wood privacy fence, 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 at 820 North Sam Rayburn Freeway, between Brockett and Birge Streets; Concord Village Apartments is the tenant. Concord Village Apartments purchased this tract in 2001, it was part of a tract with a house located on the lot on North Woods Street. A zone change from an R-1 (One Family Residential) District to an R-2 (Multi-Family Residential) District was approved by the Planning and Zoning Commission on August 16, 2011, but was denied at the City Council Meeting on this property. At that time, they were proposing a two-story, twelve bedroom apartment building with eight units. An exception to allow an addition to a 6' privacy fence in lieu of the required masonry perimeter wall to surround the development was denied at the August 16, 2011 Planning and Zoning Commission based on the opposition from the

neighborhood, the proximity of the housing in the neighborhood and the ordinance that was in place.

The owner is requesting to rezone a 0.321 acre tract to the north for an addition to the existing apartment complex. The addition will be a single story triplex (2 - two bedroom apartments and 1 - one bedroom apartment) with an attached 593 square foot office for the apartment complex; for a total of 3,770 square feet. The exterior finish on the building will be brick. They are also requesting an exception to allow the extension of a 6' tall wood privacy fence in lieu of the required masonry perimeter wall.

Adjacent Zoning:

R-1 (One Family Residential) District

R-2 (Multi-Family Residential) District

Origination:

Concord Village Apartments (Owners)

Lisa Hankey (Representative)

H&H Drafting and Design (Draftsman)

Underwood Drafting & Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

13

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Site Plan

Site Plan

Floor Plan

Elevations

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.5.

Meeting Date: 05/15/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6029

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Manufactured Home Sales in a C-2 (General Commercial) District/O-1.3 (FM Highway 691) Overlay District at 6220 Texoma Parkway, being 5.44 acres in the J.B. Shannon Survey, Abstract No. 1085 (CMH Homes, Inc., Owners; Gary Garza, Representative; and Sartin & Associates, Inc., Surveyor); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

Issue:

To consider the request of CMH Homes, Inc. (Owners), Gary Garza (Representative), and Sartin & Associates, Inc. (Surveyor) concerning the property at 6220 Texoma Parkway being 5.44 acres in the J.B. Shannon Survey, Abstract No. 1085, for a Specific Use Permit to allow manufactured home sales in a C-2 (General Commercial) District/O-1.3 (FM Highway 691) Overlay District

Background:

The property is located at 6220 Texoma Parkway, between F.M. 691 and Woodlake Road. The property is zoned a C-2 (General Commercial) District and is also partially located in the O-1.3 (FM Highway 691) Overlay District. The property was approved for a Temporary Use Permit to allow a mobile home to be used as an office for a period of one year in 1984 and a Specific Use Permit to allow manufactured home sales in 1993; the business closed for more than 60 days so the Specific Use Permit went away.

The owners would like to reopen the manufactured homes sales business at this location. They plan to employ six people at this location.

Origination:

CMH Homes, Inc. (Owners)

Gary Garza (Representative)

Sartin & Associates, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the April 18, 2017 regular meeting, the Planning and Zoning Board voted 8/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6029
Location Map
Zoning Map
Zoning Sign Photo
Survey
Site Plan
Elevations
Elevations
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6029

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 MANUFACTURED HOME SALES IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.3 (FM HIGHWAY 691) OVERLAY DISTRICT AT 6220 TEXOMA PARKWAY, BEING 5.44 ACRES IN THE J.B. SHANNON SURVEY, ABSTRACT NO. 1085 (CMH HOMES, INC., OWNERS; GARY GARZA, REPRESENTATIVE; AND SARTIN & ASSOCIATES, INC., SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, CMH Homes, Inc. (Owners), Gary Garza (Representative) and Sartin & Associates, Inc. (Surveyor) are granted a Specific Use Permit to allow manufactured home sales in a C-2 (General Commercial) District/O-1.3 (FM Highway 691) Overlay District at 6220 Texoma Parkway, 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 City of Sherman, County of Grayson, State of Texas, being a part of the J.B. Shannon Survey, Abstract No. 1085, being a part of a 6.06 acre tract of land conveyed by Clifford D. Mitchell, et ux to A. L. Coffman, et ux by deed dated June 5, 1948, recorded in Volume 559, Page 455, Deed Records, Grayson County, Texas, being the same 5.477 acre tract of land conveyed by, J. L. Rehmet to Roy A. Riddels by deed dated December 20, 1982, recorded in

Volume 1641, Page 488, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows to-wit:

BEGINNING at a found ½inch rebar on the West right-of-way line of State Highway No. 91, (formerly U.S. Highway No. 75), and known as Texoma Parkway, the East line of said 6.06 acre tract, said rebar maintaining the most Easterly Southeast corner of said 5.477 acre tract, the Northeast corner of an 0.6303 acre tract of land conveyed by Amy Carrington to Chris Cavender, et ux by deed dated July 26, 1995, recorded in Volume 2409, Page 546, Real Property Records, Grayson County, Texas:

THENCE North 64 deg. 10 min. 19 sec. West, at a distance of 30.0 feet passing the Northeast corner of a frame and metal building, at a distance of 66.4 feet passing the Northwest corner of said building, and continuing with the general line of a chain link fence for a total distance of 273.33 feet to a found 1 inch pipe at the base of a chain link fence corner post, said pipe maintaining the Northwest corner of said 0.6303 acre tract;

THENCE South 27 deg. 36 min. 11 sec. West, with the general line of a chain link fence, a distance of 159.42 feet to a found 1 inch pipe at the base of a chain link fence corner post on the South line of said 6.06 acre tract, the North line of a 2.50 acre tract of land described in deed from Sooner Oil Company to Sooner Oil Company of Texas, Inc., dated December 30, 1966, recorded in Volume 1072, Page 409, Deed Records, Grayson County, Texas;

THENCE North 87 deg. 45 min. 05 sec. West, with the South line of said 6.06-acre tract, the North line of said 2.50 acre tract, a distance of 286.03 feet to a found 1 inch pipe on the West line of said Shannon Survey, the East line of the Daniel C. Shelp Survey, Abstract No. 1097, said pipe maintaining the Southwest corner of said 6.06 acre tract, the Northwest corner of said 2.50 acre tract;

THENCE North 01 deg. 48 min. 12 sec. East, with the general line of a fence, the West line of both said 6.06 acre tract, and Shannon Survey, the East line of said Shelp Survey, a distance of 384.48 feet to a found ½ inch rebar maintaining the Northwest corner of said 6.06 acre tract, the Southwest corner of an 8.485 acre tract of land conveyed by Edward J. Denning, et ux to Denning, Inc. by deed dated February 3, 1972, recorded in Volume 1209, Page 85, Deed Records, Grayson County, Texas, the Southwest corner of a 6.31 acre tract of land previously conveyed out of said 8.485 acre tract by deed from Denning, Inc. to 1st State, Inc., dated August 1, 1997, recorded in Volume 2560, Page 724, Official Public Records, Grayson County, Texas;

THENCE South 87 deg. 41 min. 39 sec. East, with the general line of a fence, the North line of said 6.06 acre tract, the south line of both said 8.485 acre tract and 6.31 acre tract, at a distance of 397.1 feet passing the end of said fence, and continuing for a total distance of 651.97 feet to a chain link fence

corner post maintaining the most Southerly Southeast corner of said 6.31 acre tract;

THENCE South 87 deg. 01 min. 33 sec. East, continuing with the North line of said 6.06 acre tract, the south line of said 8.485 acre tract, a distance of 135.78 feet to a found $\frac{3}{4}$ inch pipe on the West right-of-way line of said Texoma Parkway, said pipe maintaining the Northeast corner of said 6.06 acre tract, the Southeast corner of said 8.485 acre tract:

THENCE South 29 deg. 38 min. 00 sec. West, with the West right-of-way line of said Texoma Parkway, the East line of said 6.06 acre tract, a distance of 391.21 feet to the **PLACE OF BEGINNING and containing 5.44 acres of land more or less.....**

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-1.3 (FM Highway 691) Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. The exterior finish on all the buildings must meet the O-1.3 (FM Highway 691) District requirements: stone, cultured or cast stone, brick or brick veneer, tile, stucco, architecturally finished block or architectural glass (less than 27% reflectance).
3. Fire lanes, access and codes shall be coordinated with the Fire Marshal, (903.892.7267).
4. Parking and service driveways are permitted on improved surfaces (concrete or asphalt); a parking space is considered to be 9'x20'.
5. All parking shall be on private property and shall not encroach into Texoma Parkway right-of-way.
6. Review the zoning and development ordinance for additional requirements.
7. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

8. New Drive approaches shall conform to City of Sherman and TXDOT standards and a permit is required.
9. The location of trash receptors must be approved by the Public Works Department.
10. Verify fire lane requirements with Fire Marshall.
11. Parking will be permitted on private property only.
12. Parking will be permitted on improved surfaces only.

13. Detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.

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

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

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

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

INTRODUCED on this the _____ day of _____, 2017.

ADOPTED on this the _____ day of _____, 2017.

EFFECTIVE DATE on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

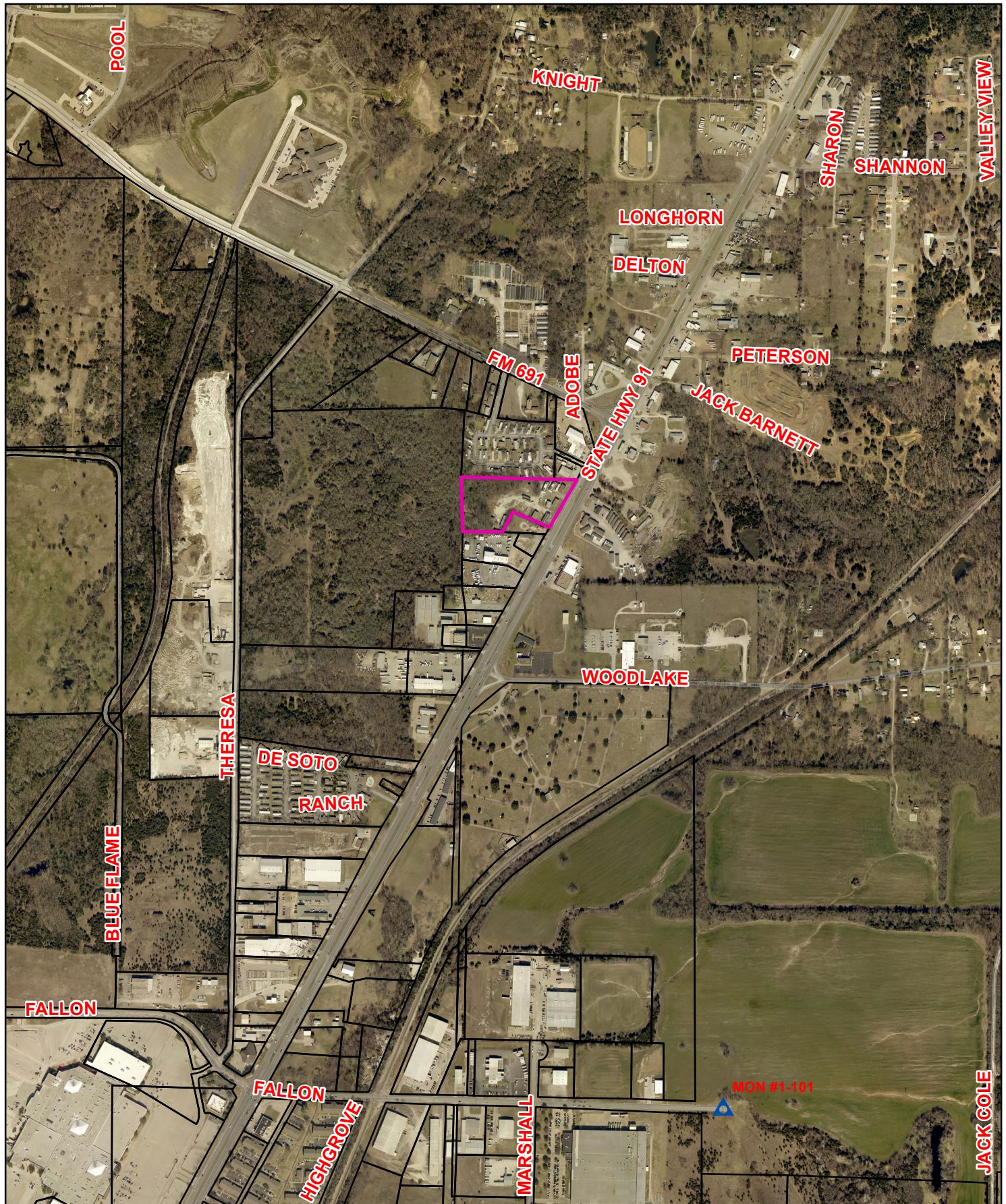
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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

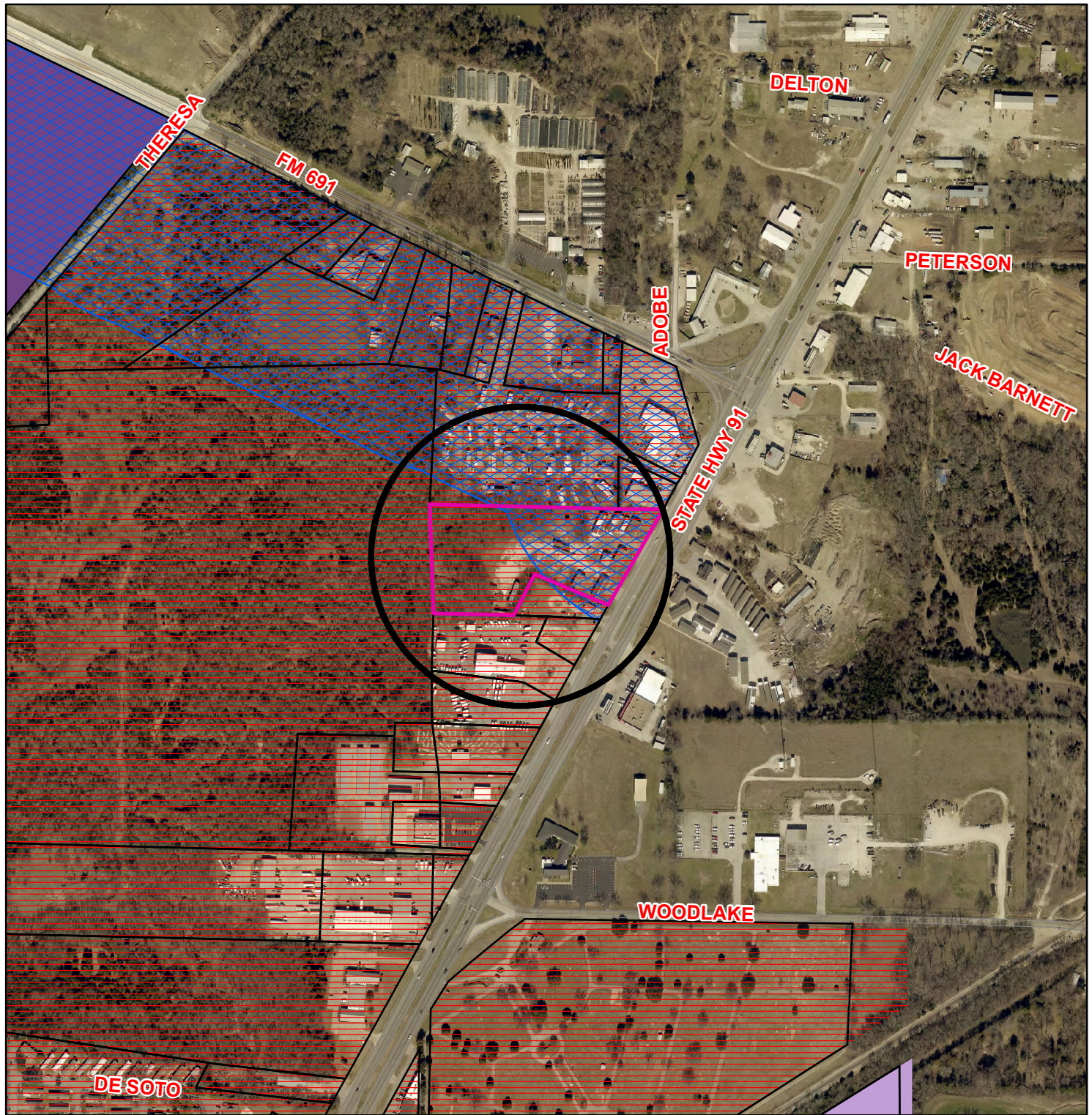


6220 Texoma Parkway



1 in = 900 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 6220 Texoma Parkway

Legend

Special Districts Overlay

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

Transportation Corridor Zoning Districts

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

Unknown

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



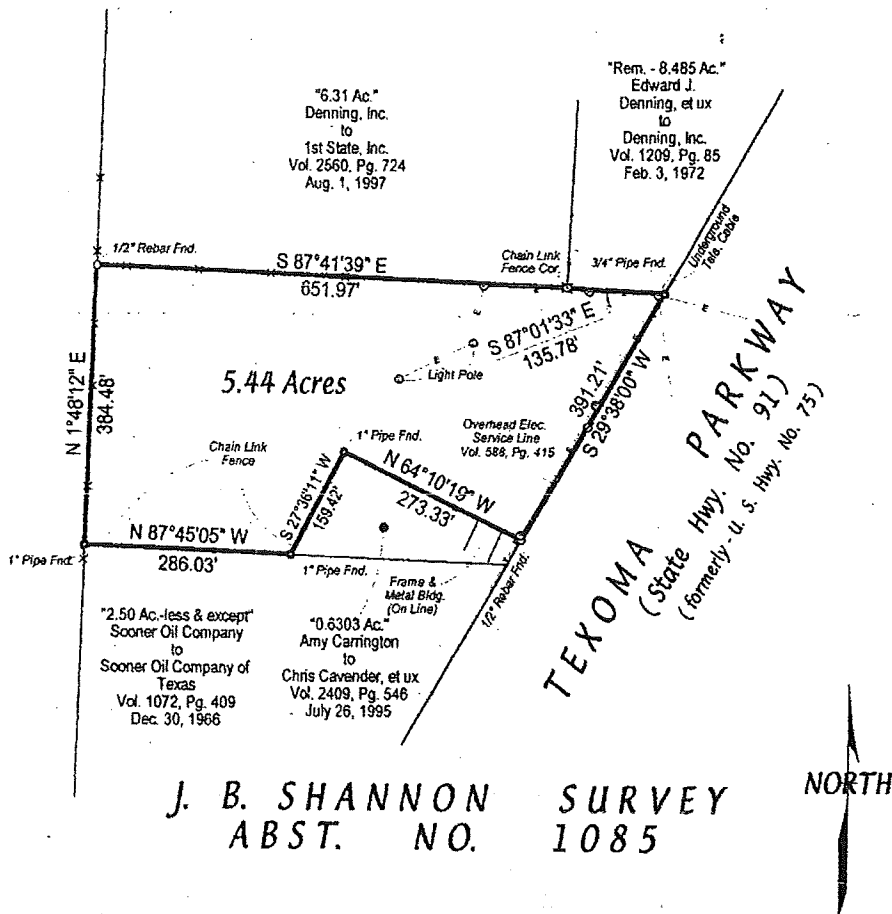
NOT TO SCALE

1 in = 484 ft

6220 Texoma Parkway



DANIEL C. SHELPS SURVEY
ABST. NO. 1097



J. B. SHANNON SURVEY
ABST. NO. 1085

NORTH

Scale: 1" = 100'

Bearings are based on State Highway 91, (old U. S. Highway 75) right-of-way map.

SARTIN & ASSOCIATES SURVEYING COMPANY
P.O. Box 1843 Sherman, Texas 75091-1843 (903)892-8003
Fax Number (903)868-2970

SURVEY FOR: CMB HOMES, INC.

I, Marshall Sartin, Registered Professional Land Surveyor, hereby certify that a survey of the property shown hereon was made on the ground on the 24 th day of March, 1999 of the following described property:

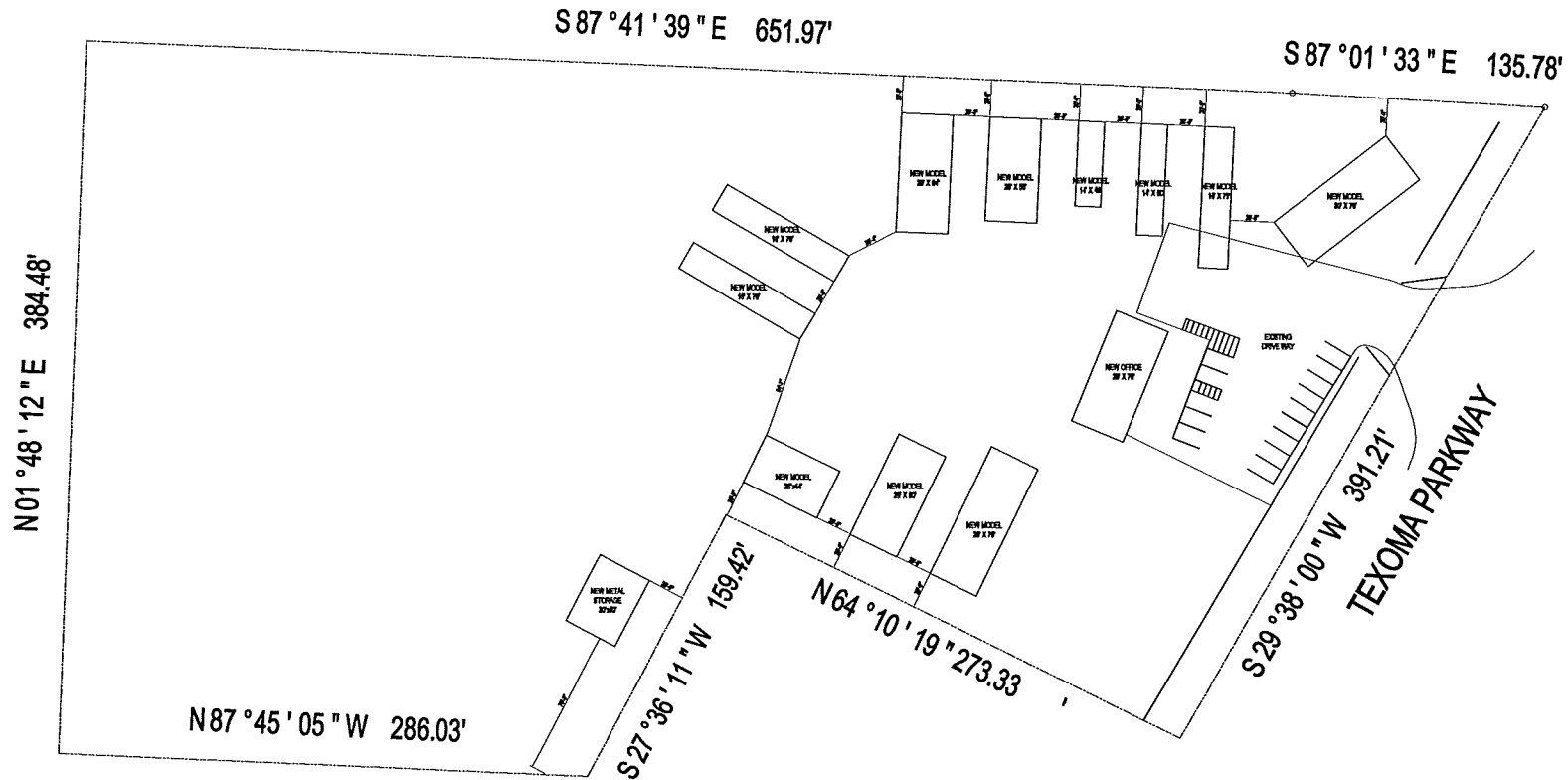
(LEGAL DESCRIPTION ATTACHED)

That the improvements located on said property are known as 6220 TEXOMA PARKWAY, SHERMAN, TEXAS and that this survey substantially complies with the current Minimum Standards for Professional Land Surveyors as adopted by the Texas Board of Professional Land Surveying.

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



RIDDLE-5.pcs



proposed
site plan

JAF CONCEPTS LLC.
P.O. Box 9552
ALBUQUERQUE, NM 87119
phone: 505-315-9644
EMAIL:
jafcon@jafcon.com
www.jafcon.com

--- COPYRIGHT NOTICE ---
ALL RIGHTS RESERVED
Designs, Concepts, Ideas,
Floor Plans, Elevations,
Interior and Exterior, &
Working Drawings are
Copyrighted 2016 and are
the property of James A.
Fenton Jr.

DESIGN DATA	1" = 30' FT.
DATE: 03/06/17	0100 00' FT.
DRAWN BY: JAF	0100 00' FT.
CHECKED BY: JAF	0100 00' FT.
COVERED PORCH: 0'	0100 00' FT.
COVERED PATIO: 0'	0100 00' FT.
NA	0100 00' FT.
NA	0100 00' FT.
TOTAL SF UNDER ROOF:	0100 00' FT.
© COPYRIGHT 2017 JAF CONCEPTS LLC.	

CLAYTON MANUFACTURED HOMES

SITE PLAN

DESIGNED BY: JF
JAMES FENTON

DRAWN BY: JE
JUSTIN EIDEM

DATE PRINTED:
03/06/17

MODIFICATION DATE:

DRAWING SCALE:

1"=30'



SHEET NUMBER:

A1.1



Picture of location w/
old Office
2011



STAFF REVIEW LETTER

April 12, 2017

CMH Homes, Inc.
Gary Garza
5000 Clayton Road
Maryville, TN 37805

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow manufactured home sales in a C-2 (General Commercial) District/O-1.3 (FM Highway 691) Overlay District for the property located at 6220 Texoma Parkway, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 18, 2017 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, the O-1.3 (FM Highway 691) Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. The exterior finish on all the buildings must meet the O-1.3 (FM Highway 691) District requirements: stone, cultured or cast stone, brick or brick veneer, tile, stucco, architecturally finished block or architectural glass (less than 27% reflectance).
3. Fire lanes, access and codes shall be coordinated with the Fire Marshal, (903.892.7267).
4. Parking and service driveways are permitted on improved surfaces (concrete or asphalt); a parking space is considered to be 9'x20'.
5. All parking shall be on private property and shall not encroach into Texoma Parkway right-of-way.
6. Review the zoning and development ordinance for additional requirements.
7. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

8. New Drive approaches shall conform to City of Sherman and TxDOT standards and a permit is required.
9. The location of trash receptors must be approved by the Public Works Department.
10. Verify fire lane requirements with Fire Marshall.
11. Parking will be permitted on private property only.
12. Parking will be permitted on improved surfaces only.
13. Detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.

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

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

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

Respectfully,



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

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

Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Director of Public Services
Amber Doan, Engineering Coordinator



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

Agenda Item No. 10.

Meeting Date: 04/18/2017

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

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliott, Commissioner

Chris Vellotti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

Clay Mahone, Commissioner

Requested Action/Proposed Use:

6220 TEXOMA PARKWAY

The request of CMH Homes, Inc. (Owners), Gary Garza (Representative) and Sartin & Associates (Surveyor) concerning the property at 6220 Texoma Parkway being 5.44 acres in the J.B. Shannon Survey, Abstract No. 1085, as follows;

Planning and Zoning Commission

- Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow manufactured home sales in a C-2 (General Commercial) District/O-1.3 (FM Highway 691) Overlay District.
- Site plan approval for a 30' x 40' storage building.

Background:

The property is located at 6220 Texoma Parkway between FM 691 and Woodlake Road. The property is zoned a C-2 (General Commercial) District and also partially located in the O-1.3 (FM Highway 691) Overlay District. The property was approved for a Temporary Use Permit to allow a mobile home to be as an office for a period of one year in 1984 and a Specific Use Permit to allow manufactured home sales in 1993; the business closed for more than 60 days so the Specific Use Permit went away.

Clayton Homes would like to reopen the manufactured homes sales business at this location and also construct a 30' x 40' storage building.

Adjacent Zoning:

C-2 (General Commercial) District

Origination:

CMH Homes, Inc. (Owners)
Gary Garza (Representative)
Sartin & Associates (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

5

Objections Received:

0

Attachments

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



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.6.

Meeting Date: 05/15/2017

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 6026, 6027, 6028 and 6029

Issue:

B. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6026

Approving a Negotiated Settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division, Regarding the Company's 2017 Rate Review Mechanism Filings; Declaring Existing Rates to be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement; Finding the Rates to be Set by the Settlement Tariffs to be Just and Reasonable and in the Public Interest; Requiring Reconciliation and Rate Adjustments if Federal Income Tax Rates Change; Terminating the RRM Process for 2018 Pending Renegotiation of RRM Terms and Conditions; Requiring the Company to Reimburse ACSC's Reasonable Ratemaking Expenses; Declaring an Effective Date; Requiring Delivery of this Ordinance to the Company and the ACSC's Legal Counsel

B. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6027

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District at 6120 North U.S. Highway 75, being 2.0689 acres in the W.S. Thurman Survey, Abstract No. 1265 (Stanley Blythe, Owner; QuikTrip, Tenant; John Pimentel, Representative; and Helvey-Wagner Surveying, Inc., Surveyors)

B. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6028

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the R-2 (Multi-Family Residential) District at 820 North Sam Rayburn Freeway, being 0.321 acres in the J.B. McAnair Survey, Abstract No. 763 (Concord Village Apartments, Owners; Lisa Hankey, Representative; H&H Drafting and Design, Draftsman; and Underwood Drafting & Surveying, Inc., Surveyors)

B. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6029

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Manufactured Home Sales in a C-2 (General Commercial) District/O-1.3 (FM Highway 691) Overlay District at 6220 Texoma Parkway, being 5.44 acres in the J.B. Shannon Survey, Abstract No. 1085 (CMH Homes, Inc., Owners; Gary Garza, Representative; and Sartin & Associates, Inc., Surveyor); 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

City Council Regular Meeting

B.7.

Meeting Date: 05/15/2017

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

CONSENT AGENDA

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

Issue:

C. 3. * RESOLUTION NO. 6219

Accepting the Contract with Crescent Constructors, Inc. as Complete for the Construction of the City of Sherman Wastewater Treatment Plant Headworks Lift Station Replacement and Electrical Upgrade Project

C. 4. * RESOLUTION NO. 6220

Awarding a Bid to and Authorizing Execution of a Contract with Andrews Building Service, Inc. for Janitorial Services in Certain City-Owned Facilities

C. 5. * RESOLUTION NO. 6221

Abandoning a Twenty-Two Foot (22') Utility Easement located in Block 3 of the W.M. Shannon Supplement, Volume 26, Page 291, Deed Records, Grayson County, Texas, and being more particularly described on the Exhibit "A" attached hereto and made a part hereof for all purposes, which Abandonment of Alley and Retainer of Utility Easement is recorded in Volume 910, Page 412 of the Deed Records of Grayson County, Texas

C. 6. * RESOLUTION NO. 6222

Abandoning a Sixteen Foot (16') Sanitary Sewer Easement located in Block 3 of the W.M. Shannon Supplement, Volume 26, Page 291, Deed Records, Grayson County, Texas, and being more particularly described on the Exhibit "A" attached hereto and made a part hereof for all purposes, which Sanitary Sewer Easement is recorded in Volume 962, Pages 45 and 66 of the Deed Records of Grayson County, Texas

C. 7. * RESOLUTION NO. 6223

Abandoning a Portion of a Twenty Foot (20') Sanitary Sewer Easement located in Lot 2, Block 2 of Independence Square Addition, Section Three, Volume 24, Page 78, and being more particularly described on the Exhibit "A" attached hereto and made a part hereof for all purposes, which Sanitary Sewer Easement is recorded in Volume 865, Page 640 of the Deed Records of Grayson County, Texas

C. 8. * RESOLUTION NO. 6224

Authorizing Execution of a Development Agreement with Midway Warehouse, LLC for the Construction of Public Water Mains in the Replat of Midway Industrial Park, a 4.26-acre Subdivision East of Texoma Parkway (S.H. 91) along Fallon Drive in the City of Sherman

D. 1. * CHANGE ORDER NO. 2

Approving Greater Texoma Utility Authority's Intent to Execute Change Order No. 2; Sherman Southwest Elevated 1.5 Million Gallon Tank; Landmark Constructors, L.P.; \$35,502.00 Increase

E. 5. * OTHER BUSINESS

Replat Approval of Lots 11 & 12, Block 7, Belvedere Estates Addition, being 1.536 acres in the J.B. McAnair Survey, Abstract No. 763 and also being Lots 11 & 12, Block 7, Belvedere Estates Addition; Lauren Whitey Scheibmeir and Raymond and Patsy Harman, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (3213 and 3217 Redbud Trail)

E. 6. * OTHER BUSINESS

Replat Approval of Tuggle Repat in Windsor Place, being a Repat of Lots 1 and 16, Block 4, Windsor Place Addition, being 0.8214 acres in the J.B. McAnair Survey, Abstract No. 763 and also being all of Lots 1 and 16, Block 4, Windsor Place Addition; Grover and Kathleen Tuggle and Ann Mooney, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (2709 Dover Drive and 2702 Yorkshire Drive)

E. 7. * OTHER BUSINESS

Replat Approval of CAJC Addition, being 4.33 acres in the Daniel C. Shelp Survey, Abstract No. 1097; Flanagan Outdoor Power Equipment & Services, Inc., Owner; and Helvey-Wagner Surveying, Inc., Surveyor (5209 Texoma Parkway)

E. 8. * OTHER BUSINESS

Replat Approval of W.M. Shannon's Supplement, Block 3, Lot 7R, being part of Lots 7, 8, 9 and 10 and an Abandoned Alley in Block 3, W.M. Shannon's Supplement, containing 0.762 acres; Mike and Gina Adams, Owners; and Preston Trail Land Surveying, LLC, Surveyor (1711 and 1715 North Woods)



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.1.

Meeting Date: 05/15/2017

Prepared By: Steve Ayers, Director of Public Services

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6217

Approving and Adopting the 2017 Parks, Recreation, and Open Space Master Plan for the City of Sherman, Texas

Issue:

To approve and adopt the City of Sherman's 2017 Parks, Recreation, and Open Space Master Plan

Background:

The Sherman Parks and Recreation Department has worked with Dunkin, Sims, Stoffels, Inc. to create a new Master Plan, the purpose of which is to establish short and long term priorities for the maintenance, operation and future development of Sherman's parks, trails, recreation programs and facilities. The Plan update was a process that spanned about twelve (12) months and included several community input sessions to gather citizen input, ensuring the Master Plan was aligned with community priorities.

The Plan update is now complete and implementation guidelines for the Plan were reviewed by the Parks and Recreation Board at their May 4, 2017 meeting. As a result, the Plan is being provided to the Council for their final approval and adoption, after providing for a public hearing to allow for any final citizen input.

The highest priority initiatives arising from the Plan update have been identified and are included in the City's plan of work and Budget for fiscal year (FY) 2018. These include such things as hike and bike trails, a skatepark and dogpark, softball field and baseball field. Staff will continue to use this Plan as a roadmap for planning and decision making in the future.

Origination:

City Council and Staff

Financial Consideration:

Funding to begin implementing the highest priorities arising from the Plan update has been provided in the fiscal year (FY) 2018 budget, adoption of which is scheduled for the City Council's meeting on August 21, 2017. There are no direct costs associated with adopting the City of Sherman's 2017 Parks, Recreation, and Open Space Master Plan.

Staff Recommendation:

Board Recommendation

At the May 4, 2017 meeting, the Sherman Parks and Recreation Board recommended unanimously to adopt the City of Sherman's 2017 Parks, Recreation, and Open Space Master Plan.

Alternatives:

No alternatives are recommended.

Attachments

Resolution No. 6217

2017 Sherman Parks, Recreation, and Open Space Master Plan

RESOLUTION NO. 6217

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING AND ADOPTING THE 2017 PARKS, RECREATION, AND OPEN SPACE MASTER PLAN FOR THE CITY OF SHERMAN, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, due to certain changes, growth, and development of the City of Sherman, it has become necessary, due to the passage of time, to update the Parks and Recreation Master Plan of the City of Sherman, Texas; and

WHEREAS, Dunkin, Sims, Stoffels, Inc. has prepared an updated Parks, Recreation, and Open Space Master Plan for the City of Sherman, Texas; and

WHEREAS, the City of Sherman has followed all procedures and done all things required by its Charter and State law for the update of its Parks, Recreation, and Open Space Master Plan; and

WHEREAS, the City Council of the City of Sherman, Texas, desires to accept the recommendations of the Parks and Recreation Board to approve the said updated Parks, Recreation, and Open Space Master Plan;

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

SECTION 1. That all of the above and foregoing recitals and preambles are found to be true and correct and are made a part of this resolution for all purposes.

SECTION 2. That the City Council of the City of Sherman, Texas, does hereby accept, as advisory and as a guide, the 2017 Parks, Recreation, and Open Space Master Plan for the City of Sherman, Texas, a copy of which is attached hereto and incorporated herein for all purposes, the same to be the Parks, Recreation, and Open Space Master Plan of the City of Sherman, Texas, for all purposes.

SECTION 3. That the City Council of the City of Sherman, Texas, hereby submits this 2017 Parks, Recreation, and Open Space Master Plan to all citizen groups and committees, City boards and commissions, and all citizens interested in the orderly growth and progress of the City of Sherman, for use as a guide in the planning of future growth and development of the City of Sherman.

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

PASSED AND APPROVED on this the ____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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



2017
City of Sherman
Parks, Recreation, and Open Space
Master Plan



Prepared by: Dunkin Sims Stoffels, Inc.
Landscape Architects / Planners



Acknowledgements

City of Sherman, Texas

City Council

David Plyer, Mayor
Jason Sofey, Deputy Mayor
Terrence R. Steele, Council Member
Kevin Couch, Council Member
Pamela L. Howeth, Council Member
Shawn Teamann, Council Member
Charles Brown, Council Member

Administration

Robby Hefton, City Manager
Don Keene, Assistant City Manager
Steve Ayers, Director of Community & Support Services
Theresa Hutchinson, Parks & Recreation Manager
Kim Hobbs, Secretary

Parks and Recreation Advisory Board

Sholden Daniels, Chairman
Rhonda Lockett
Brian Jones
Sarah Pierce
Michael Waitt
Ben Crouse
Amanda Phillips

Consultant

Dunkin Sims Stoffels, Inc.



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Introduction





I. INTRODUCTION

Due to land development and growth, municipalities are constantly challenged to provide and maintain basic services and amenities for their citizens. In addition to water, sanitary sewer, road improvements, police and fire services, cities also provide parks, recreational opportunities, and areas for leisure and passive activities.

SHERMAN'S MISSION STATEMENT

"The mission of the City of Sherman Parks and Recreation Department is to enhance the quality of life in Sherman by providing the finest parks, facilities, programs and services in the area."

The City of Sherman is a growing city in North Central Texas. U.S. Highway 75 is a major north/south thoroughfare which connects Sherman to the employment centers in the cities of Plano, Frisco and McKinney. U.S. Highway 75 bisects Sherman in half for east/west sections. Sherman is also approximately 13 miles south of Oklahoma. This growth rate necessitates the need for advance planning to ensure that municipal service systems, including parks and recreation, keep pace with increasing demands upon these systems. In the last 25 years, parks and open space planning has become a specialized area within the overall municipal planning structure. The existing population of Sherman is 41,200 and is expected to continue growing to a population of 50,600 by the year 2030. As the City grows and expands, land must be identified and acquired for park and recreation use. With this proportion of land area that will be devoted to the acquisition and development of parks and open space areas will be significant factors in maintaining a high quality of life for citizens in Sherman. These growth characteristics indicate that the City should continue taking a "hands-on" approach in guiding the development of the City. These factors also enable the citizens of Sherman to enjoy a unique and fulfilling quality of life.

PREVIOUS PLANNING STUDIES

The previous Parks and Recreation Master Plan was prepared in 2005 and a chapter addressing Parks and Recreation was prepared in the Sherman Comprehensive Plan in 2009. The 2005 Parks and Recreation Master Plan was comprehensive in nature with an emphasis on immediate park and recreation needs. However, due to current changing recreational trends, aging recreational facilities and a growing population there is now a need for a new document to guide park and recreation planning and development, leading to the creation of this *Parks, Recreation, & Open Space Master Plan*.



GOALS AND OBJECTIVES

Goals provide a statement for achievement or accomplishment. Objectives are a perceived means through which the goal(s) can be partially or fully attained. Identified within this section are the ways and methods of implementing the *Parks, Recreation & Open Space Master Plan* recommendations. Critical to the implementation of these goals and objectives is the *Ten-Year Action Plan*, which should be updated annually by the Sherman Parks Board, working in close association with City staff and the City Council.

The following are the goals and objectives for the Sherman park system:

GOAL: Provide passive and active recreational opportunities for all citizens.

Objectives:

- Increase quality recreational opportunities for all Sherman citizens. Evaluate and address the needs of challenged and disabled citizens.
- Offer a wide variety of facilities, programs and park areas to meet the recreational needs of a diverse population with various levels of ability and skill.
- Provide an equitable geographic distribution of parks and recreational facilities.
- Plan for the orderly replacement of an aging park and recreational infrastructure to ensure existing recreational opportunities are not lost.
- Encourage cooperation with other agencies, as well as community organizations, to provide cost-effective services and optimize benefits to citizens.
- Acquire land to provide for future parks and recreational facilities.
- Enhance access to the greenbelts and major creek corridors by developing a continuous trail system.



GOAL: Create a system of parks, open spaces, trails and facilities that meet the needs of residents of all ages.

Objectives:

- Maintain a current Parks, Recreation, Open Space and Trails Master Plan.
- Make developing a comprehensive trail network an integral part of the City's parks and recreational facilities planning and funding processes by working with the Planning and Transportation Department's funding.
- Strive for diverse parks and recreational facilities with both passive and active recreation opportunities, to meet the needs of various age and ability groups.
- Identify and protect sensitive environmental areas and provide natural open spaces within the community.
- Provide all-inclusive playgrounds and other appropriate facilities in existing parks to address the needs of all children.

GOAL: Use the Parks, Recreation, and Open Space Master Plan as a guide for park land acquisition, open space protection, and trail development.

Objectives:

- Provide an equitable geographic distribution of parks and recreational facilities. Achieve this by acquiring necessary parkland, open space, and trail linkages at the time of development review. This should be done in accordance with the classification of parks identified by the Parks, Recreation, Open Space and Trails Master Plan.
- Use City and Extraterritorial Jurisdiction (ETJ) demographic and population projections to determine the types of parks and amount of land needed to adequately serve future park needs based on the projected number of citizens.
- Review, and update as needed, the City's Parkland Dedication Ordinance as it relates to providing parks, open space, and linkages throughout the City and ETJ.
- Continue to work with developers to acquire park land and corridors as needed for Sherman citizens.
- Develop a set of guidelines for public/private partnerships in the building of parks.
- Identify floodplain creek corridors, rights-of-way, and utility easements for possible trail linkage opportunities to increase hike & bike connectivity within the City, as well as in the region.



GOAL: Plan for a comprehensive hike & bike trail system.

Objectives:

- Develop a comprehensive hike & bike trail system with input from citizens and community stakeholders.
- Determine ways in which connections can be made between schools, parks, neighborhoods, retail centers, and major points of interest throughout the City and region.
- Examine creeks and floodplain throughout the City for potential hike & bike trail possibilities.
- Allocate funds, on an annual and consistent basis, to build hike & bike trail connections as part of a Capital Improvement Program (CIP).
- Examine ways in which trail/pedestrian connections can be made within existing developed areas of Sherman.
- Review development proposals with connectivity and walkability objectives considered.
- Work with Sherman Texas utilities to utilize their easements for potential trail corridors and connections in Sherman and the region.
- Work with municipal, regional and state to provide a consistent signage for hike & bike trails on bike-marked streets.

GOAL: Preserve and conserve Sherman's natural areas, greenbelts and open space for the enjoyment and environmental education of current and future citizens.

Objectives:

- Develop a system of greenbelts along the major creek corridors.
- Incorporate significant natural areas into the park system – woodlands and wildlife.
- Provide opportunities to enjoy nature by cooperatively developing outdoor learning areas, and interpretative trails.
- Work with utility easements to provide trails and trail links to parks, schools and retail.



GOAL: Cooperation with the City of Sherman's Independent School District (SISD), to provide cost-effective services and optimize benefits to citizens.

Objectives:

- Create partnerships with the Sherman Independent School District in developing joint school/park sites.
- Continue coordination efforts between the City of Sherman and Sherman Independent School District Staff to provide successful and mutually beneficial recreation programming.
- Explore funding opportunities with the Sherman Independent School District in an effort to expand, enhance, or build new parks and facilities within the City and ETJ.

POLICIES AND ORDINANCES

The effectiveness of these implementation mechanisms is dependent upon the proper coordination of input from contributing bodies or groups including elected City officials - appointed boards and commissions - City staff, sports groups, and most importantly the citizens of Sherman. All parties must communicate and work collectively toward common goals. Only this sort of communication and coordination will ensure successful development of the park system. An example of this communication, at the staff level, would be the incorporation of the *Parks, Recreation & Open Space Master Plan* during review of proposed development plans by the City.

PLAN DEVELOPMENT PROCESS

The City Council recognized the need for a comprehensive analysis of the park system in Sherman. The City employed a private consulting firm (Dunkin Sims Stoffels, Inc.) to update the *Parks, Recreation & Open Space Master Plan*. The consultant worked with the City of Sherman Parks & Recreation Department staff to develop this *Master Plan*.

Meetings were held with the Sherman Parks & Recreation Department staff to examine collected needs, findings and preliminary recommendations. To obtain a comprehensive and complete analysis of the City's park and recreation needs, and park system, three methodologies were used for this evaluation: public hearings, standards-based analysis, and demand-based recreation analysis.

The *Master Plan* provides the City long-range planning for future areas of urbanization for the next ten years (2027). The time period of the financial plan, as set forth in this *Master Plan* (specifically within the Implementation sub-section) is ten (10) years. The prioritization listing identifies certain projections as high priorities for development with the priorities based on satisfying a stipulated/recognized need. It is recommended the Master Plan be evaluated and updated in 2022.

Existing Inventory of Areas and Facilities





II. EXISTING INVENTORY OF AREAS AND FACILITIES

CITY OF SHERMAN PARKS

The well-being of the people in a community is dependent upon many factors, one of which is recreation. Parks and Recreational facilities provide benefits to people of all ages. They offer places for young families to gather with children to enjoy the outdoors and playtime and provide trails for everyone to enjoy. In Sherman one can enjoy Passive Recreation opportunities at Herman Baker Park, Pecan Grove West, or Lucy Kidd-Key Park or participate in many activities organized at Fairview, Old Settlers, or Center Street Parks.

The intent of this section is to evaluate Sherman's existing parks and recreational facilities and define a plan that will guide the City as it grows to ensure that a quality park and recreation system becomes an important part of the growth.

The following information documents existing park and recreational facilities in Sherman. The listing beginning on the following page is an enumeration of the existing parks, their size and the National Recreation Park Association park classification which best describes their function within the City's park system.





NEIGHBORHOOD PARKS

Austin Street Playground

Address: Austin Street North of Center Street
(East Side of Town)

Size: 1 Acre

Facilities: Historic Cemetery, Playground Equipment, Picnic Table (1)

Recommended Improvements:

- Benches (3) \$ 4,500.00
- Remove Playground Equipment \$ 500.00
- Individual Cover Picnic Tables (2) \$13,000.00
- \$18,000.00

Binkley Park

Address: 101 Binkley Park Drive

Size: 42 Acres

Facilities: Pavilion (28-foot diameter), Walking Trail (0.59 miles),
Picnic Tables (2), Grill (1), Drinking Fountain (1),
7 Miles Mountain Bike Trail

Recommended Improvements:

- Playground Structures with Shade Structure \$150,000.00





Cherry Street Park

Address: 1401 Cherry Park Drive

Size: 7 Acres

Facilities: Basketball Court (Lighted), Playground Equipment (2), Drinking Fountain (1)

Recommended Improvements:

- Concrete Walking Trail ½ Mile.....\$150,000.00



Ely Park

Address: 919 South Austin Street

Size: 3 Acres

Facilities: Pavilion, Softball Field (Unlit), Playground Equipment, Backstop (1), Picnic Tables (2), WWII Memorial Monuments

Recommended Improvements:

- New Picnic Pavilion (Add Stone to Column & Renovate).....\$ 25,000.00
- Permanent Playground Border.....\$ 20,000.00
- New Playground with Shade Structure.....\$100,000.00
- \$145,000.00





Fielder Park

Address: 1100 East Pecan
Size: 2 Acres

Facilities: Basketball Court (Full Size), Pavilion (1),
Playground Structure & Swings, Walking Trail (.23 Mile) around the
Perimeter of the Park (Lighted), Picnic Tables (2), Grill (1)

Recommended Improvements:

- None At This Time



Hillcrest Park

Address: 1205 Hillcrest
Size: 1 Acre

Facilities: Pavilion (1), Playground Structures and Equipment,
Picnic Tables (2), Drinking Fountain (1)

Recommended Improvements:

- Replace Playground Equipment with Two Modular Playgrounds & Swings...\$400,000.00
- Pavilion 30' Diameter.....\$ 75,000.00
- Benches (8).....\$ 10,000.00
- New Drinking Fountain.....\$ 7,000.00
- Pedestrian Lights.....\$ 50,000.00
- Site Work & Concrete.....\$200,000.00
- \$742,000.00**





Martin Luther King Jr. Park

The Parks and Recreation Department administrative office and two activity centers are located adjacent to the park.

Address: 922 North East Street

Size: 4 Acres

Facilities: 0.58-Mile Walking Trail, Basketball Court, Multi-Use Field, Pavilions (4), Grills (7), Picnic Tables (15), Drinking Fountains (2), Restroom Facility, Playground Equipment, Swings, Steel Slides, Misc. Equipment (2)

Recommended Improvements:

➤ One Pavilion.....	\$ 80,000.00
➤ New Playground with Shade Structure.....	<u>\$100,000.00</u>
	\$180,000.00

Pecan Grove Park - East

Address: 2300 Pecan Grove Road

Size: 2 Acres

Facilities: 0.21-Mile Hiking Trail, Fishing Access to Dean Gilbert Lake, Pavilion (1), Playground Structure

Recommended Improvements:

➤ Pedestrian Lights on Trails.....	\$175,000.00
➤ Add Pre-Fabricated Restroom.....	<u>\$175,000.00</u>
	\$350,000.00



Rosedale Park

Address: 1400 South Gribble

Size: 6 Acres

Facilities: Baseball Field (1) Lighted, Playground Equipment

Recommended Improvements:

- New Playground with Shade Structure.....\$100,000.00



Rex Cruse

Address: Kent Drive

Size: 1 Acre

Facilities: Playground, Backstop

Recommended Improvements:

- New Playground with Shade Structure.....\$100,000.00

Lamar Street Playground

Address: Lamar Street

Size: 1 Acre

Facilities: Picnic Table (1), Swing Set (1)

Recommended Improvements:

- 50' Pedestrian Bridge.....\$150,000.00
- Concrete Walking Trail.....\$200,000.00
- Picnic Tables (4).....\$ 6,000.00
- Benches (4).....\$ 5,000.00
- \$361,000.00



COMMUNITY PARKS

Center Street Park

Address: 1401 West Center Street

Size: 20 Acres

Facilities: 50-by-40-Foot Pavilion, Playground Structure, Two Football/Soccer Athletic Fields (Lighted), Walking Trail (.48 miles), Picnic Tables (6)

Recommended Improvements:

- None At This Time



Fairview Park

Address: 1121 West Taylor Street

Size: 87 Acres

Facilities: Pavilions (4), Tennis Courts (4), Multiple Soccer/Football Fields (6-10 Little League-Age 16), Playground Equipment, The Splash, Softball Fields (3) – Adult Only 300 (Lighted), 2 ½ Mile Walking Trail, Veterans baseball field (High School Plays Here) Lighted, Sand Volleyball Courts (2) Lighted, Restroom Facilities (2)

Recommended Improvements:

- New Restroom/Concession (2,000 S.F.).....\$ 850,000.00
 - Parking Lot Expansion (130 New Spaces).....\$ 350,000.00
- \$1,200,000.00





Hawn Park

Address: 1202 South Dewey
Size: 20 Acres

Facilities: 0.71-Mile Walking Trail, Enclosed Skate Park, Playground Equipment with Swing Sets, Sand Volleyball Court, Spray Ground, Pavilion, Practice Fields (2), Restroom Facility, Drinking Fountain (1)

Recommended Improvements:

- Renovate One Pavilion.....\$250,000.00
- Add New Pavilion.....\$100,000.00
- New Skate Ramps.....\$200,000.00
- \$550,000.00



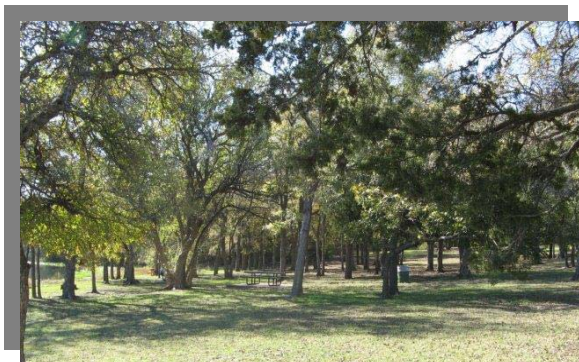
Herman Baker Park

Address: 2500 West Center Street
Size: 83 Acres

Facilities: Picnic Tables (19), 34-Acre Lake, 1 ½ Mile Natural Trail System

Recommended Improvements:

- Expand Nature Trail.....\$ 50,000.00
- Create Nature Center.....\$150,000.00
- \$200,000.00





Old Settlers Park

Address: 1609 North Harrison
Size: 27 Acres

Facilities: Baseball Fields (5), Softball Quad Athletic Fields, Playground Equipment in Quad (2), Two Basketball Courts, Pavilion, Picnic Table (8), Restroom/Concession (2), Walking Trail, Drinking Fountain (1), Grills (2)

Recommended Improvements:

- Prepare a Master Plan to Evaluate East Baseball Fields & Lighting.....\$20,000.00



Pecan Grove Park - West

Address: 3200 Canyon Creek Drive
Size: 117 Acres

Facilities: Amphitheater, Fishing Access to Dean Gilbert Lake, Pavilions (5), Playground Structures (2), Walking Trail, 18-Hole Disc Golf

Recommended Improvements:

- None At This Time





Pecan Grove West Athletic Complex

Address:

Size: 26 Acres

Facilities: Undeveloped

Recommended Improvements:

- Prepare a Master Plan





SPECIAL USE PARKS

Activity Center

Address: 1003 East Street

Size: N/A

Facilities: Large Activity Room, Game Room, Music Room, Craft Room, Conference Room

Recommended Improvements:

- None At This Time

Glennie O. Ham Community Center

Address: 1002 North Music Street

Size: N/A

Facilities: Activity Room, Meeting Room, Kid's Craft Room

Recommended Improvements:

- None At This Time

Lucy Kidd – Key Park

Address: North Elm Street & West Pecan

Size: 1.5 Acres

Facilities: Gazebo, Historic Statue

Recommended Improvements:

- Park Benches (4).....\$5,000.00





Taylor Street Complex

Address: 1424 West Taylor Street

Size: 1 Acre

Facilities: Basketball, Pickleball

Recommended Improvements:

- Expand Parking.....\$50,000.00

[illegible]

Factors Influencing Planning for Parks





III. FACTORS INFLUENCING PLANNING FOR PARKS

TRANSPORTATION ROUTES & THOROUGHFARES

Sherman is the largest city north of McKinney, Texas before entering Oklahoma. Sherman is bisected east/west by U.S. Highway 75. U.S. Highway 82 is a major thoroughfare which connects to Gainesville to the west and Paris, Texas to the east. Much retail and commercial development has already occurred along these highways. This trend is likely to continue as the City becomes increasingly populated and the need for retail and commercial development increases. These retail sales tax dollars represent an opportunity for funding for the park and recreation services that Sherman will need to support its growing number of citizens.

DEMOGRAPHIC PROFILE

The U.S. Census estimated the population of Sherman in 2010 to be approximately 38,521 people. The City of Sherman estimates the population in 2030 to be 50,600. The current population is 41,200. The City is anticipated to continue experiencing rapid growth, making the provision of park and recreational services even more important to address in the short and long terms.

Race/Ethnicity and Age Composition

Table 1 illustrates the race and ethnic composition of the City of Sherman according to the U.S. Census Bureau. The table shows the diversity of the local population. The *White/Caucasian* group comprises the largest percentage, with the *Hispanic Origin* category representing the second largest. *African American* individuals also represent a relatively large percentage of the local population.

TABLE 1: RACE/ETHNICITY DISTRIBUTION

Race/Ethnicity	Number	Percent
White/Caucasian	27,599	71.6%
African American	4,265	11.1%
American Indian or Aleut	536	1.4%
Asian/Pacific Islander	648	1.7%
Other ⁽¹⁾	5,473	14.2%
Total	38,521	100%
Hispanic Origin ⁽²⁾	7,881	20.5%

Source: 2010 U.S. Census
⁽¹⁾ Includes "Two or More Races"
⁽²⁾ Hispanic/Spanish Origin may be of any race and may be included in any category. It is therefore not included in the total, but is separately included.

TABLE 2: AGE COMPOSITION & DISTRIBUTION

Age Groups	Number	Percent
School Age Children & Young Adults (19 & Under)	11,243	29.2%
College/New Family (20-34 years old)	8,853	22.9%
Prime Labor Force (35-49 years old)	7,032	18.3%
Older Labor Force (50-64 years old)	6,312	16.4%
Elderly (65 + years old)	5,081	13.2%
Total	38,521	100%

Source: 2010 U.S. Census



The age composition of the population within a city can also provide insight into the types of park and recreation facilities and services the City may need to provide. As reflected in *Table 2*, the largest age group is the *School Age Children & Young Adults* (0-19 years old). This age group generally represents the largest number of people that use a community's park facilities because of league sports and other organized play activities. Sherman also has a high percentage of people in the College/New Family category (20-34 years old); many in this age group play organized adult sports. The *Older Labor Force* and the *Elderly* groups also together comprise a significant percentage of the City's population at 29.6 percent; these groups tend to utilize hike-and bike trails and passive open space areas. Clearly, groups of all of ages have recreational needs.

Household Income

Household income for Sherman, according to the 2015 U.S. Census Update, was used as the base data for the percentages shown in *Table 3* to determine current percentages for the current population. The highest percentage of households in Sherman are within the less than \$14,999 income category. The lowest percentages are in the range of \$200,000 and above.

TABLE 3: 2013 HOUSEHOLD INCOME DISTRIBUTION

Income Level	Number	Percentage
Less than \$14,999	6,549	17%
\$15,000 to \$24,999	5,046	13.1%
\$25,000 to \$34,999	4,468	11.6%
\$35,000 to \$49,999	6,086	15.8%
\$50,000 to \$74,999	6,125	15.9%
\$75,000 to \$99,999	5,162	13.4%
\$100,000 to \$149,999	3,159	8.2%
\$150,000 to \$199,999	1,271	3.3%
\$200,000 or more	655	1.7%
Total	38,521	100
Source: U.S. Census 2015 Update		



PARK FACILITIES BY CLASSIFICATION

To deliver a variety of recreational features in an efficient manner, parks must be defined by type. This differentiation allows a more exact examination of where a community might be lacking. For example, one large regional park is a wonderful asset to a community and it meets the need for children to play organized sports. However, neighborhood parks with play structures that citizens can walk to for their children to play are also an important part of the overall park system. Another example is the need for trail linkages that many people of all ages can use. These parks combine to create a cohesive park system that is a varied as the people it serves.

NATIONAL RECREATION AND PARK ASSOCIATION GUIDELINES AND STANDARDS

Guidelines and standards recommended by the National Recreation and Park Association (NRPA) have been followed by cities for many years to define the hierarchy for their park systems. The following describes the NRPA classification of parks, including their respective description, locational criteria within the community, and criteria related to size. Only the park classifications selected specifically for the City of Sherman are described in the following sections. Once established, the related park classification guidelines are then applicable for structuring the Sherman park system in an orderly manner – a manner that is responsive to the recreational demands being generated by the present, as well as future, population.

Neighborhood Parks

The neighborhood park is considered to be the most important feature of a park system and is one of the major cohesive elements in neighborhood design. Its primary function is the provision of recreational space for the entire neighborhood which surrounds it. Space in the neighborhood park should be distributed between active and passive uses.

- (a) The neighborhood park should be located near the center of a neighborhood area/park planning area and have a service area of approximately one-half mile to one-quarter mile.
- (b) The size should be related to the service area population and the menu of activities chosen for placement in the park. Five (5) to ten (10) acres is the optimal size for this park.
- (c) Safe and convenient pedestrian access is considered important to a neighborhood park location.
- (d) Generally, the location should not be adjacent to a heavily traveled major or minor thoroughfare.
- (e) When it is possible to combine an elementary or middle school with this type of park, the





two features further enhance the identity of the neighborhood by providing a central location for recreation and education and a significant open space feature within the neighborhood.

(f) Facilities normally provided at a neighborhood park consist of:

- Playground equipment for small children.
- A multiple purpose hard surfaced play area.
- Space for court games, such as basketball, tennis, volleyball and in-line hockey in addition to walking/jogging trails
- Playfield space for non-organized competitive games such as baseball, football and soccer
- Passive space possibly for a pavilion with tables and grills, restrooms, drinking fountains and sitting areas.
- Off-street parking is a consideration if users are beyond an acceptable walking distance or if users need to drive to access the park.
- It is not desirable to light athletic facilities in a neighborhood environment since lighting is often objectionable to nearby residents; however, some lighting for security purposes should be incorporated into the park.
- The allocation of space in the neighborhood park should be approximately 50 percent passive area and 50 percent active area. The above facilities are those generally considered for active space. The passive space should be used to develop the character of the park by creating an open landscaped setting with trails, sitting area, and picnic space. This park becomes an integral part of the neighborhood.

SHERMAN NEIGHBORHOOD PARKS	ACREAGE
Austin Street Playground	1
Binkley Park	42
Cherry Street Park	7
Ely Park	3
Fielder Park	2
Hillcrest Park	1
Martin Luther King Jr. Park	4
Pecan Grove Park – East	2
Rosedale Park	6
Rex Cruse	1
Lamar Street Playground	1
Total Acreage for Neighborhood Parks:	70



Community Parks

A community park is larger in size than a neighborhood park and provides service to several neighborhoods or specific sections of the community. The community park is oriented primarily toward providing recreational opportunities not feasible in a neighborhood park. This type of park should be developed for both active and passive use.

- (a) A community park serves several neighborhood areas, and should therefore be conveniently accessible by automobile and include provisions for off-street parking.
- (b) The optimal size for the community park is between 40 and 150 acres. This size should be based on its intended use and the population residing in the service area. Natural features such as terrain, tree cover, flood prone areas, and water features are all factors to be used in selecting and sizing this type of park.
- (c) Activities provided should include both active and passive space.
- (d) Space for active uses associated with neighborhood parks including field and court games.
- (e) Passive spaces more extensive than the neighborhood park for trails, natural areas, picnicking, and ornamental or natural landscape areas.
- (f) Facilities for cultural activities such as plays or concerts; possibly provide an amphitheater.
- (g) Lighted or unlighted athletic fields or facilities may be placed in community parks provided careful thought is given to their design and location.
- (h) A community park should be well removed from the residential environment due to the traffic, noise, and lights associated with the sports complex.
- (i) Based on use, accessibility and other requirements, the community park should be located in a non-residential area served by major thoroughfares.
- (j) Sites are not recommended to be less than 40 acres with the optimal site ranging upward to 80-150 acres, if demand is present.
- (k) Although community parks are designed primarily for competitive play by both young people and adults, other features should be included in the complex. Among these are play apparatus, court game space, picnicking facilities, and trails.
- (l) Support facilities in a sports complex include restrooms, concessions, multi-purpose building(s), and maintenance facilities.
- (m) Parking is a major consideration for the sports complex. Spaces should be allocated to accommodate those currently participating, those lingering following the previous games and those arriving to participate in the next scheduled game.





SHERMAN COMMUNITY PARKS	ACREAGE
Center Street Park	20
Fairview Park	87
Hawn Park	20
Herman Baker Park	83
Old Settlers Park	27
Pecan Grove Park - West	117
Pecan Grove West Athletic Complex	26
Total Acreage for Community Parks:	380

Special Use Parks

These parks or recreational spaces are identified by a single use, and fall into three categories:

- (a) *Historical/cultural/social sites* - which offer recreational opportunities because of their unique characteristics.
- (b) *Recreational facilities* - single purpose facilities such as a recreation center, senior center, community center, golf course, or marina.
- (c) *Outdoor recreational facilities* - uses such as a tennis center, stadium, or possibly a special type of sports complex designed specifically for a single sport.

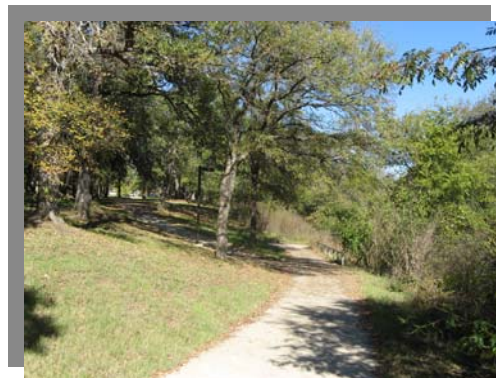
SHERMAN SPECIAL USE PARKS	ACREAGE
Activity Center	N/A
Glennie O. Ham Community Center	N/A
Lucy Kidd – Key Park	1.5
Taylor Street Complex	1.0
Total Acreage for Special Use Parks:	2.5



Open Space / Greenbelts

This classification applies to types of land which have characteristics either identifying them as undevelopable land or suitable for use as a component linking other park areas.

- (a) These spaces are generally natural corridors along creeks/flood prone areas or along easements containing a man-made feature.
- (b) There is no specific size for these spaces; however, establishing a minimum width is important to the function of the greenway, particularly if used as a location for a trail. This width should not be less than 50 feet. Where the greenway is on either side of a natural drainage course, a minimum of fifteen feet shall be provided for foot traffic or motorized vehicles performing maintenance along the greenway.



There are trails in creek corridors of Fairway Park, Center Street Park, and Binkley Park; however, long continuous floodplain or creek corridors do not exist. Currently Sherman does not have property in a major floodplain or creek corridor.

SHERMAN OPEN SPACE / GREENBELTS	ACREAGE
None at this time	0
Total Acreage for Open Space / Greenbelts:	0

Needs Assessment & Identification



GENERAL ASSESSMENT

PUBLIC INPUT MEETINGS

[illegible]

Attendees were given three color dots to place on the dot board display to choose their most desired park amenity. The following is a summary of the amenities that were chosen (in order of priority by amount of dots per item). Under the “Other” category these were listed once – Boccee, Amphitheater, Kayak Paddle Board Rental at Pecan Grove, Kayaks and Trail System for Bike/Walking/Skateboarding/Running.

- | | |
|-----------------------------|----------------------------|
| 1.) Hike & Bike Trails (19) | 11.) Swimming Pool (2) |
| 2.) Skate Park (14) | 12.) Additional Parks (1) |
| 3.) Dog Park (13) | 13.) Soccer Fields (1) |
| 4.) Basketball Courts(7) | 14.) Volleyball Courts (1) |
| 5.) Tennis/Pickleball (3) | 15.) Disc Golf (1) |
| 6.) Paved Bike Lanes (2) | 16.) Recreation Center (1) |
| 7.) Baseball Fields (2) | 17.) Pavilions (1) |
| 8.) Football Fields (2) | 18.) Softball Fields (1) |
| 9.) Sports Complex (2) | 19.) Playgrounds (1) |
| 10.) Open Space/Nature (2) | 20.) Splash Pad (1) |



STANDARD-BASED ANALYSIS

This approach is used to assist in assessing the future recreational needs for Sherman, and follows established and recognized standards for assessing the quantity of park land and the number of facilities that are required to meet the needs of a given population.

Facility-Recreation Standard

One source is the National Recreation and Park Association (NRPA). The NRPA has functioned as a source of guidance for park standards and development for a number

of years. The NRPA's standards are suggested to be a guide for determining park and open space needs. From community to community, differences will be found in the socio-economic and cultural characteristics, and in climatic conditions. Therefore, the range of demands and preferences for recreational activities will vary with these differences. Obviously, these variances will directly influence a uniform standard for all locations. NRPA is very specific to point out that their data is to be used only as a guide to the development of local standards. Therefore, the NRPA provides input to the formation of local needs. *Table 4* above shows a standards analysis for the current population of 41,200 people, and *Table 5* on next page illustrates a standards analysis for Sherman's population of 50,600 people in year 2030.

This is a standard comparison which illustrates the level of services provided at 41,200 and what the projected facilities need would be for the anticipated population of 50,600 by year 2030. Again, it is important to note that these are national standards and the comparison will vary from city-to-city. It is common for larger cities to provide recreational facilities for smaller communities nearby. Often, smaller communities do not have recreational facilities and depend on larger area cities for these resources. However, it should be noted that the Sherman Parks System also provides recreational opportunities for citizens outside the City limits.

TABLE 4: FACILITY STANDARD ANALYSIS USING EXISTING POPULATION OF 41,200

Facility	NRPA Standards	Current Sherman Inventory	Recommendation
Basketball	1/5,000	5	1/4,000 = 11
Tennis Courts	1/2,000	4	1/8,000 = 6
Youth Baseball	1/20,000	7	1/5,000 = 9
Youth Softball	1/5,000	3	1/5,000 = 9
Adult Softball	1/5,000	3	1/5,000 = 9
Football	1/20,000	2	1/65,000 = 1
Youth Soccer	1/10,000	3	1/5,000 = 9
Playgrounds (1)	NS	14	(1)
Picnic Tables	NS	59	1/300 = 137
Swimming Pool	1/20,000	1	1/30,000 = 2
Trails	NS		As many as possible*
Recreation Center	1/20,000		1/30,000 = 1

(1) One playground should be installed in each neighborhood, community and regional park
Table assumes lighted facilities
NS = No Standard
NRPA = National Recreation and Parks Association
*As many as possible in order to provide a comprehensive system of pedestrian trails that connect residential areas to parks, schools and open space

**TABLE 5: FACILITY STANDARD ANALYSIS USING ESTIMATED POPULATION OF 50,600 IN YEAR 2030**

Facility	NRPA Standards	Current Sherman Inventory	Recommendation
Basketball	1/5,000	5	1/4,000 = 13
Tennis Courts	1/2,000	4	1/8,000 = 7
Youth Baseball	1/20,000	7	1/5,000 = 11
Youth Softball	1/5,000	3	1/5,000 = 11
Adult Softball	1/5,000	3	1/5,000 = 11
Football	1/20,000	2	1/65,000 = 1
Youth Soccer	1/10,000	3	1/5,000 = 11
Playgrounds (1)	NS	14	(1)
Picnic Tables	NS	59	1/300 = 168
Swimming Pool	1/20,000	1	1/30,000 = 1
Trails	NS		As many as possible*
Recreation Center	1/20,000		1/30,000 = 1

(1) One playground should be installed in each neighborhood, community and regional park
 Table assumes lighted facilities
 NS = No Standard
 NRPA = National Recreation and Parks Association
 *As many as possible in order to provide a comprehensive system of pedestrian trails that connect residential areas to parks, schools and open space



DEMAND-BASED ANALYSIS

Sports League Association Interviews

On February 27, 2017 the following Sherman leagues were interviewed at the Sherman Park and Recreation office. League presidents, board members or representatives were questioned and explained their league size, membership, league activities and field use. The following was documented.

Baseball – Sherman Youth Sports Association

The Sherman Youth Sports Association for the spring 2017 season has 420 participants, with approximately eleven (11) to twelve (12) children per team; the equivalent to approximately thirty-seven (37) teams. In order to provide each team two (2) games per week the league uses the fields at Old Settler Park on Mondays, Tuesdays, Thursdays, and on Saturdays from 9:00 AM until 6:00 PM. They do not schedule games on Wednesday or Friday nights or on Sundays. The league currently has enough field capacity to accommodate these teams and games. However, using the fields four (4) days a week leaves little room for expansion or growth and make-up games due to weather. The baseball league will need additional fields in the near future.

Softball – Sherman Youth Sports Association

The Sherman Girls Softball Association also uses the fields at Old Settlers Park. The league has 235 members and approximately twenty (20) teams. In the spring one field is used by the Austin College Womens Softball Team and is not available to youth leagues. The Girls Softball League uses the fields seven (7) days a week for practice and games. The softball league is experiencing moderate growth and will need additional fields.

Sherman – Texoma Soccer Association

The Texoma Soccer Association uses the soccer fields at Fairview Park for their league play. The leagues serve Grayson County residents. The league has approximately 965 members which composes approximately 120 teams. The league plays games on Saturdays. At present, six (6) to ten (10) fields are adequate to serve their needs. However, there were other issues which effect league play and games.

There are traffic and parking concerns at Fairview Park during league play. The park is crowded and vehicular ingress and egress is a problem. Games are postponed due to rain or wet conditions which helps maintain the turf; however, some of the field(s) are currently in need of repair. The Soccer Association is expanding beyond the capacity that Fairview Park can provide. An expansion of soccer fields should be a high priority.



Park Land Acreage Analysis

Park land acreage analysis is also evaluated on the basis of Sherman's current population, as shown in Table 6 below. This evaluation is a reliable guide and analysis for park land comparison. The acreage required per 1,000 populations varies for each park classification. For long range planning, this is a useful tool for determining future park land acreage acquisition.

As mentioned previously, the neighborhood park is an important aspect to the overall municipal park system. The ratio of 2.5 acres per 1,000 population should not be confused with the minimum acreage size. The minimum acreage for a neighborhood park should be five (5) acres for several important reasons. A minimum of five (5) acres provides enough land to develop playgrounds, small pavilions, etc. A smaller tract will limit the facilities and the recreational opportunities available to citizens. In the event that a city accepts a smaller tract of land, in the one (1) acre to three (3) acre range, maintenance of these parks would be time consuming and would also require an increase to the City's maintenance budget. A minimum of five (5) acre tracts is therefore recommended for Neighborhood Park development.

TABLE 6: PARK LAND ACREAGE ANALYSIS					
Park Type	Recommended Acres per 1,000 Persons	Existing Acreage for Sherman Parks	Acreage Needed for Existing 2017 Population of 41,200	Acreage (+/-)	Acreage Needed for Estimated Population of 50,600 in Year 2030
Neighborhood Park	2.5 acres	70	103	-33	126.5
Community Park	5 acres	380	206	174	253
Special Use Park	2 acres	2.5	82.4	-79.9	101.2
Open Space/Greenbelts	6-8 acres	0	329.6	-329.6	404.8
Acres:	17.5 acres	452.50	721	-268.5	885.5

The Community Park category is high because of the large number of acres at Herman Baker (83 acres) and Pecan Grove Park West (117 acres). Those parks are community, passive-type use parks. Athletic Complexes are found in the Community Park category. Based on this analysis, there is a need for additional park land for athletic facilities in the future.

FUTURE PARK IMPROVEMENTS & RECOMMENDATIONS





V. FUTURE PARK IMPROVEMENTS & RECOMMENDATIONS

EXISTING PARK IMPROVEMENTS

The focus of this section will be the renovation of existing parks. The improvements are based on an analysis of existing facilities. Descriptions of these parks and related recommendations begin on the following page.

Preliminary cost estimates have also been prepared for each park element or improvement. The costs are general for specific elements such as benches, playgrounds, picnic tables, etc. Items such as drainage improvements and field renovation should be analyzed at the time of the proposed improvements as these items requires a detail site analysis which is not included in this Parks, Recreation and Open Space Master Plan.

In general, all parks and facilities should consider the senior and physically challenged citizens. These citizens have specific needs which must be considered and accommodated within the design process of any park. With all this in mind, all recreational activity facilities should be accessible to all age groups and physical capabilities.





THE IMPORTANCE OF PARK ACQUISITION

The City of Sherman currently has a good distribution of parks that serve the City well. The various types of park classifications provide differing recreational opportunities, some for neighborhoods, some for organized sports, some for passive play, etc. It is important for a city to have a diverse park system, and thereby provide its citizenry with varying recreational choices.

Not only is a diverse park system important, but also the size and scope of that system is important; the size and scope needs to adequately serve a city's population base. Sherman is projected to increase in population from its current number of 41,200 people in 2017 to 50,600 by the year 2030. The City is experiencing this growth due to the current upswing in the economy and the recognition of Sherman as a great place to live and work. The population that is projected creates a challenge for the City to continually provide adequate park and recreational facilities that meet the needs of citizens in tandem with this growth. Not only will population growth within the City itself need to be considered, but also as the Sherman City limits expand through the annexation process in its extraterritorial jurisdiction (ETJ).

For all these reasons, the act of acquiring park land is one of the most important components in park development. Doing so is the only way that a city can meet its obligations to provide a diverse and size-appropriate park system. Key to this is to note that as Sherman grows and land is developed into residential and commercial uses, the absolute best opportunity for park land acquisition is lost unless park land is acquired concurrently with the new development, both within the City limits and in the ETJ.

FUTURE NEIGHBORHOOD PARK ACQUISITION

The neighborhood park is considered to be the core unit in a municipal park system because it provides recreation opportunities within walking distance of homes. The service area of a neighborhood park, therefore, is considered to be a one-mile radius because most people are able to comfortably walk that distance (or less) to enjoy a park.

The *Future Park Plan* illustrates the generally proposed location of future neighborhood parks, shown as one-mile circles (to represent a radius) on the map. This shows the need for the City to acquire land for and build new neighborhood parks to the north and west, adjacent to Highway 82. Again, the location of the neighborhood parks as shown on the *Future Park Plan* is generalized and is not intended to identify specific parcels or lots for park land acquisition; the Sherman Park Department and Planning Department will recommend specific property acquisition to the Parks and Recreation Board when the time is appropriate based on growth and development. The goal is to show where a neighborhood park is anticipated to be needed to serve the citizens within that radius as population growth occurs. An additional ten (10) neighborhood parks, within the current limit, should be obtained. As previously stated, a neighborhood park should be between five (5) and ten (10) acres; therefore, an addition of 50 to 100 acres of neighborhood park land should be acquired. In the ETJ it is projected another twenty-nine (29) neighborhood parks will be necessary, totaling an estimated 145 to 290 acres of neighborhood park land to address this need.



FUTURE COMMUNITY PARKS, GREENBELTS AND SPECIAL USE PARKS

Community Parks

Community parks typically provide organized athletic fields and other associated park facilities such as playgrounds, pavilions, splash pads, trails, etc. The City of Sherman currently has approximately 453 acres of community park land in the park system. It should be noted that currently, Sherman services not only its citizens, but also people who live outside the City limits and in Grayson County, due to a lack of facilities in those surrounding areas. This creates a need for the City to provide additional park facilities to supplement the additional population that is served.

As part of this park planning process, public hearings and sports association interviews were conducted. Partially as a result of those efforts, it has been determined that there is a shortage of community park facilities, specifically for baseball/softball. The Sherman Independent School District uses Veterans Field for boys' baseball and Austin College softball uses one of the fields at Old Settlers Park.

To address current needs and future growth, the City will need to acquire an additional 100 to 175 acres of community park land. Designing and building a baseball/softball complex within a new community park should be a primary goal.

Hike and Bike Trail Plan

Trails and Hike & Bike Trails were identified by the public as the number one priority and need in Sherman. Hike and bike trails provide recreational opportunities to all citizens and all age groups. Trails for biking, walking, skateboarding and running are important to Sherman citizens. The trails in Fairview Park, Pecan Grove West Park, Hawn Park and Binkley Park are contained within the limits of the park.

A Bike/Pedestrian Plan can be used to guide the City in acquisition of property for trail construction and evaluation of future and existing thoroughfares for on-street bike lanes. Not only is it a valuable asset for the City when determining future trail connections, but it also is valuable in helping the City apply for grant assistance for trail construction. Connecting trails was listed as the #2 priority during the May 5, 2016 public meeting.

Indoor Recreation Centers

Sherman addresses the need for indoor recreation with the Glennie O. Ham Community Center and Taylor Street Complex. The City of Sherman has several needs at this time in terms of its parks system. An indoor recreation center is one of these needs. Typically, cities provide indoor recreational opportunities in the form of a recreation center. These facilities provide for organized work out programs such as aerobic exercise, weight lifting, and stationary low-impact bikes and treadmills. Basketball and racquetball also cultivate recreation opportunities. Typically, recreation centers are approximately 20,000 to 60,000 square feet. These facilities range in cost between \$2,000,000 to



\$20,000,000 dollars. This cost is based on the final square footage and the amenities in the center. The City should plan on construction of this facility within the next five to ten years.

Aquatic Facilities

Sherman has the Splash facility at Fairview Park and the splash pad at Hawn Park. Aquatic facilities were mentioned as desired recreational elements during public hearings. Aquatic facilities can be built as full service aquatic parks, which consist of pools, slides, wading pools and water play features. Initial cost for a facility of this type is estimated at \$3,000,000 to \$6,000,000. These large multi-million dollar water parks often have a service area larger than the City limits of Sherman and are typically classified as a regional facility. The City should look at a marketing study or a feasibility analysis while considering an aquatic facility of this scale.

Another feature is a spray park or splash park, which can be built with approximately \$400,000 to \$750,000. The ultimate size of an aquatic facility is largely dependent on the service area. These types of facilities are often located in community parks. The City should plan to construct an aquatic facility within the next five years.

Greenbelts and Open Space

One of the primary uses of greenbelts and open space is for hike and bike trail corridors and preservation of open space. The City currently does not have an extensive trail system in a Greenbelt or Creek Corridor. Based on the Needs Assessment survey and the Ten-Year Priority List, hike and bike trails or multi-use trails has been identified as the number one requested recreational element in Sherman. Although trails are developed in neighborhood and community parks, the most optimal location is in the greenbelts and open spaces of creek corridors.

These trails can become destination trails to adjacent cities and internal to Sherman provide pedestrian trails to retail areas, and to connect parks to other parks and public areas. When property adjacent to creeks and floodplains is developed, floodplain property should be dedicated to the City for Open Space and Greenbelts.

The City should accept floodplain areas as a donation and should not purchase the land, unless the City foresees a need for a critical purchase in order to preserve land and/or provide a link to another park. These open spaces preserve trees and native areas and enhance the educational and passive use of floodplains and open space for park patrons.

Special Use Parks

The City has several Special Use Parks: the Activity Center, Glennie O. Ham Community Center, Lucy Kidd – Key Park and Taylor Activity Center are examples of special use parks. The City may acquire/construct additional special use facilities as acquisition and development of special use parks are added.

Future Park Plan

LEGEND

Boundaries, Water, & Infrastructure

- Sherman City Limits
- Extraterritorial Jurisdiction (2 mile)
- Railroads
- Lakes
- Streams
- Places

Future Land Use

- Natural
- Vacant
- Agricultural and Rural
- Countryside
- Estate
- Suburban Residential
- Auto-Urban Single-Family Residential
- Auto-Urban Multi-Family Residential
- Manufactured Homes
- Auto-Urban Commercial
- Urban/Downtown
- Industrial
- Business Park and Research
- Public/Institutional
- Parks and Recreation

- Neighborhood Park within ETJ

- Neighborhood Park within City Limits

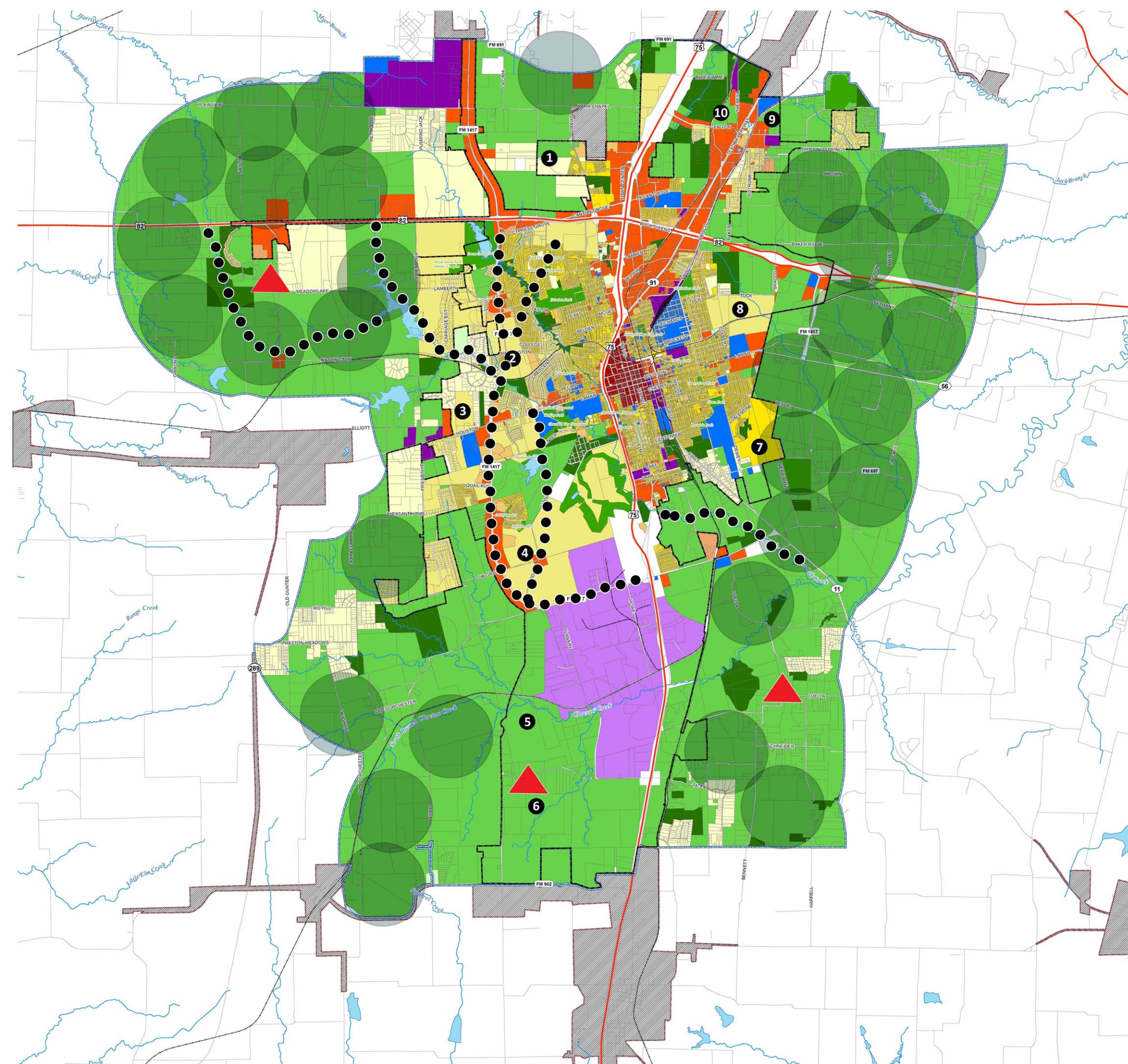
- Community Park

- Future Hike & Bike Trail

Note: Symbols are general locations indicating a park need for a service area. Symbols area not site specific.

0 1,250 2,500 5,000 7,500 10,000 Feet

1 inch = 2,500 feet





PARK MAINTENANCE STANDARDS

The purpose of this section is to provide a general analysis of municipal park maintenance. The following park maintenance standards for the Sherman park system are classified into four (4) levels of maintenance. The levels are designated by Class A, Class B, Class C and Class D, with Class A serving as the highest level of maintenance in terms of man-hours and cost.

The following chart is based on the National Recreation and Park Association's maintenance labor standards. Although the classification system provides a realistic guide to park maintenance, it should be noted that the labor equipment and materials needed are general in nature and can be used as a starting point to establish park maintenance budgets. Each park superintendent has a different philosophy and approach to park maintenance and alternative ways to achieve their maintenance goals. These charts and man-hours are only for park maintenance. They do not include hours for preparation of special events, such as parades, concerts, Christmas lighting, etc.

The City currently has 452.50 acres of park land. Based on the standards from the National Recreation and Park Association it takes 118 man-hours to maintain one acre of park land. The 118 hours is an average which consists of all types of park land in the City. Therefore, per acre maintenance costs would be 118 acre hours x \$12.00 per hour (Sherman average rate) + 75% for equipment and supplies. The maintenance and operation of park cost in Sherman would be estimated as \$2,478.00 per acre.

The Maintenance Level Costs chart provides a maintenance level with a percentage factor for equipment and supplies.

TABLE 7: Maintenance Level Costs

Maintenance Level	Factor	Cost/Acre/Year
A	+50%	\$3,720.00
B	+20%	\$2,980.00
C	Average	\$2,480.00
D	-10%	\$2,240.00

Identified and described are the four levels of park maintenance classifications and the minimum standards for each class. The existing parks in Sherman are also designated into each maintenance class, as shown in Table 8.

As a municipal park system evolves and develops, care and maintenance of the parks, open spaces and recreation equipment must be maintained. The maintenance costs identified above is a simple reminder of on-going employee and budget requirements which must be established.



Table 8: Sherman Park Classifications and Maintenance Standards

Neighborhood Parks	Acreage
Austin Street Playground	1
Binkley Park	42
Cherry Street Park	7
Ely Park	3
Fielder Park	2
Hillcrest Park	1
Martin Luther King Jr. Park	4
Pecan Grove Park - East	2
Rosedale Park	6
Rex Cruse	1
Lamar Street Playground	1
Total Acreage for Neighborhood Parks:	70
Community Parks	Acreage
Center Street Park	20
Fairview Park	87
Hawn Park	20
Herman Baker Park	83
Old Settlers Park	27
Pecan Grove Park - West	117
Pecan Grove West Athletic Complex	26
Total Acreage for Community Parks:	380
Special Use Parks	Acreage
Activity Center	N/A
Glennie O. Ham Community Center	N/A
Lucy Kidd - Key Park	1.5
Taylor Street Complex	1
Total Acreage for Special Use Parks:	2.5
Open Space / Greenbelts	Acreage
None At This Time	0
Total Acreage for Open Space / Greenbelts:	0
Total Acreage for All Parks:	452.5

- CLASS 'A'**- High Maintenance mow once per week (Flower & Shrub Beds)
- CLASS 'B'** - High Maintenance mow once per week (Limited flower beds, shrub beds are included)
- CLASS 'C'** - Medium to Low Maintenance (Mow as needed during the season - no irrigation)
- CLASS 'D'** - Mow 1 to 2 times annually or as needed



Park Classification and Maintenance Standards Sherman Parks Department

General Statement

Class A.....High Maintenance mow once per week

Flower and Shrub Beds

- Activity Center
- Austin Street Playground
- Binkley Park
- Center Street Park
- Cherry Street Park
- Ely Park
- Fairview Park
- Fielder Park
- Glennie O. Ham Community Center
- Hawn Park
- Herman Baker Park
- Hillcrest Park
- Lamar Street Playground
- Lucy Kidd – Key Park
- Martin Luther King Jr. Park
- Old Settlers Park
- Pecan Grove Park – East
- Pecan Grove Park – West
- Pecan Grove West Athletic Complex
- Rex Cruse
- Rosedale Park
- Taylor Street Complex

Class B.....High Maintenance mow once per week

Limited flower beds, shrub beds are included

- _____

Class C.....Medium to Low Maintenance

Mow as needed during the season

No irrigation

- _____

Class D.....Mow 1 to 2 times annually or as needed

- _____



CLASS A SERVICE LEVEL:

Turf:

- Mowing to be performed one time per week or as needed for special events. Mowing height to be 1 ½ inches high.
- Edging and weed eating to be done one time per week during the active growing season of March through October, and once per month from November through February.
- Weed control to be done as necessary year round for control of warm and cool season weeds in turf.
- Fertilizing to be done a minimum of two times per year for proper health of turf areas. Amount of fertilizing shall be recommended for Bermuda turf and winter Over Seed grass.
- Aerating to be done one time per year and overdressed with soil amendment.

Shrub Beds:

- Pruning of shrubs to be done two times per year as needed depending on species to keep a neatly maintained appearance and size. Native grasses and feather grasses shall be pruned as needed.

Seasonal Color Beds:

- All season color beds shall be maintained with a loose friable high in organic content as needed – depending on annuals/perennials.

Pest Control:

- Pest Control shall be provided as observed and needed. Fire Ant control needs to be done as necessary year round.

Tree Care:

- Trees shall be monitored each year in winter months and pruned by a qualified arborist.

Irrigation:

- Irrigation system should be inspected and repaired on a weekly basis, as needed.

Litter Control:

- As needed on a daily basis.



CLASS B SERVICE LEVEL:

Turf:

- Mowing to be performed one time per week during normal league play and twice for tournament play and during active growing seasons of March through October. Mowing height to be 1 ½" inches high.
- Edging and weed eating to be done one time per week during the active growing season of March through October, and once per month from November through February.
- Weed control to be done as necessary year round for control of warm and cool season weeds in turf.
- Fertilizing to be done a minimum of two times per year for proper health of turf areas. Amount of fertilizing shall be recommended for Bermuda turf and winter Over Seed grass.
- Aerating to be done one time per year and overdressed with soil amendment.

Shrub Beds:

- Pruning of shrubs to be done two times per year as needed depending on species to keep a neatly maintained appearance and size. Native grasses and feather grasses shall be pruned as needed.

Seasonal Color Beds:

- N/A

Pest Control:

- Pest Control shall be provided as observed and needed. Fire Ant control needs to be done as necessary year round.

Tree Care:

- Trees shall be monitored each year in winter months and pruned by a qualified arborist.

Irrigation:

- Irrigation system should be inspected and repaired on a weekly basis, as needed.

Litter Control:

- As needed on a daily basis.



CLASS C SERVICE LEVEL:

Turf:

- Mowing to be performed one or two times per year or as needed for special events.
- Edging and weed eating to be done, as needed around structures or parking areas, one time per week during the active growing season of March through October, and once per month from November through February.
- Weed control to be done as necessary.

Shrub Beds:

- N/A

Seasonal Color Beds:

- N/A

Pest Control:

- Fire Ant control needed around pedestrian areas, restrooms, etc.

Tree Care:

- N/A

Irrigation:

- N/A

Litter Control:

As needed weekly.



CLASS D SERVICE LEVEL

Turf:

- Mowing to be performed one time per year or as needed for safety measures.
- Aerating to be done one time per year and overdressed with soil amendment.

Shrub Beds:

- N/A

Seasonal Color Beds:

- N/A

Pest Control:

- N/A

Tree Care:

- N/A

Irrigation:

- N/A

Litter Control:

- N/A



TEN-YEAR ACTION PLAN/PRIORITY LIST

The Ten-Year Action Plan/Priority List as outlined in Table 9, for outdoor facilities, and Table 10, for indoor facilities, represents the culmination of the Parks, Recreation & Open Space Master Plan. It is the synoptic conclusion of the park master planning process. Annual review of the action plan by the City Staff, City Council members, Sherman Parks and Recreation Board members and citizens will allow analysis of action item recommendations for acquisition, improvements and new facilities to enhance the quality of Sherman Parks and Recreation System to maximum effect.

TABLE 9: TEN-YEAR ACTION PLAN – RECREATIONAL FACILITY PRIORITY LISTING FOR OUTDOOR FACILITIES

Priority	Facility	Timing	Estimated Cost	Possible Funding Sources
1.	Hike and Bike Trails	2017 - 2019	\$300,000/Mile	Bonds, Grants, Private Donations
2.	Playgrounds	2017 - 2019	\$80,000/Each	Bonds, Grants, Private Donations
3.	Youth Baseball Fields	2017 - 2019	\$300,000	Bonds, Grants, Private Donations
4.	Youth Soccer Field	2017 - 2019	\$325,000	Bonds, Grants, Private Donations
5.	Youth Softball Field	2017 - 2019	300,000	Bonds, Grants, Private Donations
6.	Football Fields	2017 - 2019	\$250,000/Each	Bonds, Grants, Private Donations
7.	Picnic Pavilion	2017 - 2019	\$25,000 to \$100,000	Bonds, Grants, Private Donations
8.	Practice Open Space	2017 - 2019	\$25,000/Acre	Bonds, Grants, Private Donations
9.	Sand Volleyball	2017 - 2019	\$30,000 Each	Bonds, Grants, Private Donations
10.	Tennis Courts	2017 - 2019	\$80,000 Each	Bonds, Grants, Private Donations
11.	Splash Park	2017 - 2019	\$300,000 to \$500,000	Bonds, Grants, Private Donations
12.	Disc Golf	2017 - 2019	\$30,000/Each	Bonds, Grants, Private Donations
13.	Skate Park	2017 - 2020	Varies	Bonds, Grants, Private Donations
14.	Open Space Acquisition	2017 - 2019	Varies	Bonds, Grants, Private Donations
15.	Park Benches	2017 - 2019	\$1,750/Each	Bonds, Grants, Private Donations
16.	Dog Park	2017 - 2019	\$100,000 to \$300,000	Bonds, Grants, Private Donations
17.	Picnic Tables	2017 - 2019	\$1,200 Each	Bonds, Grants, Private Donations
18.	Adult Softball	2017 - 2023	\$350,000	Bonds, Grants, Private Donations
19.	Wetland Interpretive Area	2017 - 2023	Varies	Bonds, Grants, Private Donations
20.	Nature Preserve	2017 - 2023	Varies	Bonds, Grants, Private Donations
21.	Nature Trail	2017 - 2023	Varies	Bonds, Grants, Private Donations
22.	Regional Arboretum	2017 - 2023	Varies	Bonds, Grants, Private Donations
23.	Recreation Center	2017 – 2023	Varies	Bonds, Grants, Private Donations



TABLE 10: TEN-YEAR ACTION PLAN – RECREATIONAL FACILITY PRIORITY LISTING FOR INDOOR FACILITIES

Priority	Facility	Timing	Estimated Cost	Possible Funding Sources
1.	Indoor Aquatic	2022 - 2027	Varies	Bonds, Grants, Private Donations
2.	Indoor Track	2022 - 2027	Varies	Bonds, Grants, Private Donations
3.	Multi-Purpose Court	2022 - 2027	Varies	Bonds, Grants, Private Donations
4.	Aerobic Room	2022 - 2027	Varies	Bonds, Grants, Private Donations
5.	Arts & Crafts	2022 - 2027	Varies	Bonds, Grants, Private Donations
6.	Racquetball	2022 - 2027	Varies	Bonds, Grants, Private Donations
7.	Weight Room	2022 - 2027	Varies	Bonds, Grants, Private Donations
8.	Computer Game Room	2022 - 2027	Varies	Bonds, Grants, Private Donations





FUNDING SOURCES

This *Parks, Recreation and Open Space Master Plan* recommends the development of a number of new parks, and further development in some existing parks. Once completed, these recommended improvements represent a substantial public investment in parks and open space as the City grows and develops. The various sources of funds for these improvements are as important as the diversity of those sources. When there are several sources of funds for implementing this *Parks, Recreation and Open Space Master Plan*, then no one source is overburdened, and the *Parks, Recreation and Open Space Master Plan* has a better probability of successful implementation. The sources discussed below relate to the purchase, development, and/or renovation/expansion of park land and facilities.

Park Dedication Fees

Park Dedication Fees are collected on dwelling units which are approved by the City. Cities should periodically review the land and fee dedicated for park acquisition and development. This review should analyze the cost of land and park development compared to the monetary fee collected in order to ensure the fee and dedication amount is adequate to provide for park development. As a guide, the City may evaluate other cities' fees and dedication. This analysis should compare cities of similar population as Sherman.

General Fund

This source of funding is supported by ad valorem tax revenues. It is generally the primary source of funds for maintenance and operation of the existing park system. The general fund is also the source for projects requiring smaller amounts of capital investment. Although projects funded by this source make a small annual contribution to the expansion of the park system, analysis over a number of years usually reflects a major accomplishment in improvements to the park system. It is important to include funding for on-going maintenance and staff requirements for new developments and improvements.

Hotel Occupancy Tax

The Hotel Occupancy Tax is a tax levied on hotel rooms and lodging. This tax could be used for certain park developments such as athletic facilities and community parks.

Bonds

Bonds are generally the most common funding source utilized by cities for the purchase of land and for providing development monies. There are two types of bonds which are used for parks, both of which must be approved by referendum.



General Obligation Bond – The General Obligation Bond is amortized using ad valorem taxes and is used for the funding of capital projects which are not supported by a revenue source. These projects include water service, sanitary sewer service, and park acquisition and development. The availability of bonding for parks is often dependent upon the overall municipal needs funded by this source. Capital items, such as purchase of land and physical improvements with a useable life expectancy of 15 to 20 years, can be funded with general obligation bonds.

Revenue Bonds – Revenue bonds fund projects which produce enough revenue to retire their debt, such as golf courses, batting cages, and enterprise-oriented park projects.

Private Donations

This source of financial assistance would usually come from a citizen, an organization, or a business with an interest in assisting with the development of the park system. Land dedication is not an uncommon occurrence when property is being developed. The location of a neighborhood park within a residential development offers additional value to residential units within that neighborhood, especially if the residential development is occupied by younger families with children.

Private donations may also be received in the form of funds, facilities, recreation equipment, art or in-kind services. Donations from local and regional businesses, as sponsors for events or facilities, should be pursued.

Sales Tax Option (4B)

The passage of Senate Bill 376 in 1992 gave cities an economic development tool which provided a sales tax that could be levied for park and recreation purposes.

Texas Recreation and Parks Account (TRPA) Program

The TRPA Program is administered by the Texas Parks and Wildlife Department (TPWD). The TPWD program allows a city to request matching funds for both the acquisition and construction of park facilities. Currently, funds are available on a fifty percent (50%) cost share basis; the maximum amount for which a grant request can be is \$500,000. The grant is secured through submission of an application which follows a standard format for applicants. All applications received are ranked by a point system designed to evaluate the need for the purchase or construction being requested. Funds are distributed among the applicants having the greater number of points, until all allocated funds are expended.

Applications to the TPWD can be made annually, with a six-month waiting period following the submission date before successful applicants are notified. The number of applications a city may submit at any given time is based on both past performance on grants and TPWD evaluation criteria. This funding source is used by many communities. The competitiveness of the program generally allows cities having bona fide park needs to prevail in obtaining funds.



Urban and Community Forest Challenge Grant

Matching grants are available on a 50/50 cost share basis from the Texas Department of Forestry. A variety of projects including: program development, beautification and staffing and training workshops are considered. These are small grants of \$5,000 to \$10,000.

Transportation Alternative Program

Available in 2014, funds will be available for projects including, bicycle and pedestrian facilities, trails, rails-to-trails, historic preservation and similar projects.

Public Improvements District (P.I.D.)

When authorized by City Council and in compliance with state laws, new developments can establish a Public Improvement District (P.I.D.). As a taxing district the P.I.D. provides funds specifically for the operation and maintenance of public facilities such as parks and major boulevards.

Tax Increment Financing District (T.I.F.)

A T.I.F. is a tool used by local government to finance public improvements in a defined area as approved by the City Council. When an area is designated a T.I.F. district the tax base is frozen at the current level. As development occurs within the T.I.F., the increased value of property, the tax increment is captured. The tax increments are posted to a separate fund to finance public improvements' within the district.

IMPLEMENTATION

Identified within this section are the ways and methods of implementing the recommendations within this *Parks, Recreation and Open Space Master Plan*. Critical to its implementation is the action plan, which should be developed annually by the City of Sherman.

Policies and Ordinances

The accuracy of these implementation mechanisms is dependent upon the proper coordination of input from contributing bodies including City officials, elected and appointed, City staff, the Sherman school district, surrounding municipalities, sports groups, and most importantly the citizens of Sherman. All parties must communicate and work collectively toward common goals, only this will ensure the successful development of the park system. An example of this communication, at the staff level, would be the incorporation of the *Parks, Recreation & Open Space Master Plan* during review of proposed development plans with various entities involved.



Ordinances provide the legal framework for implementation of this *Master Plan*, and therefore, aid in park system development and protection. Outlined below is the Watershed Management and Drainageway Ordinance. This ordinance is directly related to land acquisition in floodplain areas for creek corridor and trail development.

Watershed Management and Drainageway Ordinances

These ordinances protect and preserve greenbelts and floodplains. They provide a tool to manage the drainage and floodplains within Sherman. The ordinances respond to Federal Emergency Management Agency (FEMA) and National Pollutant Discharge Elimination System (NPDES) mandates for cities. These tools may be drafted in a format as restrictive as the City wishes. A reciprocal benefit of the preservation of these areas would be their use as linear greenbelts and connections to destinations throughout the City.

PLAN SUMMARY

This *Parks, Recreation & Open Space Master Plan* is a fluid planning tool which will guide the development and acquisition of new park land and recreational facilities. The Master Plan has identified the need for park improvements, recreational athletic fields, facilities, and restoration of existing parks. As with any public or municipal project, the amount of available funding or potential to retire debt is the controlling factor in deciding which project or projects should be completed first.

As identified, renovation projects for existing parks typically have smaller construction budgets. The renovations specified in this *Master Plan* outline required new construction. These types of projects generally receive money from the City's general fund and/or a bond issue which requires voter approval. Projects of this nature and scope outlined in the *Master Plan* would take approximately 6 to 8 months to complete. The larger renovation projects, such as field renovation or community parks, should allow for 12 to 14 months to complete. This includes development of plans and specifications and construction.

This *Parks, Recreation and Open Space Master Plan* should be reviewed annually or after a major project or task has been accomplished.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.2.

Meeting Date: 05/15/2017

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6218

Authorizing the Acceptance of a General Warranty Deed from Walter H. DeRonde and Mary T. DeRonde for the Conveyance of a 16.088 acre tract of land, more or less, situated in the Elizabeth Jones Survey, Abstract No. 625, City of Sherman, County of Grayson, State of Texas, being more fully described by metes and bounds in the attached Exhibit "A" and illustrated in the attached Exhibit "B"

Issue:

To consider acceptance of a General Warranty Deed for the purchase of a 16.088 acre tract of land adjacent to Pecan Grove Park

Background:

City staff has been working with Sherman ISD ("SISD") to evaluate potential sites for future joint development. City staff has identified a tract in southwest Sherman as a potential location for such shared use facilities. Additionally, the location of this tract is adjacent to what will be the westward extension of Travis Street from U.S. Highway 75 to FM 1417 (Heritage Parkway), so purchase of this land would be in part used for this planned roadway extension. The City has negotiated a purchase price and entered into an option agreement with the property owner in order to perform due diligence on the property. The City assigned its option on a portion of the property to SISD; and the City purchased the remaining 16.088 acres in accordance with its agreement and at the direction of Council.

Origination:

City Manager Robby Hefton

Financial Consideration:

To date, the City has exercised four option periods for a total expenditure of \$205,000.00. This amount will be applied to the purchase price of \$663,276.00 along with County Clerk fees for recording.

Staff Recommendation:

Staff recommends the Council authorize the City Manager to accept the General Warranty Deed and execute any and all instruments and take any further action required to purchase this tract of land.

Alternatives:

No alternatives are recommended.

Attachments

Resolution No. 6218

General Warranty Deed

General Warranty Deed - Exhibit "A"

General Warranty Deed - Exhibit "B"

RESOLUTION NO. 6218

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE ACCEPTANCE OF A GENERAL WARRANTY DEED FROM WALTER H. DERONDE AND MARY T. DERONDE FOR THE CONVEYANCE OF A 16.088 ACRE TRACT OF LAND, MORE OR LESS, SITUATED IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, CITY OF SHERMAN, COUNTY OF GRAYSON, STATE OF TEXAS, BEING MORE FULLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "A" AND ILLUSTRATED IN THE ATTACHED EXHIBIT "B"; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to accept a General Warranty Deed from Walter H. DeRonde and Mary T. DeRonde for the conveyance of all that certain tract or parcel of land situated in the County of Grayson, State of Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625, being all of that certain 16.088 acres of land, more or less, and being more fully described by metes and bounds in the attached Exhibit "A" and illustrated in the attached Exhibit "B", in the same or substantially same form as the General Warranty Deed and Exhibits attached hereto and incorporated herein for all purposes.

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

PASSED AND APPROVED on this the ____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

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

General Warranty Deed

Date: July 19, 2016

Grantors: Walter H. DeRonde and Mary T. DeRonde

Grantors' Mailing Address:

Grantee: City of Sherman, Texas

Grantee's Mailing Address: P.O. Box 1106
Sherman, TX 75091

Consideration: For One Dollar (\$1.00) and other valuable consideration by the **CITY OF SHERMAN**

Property: See Attached Exhibits "A" and "B"

Reservations from Conveyance: **None.**

Exceptions to Conveyance and Warranty:

Grantors, for the Consideration expressed and subject to easements of record grants, sell and convey to grantee the Property described in Exhibits "A" and "B", together with all singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever.

Grantors bind Grantors and Grantors' heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the easements of record.

GRANTORS:

Walter H. DeRonde

Mary T. DeRonde

ACKNOWLEDGEMENT

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

BEFORE ME, the undersigned authority, on this day personally appeared **Walter H. DeRonde**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the _____ day of _____, 2017.

NOTARY PUBLIC, STATE OF TEXAS

Notary's commission expires: _____

ACKNOWLEDGEMENT

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

BEFORE ME, the undersigned authority, on this day personally appeared **Mary T. DeRonde**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the _____ day of _____, 2017.

NOTARY PUBLIC, STATE OF TEXAS

Notary's commission expires: _____

*** * PROPERTY DESCRIPTION * ***

16.088 Acres

All that certain tract or parcel of land situated in the Elizabeth Jones Survey, Abstract Number 625, City of Sherman, County of Grayson, State of Texas, said tract being part of a called 155.036 acre tract as described in Deed to Walter H. Deronde et ux, Mary T. Deronde, filed 16 October 2006, and Recorded in Volume 4134 Page 565 of the Deed Records of the County of Grayson, State of Texas, and being more fully described as follows:

Beginning for the southwest corner of the tract being described herein at a found ½ inch Steel Rebar, said rebar being the southwest corner of said 155.036 acre tract, and the northwest corner of a tract as described in Deed to The Munson Realty Company, filed 29 December 1960, and Recorded in Volume 925 Page 261 of said Deed Records, said rebar also being on the east Right-of-Way line of Farm-to-Market Road Number 1417 as described in Deed to The State of Texas, filed 07 February 1961, and Recorded in Volume 927 Page 251 of said Deed Records, said corner also being in O.B. Gronner Road;

Thence: With the west line of said 155.036 acre tract, and the east ROW line of FM 1417, the following 4 (four) calls;

- 1. North 19 degrees 30 minutes 47 seconds West, a distance of 17.82 feet to a found State of Texas Concrete Right-of-Way Monument;**
- 2. North 43 degrees 15 minutes 43 seconds West, a distance of 165.64 feet to a found State of Texas Concrete Right-of-Way Monument;**
- 3. North 25 degrees 29 minutes 27 seconds West, a distance of 581.06 feet to a found State of Texas Concrete Right-of-Way Monument and being the start of a curve to the right whose radius is 2804.93 feet and chord bearing of north 14 degrees 49 minutes 59 seconds west, a chord distance of 1041.75 feet;**
- 4. With said curve to the right, an Arc Length of 1047.83 feet to a found ½ inch Steel Square Tubing for the end of this curve and on the south Right-of-Way line of Steeplechase Drive;**

Thence: North 86 degrees 25 minutes 14 seconds East, with the south ROW line of said Steeplechase Drive, a distance of 325.00 feet to a set ½ inch Steel Square Tubing for the northeast corner of this tract;

Thence: South 21 degrees 17 minutes 35 seconds East, a distance of 1724.49 feet to a set ½ inch Steel Square Tubing for the southeast corner of this tract;

Thence: South 75 degrees 18 minutes 03 seconds West, with the south line of said Deronde tract and in O.B. Gronner Road (dirt), a distance of 325.00 feet to the POINT OF BEGINNING and containing 16.088 acres of land.

To: City of Sherman:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 13-14 of Table A thereof. The fieldwork was completed on 20 June 2016.

Date of Plat or Map: 20 April 2017,

**Don K. Cox, Texas Registered
Professional Land Surveyor
Number 4577**

FLOOD STATEMENT:

I have examined the Federal Emergency Management Agency, National Flood Insurance Program, Flood Insurance Rate Map for the County of Grayson, State of Texas, community Panel Number 480181C effective date of 29 September 2010, and that map indicates that this property is Not within Zone "A" (special flood hazard area) as shown on Panel Number 0400-F of said map.

This flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage on rare occasions. Greater floods can and will occur and flood heights may be increased by man made or natural causes. This flood statement shall not create liability on the part of the surveyor.

Note:

1. If the Original Surveyors Seal & Signature IS NOT in "Red" then the drawing may be a copy or forgery.
2. There May Or May Not Be Pipe Lines On This Property.
3. Adjoining tract data is for informational purposes only and does not represent a complete survey of those lands.
4. This Survey May or May Not Comply With City of County Platting Regulations.
5. The Client or Client's representatives will have 45 days from the date the survey was issued to change any misspellings or any errors on the survey report, after this time has expired all parties involved must accept the survey as issued.

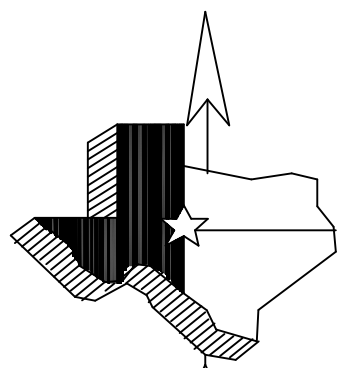
LEGEND

S3R = Set 3/4" Rod
FIP = Found Iron Pipe
FST = Set 1/2" Sq. Tubing
FSP = Fd 1/2" Sq. Rod
ROW = Right-of-Way
X = Fence Line
() = Deed Call
E = Electric Line
T = Telephone Line
C = TV Cable
GM = Gas Meter
WM = Water Meter
AC = Air Cond.
BL = Building Line
UGT = Undergr. phone
FIP = Fence Corner Post
UE = Utility Easement
BC = Back of Curb

FLOOD STATEMENT:

I have examined the Federal Emergency Management Agency, National Flood Insurance Program, Flood Insurance Rate Map for the County of Grayson, State of Texas, community Panel Number 480181C effective date of 29 September 2010, and that map indicates that this property is Not within Zone "A" (special flood hazard area) as shown on Panel Number 0400-F of said map.

This flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage on rare occasions. Greater floods can and will occur and flood heights may be increased by man made or natural causes. This flood statement shall not create liability on the part of the surveyor.



SCALE: 1"=200'

NOTES:

- 10k. Texas Power & Light Co., Right-of-Way Easement, Vol.403 Pg.290 D.R. Affects this tract as shown.
- 10l. Texas Power & Light Co., Right-of-Way Easement, Vol.493 Pg.303 D.R. Affects this tract as shown.
- 10m. State of Texas, Channel Easement, Vol.927 Pg.249 D.R. Does Not Affect this tract.
- 10n. Texas Power & Light Co., Right-of-Way Easement, Vol.1035 Pg.319 D.R. Does Not Affect this tract.
- 10o. Texas Power & Light Co., Right-of-Way Easement, Vol.1035 Pg.322 D.R. Does Not Affect this tract.
- 10p. City of Sherman, 20' Right-of-Way Easement, Vol.1399 Pg.392 D.R. Does Not Affect this tract.
- 10q. City of Sherman, Sanitary Sewer Easement, Vol.4918 Pg.841 D.R. Does Not Affect this tract.
- 10r. Maintenance Agreement for Storm Water Detention Pond & Easement, Vol. 4918 Pg.853 D.R., Does Not Affect this tract.
- 10s. City of Sherman, 10' Water line Easement, Vol.5189 Pg.747 D.R. Does Not Affect this tract.

10' Contours were digitize from the U.S.G.S. Dorchester Quad map (1974)
No buildings observed this date.

Farm-to-Market Road No.1417

State of Texas Vol.927 Pg.251 D.R.
Asphalt Surfaced 120' ROW

Lot 1 Block 1
Sherman 422 Addition, Phase One
Vol. 08 Pg. 130 P.R.
GTE Southwest Inc.
06 April 1988
Vol. 1969 Pg. 472 D.R.

Lot 2, Block W
Estates of Pebblebrook, Phase I
Vol. 21 Pg. 46 P.R.

Walter H. Deronde et ux,
Mary T. Deronde
16 Oct. 2006 (155.036 Ac.)
Vol. 4134 Pg. 565 D.R.

Elizabeth Jones Survey Abst.No.625

Elizabeth Jones Survey Abst.No.625

Walter H. DeRonde
17 April 2002 (46.022 Ac.)
Vol. 3236 Pg. 136 D.R.

Panda Sherman Power LLC
18 May 2012
Vol. 5125 Pg. 388 D.R.
(147.48 Acres)

Texas Power & Light Co.
Vol.493 Pg.303 D.R.

Texas Power & Light Co.
Vol.403 Pg.290 D.R.

The Munson Realty Co.
26 Jan. 1979
Vol. 1460 Pg. 722 D.R.
(277.2956 Ac.)

Don K. Cox, Texas Registered
Professional Land Surveyor
Number 4577



COX LAND SURVEYING CO.

P.O. BOX 597 108 N. MAIN ST. COLLINSVILLE, TEXAS 76233
COLLINSVILLE 903-429-6125 FAX 903-429-6971 E-mail: CLSC108@aol.com
Gainesville 940-612-LAND Denton 940-381-5070 McKinney 469-952-5070

ALTA/NSPS Land Title Survey

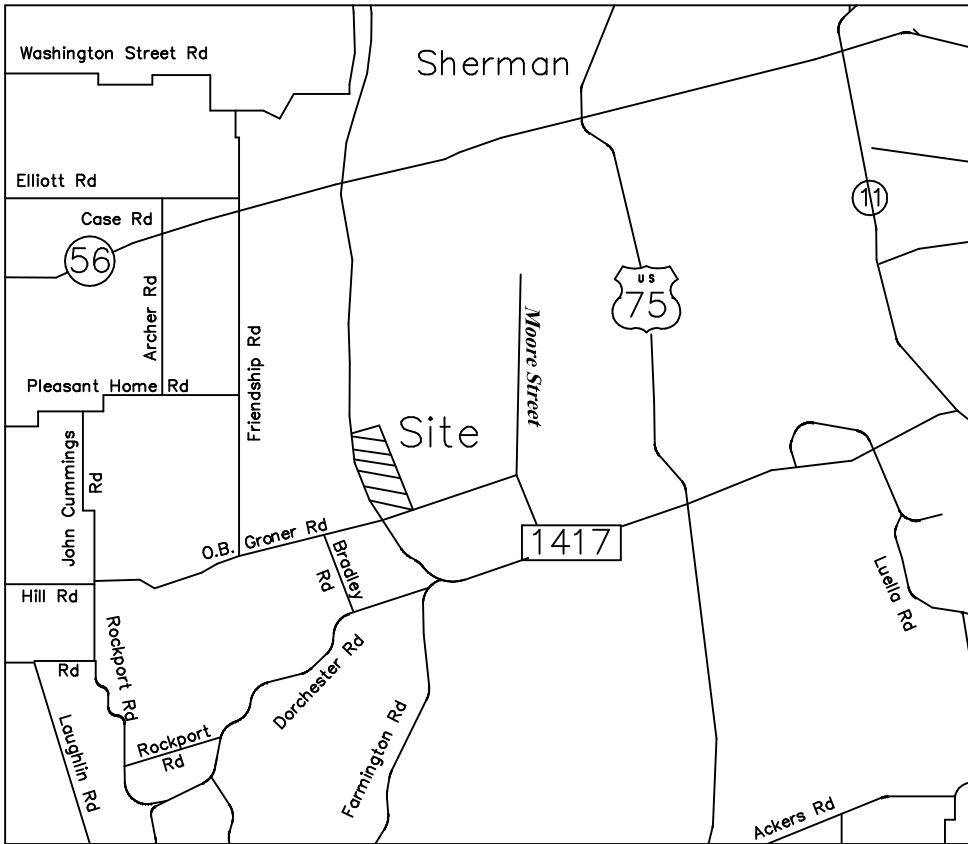
16.088 Acres in the
Elizabeth Jones Survey Abst.No.625
City of Sherman
County of Grayson
State of Texas

Registered Professional
Land Surveyors Seal

Drawn by: DKC
Check by: DKC

Job No.
17-11644-ALTA1
Firm # 10005500

Date: 02 May 2017



** PROPERTY DESCRIPTION **

16.088 Acres

All that certain tract or parcel of land situated in the Elizabeth Jones Survey, Abstract Number 625, City of Sherman, County of Grayson, State of Texas, said tract being part of a called 155.036 acre tract as described in Deed to Walter H. Deronde et ux, Mary T. Deronde, filed 16 October 2006, and Recorded in Volume 4134 Page 565 of the Deed Records of the County of Grayson, State of Texas, and being more fully described as follows:

Beginning for the southwest corner of the tract being described herein at a found 1/2 inch Steel Rebar, said rebar being the southwest corner of said 155.036 acre tract, and the northwest corner of a tract as described in Deed to The Munson Realty Company, filed 29 December 1960, and Recorded in Volume 925 Page 261 of said Deed Records, said rebar also being on the east Right-of-Way line of Farm-to-Market Road Number 1417 as described in Deed to The State of Texas, filed 07 February 1961, and Recorded in Volume 927 Page 251 of said Deed Records, said corner also being in O.B. Gronner Road;

Thence: With the west line of said 155.036 acre tract, and the east ROW line of FM 1417, the following 4 (four) calls;

1. North 19 degrees 30 minutes 47 seconds West, a distance of 17.82 feet to a found State of Texas Concrete Right-of-Way Monument;
2. North 43 degrees 15 minutes 43 seconds West, a distance of 165.64 feet to a found State of Texas Concrete Right-of-Way Monument;
3. North 25 degrees 29 minutes 27 seconds West, a distance of 581.06 feet to a found State of Texas Concrete Right-of-Way Monument and being the start of a curve to the right whose radius is 2804.93 feet and chord bearing of north 14 degrees 49 minutes 59 seconds west, a chord distance of 1041.75 feet;
4. With said curve to the right, an Arc Length of 1047.83 feet to a found 1/2 inch Steel Square Tubing for the end of this curve and on the south Right-of-Way line of Steeplechase Drive;

Thence: North 86 degrees 25 minutes 14 seconds East, with the south ROW line of said Steeplechase Drive, a distance of 325.00 feet to a set 1/2 inch Steel Square Tubing for the northeast corner of this tract;

Thence: South 21 degrees 17 minutes 35 seconds East, a distance of 1724.49 feet to a set 1/2 inch Steel Square Tubing for the southeast corner of this tract;

Thence: South 75 degrees 18 minutes 03 seconds West, with the south line of said Deronde tract and in O.B. Gronner Road (dirt), a distance of 325.00 feet to the POINT OF BEGINNING and containing 16.088 acres of land.

To: City of Sherman:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 13-14 of Table A thereof. The fieldwork was completed on 20 June 2016.

Date of Plat : 02 May 2017,



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.3.

Meeting Date: 05/15/2017

Prepared By: Mark Gibson, Director of Utilities

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6219**

Accepting the Contract with Crescent Constructors, Inc. as Complete for the Construction of the City of Sherman Wastewater Treatment Plant Headworks Lift Station Replacement and Electrical Upgrade Project

Issue:

To consider and act upon a resolution approving the Greater Texoma Utility Authority's (GTUA) acceptance of the contract with Crescent Constructors, Inc. as complete for construction of the City of Sherman Wastewater Treatment Plant Headworks Lift Station Replacement and Electrical Upgrade Project in southeast Sherman

Background:

The City's Capital Improvement Program contained a project to complete construction of the improvements at the Wastewater Treatment Plant. The project has been completed and is ready for formal acceptance by the City.

Origination:

Utilities Administration 710

Financial Consideration:

The staff recommends accepting the contract with Crescent Constructors, Inc. in the amount of \$4,591,763.94 as complete for construction of the City of Sherman Wastewater Treatment Plant Headworks Lift Station Replacement and Electrical Upgrade Project in southeast Sherman.

Staff Recommendation:

It is recommended that the City Council approve the resolution and accept the contract as complete for this project.

Alternatives:

As may be directed by the Council

Attachments

Resolution No. 6219

GTUA Agenda Communication - May 9, 2017

Aerial Location Map

RESOLUTION NO. 6219

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ACCEPTING THE CONTRACT WITH CRESCENT CONSTRUCTORS, INC. AS COMPLETE FOR THE CONSTRUCTION OF THE CITY OF SHERMAN WASTEWATER TREATMENT PLANT HEADWORKS LIFT STATION REPLACEMENT AND ELECTRICAL UPGRADE PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Sherman, Texas, has entered into a Contract for Water Supply and Sewer Service with the Greater Texoma Utility Authority; and

WHEREAS, the Greater Texoma Utility Authority has entered into a contract with Crescent Constructors, Inc. for construction of the City of Sherman Wastewater Treatment Plant Headworks Lift Station Replacement and Electrical Upgrade Project for the City of Sherman, Texas; and

WHEREAS, representatives of the City of Sherman, the Greater Texoma Utility Authority, and the project engineer have inspected the City of Sherman Wastewater Treatment Plant Headworks Lift Station Replacement and Electrical Upgrade Project and found it to be complete;

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

SECTION 1. That the City Council of the City of Sherman, Texas, hereby formally accepts the contract with Crescent Constructors, Inc. for construction of the City of Sherman Wastewater Treatment Plant Headworks Lift Station Replacement and Electrical Upgrade Project as complete.

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

PASSED AND APPROVED on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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



GREATER TEXOMA UTILITY AUTHORITY AGENDA COMMUNICATION

DATE: May 9, 2017

SUBJECT: AGENDA ITEM NO. XI

**CONSIDER AND ACT UPON CHANGE ORDER NO. 5 AND A RESOLUTION BY THE BOARD OF DIRECTORS
OF THE GREATER TEXOMA UTILITY AUTHORITY ACCEPTING THE CONTRACT WITH CRESCENT
CONSTRUCTORS FOR THE CONSTRUCTION OF THE CITY OF SHERMAN WASTEWATER TREATMENT
PLANT HEADWORKS LIFT STATION REPLACEMENT AND ELECTRICAL UPGRADE PROJECT AS COMPLETE**

ISSUE

Consider and act upon Change Order No. 5 and the closeout of the contract with Crescent Constructors, Inc. for the City of Sherman WWTP Headworks Lift Station Replacement and Electrical Upgrade Project.

BACKGROUND

The City of Sherman requested the Authority's assistance in financing Headworks Lift Station Replacement and Electrical Upgrade Project. The proposed lift station will incorporate some of the salvageable equipment from the old lift station and will ultimately enable the City to handle additional peak flows. The electrical upgrades will include new variable frequency drives, HVAC upgrades, and will provide two new electrical services in order to supply the proposed additional pumping capacity.

The contract was awarded to Crescent Constructors, Inc. in the amount of \$4,777,000.

Change Order No. 1 addressed the variance between the bid allowances and the actual bid amount for the major electrical equipment. Change order No. 1 resulted in a deduction of \$117,067.14, resulting in a revised contract amount of \$4,659,932.86.

Change Order No. 2 addressed modifications to the 7 pump bases being supplied in the new lift station. Change Order No. 2 resulted in a deduction of \$43,686.92, resulting in a revised contract amount of \$4,616,245.94.

Change Order No. 3 addressed the changing of the light fixtures, addition of more fused disconnects, deletion of the pump test witnessing, and additional 36" force main bend fitting. Change Order No. 3 resulted in a deduction of \$38,906.00, resulting in a revised contract amount of \$4,577,339.94.

Change Order No. 4 included 1) upgrading the power cable reel to stainless steel festoon system due to the corrosive environment, 2) additional wet well plug frames are required due to clarification of drawing detail, 3) redesigned wet well plugs for enhanced operator safety, 4) removal of a portion of an existing thrust block due to that not being on the plant's record drawings, 5) re-routing of two existing 6" sludge force mains due to them not being on the plant's record drawings, 6) relocation of existing 6" waterline due to it not being on the plant's record drawings, and 7) extending the pump hoist monorail to facilitate large pump loading for repairs. Change Order No. 4 resulted in an increase of \$26,174, resulting in a revised contract amount of \$4,603,513.94.

Change Order No. 5 deletes bid proposal items P.6, P.7, P.8 and P.9 for a net reduction in cost based on bid prices. The extra crushed stone under the lift station deep foundation and the additional depth for concrete



GREATER TEXOMA UTILITY AUTHORITY AGENDA COMMUNICATION

PAGE 2

piers were not needed. Change Order No. 5 reduces the contract price by \$11,750.00 resulting in a revised contract amount of \$4,591,673.94.

CONSIDERATIONS

The engineer has reviewed and recommended authorizing Change Order No. 5 as well as closing the contract out. The City of Sherman will consider this at their May 15, Council meeting.

STAFF RECOMMENDATIONS

Based upon the project engineer's recommendation, the Authority staff recommends authorizing Change Order No. 5 to the contract with Crescent Constructors, Inc. The staff also recommends authorizing closeout of this project, accepting the contract with Crescent Constructors, Inc. as complete.

ATTACHED

Recommendation Letter

Change Order No. #5

Resolution

Contractor's Certification and Guarantee

Consent of Surety and Affidavit

PREPARED AND SUBMITTED BY:

Drew Satterwhite, P.E., General Manager



Wastewater Treatment Plant





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.4.

Meeting Date: 05/15/2017

Prepared By: Steve Ayers, Director of Public Services

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6220**

Awarding a Bid to and Authorizing Execution of a Contract with Andrews Building Service, Inc. for Janitorial Services in Certain City-Owned Facilities

Issue:

To consider awarding and authorizing execution of a contract with Andrews Building Service, Inc., of Dallas, Texas, based on a Request for Proposals (RFP) for janitorial services in certain City-owned facilities

Background:

During a regularly scheduled meeting on April 3, 2017, the City Council authorized staff to advertise for bids for annual janitorial services. A public request for competitive, sealed proposals resulted in ten (10) bids submitted and opened on April 27, 2017 at 2 p.m.

Andrews Building Services, Inc., of Dallas, Texas, received the highest valuation, based on proposed pricing, experience, references & product/service capabilities. The submitted bid by Andrews Building Service, Inc. was for the estimated annual total cost of \$108,060.07.

Origination:

Building Maintenance Department

Financial Consideration:

Available funds were approved in the FY 2017 budget for annual janitorial services.

Staff Recommendation:

Staff recommends that City Council award the contract for annual janitorial services to Andrews Building Service, Inc. for one (1) twelve-month period, with an option to renew for two (2) one-year periods.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6220

Contract

Bid Tabulation

RESOLUTION NO. 6220

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDED A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH ANDREWS BUILDING SERVICE, INC. FOR JANITORIAL SERVICES IN CERTAIN CITY-OWNED FACILITIES; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That Andrews Building Service, Inc. is hereby awarded the bid of a monthly rate of Seven Thousand Eight Hundred Sixty-Three Dollars and Seven Cents (\$7,863.07) per month, plus an amount not to exceed Thirteen Thousand Seven Hundred Three Dollars and Twenty-Three Cents (\$13,703.23) annually for annual and semi-annual tasks, as identified in the Request for Bids for janitorial services in certain city-owned facilities; and that the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved by the City Attorney, to execute a contract with Andrews Building Service, Inc. for janitorial services, in accordance with all contract documents to be attached hereto and incorporated herein for all purposes.

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

PASSED AND APPROVED on this the ____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

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



**CITY OF SHERMAN
STANDARD CONTRACT**

This Agreement is made by and between the City of Sherman, Texas, a home-rule municipality, hereinafter referred to as “Buyer”, and the hereinafter named SELLER, referred to as the “Seller,” for the sale of goods, materials and items specified hereinafter, and the Buyer and Seller hereby agree as follows:

Seller:

Name

Address

City, State, Zip

Telephone

Email

DESCRIPTION OF GOODS

This Contract is for the purchase by the City of Sherman, Texas, of the goods, services, materials and/or items described hereinafter as the “goods” or the subject of this Contract, and such parts, attachments, accessories, devices, and apparatus as may be considered an integral part of the Goods or necessary for the proper use or application of the Goods, whether or not specified herein. The Goods are more specifically described as follows:

[CHECK ONE:]

_____ This contract is a “fixed price – fixed quantity” Contract for the purchase of the specified quantity at the specified price. The full quantity of the Goods shall be delivered to and received at the designated point or points of delivery no later than the date specified herein below. This date is a material term and condition of the Contract and, in connection with the delivery date, time is and shall be of the essence.

Date of Delivery

OR

 X This Contract is for a specific duration wherein the Seller will supply, furnish and deliver at the designated point or points of delivery the specified Goods in the quantities requested by Buyer at the time of Buyer’s order. The delivery date(s) shall be set forth in Buyer’s order. This Contract is not intended to be and shall not be construed as an exclusive requirements contract. This Contract is non-exclusive and Buyer may acquire any or all of its requirements for the specified Goods from Seller or any other source deemed appropriate by Buyer. This Contract may extent for two additional one (1) year periods upon notice of intent to renew being issued in writing by the City within forty-five (45) days prior to Contract expiration date.

DURATION: From June 1, 2017 to May 31, 2018

PAYMENT TERMS

The purchase price of the Goods shall be that contained in the Seller’s bid and specifically accepted in writing by Buyer. Seller shall submit separate invoices on each purchase order after each delivery. Invoices shall indicate the purchase order number, and shall be itemized. A copy of the packing slip should be attached to the invoice and mailed to the City of Sherman, Finance Department, PO Box 1106, Sherman, TX 75091-1106. Payment shall not be due until the above instruments are submitted, until the Goods have been received by Buyer, and until Buyer has had sufficient opportunity to inspect and exercise its right to accept or reject. Seller shall keep the Finance Department advised of any changes in their remittance addressees. In no event shall Buyer be responsible for interest of any kind on any funds due to Seller, and no term or provision contained in any Seller’s invoice shall in any way modify, vary or alter the provisions hereof.

Buyer’s obligation is payable solely from funds available for the purpose of the purchase. Lack of funds shall render this contract null and void and to the extent funds are not available, any delivered but unpaid for goods will be returned to Seller by Buyer.

CONTRACT TERMS AND CONDITIONS

This Contract is made and entered into between the parties hereto in accordance with and subject to the following additional terms and conditions:

1. **SELLER TO PACKAGE GOODS:** Seller will package Goods in accordance with good commercial practice. Each shipping container shall be clearly marked and permanently

packed as follows: (a) Seller's name and address; (b) Consignee's name, address, and purchase order number; (c) Container number and total number of containers, e.g. box 1 of 4 boxes; and (d) the number of the container bearing the packing slip. Seller shall bear cost of packing unless otherwise provided. Goods shall be suitably packed to secure lowest transportation costs and to conform to requirement of common carriers and any applicable specifications. Buyer's count or weight shall be final and conclusive on shipment not accompanied by packing lists.

2. **SHIPMENT UNDER RESERVATION PROHIBITED:** Seller is not authorized to ship the Goods under reservation and no tender of a bill of lading will operate as a tender of goods.
3. **TITLE AND RISK OF LOSS:** The title and risk of loss of the Goods shall not pass to the Buyer until the Buyer actually receives and takes possession of the Goods at the point or points of delivery.
4. **DELIVERY TERMS AND TRANSPORTATION CHARGES:** F.O.B. Destination Freight Prepaid unless delivery terms are specified otherwise in the bid; Seller shall pay for the transportation costs.
5. **NO PLACEMENT OF DEFECTIVE TENDER:** Every tender or delivery of Goods must fully comply with all provisions of this contract as to time of delivery, quality and the like. If a tender is made which does not fully conform, this shall constitute a breach and Seller shall not have the right to substitute a conforming tender, provided, where the time for performance has not yet expired, the Seller may reasonably notify Buyer of his intention to cure and may then make a conforming tender within the contract time but not afterward.
6. **PLACE OF DELIVERY:** The place of delivery shall be that set forth on the purchase order or in any other written designation by Buyer. The terms of this agreement are "no arrival, no sale."
7. **RIGHT OF INSPECTION:** Buyer shall have the right to inspect the goods at delivery before accepting them.
8. **REJECTION OF GOODS:** It is agreed that if Buyer rejects any of the goods sold pursuant to this agreement, Buyer's only duty shall be to reasonably notify Seller of the rejection and hold the goods for the disposition of Seller, and it is agreed that under no circumstances shall Buyer be required to resell the rejected goods or incur the cost to deliver same to Seller.
9. **GRATUITIES:** The Buyer may, by written notice to the Seller, cancel this contract without liability to the Seller if it be determined by the Buyer that gratuities, in the form of entertainment, gifts, or otherwise were offered or given by the Seller, or any agent or representative of the Seller, to any officer or employee of City of Sherman with view toward securing the contract or securing favorable treatment with respect to awarding or amending, or the making of any determination with respect to the performing of such a Contract. In the event this Contract is canceled by Buyer pursuant to this provision, Buyer shall be entitled in addition to any other rights and remedies, to recover and withhold the amount of the cost incurred by the Seller in providing such gratuities.

10. **SPECIAL TOOLS AND TEST EQUIPMENT:** If the price stated on the face hereof includes the cost of any special tooling or any special test equipment fabricated or required by Seller for the purpose of filling this order, such special tooling equipment and any process sheets related thereto shall become the property of the Buyer and to the extent feasible shall be identified by the Seller as such.

11. **WARRANTY – PRICE:** The price to be paid by the Buyer shall be that contained in the Seller's bid which Seller warrants to be no higher than Seller's current prices on orders for products of the kind and specification covered by the agreement for similar quantities under similar or like conditions and methods of purchase. In the event Seller breaches this warranty, the prices of the items shall be reduced to the Seller's current prices on orders by others, or in the alternative, Buyer may cancel this contract without liability for breach or Seller's actual expense.

The Seller warrants that no person or selling agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for commission, percentage, brokerage, or contingent fee excepting bona fide established commercial or selling agencies maintained by the Seller for the purpose of securing business. For breach of violation of this warranty, the Buyer shall have the right in addition to any other right or rights to cancel this contract without liability and to deduct from the contract price, or otherwise recover the full amount of such commission, percentage, brokerage or contingent fee.

12. **WARRANTY-PRODUCTS:** Seller shall not limit or exclude any implied warranties and any attempt to do so shall render this contract voidable at the option of the Buyer. No such attempts to limit, disclaim or exclude any warranties, whether of fitness, merchantability or otherwise, by Seller shall be binding or effective. Seller warrants that the Goods furnished will conform to the specifications, drawings, and descriptions listed in the bid invitation and to the sample(s) furnished by Seller, if any. In the event of a conflict between the specifications, drawings, and descriptions, the specifications shall govern.

13. **SAFETY WARRANTY:** Seller warrants the product sold to the Buyer shall conform to the standards promulgated by the U.S. Department of Labor under the Occupational Safety and Health Act of 1970. In the event that the products do not conform to OSHA standards, Buyer may return the product for correction or replacement at the Seller's expense. In the event that Seller fails to make the appropriate correction within a reasonable time, any correction made by Buyer will be at Seller's expense.

14. **NO WARRANTY BY BUYER AGAINST INFRINGEMENTS:** As part of this contract for sale, Seller agrees to ascertain whether goods manufactured in accordance with the specifications attached to this agreement will give rise to the rightful claim of any third person by way of infringement or the like. Buyer makes no warranty that the production of goods according to the specifications will not give rise to such claim, and in no event shall Buyer be liable to Seller in the event that Seller issued on the grounds of infringement or the like. If Seller is of the opinion that an infringement or the like will result, he will notify Buyer to this effect in writing or the like, within two weeks after the signing of this agreement. If Buyer does not receive notice and a claim is asserted or Buyer is subsequently held liable for the infringement or the like, Seller will indemnify, defend and save Buyer harmless. If Seller in good faith ascertains that production of the goods in accordance with the specifications will result in infringement or the like, this

contract shall be null and void except that Buyer will pay Seller the reasonable cost of his search as to infringements.

15. **CANCELLATION:** Buyer shall have the right to cancel for default on all or any part of the undelivered portion of this order if Seller breaches any of the terms hereof including warranties of Seller or the Seller becomes insolvent or commits acts of bankruptcy. Such right of cancellation is in addition to and not in lieu of any remedies which Buyer may have at law or equity. The Buyer may for any reason whatsoever terminate performance under this Contract by the Seller for convenience at any time. The Buyer shall give notice of such termination to the Seller specifying when termination becomes effective. Goods received but unopened or unused shall be made available to Seller for delivery. Buyer will, in the event of termination, remit such sums to Seller as may be due only for those Goods retained by Buyer.

16. **FORCE MAJEURE:** If by reason of Force Majeure, either party hereto shall be rendered unable wholly or in part to carry out its obligation under the Agreement, then such party shall give notice and full particulars of Force Majeure in writing to the other party within a reasonable time after the occurrence of the event or cause relied upon, and the obligation of the party giving such notice, so far as is effected by such Force Majeure, shall be suspended during the continuance of the inability then claimed, except as hereafter provided, but for no longer periods and such party shall endeavor to remove or overcome such inability with all reasonable dispatch.

The term "Force Majeure" as employed herein, shall mean acts of God, strikes, lockouts, or other industrial disturbance, act of public enemy, orders of any kind of government of the United States or State of Texas or any civil or military authority, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, hurricanes, storms, floods, washouts, droughts, arrests, restraints of government and people, civil disturbances, explosions, breakage or accidents to machinery, pipelines, or canals, or other causes not reasonably within control of the party claiming such inability. It is understood and agreed that the settlement of strikes and lockouts shall be entirely within the discretion of the party having the difficulty, and that the above requirements that any Force majeure shall be remedied with all reasonable dispatch shall not require the settlements of strikes and lockouts by exceeding to the demands of the opposing party or parties when such settlement is unfavorable in the judgment of the party having the difficulty.

17. **ASSIGNMENT – DELEGATION:** No right or interest in this contract shall be assigned or delegation of any obligation made by Seller without the written permission of the Buyer. An attempted assignment or delegation of Seller shall be wholly void and totally ineffective for all purposes unless made in conformity with this paragraph.

18. **MODIFICATIONS:** This contract can be modified or rescinded only in writing signed by both parties and their duly authorized agents.

19. **WAIVER:** No claim or right arising out of a breach in contract can be discharged in whole or in part by a waiver or renunciation of the claim or right unless the waiver or renunciation is supported by consideration and is in writing signed by the aggrieved party.

20. **INTERPRETATION-PAROL EVIDENCE:** This writing is intended by the parties as a final expression of their agreement and is intended also as a complete and exclusive

statement of the terms of their agreement. No course of prior dealings between the parties and no usage of the trade shall be relevant to supplement or explain any term used in this agreement. Acceptance or acquiescence in a course of performance rendered under this agreement shall not be relevant to determine the meaning of this agreement even though the accepting or acquiescing party has knowledge of the performance and opportunity for objection. Whenever a term defined by the Uniform Commercial Code is used in this agreement, the definition contained in the Code is to control.

21. **APPLICABLE LAW:** This agreement shall be governed by the Uniform Commercial Code. Wherever the term "Uniform Commercial Code" is used, it shall be construed as meaning the Uniform Commercial Code as adopted in the State of Texas as effective and in force on the date of this agreement.
22. **ADVERTISING:** Seller shall not advertise or publish, without Buyer's prior written consent, the fact that Buyer has entered into this contract, except to the extent necessary to comply with prior requests for information from an authorized representative of federal, state or local government.
23. **RIGHT TO ASSURANCE:** Whenever one party to this contract in good faith has reason to question the other party's intent to perform he may demand that the other party give written assurance of his intent to perform. In the event that a demand is made and no assurance is given within five (5) days, the demanding party may treat this failure as an anticipatory repudiation of the contract.
24. **PROHIBITION AGAINST PERSONAL INTEREST IN CONTRACTS:** No officer or employee shall have a financial interest, direct or indirect, in any contract with the City, or be financially interested, directly or indirectly, in the sale to the City of any land, materials, supplies, or services, except on behalf of the City as an officer or employee. Any knowing and willful violation of this section shall constitute malfeasance in office, and any officer or employee guilty thereof shall forfeit his office or position. Any violation of this section with the knowledge, express or implied, of the person or corporation contracting with the governing body of the City shall render the contract involved voidable by the City Manager or the City Council.
25. **ENTIRE AGREEMENT:** This Contract, and all Specifications and Addenda attached thereto, constitute the entire and exclusive agreement between the Buyer and Seller with reference to the Goods. Specifically, but without limitation, this Contract supersedes any bid documents and all prior written or oral communications, representations and negotiations, if any, between the Buyer and Seller not expressly made a part hereof.

INDEMNITY AND DISCLAIMER: BUYER SHALL NOT BE LIABLE OR RESPONSIBLE FOR, AND SHALL BE INDEMNIFIED, HELD HARMLESS AND RELEASED BY SELLER FROM AND AGAINST ANY AND ALL SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY OF ANY CHARACTER, TYPE, OR DESCRIPTION, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY OR LOSS TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS, INCLUDING THE SELLER, OR PROPERTY, ARISING OUT OF, OR OCCASIONED BY, DIRECTLY OR INDIRECTLY, THE PERFORMANCE OF SELLER UNDER THIS CONTRACT, INCLUDING CLAIMS AND DAMAGES ARISING IN

WHOLE OR IN PART FROM THE NEGLIGENCE OF BUYER, WITHOUT, HOWEVER, WAIVING ANY GOVERNMENTAL IMMUNITY AVAILABLE TO THE BUYER UNDER TEXAS LAW AND WITHOUT WAIVING ANY DEFENSES OF THE PARTIES UNDER TEXAS LAW. THE PROVISIONS OF THIS INDEMNIFICATION ARE SOLELY FOR THE BENEFIT OF THE PARTIES HERETO AND NOT INTENDED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY OTHER PERSON OR ENTITY. IT IS THE EXPRESSED INTENT OF THE PARTIES TO THIS AGREEMENT THAT THE INDEMNITY PROVIDED FOR IN THIS CONTRACT IS AN INDEMNITY EXTENDED BY SELLER TO INDEMNIFY AND PROTECT BUYER FROM THE CONSEQUENCES OF THE SELLER'S AS WELL AS THE BUYER'S NEGLIGENCE, WHETHER SUCH NEGLIGENCE IS THE SOLE OR PARTIAL CAUSE OF ANY SUCH INJURY, DEATH, OR DAMAGE. IN ADDITION, CONTRACTOR SHALL OBTAIN AND FILE WITH OWNER CITY OF SHERMAN A STANDARD CERTIFICATE OF INSURANCE AND APPLICABLE POLICY ENDORSEMENT EVIDENCING THE REQUIRED COVERAGE AND NAMING THE OWNER CITY OF SHERMAN AS AN ADDITIONAL INSURED ON THE REQUIRED COVERAGE.

26. **GOVERNING LAW:** The Contract shall be governed by the laws of the State of Texas. Venue for any causes of action arising under the terms or provisions of this Contract or the Goods to be delivered hereunder shall be in the courts of Grayson County, Texas.
27. **SUCCESSORS AND ASSIGNS:** The Buyer and Seller bind themselves, their successors, assigns and legal representatives to the other party hereto and to successors, assigns and legal representatives of such other party in respect to covenants, agreements and obligations contained in this Contract. The Seller shall not assign this Contract without written consent of the Buyer.
28. **SEVERABILITY:** The provisions of this Contract are herein declared to be severable; in the event that any term, provision or part hereof is determined to be invalid, void or unenforceable, such determination shall not affect the validity or enforceability of the remaining terms, provisions and parts, and this Contract shall be read as if the invalid, void or unenforceable portion had not been included herein.
29. **NOTICES:** All notices required by this Contract shall be presumed received when deposited in the mail properly addressed to the other party at the address set forth herein or set forth in a written designation of change of address delivered to all parties.

EXCUTED this _____ day of _____, _____.

SELLER:

(Signature)

(Type/Print Name and Title/Position)

(Address)

(City,State,Zip)

CITY OF SHERMAN:

By: _____
Robby Hefton,
City Manager
220 W. Mulberry
Sherman, TX 75090

ATTEST:

By: _____
Linda Ashby,
City Clerk

APPROVED:

Brandon Shelby
City Attorney

CITY OF SHERMAN
BID TABULATION SUMMARY

Date: 4/27/2017
Bid Title: Janitorial Services

	Andrews Building Service, Inc.	Worldwide Enterprises, Inc.	RSG Solutions, LLC.	Member's Building Cleaning Services, LLC.	CTJ Maintenance, Inc.	Versatile Maintenance Services, LLC.	Dun-Al Cleaning, LLC.	AMX Premium Cleaning Services	WCD Enterprises, LLC.	Brooke & Skye Cleaning
Cost Frequency										
Monthly (yearly totals)	\$ 94,356.84	\$ 91,176.00	\$ 134,564.52	\$ 103,191.60	\$ 88,476.00	\$ 87,287.64	\$ 114,600.00	\$ 114,838.32	\$ 89,280.00	\$ 107,497.92
Semi-Annually & Annually (combined)	\$ 13,703.23	\$ 10,439.00	\$ 32,214.00	\$ 12,517.50	\$ 18,804.00	\$ 8,000.00	\$ 8,500.00	\$ 14,004.91	\$ 16,175.00	\$ 15,143.10
Proposal Total	\$ 108,060.07	\$ 101,615.00	\$ 166,778.52	\$ 115,709.10	\$ 107,280.00	\$ 95,287.64	\$ 123,100.00	\$ 128,843.23	\$ 105,455.00	\$ 122,641.02

	Andrews Building Service, Inc.	Worldwide Enterprises, Inc.	RSG Solutions, LLC.	Member's Building Cleaning Services, LLC.	CTJ Maintenance, Inc.	Versatile Maintenance Services, LLC.	Dun-Al Cleaning, LLC.	AMX Premium Cleaning Services	WCD Enterprises, LLC.	Brooke & Skye Cleaning
Evaluation Criteria										
Key Personnel Qualifications (10%)	10	6	10	3	8.5	8	2.5	3	8	1.5
Experience (20%)	17.5	18.5	15.5	17	17	15.5	16.5	11.5	19.5	15
References (10%)	10	8	5.5	3.5	9	7.5	2	1.5	3.5	4
Fee schedule/Cost of Service (30%)	24	28	12	22	25	30	18.5	16.5	26.5	19.5
Project/Service Approach (20%)	20	5	19	6.5	20	10	4	5.5	20	12
Supplies (10%)	10	0	10	10	5	0	1	0.5	8	3.5
Total Points Distributed	91.5	65.5	72	62	84.5	71	44.5	38.5	85.5	55.5



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.5.

Meeting Date: 05/15/2017

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6221**

Abandoning a Twenty-Two Foot (22') Utility Easement located in Block 3 of the W.M. Shannon Supplement, Volume 26, Page 291, Deed Records, Grayson County, Texas, and being more particularly described on the Exhibit "A" attached hereto and made a part hereof for all purposes, which Abandonment of Alley and Retainer of Utility Easement is recorded in Volume 910, Page 412 of the Deed Records of Grayson County, Texas

Issue:

To consider the abandonment of a 22' Utility Easement lying within Block 3 of the W.M. Shannon Supplement to the City of Sherman, Texas

Background:

A portion of the easement within the property is not being utilized and is no longer deemed necessary.

Origination:

Property Owner

Financial Consideration:

None

Staff Recommendation:

Staff recommends approval of the 22' Utility Easement abandonment.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6221

Release and Abandonment of Easement

Exhibit "A" as noted in all documents

Location Map

RESOLUTION NO. 6221

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ABANDONING A TWENTY-TWO FOOT (22') UTILITY EASEMENT LOCATED IN BLOCK 3 OF THE W.M. SHANNON SUPPLEMENT, VOLUME 26, PAGE 291, DEED RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED ON THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, WHICH ABANDONMENT OF ALLEY AND RETAINER OF UTILITY EASEMENT IS RECORDED IN VOLUME 910, PAGE 412 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council is of the opinion that the abandoning, vacating and closing of said utility easement as depicted on the attached map is in the public interest and is approved;

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

SECTION 1. That the twenty-two foot (22') utility easement located in the Block 3 of the W.M. Shannon Supplement, in the City of Sherman, County of Grayson, State of Texas, said utility easement retainer being recorded in Volume 910, Page 412 of the Deed Records of Grayson County, Texas, as depicted in Exhibit "A" attached hereto and made a part hereof for all purposes, be and is hereby extinguished, vacated, closed, and permanently abandoned as an easement for public use.

SECTION 2. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a Release and Abandonment of Easement in the same or substantially same form as the contract document attached hereto and incorporated herein for all purposes.

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

PASSED AND APPROVED on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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

RELEASE AND ABANDONMENT OF EASEMENT

DATE: May 15, 2017

PROPERTY:

BEING A 22-FOOT UTILITY EASEMENT TOTALING 0.067 ACRES, PREVIOUSLY PART OF AN ABANDONED ALLEY, IN BLOCK 3 OF W.M. SHANNON'S SUPPLEMENT TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 26, PAGES 291, PLAT RECORDS, GRAYSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED ON THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

WHEREAS, the above described property is a 22-foot Utility Easement retained as a result of an abandonment of alley filed of record in Volume 910, Page 412 of the Deed Records of Grayson County, Texas.

WHEREAS, said abandoned alley was retained as a 22-foot Utility Easement as filed of record in Volume 910, Page 412 of the Deed Records of Grayson County, Texas.

WHEREAS, said Utility Easement is not being utilized and the City of Sherman no longer deems said 22-Foot Utility Easement as a necessary Easement.

WHEREAS, the City of Sherman, Texas, does hereby abandon, relinquish and vacate its interest in and to the easement described above.

THE CITY OF SHERMAN, TEXAS

By: _____

Title: _____

STATE OF TEXAS }
COUNTY OF GRAYSON }

This instrument was acknowledged before me on the _____ day of May, 2017, by
_____, as _____ of THE CITY OF SHERMAN, TEXAS.

Notary Public – State of Texas

LAND DESCRIPTION

BEING all of that certain tract or parcel of land situated in the City of Sherman, Grayson County, Texas, and being a part of a tract of land described in the deed to Mike Adams, recorded in Volume 5870, Page 906, Official Records of Grayson County, Texas, and being a part of an abandoned alley, Block 3, of W.M. Shannon's Supplement, an addition to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Volume 28, Page 291, said Deed Records, said alley being abandoned in Volume 910, Page 412, said Deed Records, and being a part of a 22-Foot Utility Easement retained by the City of Sherman in said Volume 910, Page 412, and being more particularly described as follows:

BEGINNING at a point for corner on the westerly line of said Adams tract, and on the westerly line of said Block 3, and on the easterly right-of-way line of North Woods Street, from which a 1/2-iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" recovered for the southwest corner of said Adams tract, common to the western-most northwest corner of a called 0.330 acre tract of land described in the deed to Mike L. Adams and Gina Adams, recorded in Volume 5934, Page 90, said Official Records, bears South 15°37'31" East, a distance of 43.48 feet;

THENCE North 15°37'31" West, with the westerly line of said Adams tract (Volume 5870, Page 906), and with the westerly line of said Block 3, and with the easterly right-of-way line of said North Woods Street, a distance of 21.68 feet to a point for corner;

THENCE North 74°10'53" East, with the northerly line of said alley, crossing said Adams tract (Volume 5870, Page 906), and said Block 3, a distance of 187.74 feet to a point for corner from which a 1/2-Iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" recovered for a salient corner of said 0.330 acre tract, and on the northerly line of said alley, bears North 74°10'53" East, a distance of 53.50 feet;

THENCE South 15°37'31" West, crossing said alley, continuing across said Adams tract across said Block 3, a distance of 21.68 feet to a point for corner on the southerly line of said alley;

THENCE South 74°10'53" West, with the southerly line of said alley, crossing said Adams tract (Volume 5870, Page 906), and continuing across said Block 3, to the POINT OF BEGINNING and enclosing 0.067 of an acre (2,910 square feet) of land, more or less.





Chris R. Noah, R.P.L.S. No. 6585

REVISION DATE 04-18-2017

**EASEMENT ABANDONMENT EXHIBIT
0.067 OF AN ACRE
BEING A PART OF AN ABANDONED ALLEY, BLOCK 3
W.M. SHANNON'S SUPPLEMENT
City of Sherman, Grayson County, Texas**



83493 N. State Hwy 289, Suite 5
Pottsboro, TX 75076
www.prestontrailandsurveying.com
903-213-0033

TBPLS Firm No.
10194175

Drawn by: JEG
Checked by: CRN

Scale: 1"=50'
Date: 02/14/2017

Project No. 16-0465.1
Sheet No. 2 of 2

1715 N. Woods



1 inch = 100 feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.6.

Meeting Date: 05/15/2017

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6222**

Abandoning a Sixteen Foot (16') Sanitary Sewer Easement located in Block 3 of the W.M. Shannon Supplement, Volume 26, Page 291, Deed Records, Grayson County, Texas, and being more particularly described on the Exhibit "A" attached hereto and made a part hereof for all purposes, which Sanitary Sewer Easement is recorded in Volume 962, Pages 45 and 66 of the Deed Records of Grayson County, Texas

Issue:

To consider the abandonment of a 16' Sanitary Sewer Easement lying within Block 3 of the W.M. Shannon Supplement to the City of Sherman, Texas

Background:

A portion of the easement within the property is not being utilized and is no longer deemed necessary.

Origination:

Property Owner

Financial Consideration:

None

Staff Recommendation:

Staff recommends approval of the 16' Sanitary Sewer Easement abandonment.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6222

Release and Abandonment of Easement

Exhibit "A" as noted in all documents

Location Map

RESOLUTION NO. 6222

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ABANDONING A SIXTEEN FOOT (16') SANITARY SEWER EASEMENT LOCATED IN BLOCK 3 OF THE W.M. SHANNON SUPPLEMENT, VOLUME 26, PAGE 291, DEED RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED ON THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, WHICH SANITARY SEWER EASEMENT IS RECORDED IN VOLUME 962, PAGES 45 AND 66 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council is of the opinion that the abandoning, vacating and closing of said sanitary sewer easement as depicted on the attached map is in the public interest and is approved;

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

SECTION 1. That the sixteen foot (16') sanitary sewer easement located in the Block 3 of the W.M. Shannon Supplement, in the City of Sherman, County of Grayson, State of Texas, said easement being recorded in Volume 962, Pages 45 and 66 of the Deed Records of Grayson County, Texas, as depicted in Exhibit "A" attached hereto and made a part hereof for all purposes, be and is hereby extinguished, vacated, closed, and permanently abandoned as an easement for public use.

SECTION 2. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a Release and Abandonment of Easement in the same or substantially same form as the contract document attached hereto and incorporated herein for all purposes.

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

PASSED AND APPROVED on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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

RELEASE AND ABANDONMENT OF EASEMENT

DATE: May 15, 2017

PROPERTY:

BEING 0.049 ACRES, BEING A PART OF A 16-FOOT SANITARY SEWER EASEMENT, IN BLOCK 3 OF W.M. SHANNON'S SUPPLEMENT TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 26, PAGES 291, DEED RECORDS, GRAYSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED ON THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

WHEREAS, the above described property is a part of Block 3 of W.M. Shannon's Supplement as filed of record in Volume 26, Page 291 of the Deed Records of Grayson County, Texas.

WHEREAS, said property contains a 16-foot Sanitary Sewer Easement as filed of record in Volume 962, Page 45 and Volume 962, Page 66 of the Deed Records of Grayson County, Texas.

WHEREAS, said Sanitary Sewer Easement is not being utilized and the City of Sherman no longer deems said 16-Foot Sanitary Sewer Easement as a necessary Easement.

WHEREAS, the City of Sherman, Texas, does hereby abandon, relinquish and vacate its interest in and to the easement described above.

THE CITY OF SHERMAN, TEXAS

By: _____

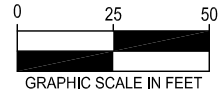
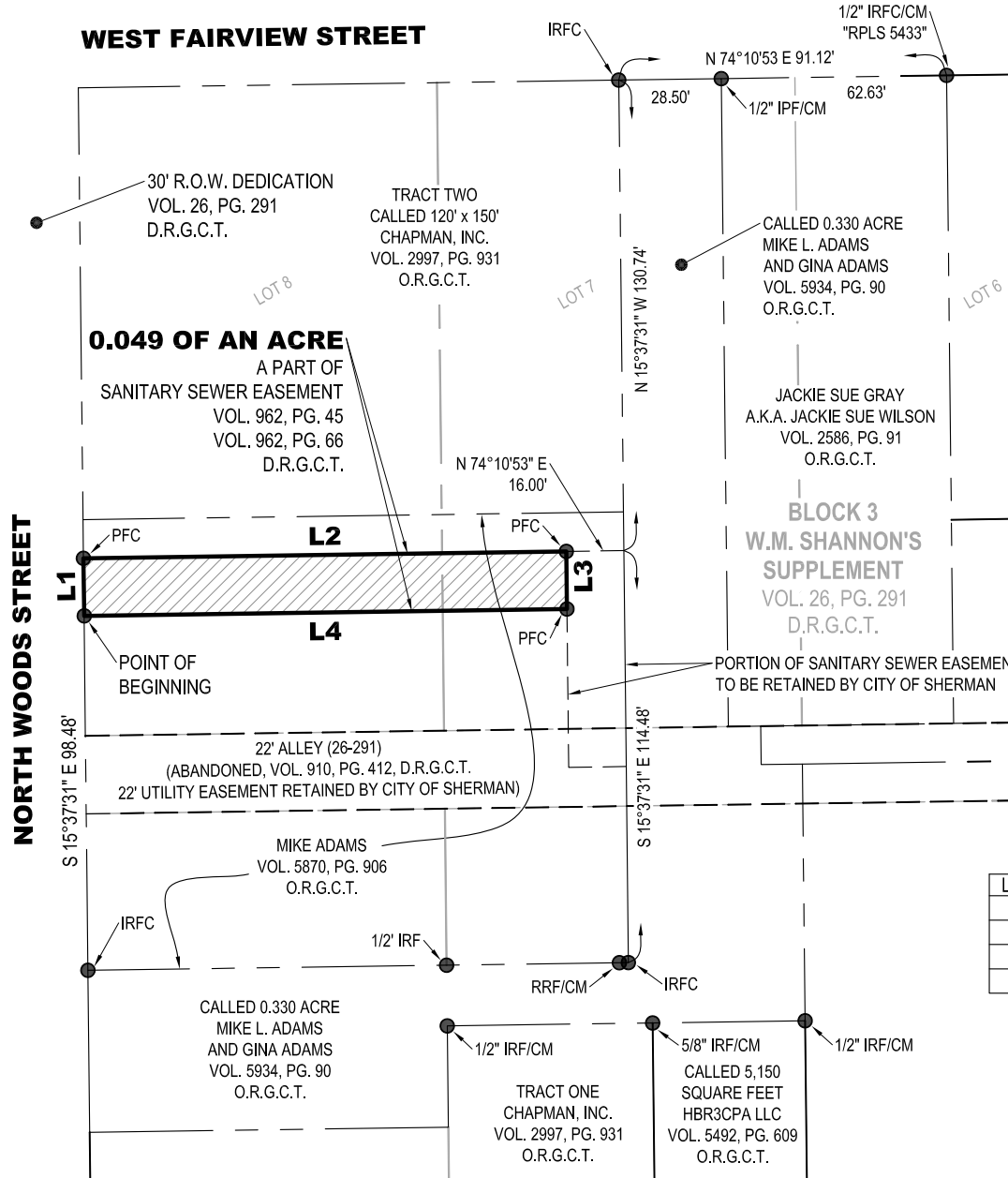
Title: _____

STATE OF TEXAS }
COUNTY OF GRAYSON }

This instrument was acknowledged before me on the _____ day of May, 2017, by
_____, as _____ of THE CITY OF SHERMAN, TEXAS.

Notary Public – State of Texas

WEST FAIRVIEW STREET



All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

LEGEND

●	FOUND MONUMENT
IRFC	1/2" IRON ROD WITH PLASTIC CAP STAMPED "PRESTON TRAIL LAND SURVEYING" RECOVERED (UNLESS OTHERWISE NOTED)
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
PFC	POINT FOR CORNER
IRFC	IRON ROD FOUND W/PLASTIC CAP
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
VOL., PG.	VOLUME, PAGE
—	BOUNDARY LINE
- - -	ADJOINER LINE
- - -	EASEMENT

LINE	BEARING	DISTANCE
L1	N 15°49'07" W	16.00'
L2	N 74°10'53" E	134.24'
L3	S 15°37'31" E	16.00'
L4	S 74°10'53" W	134.19'



Chris R. Noah

Chris R. Noah, R.P.L.S. No. 6585

REVISION DATE 04-18-2017

EASEMENT ABANDONMENT EXHIBIT

0.049 OF AN ACRE

BEING A PART OF A 16' WIDE SANITARY SEWER EASEMENT

DEDICATED IN VOLUME 962, PAGE 45 AND
VOLUME 962, PAGE 66, DEED RECORDS OF
GRAYSON COUNTY, TEXAS

IN BLOCK 3 OF W.M. SHANNON'S SUPPLEMENT

City of Sherman, Grayson County, Texas



83493 N. State Hwy 289, Suite 5
Pottsboro, TX 75076
www.prestontrailandsurveying.com
903-213-0033

TBPLS Firm No. 1019475	Drawn by: JEG Checked by: CRN	Scale: 1"=50' Date: 02/14/2017	Project No. 16-0465.1 Sheet No. 1 of 2
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LAND DESCRIPTION

BEING all of that certain tract or parcel of land situated in the City of Sherman, Grayson County, Texas, and being a part of a tract of land described in the deed to Mike Adams, recorded in Volume 5870, Page 906, Official Records of Grayson County, Texas, and being a part of Lots 7 and 8, Block 3, of W.M. Shannon's Supplement, an addition to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Volume 28, Page 291, said Deed Records, and being a part of a Sanitary Sewer Easement, recorded in Volume 962, Page 45 and Volume 962, Page 66, Deed Records of Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a point for corner on the westerly line of said Adams tract, and on the westerly line of said Block 3, and on the easterly right-of-way line of North Woods Street, from which a 1/2-iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" recovered for the southwest corner of said Adams tract, common to the western-most northwest corner of a called 0.330 acre tract of land described in the deed to Mike L. Adams and Gina Adams, recorded in Volume 5934, Page 90, said Official Records, bears South 15°37'31" East, a distance of 98.48 feet;

THENCE North 15°49'07" West, with the westerly line of said Adams tract (Volume 5870, Page 906), and with the westerly line of said Block 3, and with the easterly right-of-way line of said North Woods Street, a distance of 16.00 feet to a point for corner;

THENCE North 74°10'53" East, crossing said Adams tract (Volume 5870, Page 906) and said Block 3, and with the northerly line of said Sanitary Sewer Easement, a distance of 134.24 feet to a point for corner from which a 1/2-iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" recovered for the southeast corner of said Adams tract (Volume 5870, Page 906) bears North 74°10'53" East, a distance of 16.00 feet and South 15°37'31" East, a distance of 114.48 feet;

THENCE South 15°37'31" West, continuing across said Adams tract and said Block 3, and crossing said Sanitary Sewer Easement, a distance of 16.00 feet to a point for corner;

THENCE South 74°10'53" West, continuing across said Adams tract, said Block 3 and said Sanitary Sewer Easement, a distance of 134.19 feet to the POINT OF BEGINNING and enclosing 0.049 of an acre (2,147 square feet) of land, more or less.



Chris R. Noah

Chris R. Noah, R.P.L.S. No. 6585

REVISION DATE 04-18-2017

**EASEMENT ABANDONMENT EXHIBIT
0.049 OF AN ACRE
BEING A PART OF A 16' WIDE
SANITARY SEWER EASEMENT
DEDICATED IN VOLUME 962, PAGE 45 AND
VOLUME 962, PAGE 66, DEED RECORDS OF
GRAYSON COUNTY, TEXAS
IN BLOCK 3 OF W.M. SHANNON'S SUPPLEMENT
City of Sherman, Grayson County, Texas**



83493 N. State Hwy 289, Suite 5
Pottsboro, TX 75076
www.prestontrailandsurveying.com
903-213-0033

TBPLS Firm No.
10194175

Drawn by: JEG
Checked by: CRN

Scale: 1"=50'
Date: 02/14/2017

Project No. 16-0465.1
Sheet No. 2 of 2

1715 N. Woods



1 inch = 100 feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.7.

Meeting Date: 05/15/2017

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6223**

Abandoning a Portion of a Twenty Foot (20') Sanitary Sewer Easement located in Lot 2, Block 2 of Independence Square Addition, Section Three, Volume 24, Page 78, and being more particularly described on the Exhibit "A" attached hereto and made a part hereof for all purposes, which Sanitary Sewer Easement is recorded in Volume 865, Page 640 of the Deed Records of Grayson County, Texas

Issue:

To consider the abandonment of a portion of a 20' sanitary sewer easement lying within the property line of Lot 2, Block 2, Independence Square Addition, Section Three to the City of Sherman, Texas.

Background:

Said easement, which is filed of record in Volume 865, Page 640 of the Deed Records of Grayson County, Texas, is not being utilized and is no longer deemed necessary.

Origination:

Property Owner

Financial Consideration:

None

Staff Recommendation:

Staff recommends approval of the portion of the 20' Sanitary Sewer Easement Abandonment.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6223

Release and Abandonment of Easement

Exhibit "A"

Location Map

RESOLUTION NO. 6223

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ABANDONING A PORTION OF A TWENTY FOOT (20') SANITARY SEWER EASEMENT LOCATED IN LOT 2, BLOCK 2 OF INDEPENDENCE SQUARE ADDITION, SECTION 3, VOLUME 24, PAGE 78, AND BEING MORE PARTICULARLY DESCRIBED ON THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, WHICH SANITARY SEWER EASEMENT IS RECORDED IN VOLUME 865, PAGE 640 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council is of the opinion that the abandoning, vacating and closing of said sanitary sewer easement as depicted on the attached map is in the public interest and is approved;

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

SECTION 1. That a portion of a twenty foot (20') the sanitary sewer easement located in Lot 2, Block 2 of Independence Square Addition, Section 3 to the City of Sherman, County of Grayson, State of Texas, said easement being recorded in Volume 865, Page 640 of the Deed Records of Grayson County, Texas, as depicted in Exhibit "A" attached hereto and made a part hereof for all purposes, be and is hereby extinguished, vacated, closed, and permanently abandoned as an easement for public use.

SECTION 2. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a Release and Abandonment of Easement in the same or substantially same form as the contract document attached hereto and incorporated herein for all purposes.

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

PASSED AND APPROVED on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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

RELEASE AND ABANDONMENT OF EASEMENT

DATE: April 18, 2017

PROPERTY:

BEING LOT 2, BLOCK 2 OF INDEPENDENCE SQUARE ADDITION, SECTION 3 TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 24, PAGES 78 & 79, PLAT RECORDS, GRAYSON COUNTY, TEXAS.

WHEREAS, the above described property is a result of a replat of part of Lot 1, Block 2 of Independence Square Addition, Section 3 to the City of Sherman, Texas, which plat is of record in Volume 10, Page 11, of the Plat Records of Grayson County, Texas.

WHEREAS, a Sanitary Sewer Easement within said property was set out in Volume 866, Page 11 of the Deed Records of Grayson County, Texas, and said portion of easement being more particularly described in the Exhibit "A" attached hereto and made a part hereof for all purposes..

WHEREAS, said portion of an approximate 15 foot Sanitary Sewer Easement was to be abandoned and vacated per City of Sherman Resolution No. _____, which was filed of record in Volume _____, Page _____ of the Official Public Records of Grayson County, Texas.

WHEREAS, the City of Sherman, Texas, does hereby abandon, relinquish and vacate its interest in and to the easement described above.

THE CITY OF SHERMAN, TEXAS

By: _____

Title: _____

STATE OF TEXAS }
COUNTY OF GRAYSON }

This instrument was acknowledged before me on the _____ day of _____, 2017,

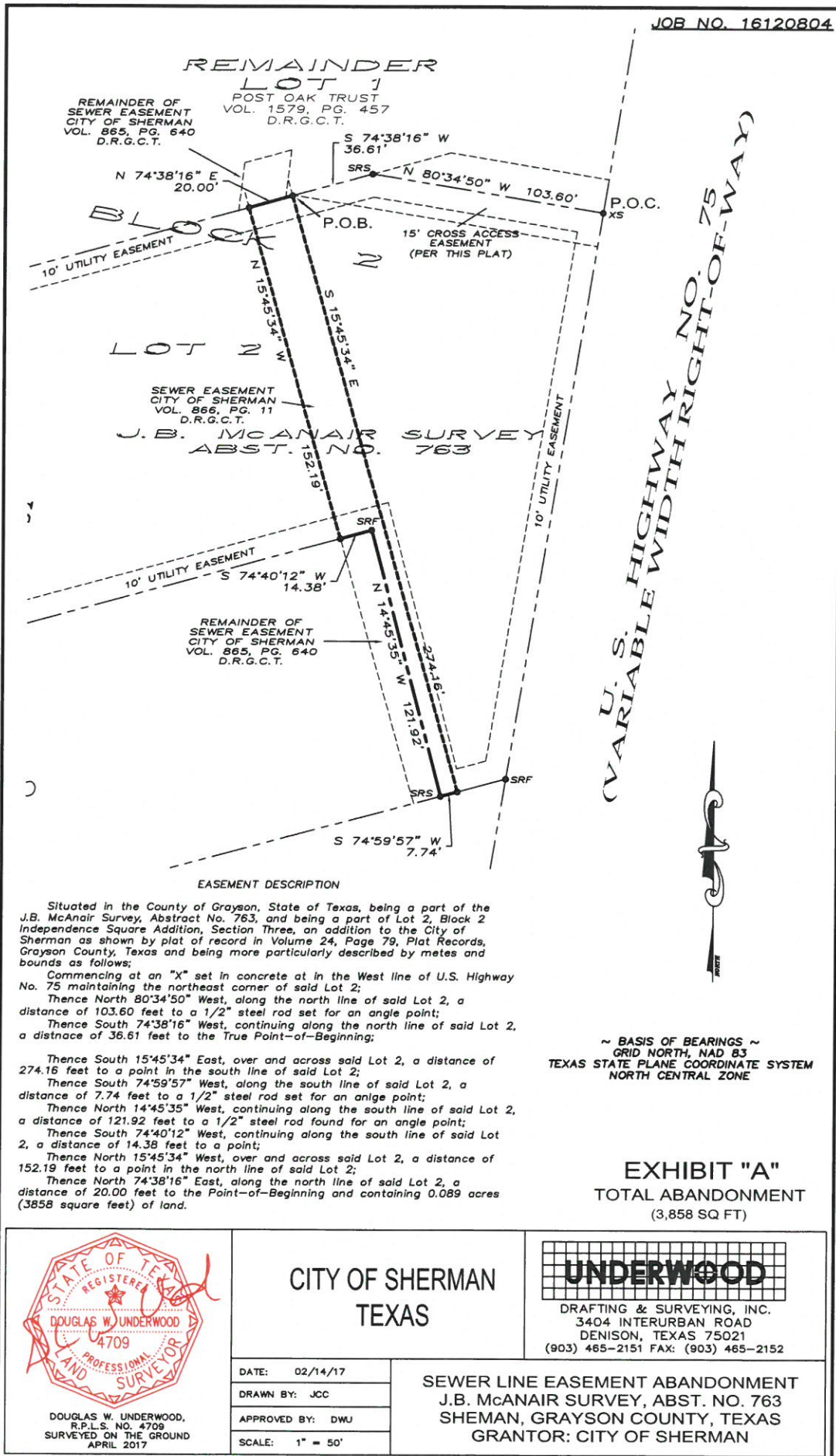
by _____, as _____ of

THE CITY OF SHERMAN, TEXAS.

Notary Public – State of Texas

EXHIBIT A

JOB NO. 16120804



Lot 2, Block 2, Independence Square Addition, Section Three



1 inch = 500 feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.8.

Meeting Date: 05/15/2017

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6224**

Authorizing Execution of a Development Agreement with Midway Warehouse, LLC for the Construction of Public Water Mains in the Replat of Midway Industrial Park, a 4.26-acre Subdivision East of Texoma Parkway (S.H. 91) along Fallon Drive in the City of Sherman

Issue:

The construction of public facilities in the Replat of Midway Industrial Park, a 4.26-acre development east of Texoma Parkway (S.H. 91) along Fallon Drive in the City of Sherman

Background:

Midway Warehouse, LLC proposes to construct a 4.26-acre development east of Texoma Parkway (S.H. 91) along Fallon Drive, which includes the construction of water mains.

Origination:

Engineering Department

Financial Consideration:

The development fee to be paid by the developer for public inspection will be \$1,192.20.

Staff Recommendation:

Staff recommends approval and execution of the Development Agreement.

Alternatives:

As directed by the City Council

Attachments

Resolution No. 6224

Development Agreement

Replat - Midway Industrial Park Addition

Location Map

RESOLUTION NO. 6224

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH MIDWAY WAREHOUSE, LLC FOR THE CONSTRUCTION OF PUBLIC WATER MAINS IN THE REPLAT OF MIDWAY INDUSTRIAL PARK, A 4.26-ACRE SUBDIVISION EAST OF TEXOMA PARKWAY (S.H. 91) ALONG FALLON DRIVE IN THE CITY OF SHERMAN; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a Development Agreement with Midway Warehouse, LLC for the construction of public water mains in the Replat of Midway Industrial Park Addition, a 4.26-acre subdivision east of Texoma Parkway (S.H. 91) along Fallon Drive in the City of Sherman, in accordance with all contract documents attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED on this the _____ day of _____, 2017.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

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

STATE OF TEXAS §
 §
COUNTY OF GRAYSON §

**DEVELOPMENT AGREEMENT BETWEEN
THE CITY OF SHERMAN AND MIDWAY WAREHOUSE, LLC**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this 15 day of May, 2017 (the "Effective Date"), by and among the City of Sherman ("City"), a municipal corporation organized under the laws of the State of Texas, Midway Warehouse, LLC, ("Developer").

WITNESSETH:

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

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

WHEREAS, Developer owns or controls lands located in Sherman, Texas, and described to the City by the Developer as Midway Industrial Park, and attached hereto and made a part hereof as if fully set out in this paragraph as Exhibit "A" and hereinafter referred to as the "Property", and Developer intends to develop the Property by constructing improvements thereon; and

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

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

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

**ARTICLE I.
SPECIFIC CONTRACT PROVISIONS**

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

6. **Failure to Complete Development:** If the Developer does not complete the Improvements contained in the Development Documents on or before September 12, 2017, City may, at its election, use the Performance Bond to complete such Improvements. The date in this Paragraph may be extended by the mutual agreement of the parties. Such extension shall be in writing, as provided in Paragraph 13 of Article II.
7. **Availability of Public Facilities:** No public facilities will be made available to any lot within any segment of this Subdivision until the work on each segment is performed and approved as agreed upon in this Agreement.
8. **Registered Civil Engineer:** All of the plans and specifications for the improvements herein mentioned in the Development Documents, shall be prepared by a Registered Professional Civil Engineer, and all of the improvements shall be built under the supervision of such engineer, and the engineer shall certify to the City that, as each segment is built, such segment as built is true and correct in accordance with the plans and specifications, and that the same was built under his supervision, and the certificate shall be signed and sealed by such engineer. All of the expense of such engineering shall be paid for by the Developer.
9. **City Engineer:** Before work is begun on any improvement, the City Engineer shall designate a person, hereinafter identified as "City Engineer," who shall be notified and arrangements made for inspection by the City Engineer at such stages of construction as required by him, and no improvement constructed underground shall be covered by the Developer until inspected by the City Engineer and approved by him. At any time any construction is contrary to the plans and specifications, the City Engineer shall be, and is, empowered to stop construction and require correct construction and installation at the Developer's risk and without liability to the City.
10. **Coordination of Work:** The work will be coordinated between the City and the Developer so that the utilities will be in place before the permanent improvements are installed.
11. **Utility Arrangements:** The Developer will make its own arrangements with gas, electric, and telephone service providers for extensions of their utilities, and upon complying with this Agreement, the City utilities will be furnished.
12. **Fees:** Other fees normally charged by the City for building permits, water taps, service connections, and similar fees will be paid as required to the City by the Developer.
13. **Guarantee or Maintenance Bond:**
 - A. If, within one year after the acceptance, defects should appear in the materials or workmanship, the Developer shall have such defects promptly repaired at its own

expense, and shall leave the work as intended by the plans and specifications. This guarantee will apply to all parts of the work which have been accepted by the City.

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

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

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

DEDICATIONS OF LAND, PARKLAND, AND ANY INFRASTRUCTURE REFERENCED HEREIN. I CONSENT TO THIS WAIVER AFTER HAVING THE OPPORTUNITY TO REVIEW THIS AGREEMENT AND WAIVER PROVISION WITH MY ATTORNEY, OR IF I HAVE NOT REVIEWED THIS WITH AN ATTORNEY, THAT I HAVE HAD THE OPPORTUNITY TO DO SO AND HAVE VOLUNTARILY CHOSEN NOT TO SEEK THE ADVICE OF AN ATTORNEY.

15. **Other Provisions:**

- A. Upon Completion of the Subdivision one electronic copy and one set of reproducible "Record" drawings will be supplied to the City.
- B. The Developer shall pay to the City an engineering plan review, inspection, and testing fee of \$ 1,192.20.
- C. Developer agrees that the development, as set forth in the Contract Documents, will comply with all federal, state and local laws relating to the discharge of storm water upon completion of the development.
- D. Developer and City agree that any and all goods and services relative to infrastructure dedicated to the City are exempt from state and local sales tax in accordance with Texas Tax Code §§151.309 and 151.311.

ARTICLE II.

GENERAL CONTRACT PROVISIONS

- 1. **Force Majeure.** If the performance of any of the parties hereto is delayed by reason of war, civil commotion, acts of God, inclement weather, unanticipated subsurface conditions, fire or other casualty, court injunction or any circumstances which are reasonably beyond the control of the party obligated or permitted under the terms of this Agreement to do or perform the same, regardless of whether any such circumstance is similar to any of those enumerated or not, the party so obligated or permitted shall be excused from doing or performing the same during such period of delay, so that the time period applicable to such design or construction requirement shall be extended for a period of time equal to the period such party was delayed. The terms above shall not apply to extend the time permitted for any payment obligations set forth in this Agreement.
- 2. **INDEMNIFICATION AND HOLD HARMLESS.** TO THE MAXIMUM EXTENT PERMITTED BY LAW, DEVELOPER OBLIGATES ITSELF TO THE CITY TO FULLY AND UNCONDITIONALLY PROTECT, INDEMNIFY AND DEFEND THE CITY, ITS OFFICERS, AGENTS AND EMPLOYEES, AND HOLD IT HARMLESS

FROM AND AGAINST ANY AND ALL COSTS, EXPENSES, REASONABLE ATTORNEY FEES, CLAIMS, SUITS, LOSSES OR LIABILITY FOR INJURIES TO PROPERTY, INJURIES TO PERSONS (INCLUDING DEVELOPERS EMPLOYEES), INCLUDING DEATH, AND FROM ANY OTHER COSTS, EXPENSES, REASONABLE ATTORNEY FEES, CLAIMS, SUITS, LOSSES OR LIABILITIES OF ANY AND EVERY NATURE WHATSOEVER ARISING IN ANY MANNER, DIRECTLY OR INDIRECTLY, OUT OF OR IN CONNECTION HEREWITH, REGARDLESS OF CAUSE OR OF THE SOLE, JOINT, COMPARATIVE OR CONCURRENT NEGLIGENCE OR GROSS NEGLIGENCE OF DEVELOPER, ITS OFFICERS, AGENTS OR EMPLOYEES. THIS INDEMNIFICATION AND SAVE HARMLESS SHALL APPLY TO ANY IMPUTED OR ACTUAL JOINT ENTERPRISE LIABILITY. This indemnity does not waive any governmental immunity available to the City under Texas law and does not waive any defenses of the parties under Texas law.

3. **Authority to Bind.** Each general partner or member executing this Agreement on behalf the Developer represents that, by executing this Agreement in such capacity, it acts within the scope of its authority and does not exceed the bounds of its authority to act to bind such party regarding the obligations and assurances contained in this Agreement. City represents that the execution of this Agreement as provided below has been duly authorized by the City Council as provided in the Approval Resolution.
4. **Events of Default.** A default shall exist if either party fails to perform or observe any material covenant contained in this Agreement. The non-defaulting party shall immediately notify the defaulting party in writing upon becoming aware of any change in the existence of any condition or event which would constitute a default or, with the giving of notice or passage of time, or both, would constitute a default under this Agreement. Such notice shall specify the nature and the period of existence thereof and what action, if any, the notifying party requires or proposes to require with respect to curing the default.
5. **Remedies Available to City.** If a default by Developer shall occur and continue, after thirty (30) day's notice to cure default, City may, at its option, pursue any and all remedies it may be entitled to, at law or in equity, in accordance with Texas law and including using the Performance Bond to complete the work, without the necessity of further notice to or demand upon Developer. City shall not, however, have the right to exercise such remedies for so long as Developer proceeds in good faith and with due diligence to remedy and correct the default, provided that Developer has commenced to cure such default within thirty (30) days following notice, pursues such cure with reasonable diligence and completes such cure within one hundred eighty (180) days.
6. **No Waiver of Defenses.** Nothing in this Agreement shall be construed or intended to waive any defenses available to the City, including, but not limited to, governmental immunity.

7. **Venue and Governing Law.** This Agreement is performable in Grayson County, Texas and venue of any action arising out of this Agreement shall be exclusively in Grayson County. This Agreement shall be governed and construed in accordance with the laws of the State of Texas.
8. **Notices.** Any notice required by this Agreement shall be deemed to be properly served (i) three (3) days following deposit if deposited in the U.S. mail by certified letter, return receipt requested; (ii) on the next business day if sent by nationally recognized overnight delivery service; or (iii) upon receipt if transmitted by facsimile or electronic transmission, addressed to the recipient at the recipient's address shown below, subject to the right of either party to designate a different address by notice given in the manner just described.

CITY:

DESIGNEE: Clint Philpott, P.E.

ADDRESS: 220 W. Mulberry Street
Sherman, TX 75090

PHONE: 903-892-7327

FAX: 903-870-7802

DEVELOPER:

DESIGNEE: Oliver McElroy

ADDRESS: 2741 Fallon Dr.
Sherman, TX 75091

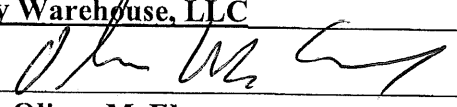
PHONE: 903-893-5591

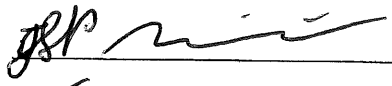
FAX: _____

9. **Legal Construction.** In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be considered as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.
10. **Counterparts.** This Agreement may be executed in any number of counterparts, which may be transmitted originally or electronically, each of which shall be deemed an original and constitute one and the same instrument.
11. **Captions.** The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.

12. **Successors and Assigns.** The terms and conditions of this Agreement are binding upon the successors and assigns of all parties hereto, provided, however, this Agreement shall not be assigned by Developer without prior written approval by the City Manager of the City, which approval shall not be unreasonably withheld or delayed. City may assign or delegate any of its rights or obligations under this Agreement but the same shall not constitute a novation.
13. **Entire Agreement.** This Agreement embodies the complete agreement of the parties hereto, superseding all oral or written previous and contemporary agreements between the parties and relating to matters in this Agreement, and except as otherwise provided herein cannot be modified without written agreement of the parties to be attached to and made a part of this Agreement.
14. **Interpretation of Agreement.** This is negotiated Agreement. If any part of this Agreement is in dispute, the parties stipulate that the Agreement shall not be construed more favorably for either party.

IN WITNESS WHEREOF, parties have caused this Agreement to be executed in duplicate this _____ day of _____ 2017, with an original to each party.

Developer: Midway Warehouse, LLC
BY: 
NAME: Oliver McElroy
TITLE: General Manager

ATTEST: BY: 
NAME: JOE PASSANISI
TITLE: OPERATION MANAGER

CITY: CITY OF SHERMAN
BY: _____
NAME: Robby Hefton
TITLE: City Manager

ATTEST: BY: _____
NAME: Linda Ashby
TITLE: City Clerk

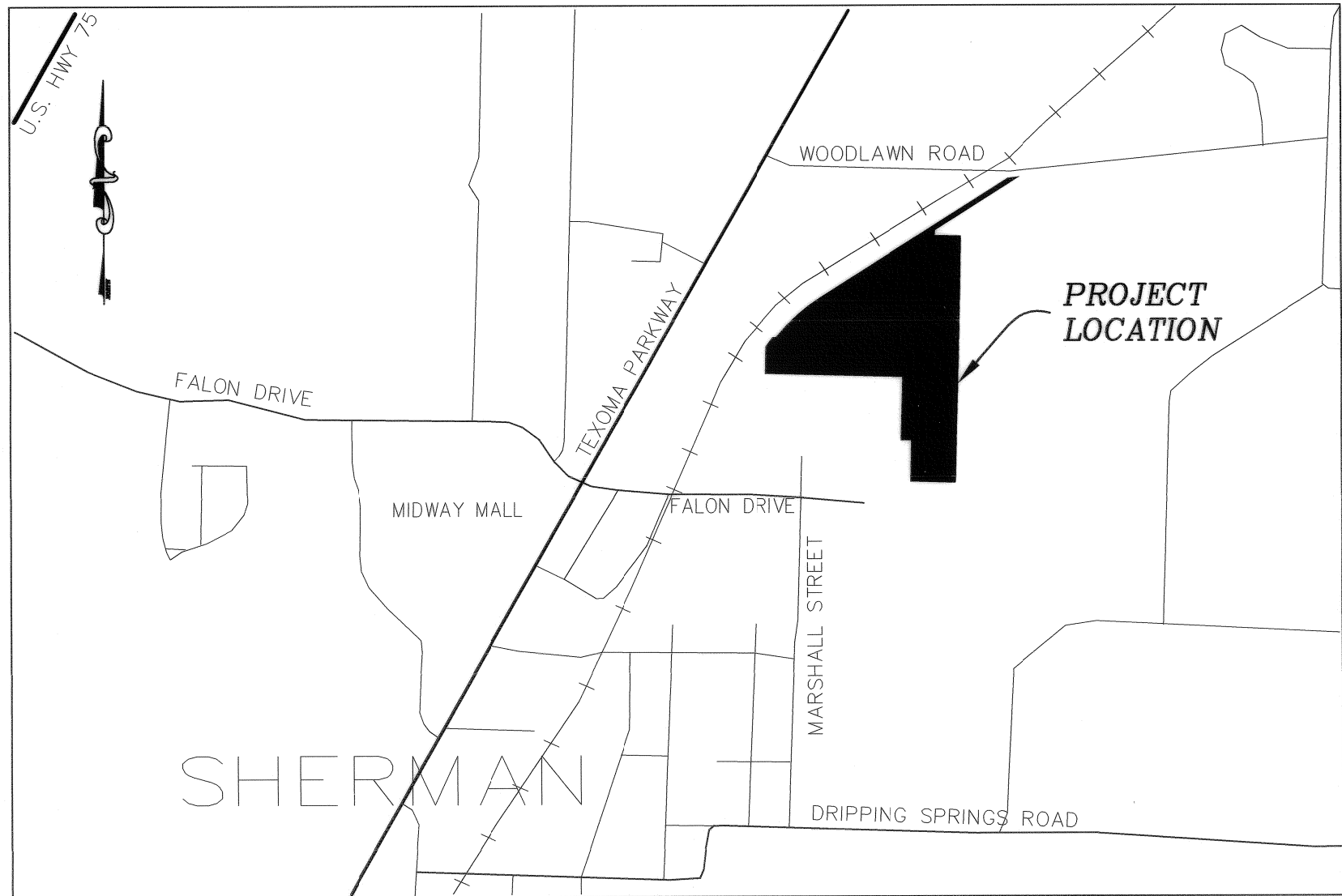
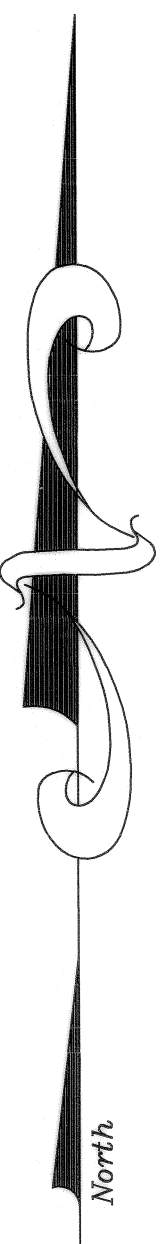
APPROVAL RECOMMENDED:

Clint Philpott, P.E. / Director Engineering

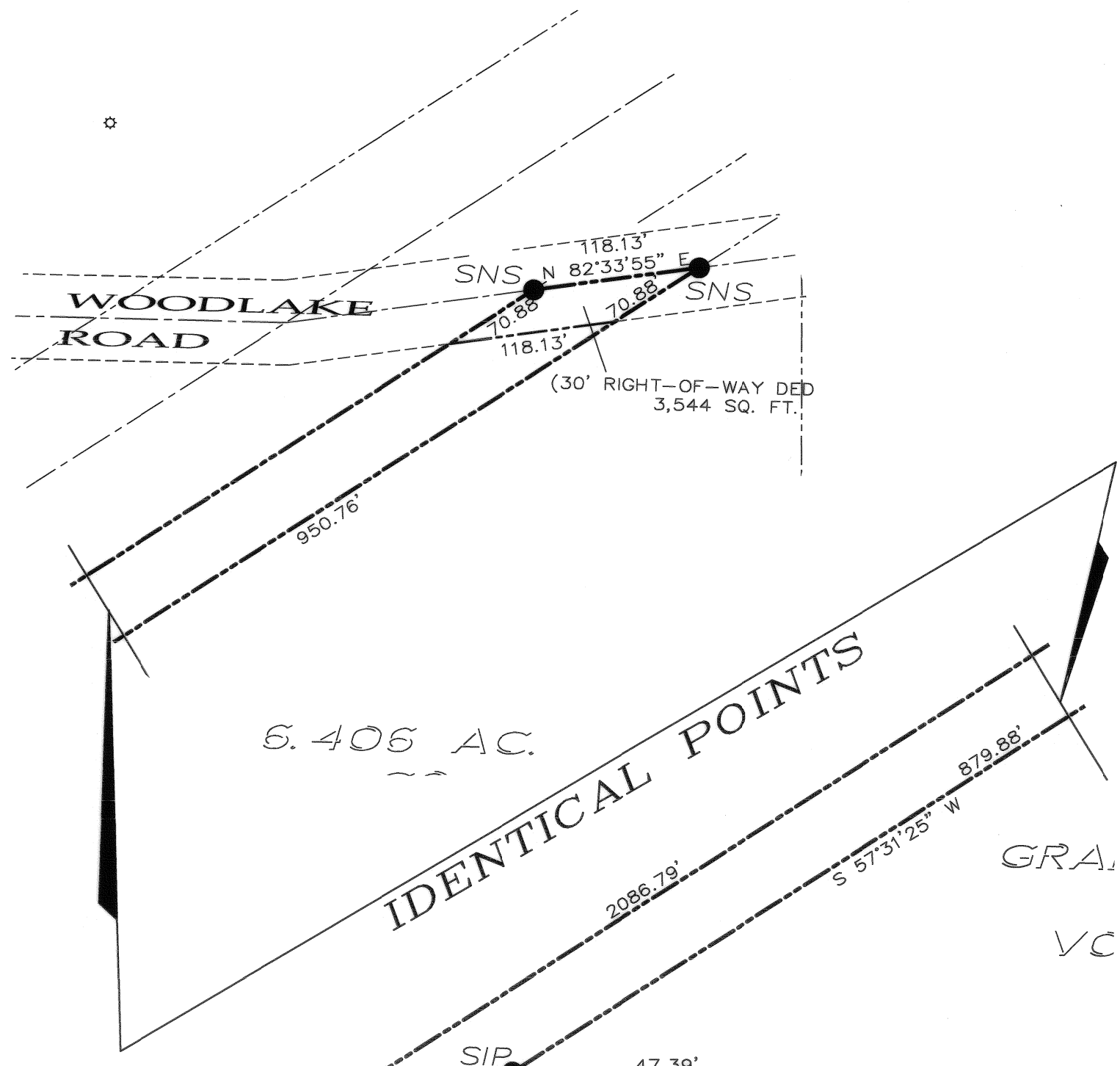
APPROVED AS TO FORM:

Brandon S. Shelby, City Attorney

19841

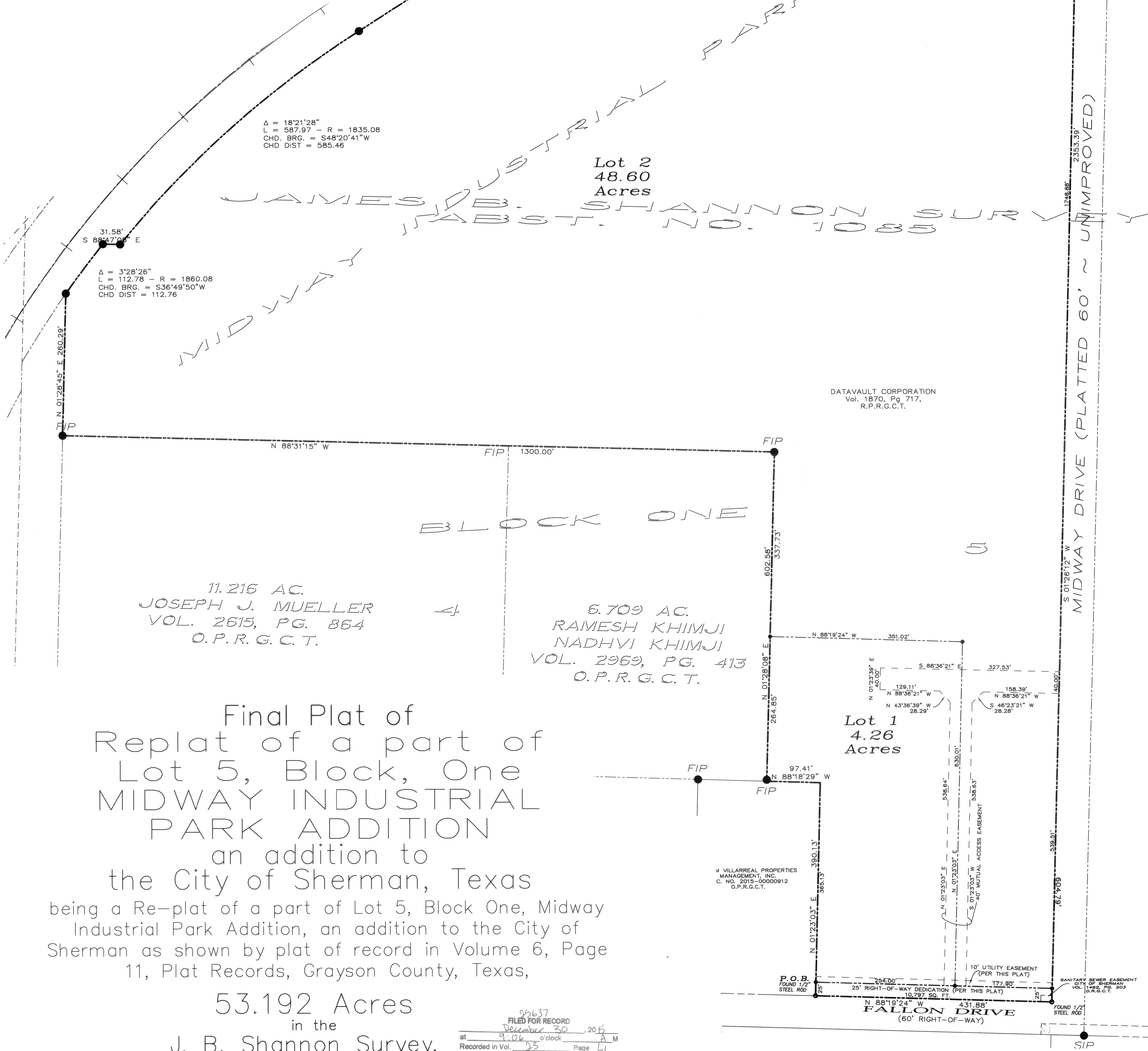
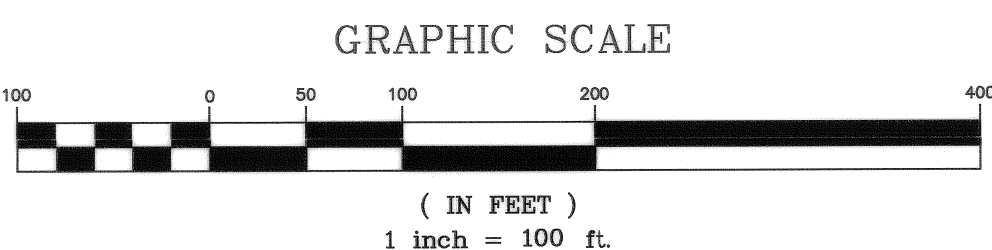


LOCATION MAP
(NOT TO SCALE)



General Notes:

1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0280 F, Revised Date: September 29, 2010.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.



Final Plat of
Replat of a part of
Lot 5, Block, One
MIDWAY INDUSTRIAL
PARK ADDITION
an addition to
the City of Sherman, Texas
being a Re-plat of a part of Lot 5, Block One, Midway
Industrial Park Addition, an addition to the City of
Sherman as shown by plat of record in Volume 6, Page
11, Plat Records, Grayson County, Texas,

53.192 Acres

in the
J. B. Shannon Survey,
Abstract No. 1085,

FILED FOR RECORD
at 9:06 o'clock, 2015
Recorded in Vol. 23, Page 11
Records Grayson County.
WILMA BLACKSHEAR BUSH
County Clerk, Grayson Co., Texas
By [Signature] Deputy

UNDERWOOD
DRAFTING & SURVEYING

Owner:
DATAVAULT JOINT VENTURE
PO BOX 969
SHERMAN, TX 75091
Ph: 903 821-4455

SURVEYOR:
Underwood Drafting & Surveying, Inc.
3404 Interurban Road
Denison, Texas 75021
Ph: 903-465-2151 Fax: 903-465-2152

ENGINEER:
Crannell, Crannell & Martin Engineering
2507 FM 407, Suite 209
Highland Village, Tx.
972.691.6633

Legal Description
Situating in the County of Grayson, State of Texas and being a part of the J. B. Shannon Survey, Abstract No. 1085, also being a part of Lot 5, Block One, Midway Industrial Park Addition, an addition to the City of Sherman as shown by plat of record in Volume 6, Page 11, Plat Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at found 1/2" steel rod (capped SARTIN-3694) at the southeast corner of that 2.000 acre tract as conveyed to C & M VILLARREAL PROPERTIES MANAGEMENT, INC. as recorded in Document Number 2015-00000912, Official Public Records, Grayson County, Texas.

Thence North 01°23'03" East, a distance of 390.13 feet to a found 1/2" steel rod;

Thence North 88°18'29" West, a distance of 97.41 feet to a found 1/2" steel rod;

Thence North 01°28'08" East, a distance of 602.58 feet to a found 1/2" steel rod;

Thence North 88°31'15" West, a distance of 1,300.00 feet to a found 1/2" steel rod;

Thence North 01°28'45" East, a distance of 260.29 feet to a set 1/2" steel rod;

Thence northeasterly, with a non tangent curve to the right having a radius of 1,860.08 feet, (chord bears North 36°49'51" East, 112.76 feet) an arc distance of 112.78 feet to a set 1/2" steel rod;

Thence South 88°47'05" East, a distance of 31.58 feet to a set 1/2" steel rod;

Thence northeasterly, with a non tangent curve to the right having a radius of 1,835.08 feet, (chord bears North 48°20'41" East, 585.46 feet) an arc distance of 587.97 feet to a set 1/2" steel rod;

Thence North 57°31'25" East, a distance of 2,086.79 feet to a set nail with shiner;

Thence North 82°33'55" East, a distance of 118.13 feet to a set nail with shiner;

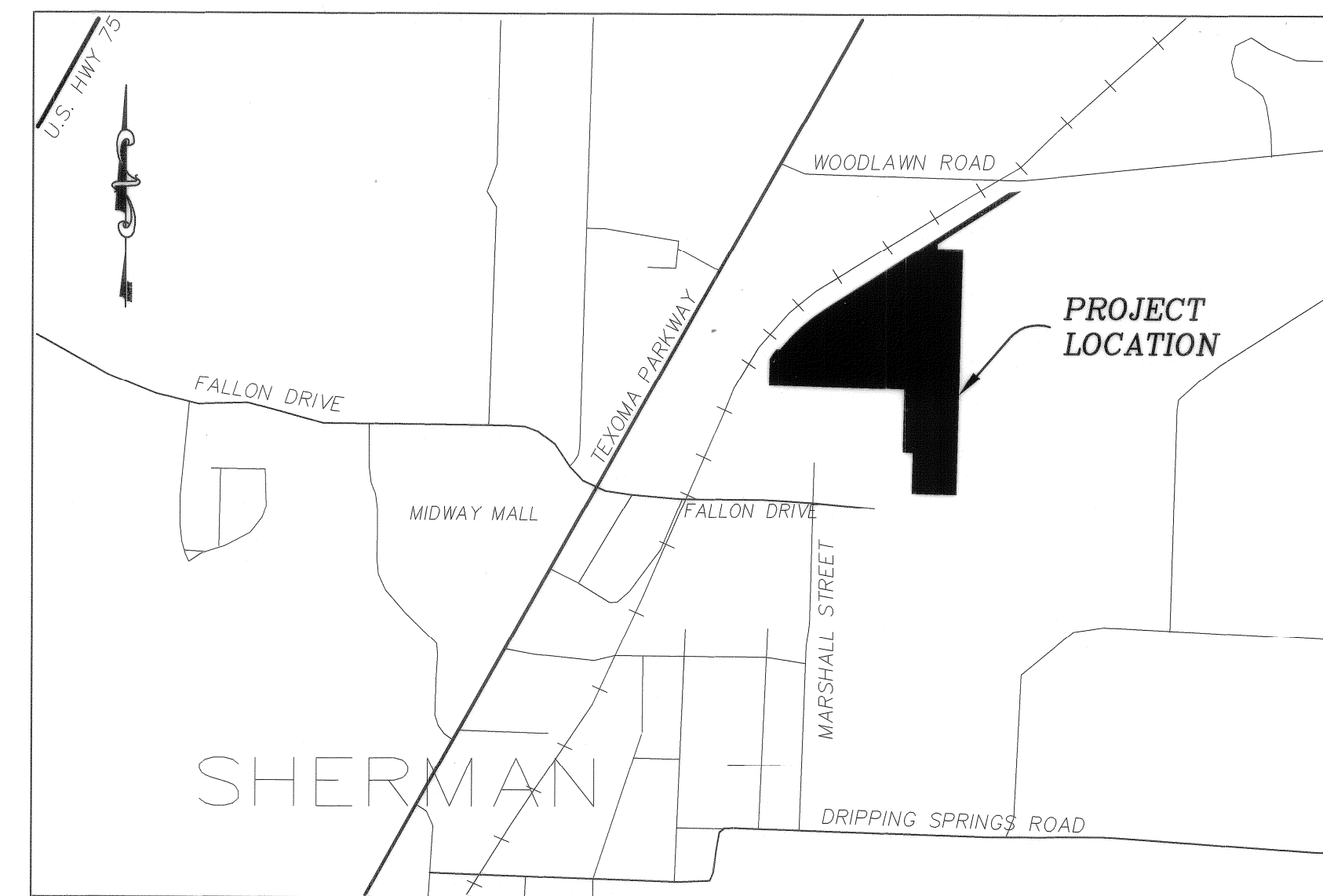
Thence South 57°31'25" West, a distance of 950.76 feet to a set 1/2" steel rod;

Thence South 03°23'46" West, a distance of 47.39 feet to a found 1/2" steel rod;

Thence South 88°40'31" East, a distance of 246.82 feet to a set 1/2" steel rod;

Thence South 01°26'12" West, a distance of 2,353.39 feet to a found 1/2" steel rod;

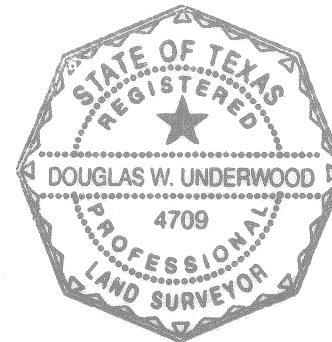
Thence North 88°19'24" West, a distance of 431.88 feet to a set 1/2" steel rod to the POINT OF BEGINNING and containing 53.192 acres (2,317,051 square feet) of land.



LOCATION MAP
(NOT TO SCALE)

I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property shown hereon under my personal and direct supervision, and that the corner monumentation meets the standards set according to the Subdivision Regulations of the City of Sherman, Texas.

Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709



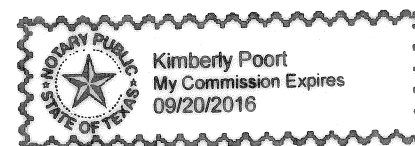
We, DATAVAULT JOINT VENTURE, owner of Replat of a part of Lot 5, Block, One MIDWAY INDUSTRIAL PARK ADDITION an addition to the City of Sherman, Texas do hereby dedicate the streets and easements shown hereon to the public use forever.

DATAVAULT JOINT VENTURE

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Kimberly Poort, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 16th day of Dec., 2015.

Kimberly Poort
Notary Public, Grayson County, Texas



This, the Replat of a part of Lot 5, Block, One MIDWAY INDUSTRIAL PARK ADDITION an addition to the City of Sherman, Texas is hereby approved this 11th day of NOVEMBER, 2015, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman

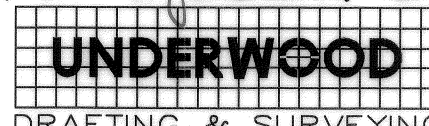
Secretary

This, the Replat of a part of Lot 5, Block, One MIDWAY INDUSTRIAL PARK ADDITION an addition to the City of Sherman, Texas is hereby approved this 12th day of DECEMBER, 2015, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: 12/12/2015
MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing Replat of a part of Lot 5, Block, One MIDWAY INDUSTRIAL PARK ADDITION an addition to the City of Sherman, Texas, was submitted to the city council of Sherman, Texas, on the 11th day of DECEMBER, 2015, and that the City Council, by formal action, then and there accepted the dedication of all easements, and other public areas, as shown and set forth in and upon said plat; and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as here above subscribed.

CERTIFIED THIS 21st DAY OF December, 2015, BY Linda Abbey
CITY CLERK, CITY OF SHERMAN, TEXAS



3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903) 465-2151

Final Plat of
Replat of a part of
Lot 5, Block, One
MIDWAY INDUSTRIAL
PARK ADDITION
an addition to
the City of Sherman, Texas
being a Re-plat of a part of Lot 5, Block One, Midway
Industrial Park Addition, an addition to the City of
Sherman as shown by plat of record in Volume 6, Page
11, Plat Records, Grayson County, Texas,

53.192 Acres
in the

J. B. Shannon Survey,
Abstract No. 1085,

25637
FILED FOR RECORD
December 22, 2015
at 9:06 a.m. Page 12
Recorded in Vol. 23 Page 12
PLAT Records Grayson County.
WILMA BLACKSHEAR BUSH
County Clerk Grayson Co., Texas
By W. Bush
Deputy

Owner:

DATAVAULT JOINT VENTURE
PO BOX 969
SHERMAN, TX 75091
Ph: 903 821-4455

SURVEYOR:

Underwood Drafting & Surveying, Inc.
3404 Interurban Road
Denison, Texas 75021
Ph: 903-465-2151 Fax: 903-465-2152

ENGINEER:

Crannell, Crannell & Martin Engineering
2507 FM 407, Suite 209
Highland Village, TX.
972.691.6633

Midway Industrial Park



1 inch = 500 feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

D.1.

Meeting Date: 05/15/2017

Prepared By: Mark Gibson, Director of Utilities

Approved By: Robby Hefton, City Manager

Caption:

*** CHANGE ORDER NO. 2**

Approving Greater Texoma Utility Authority's Intent to Execute Change Order No. 2; Sherman Southwest Elevated 1.5 Million Gallon Tank; Landmark Constructors, L.P.; \$35,502.00 Increase

Issue:

To consider approval of Change Order No. 2 for the Sherman Southwest Elevated 1.5 Million Gallon Tank with Landmark Constructors, L.P., an increase of \$35,502.00 in the project cost

Background:

Change Order No.2 increases the original contract amount by \$35,502.00. The change order adds one (1) 16" motor operated butterfly valve and one (1) 12" check valve to the tank. These valves will allow operators to operate the elevated storage tank independently, resulting in greater flexibility for the water system operation.

Origination:

Utility Administration

Financial Consideration:

The change order results in a \$35,502.00 increase in the contract amount, yielding a revised contract price of \$2,350,760.00.

Staff Recommendation:

It is recommended that the Greater Texoma Utility Authority's intent to approve Change Order No. 2 be approved.

Alternatives:

As may be directed by the City Council

Attachments

Change Order No. 2

Engineer's Recommendation

GTUA Agenda Communication - May 9, 2017

Location Map

CHANGE ORDER NO. #2

PROJECT: Southwest 1.5 M.G. Elevated Tank Project
OWNER: Greater Texoma Utility Authority for City of Sherman, Tex.
CONTRACTOR: Landmark Structures Management, Inc.
ENGINEER: Freeman - Millican, Inc.
Dallas, Texas
DATE: May 1, 2017

TO THE CONTRACTOR: You are hereby authorized, subject to the Contract provisions, to make the following changes per your letter of March 21, 2017:

Supply and install 1 – 16" motor operated butterfly valve.

Supply and install 1 – 12" double door check valve.

Add/modify ductile iron pipe as needed to accommodate change.

Provide start-up services by a qualified valve representative. \$35,502.00

Original Contract Amount: \$2,352,000.00

Revised Contract Amount after C.O. #1 \$2,315,285.00

Addition/(Reduction) - This Change Order \$35,502.00

Revised Contract Amount \$2,350,760.00

Original Contract Time: 450 Days

Time Extension/(Reduction) - Change Order No. 1 56 Days

Revised Contract Time: 506 Days

RECOMMENDED:

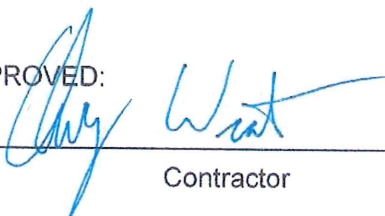


Freeman - Millican, Inc.

May 1, 2017

Date

APPROVED:


Contractor

5-4-17

Date

Owner

Date

TERRY MILLICAN, R.P.L.S.
VICTOR ACUY, P.E.
RICHARD A. DORMIER, P.E.
JOHN D. GATTIS, A.I.A.
DAMIR LULO, P.E.
MICHAEL K. STACEY, P.E.
LARRY J. FREEMAN, P.E.

May 8, 2017

Mr. Drew Satterwhite, P.E.
General Manager
Greater Texoma Utility Authority
5100 Airport Drive
Denison, Texas 75020

**Re: Sherman Southwest 1.5 M.G. Elevated Tank Project
Construction Change Order #2**

Dear Mr. Satterwhite:

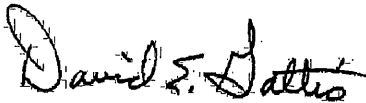
This proposed change order #2 adds a 16" motor operated butterfly valve, a 12" double door check valve and ductile iron piping needed to accommodate the change. This change is needed to facilitate mixing of water flowing into the tank with existing stored water to improve water quality and reduce water age. Sherman utility personnel agree with the proposed changes.

The attached proposed change order #2 increases the contract price by \$35,502.00 for the above noted items.

We recommend that the Greater Texoma Utility Authority approve the proposed change order #2 increasing the contract price with Landmark Structures Management, Inc. to \$2,350,760.00

Sincerely,

FREEMAN - MILLICAN, INC.



David E. Gattis, P.E

Enclosure & Copy: Sherman, Mark Gibson, Director of Utilities



GREATER TEXOMA UTILITY AUTHORITY AGENDA COMMUNICATION

DATE: May 9, 2017

SUBJECT: AGENDA ITEM NO. X

CONSIDER AND ACT UPON CHANGE ORDER NO. 2 TO THE CONTRACT WITH LANDMARK STRUCTURES FOR THE CITY OF SHERMAN SOUTHWEST 1.5 M.G. ELEVATED TANK PROJECT

ISSUE

Consideration of Change Order No. 2 to the contract with Landmark Structures for the City of Sherman Elevated Storage Tank Project.

BACKGROUND

The City of Sherman requested the Authority's assistance in obtaining funding through the Texas Water Development Board ("TWDB") Drinking Water State Revolving Fund Program ("DWSRF") to fund the construction of a new elevated water storage tank with accessories and electrical/SCADA work at the new tank site, as well as the existing Gallagher elevated storage tank.

The project includes construction of a 1.5 million gallon elevated storage tank on the southwest section of the City of Sherman's system. This elevated storage tank project will enable the City of Sherman to continue to grow in this section of the City. Another benefit to the additional elevated storage is that the City would be able to place the Gallagher elevated storage tank out of service in order to make future repairs.

At the December 2015 meeting, the board authorized award of contract to Landmark Structures in the amount of \$2,352,000.

Change Order No. 1 resulted in a decrease of \$36,715, resulting in a revised contract amount of \$2,315,285 to the contract with Landmark Structures. In late November, it came to our attention that Landmark Structures was unable to purchase the mixing valves specified in the contract. Landmark is unable to purchase the valves from Tideflex Technologies, the valve manufacturer, due to ongoing litigation between the two companies. Landmark tried to submit alternatives for the valves, but the project engineer was adamant that the Tideflex mixing valves be used. The alternative that the project engineer developed was for GTUA/Sherman to purchase the mixing valves directly from Tideflex and for us to supply the valves to Landmark. Landmark Structures agreed to this approach and also agreed to reduce their contract by the amount we were quoted from Tideflex. The result was no change in the overall cost of the project.

Change Order No. 2 adds a 16" motor operated butterfly valve, a 12" double door check valve and ductile iron piping needed to accommodate the change. This change is needed to facilitate mixing of water flowing into the tank with existing stored water to improve water quality and reduce water age. This change will allow the City to turn over the water in each of their two tanks on an individual basis. Change Order No. 2 would increase the contract price by \$35,502.00, resulting in a revised contract amount of \$2,350,760.00.

CONSIDERATIONS

The engineer has reviewed and recommended authorizing Change Order No. 2. The City of Sherman will consider this at their May 15, Council meeting.



GREATER TEXOMA UTILITY AUTHORITY AGENDA COMMUNICATION

PAGE 2

STAFF RECOMMENDATIONS

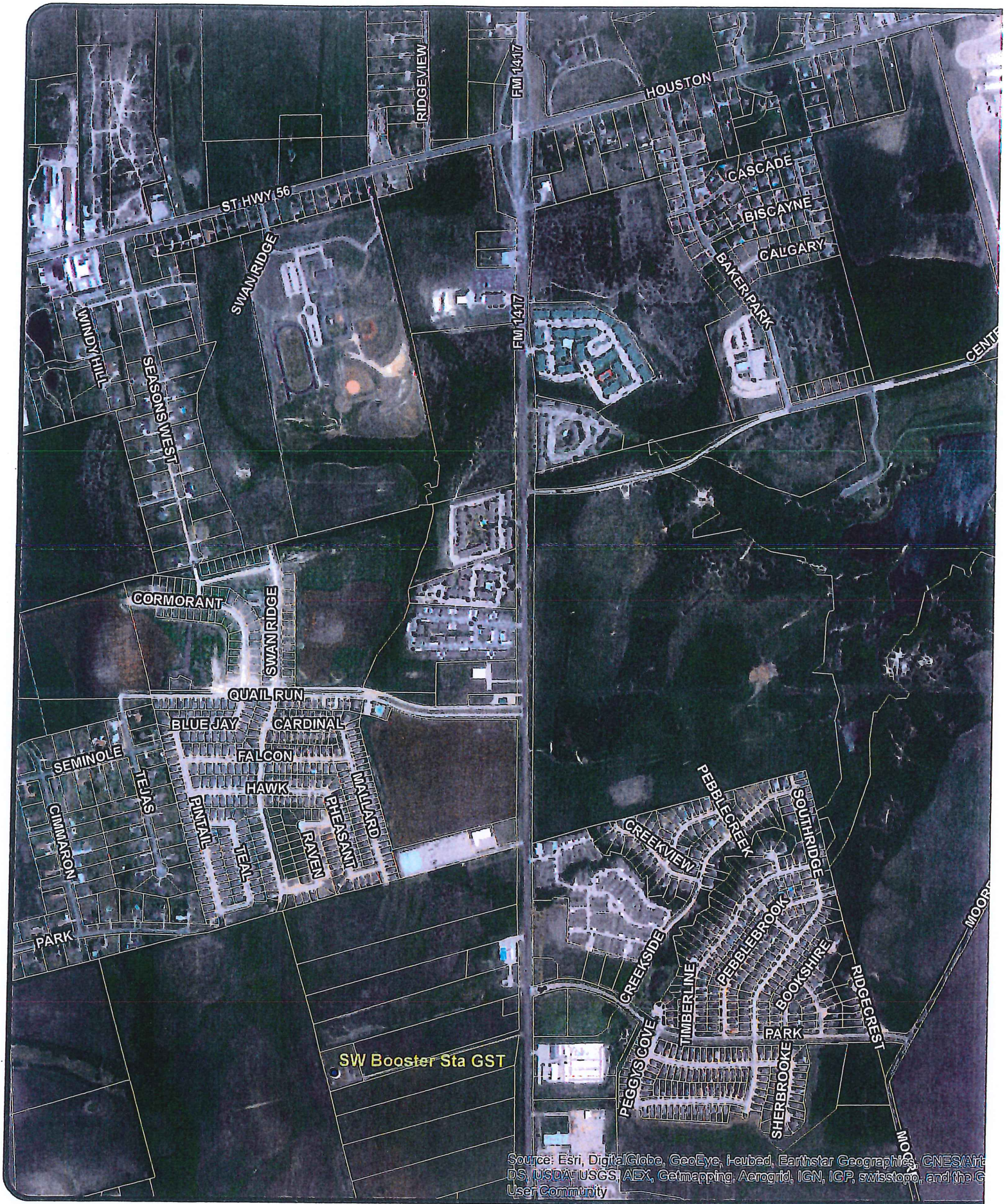
The Authority staff recommends authorizing Change Order No. 2 in the amount of \$35,502.00, resulting in a revised contract amount of \$2,350,760.00 to the contract with Landmark Structures.

ATTACHED

Change Order No. #2
Recommendation Letter

PREPARED AND SUBMITTED BY:

Drew Satterwhite, P.E., General Manager



Source: Esri, DigitalGlobe, GeoEye, I-cubed, Earthstar Geographics, CNES/Air
 DS, USDA/USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the
 User Community



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.1.

Meeting Date: 05/15/2017

Prepared By: Nate Strauch, Community & Support Services Manager

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Receive Presentation from Sherman Tourism/Main Street Manager Sarah McRae Regarding DowntownTX.org

Issue:

To receive a presentation from Sherman Tourism/Main Street Manager Sarah McRae about the City's involvement with the new DowntownTX.org project launched by the Texas Main Street Program

Background:

Now entering its second year as a Main Street City, the City of Sherman was approached by the Texas Main Street Office in Austin and asked to participate in the launch of DowntownTX.org, a new website aimed at cataloging downtown buildings for lease and sale. As part of the program, City staff added a handful of downtown lease spaces, along with historical and other data. On May 10th, the Sherman Main Street Board officially launched the site and toured the pilot locations.

Origination:

Sherman Main Street Advisory Board
Community and Support Services Manager Nate Strauch
Tourism/Main Street Manager Sarah McRae

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

This presentation is for informational purposes only; no Council action is required.

Alternatives:

As directed by Council

Attachments

Splash Page

Sample Search

FIND YOUR PLACE IN HISTORIC DOWNTOWN, TX

I'm looking for in historic downtown [GO!](#)

Launching May 2017 with the Imagine the Possibilities Tours



Find your place in Sherman, Texas (4 results)

filtering for space [\[clear filter\]](#)

328-330 W Lamar St



Available Lease Spaces: 1

Avg. Rate/Sq Ft \$0
Square Ft Available: 2,000
Built 1918
Porterfield Candy Company

[VIEW DETAILS](#)

100 N Travis St



Available Lease Spaces: 1

Avg. Rate/Sq Ft \$0
Square Ft Available:
Built 1900

★ Incentives Available!

[VIEW DETAILS](#)

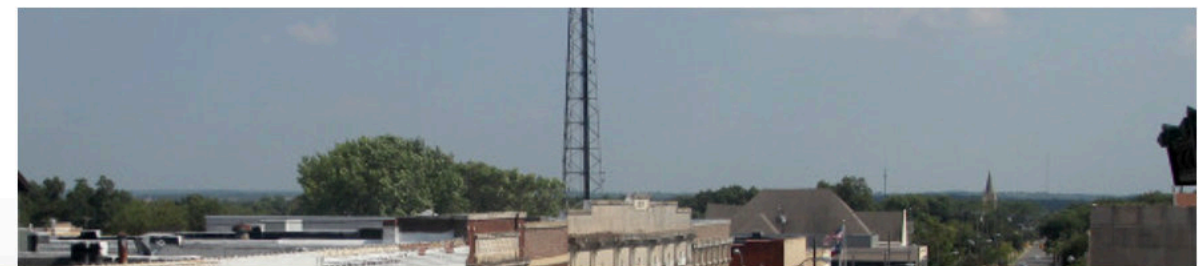
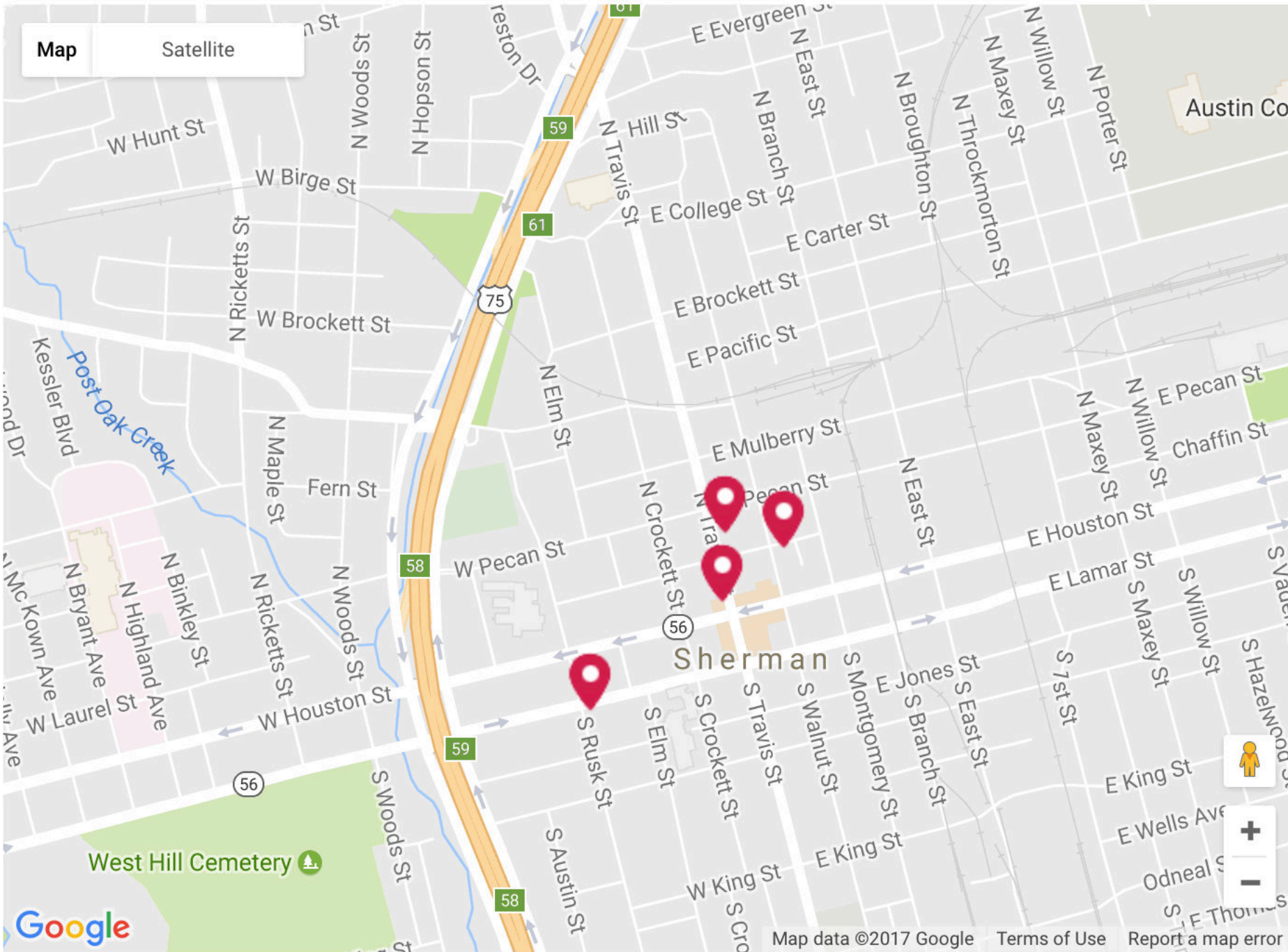
213 N Travis St



Available Lease Spaces: 1

Avg. Rate/Sq Ft \$0
Square Ft Available: 1,050
Built 1956

[VIEW DETAILS](#)



Why Sherman?

Sherman is a historic, growing community located on the burgeoning Highway 75 corridor. Just an hour north of downtown Dallas yet still separated from the Metroplex by miles of cornfields,



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.2.

Meeting Date: 05/15/2017

Prepared By: Nate Strauch, Community & Support Services Manager

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Consider Request of the 2017 Neighborhood Recreational Committee to Temporarily Close Certain Streets for the Annual "Juneteenth Celebration" on Saturday, June 17, 2017

Issue:

Council approval is requested for the street closures and use of City facilities and services to facilitate the annual "Juneteenth Celebration" on Saturday, June 17, 2017 from 10:30 a.m. - 8:30 p.m. A request has been made to close the streets around the Municipal Building and to provide additional solid waste containers and barricades.

Background:

In past years, the "Juneteenth Celebration" was held at Martin Luther King, Jr. Park, but last year, The Neighborhood Recreational Committee moved their event to The Oliver Dewey Mayor Outdoor Theater and Lucy Kidd-Key Park and enjoyed the growth and unity within the community at the festival.

Origination:

Karen Brown, Committee Secretary of the Neighborhood Recreational Committee

Financial Consideration:

Lucy Kidd-Key Park and the Gazebo have been reserved. Labor and equipment to drop-off/pick-up barricades and solid waste containers will be required. Assistance from Building Maintenance will be needed at start up for electrical/water connection of vendor booths and amusement activities.

Staff Recommendation:

It is recommended that the City Council approve the request to utilize the Municipal Building grounds and City services to host this annual event.

Alternatives:

As directed by Council

Attachments

Juneteenth Celebration Request Letter dated April 25, 2017

Grounds Map

Juneteenth Parade Request Letter dated April 25, 2017

The A.G.E (The African American Of Grayson county Experience Community Museum)/
N.R.C (Neighborhood Recreational Committee)
P.O.Box 731, Sherman, Texas 75091
"Helping The Community Move Forward"

April 25th, 2017

City Of Sherman
Attn: Sarah McRae

Dear Sarah,

The Neighborhood Recreational Committee will be hosting the Annual Juneteenth Celebration on Saturday June 17th, 2017 at The Lucy Kidd –Key Park, located at 405 Rusk Street.

We would like to request road barricade for Pecan, Elm , Mulberry, and Rusk streets. All Activities will be occurring on these streets.

Time of barricade will need to start @ 7am, ending @ 9pm.

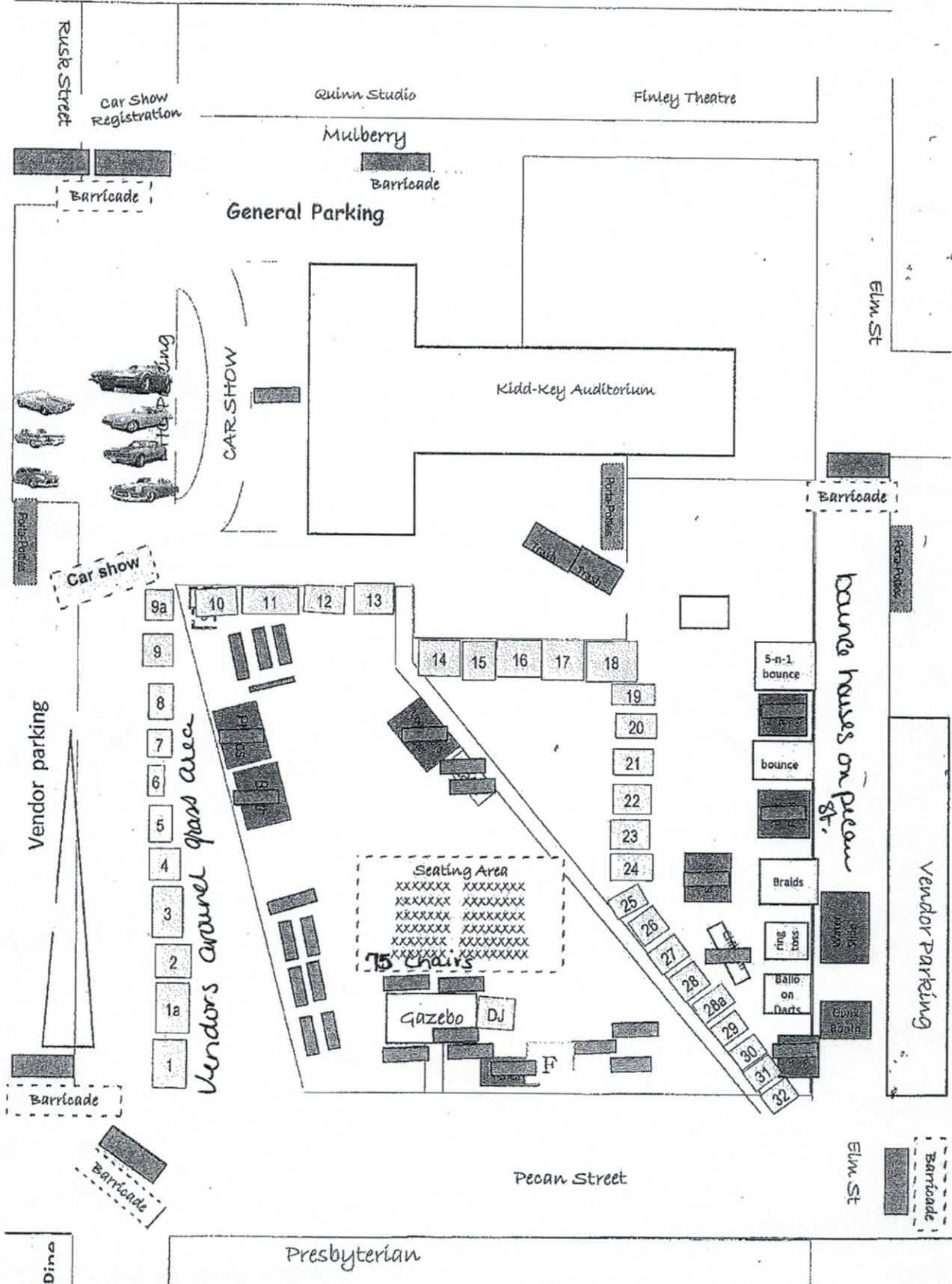
If any additional information is needed, please contact Karen Brown at 903-209-6664.

Thank you in advance for your support of The Juneteenth Celebration.

Sincerely,
Karen Brown- Committee Secretary

Juneteenth Celebration

Washington



The A.G.E (The African American Of Grayson county Experience Community Museum)/
N.R.C (Neighborhood Recreational Committee)
P.O.Box 731, Sherman, Texas 75091
"Helping The Community Move Forward"

April 25th, 2017

City Of Sherman
Attn: Sarah McRae

Dear Sarah,

The Neighborhood Recreational Committee will be hosting a Juneteenth Parade, on Saturday June 17th, 2017. Car line up will start at 10:00am, and parade will began at 11:00am.

Route for parade will start on South Travis Street @ First Baptist Parking Lot, to Washington Street, turning left onto Washington then to Rusk Street, left onto Rusk Street. Ending parade at the Municipal Grounds.

For any additional information concerning the Juneteenth Parade, please contact Eric Ross 903-818-8607.

Thank You

Sincerely,

Karen Brown- Committee Secretary



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.3.

Meeting Date: 05/15/2017

Prepared By: Nate Strauch, Community & Support Services Manager

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Consider Request of the Sherman Tourism/Main Street Manager to Temporarily Close Certain Streets and Use Certain City Facilities and Services for the "8th Annual Lights on the Lake" on Monday, July 3, 2017

Issue:

A request has been received from Sarah McRae, Sherman's Tourism/Main Street Manager, for the "8th Annual Lights on the Lake" at Pecan Grove Park. In order to accommodate this large community event, Mrs. McRae is requesting the utilization of Pecan Grove Park (West and East) and several City services. She also requests traffic control around the park, street closures, and additional trash carts.

Background:

On July 3, 2010, the City held the dedication ceremony for Sherman's newest quality of life asset, Pecan Grove Park, located at the southwest corner of Highway 82 and Heritage Parkway (F.M. 1417) at Canyon Creek Drive. The dedication was followed by Sherman's first annual "Lights on the Lake" event, which was planned and developed by the City of Sherman's Parks and Recreation Department. This community event has continued every year and has grown into a regional Independence Day celebration attended by large crowds. This year, it is being hosted by the City's Tourism and Parks/Recreation Departments; and Mrs. McRae requests the use of Pecan Grove Park on Sunday, July 2nd and Monday, July 3rd to prepare for, host, and take down this year's "Lights on the Lake" event.

Origination:

Sarah McRae, Sherman's Tourism/Main Street Manager

Financial Consideration:

Labor and equipment will be needed to assist with the control of traffic and the implementation of barricades, placement of trash carts, parking, crowd control, vendor operations and public safety.

Staff Recommendation:

It is recommended that the City Council approve the request to utilize Pecan Grove Park and City services to host this annual event.

Alternatives:

As directed by the Council

Attachments

Tourism/Main Street Manager's Request dated May 4, 2017

Event Map



memorandum

DATE: May 4, 2017
TO: Steve Ayers, Director of Public Works
FROM: Sarah McRae, Tourism/Main Street Manager
SUBJECT: **Lights on the Lake 2017**

The Sherman Tourism & Main Street Department would like to reserve Pecan Grove West & East from Sunday, July 2nd, through Monday, July 3rd, 2017, for "Lights on the Lake", Sherman's big Independence Day Celebration. We are requesting that Lights on the Lake be held on Monday, July 3, 2017.

We plan on opening the gates to the public at 4:00pm. Music will be played by DB Sound, and all food & beverage vendors and the children's bounce house park will be open from that time on. At approximately 7:30pm we will begin opening remarks, thanks to our sponsors, comments from the Mayor, and the singing of our National Anthem. Around 8:00pm Three Dog Night will play until the sun sets and the fireworks begin at 9:30pm.

We have contracted the same fireworks vendor as in the past two years, Illumination Fireworks, a large company out of Dallas, Texas.

I have attached a map with the location of all facilities, including vendors, porta potties, bounce houses, tents, etc. as well as all requested street closures.

This is a large event that has an incredible impact on our community, to that end, this event requires assistance from the majority of our city departments, especially Sherman Fire and Sherman Police.

If you have any questions, please contact me.

cc: Zachary Flores, Police Chief
Danny Jones, Fire Chief





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.4.

Meeting Date: 05/15/2017

Prepared By: Nate Strauch, Community & Support Services Manager

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Consider Request of the Sherman Tourism/Main Street Manager to Temporarily Close Certain Streets and Use Certain City Facilities and Services for the "35th Annual Sherman Arts Fest" on Saturday, September 16, 2017

Issue:

A request has been received from Sarah McRae, Sherman's Tourism/Main Street Manager for this year's "Arts Fest". In order to accommodate the 5K/10K/Color K race and the festival itself, Mrs. McRae requests street closures in Downtown and around the Municipal Building. She also requests the utilization of City services, including additional barricades, traffic control, trash carts, dumpsters, access to tables and chairs, and the sweeping of various City streets.

Background:

Annually, the "Sherman Arts Fest" is held in the Municipal Ballroom and on the Municipal Building grounds. For the 35th year, the Oliver Dewey Mayor Outdoor Theater, the Municipal Ballroom and grounds, and the Kidd-Key Auditorium have been reserved to house the activities of this event.

Origination:

Sarah McRae, Sherman's Tourism/Main Street Manager

Financial Consideration:

Labor and equipment will be needed to assist with the control of traffic and the implementation of barricades, placement of trash carts and dumpsters, sweeping of streets in the area, and use of City facilities.

Staff Recommendation:

It is recommended that the City Council approve the request to utilize the Municipal Building grounds, facilities, and City services to host this annual event.

Alternatives:

As directed by the Council

Attachments

Tourism/Main Street Manager's Request dated April 17, 2017

Grounds Map

5K Run Route Map

10K Run Map

Color K Route Map



memorandum

DATE: April 17, 2017

TO: Steve Ayers, Director of Public Works

FROM: Sarah McRae

SUBJECT: Arts Fest

The Sherman Tourism & Main Street Department would like to reserve the grounds, including the gazebo, ballroom, auditorium and all the tables and chairs that you have made available in the past from mid-morning on Wednesday, September 13 through Saturday, September 16, 2017 at 11:00 p.m. We are continuing to place the vendors around the block and the children will use the municipal lawn.

Attached are the requested street closures that allow for the 5k and 10k races, and the Festival itself. Some help will be needed from the Police Department to insure a safe route for the races.

As in the past, the Street Department will need put up the barricades on the sidewalk/shoulder adjacent to the intersections on Friday afternoon, we will block the streets at 5:00 a.m. on Saturday morning. We will return the barricades to the sidewalks/shoulders Saturday evening.

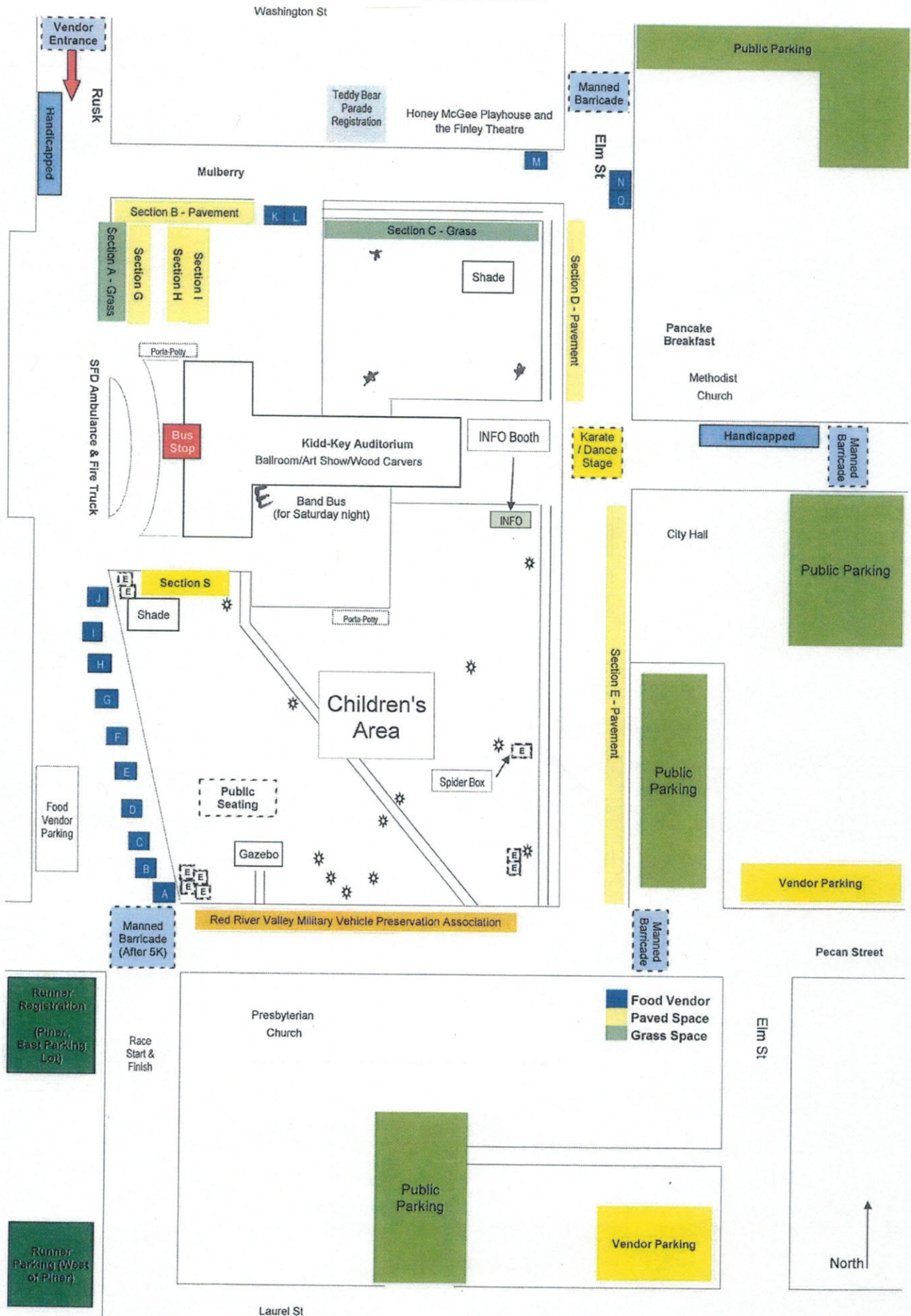
Tents:

- Tourism is providing the gatekeeper tents, which will be set up Friday evening or very early Saturday. We are asking y'all to provide barricades to surround these tents - which will be taken down Saturday after 5 p.m. We will, of course, try to place the tents outside of traffic lanes, but this will require one be in the middle of Rusk just South of Washington.
- We will be getting a 20x30 tent for the dining area. The Grounds Maintenance department will need to clearly mark the irrigation and electrical lines, as this will guarantee that the tent will not hit the lines if they are marked.

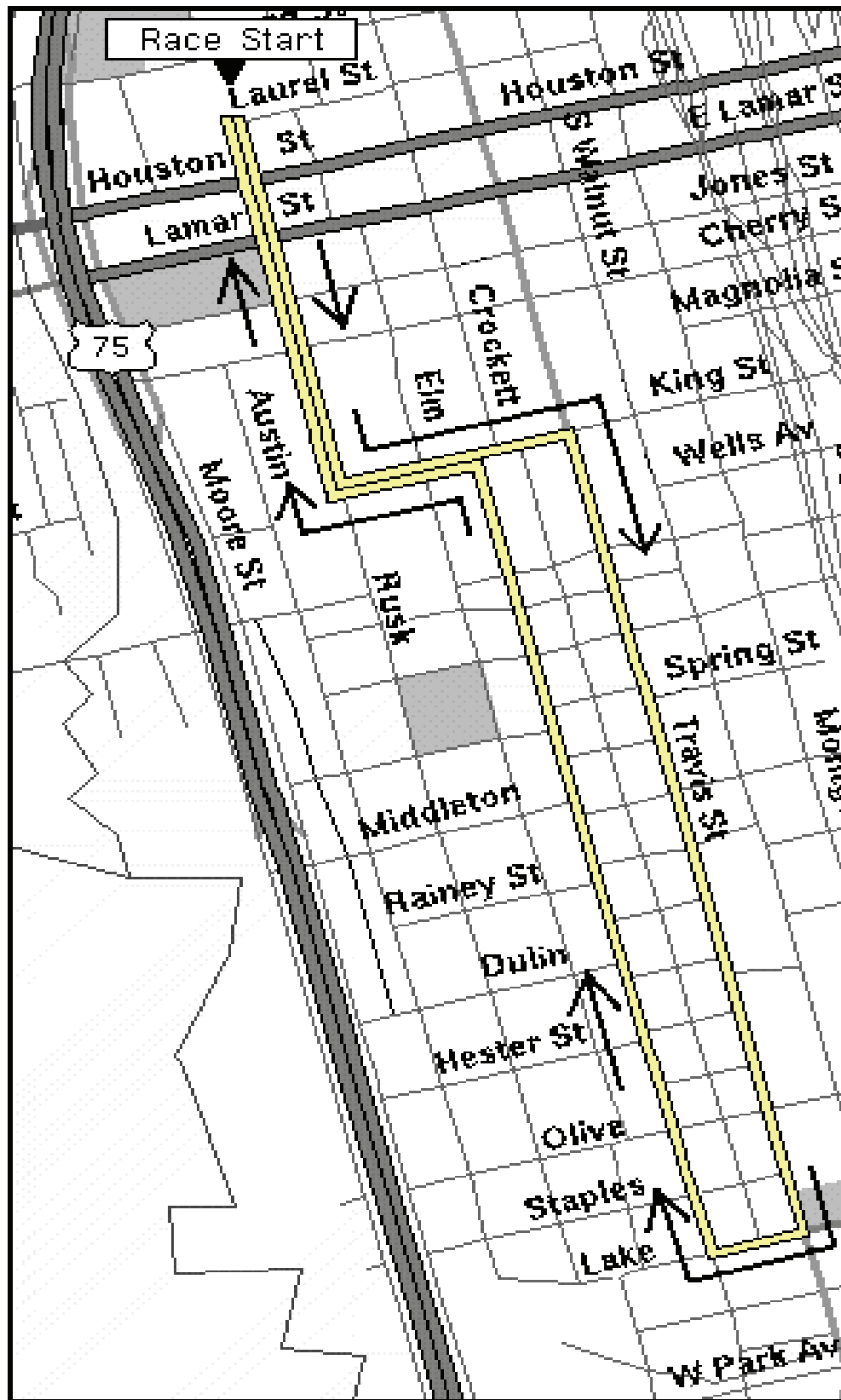
This year, the festival is planned to start at 9:00 a.m. which would allow the set up to be completed on Saturday morning. Banners, tents, portapotties, etc. will be set up Friday night. No security or street closures will be required until early Saturday morning.

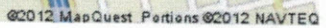
Thank you, in advance, for all the hours and effort you and your staff put into supporting this event! If you have any questions, please contact me.

Arts Festival



5K Run Route





Notes		
AT	FOR	NOTES
START	 2240ft	Head south on N Rusk St toward W Laurel St
0.42 mi.	 716ft	Head south on S Rusk St toward W King St
0.56 mi.	 4987ft	Turn right onto Center St
1.5 mi.	 701ft	Turn right onto Binkley Park Dr
1.64 mi.	 1682ft	Head northwest on Binkley Park Dr toward W Houston St
1.96 mi.	 56ft	Turn right onto W Houston St
1.97 mi.	 628ft	Slight left to stay on W Houston St
2.09 mi.	 339ft	Head northeast on W Houston St toward Archer Dr/ Archer Cir
2.15 mi.	 1207ft	Turn left onto Archer Dr/ Archer Cir
2.38 mi.	 1262ft	Head west on Archer Dr/ Archer Cir toward Crescent Dr

Notes			
AT		FOR	NOTES
2.62 mi.		611ft	Head north on Archer Dr/ Archer Cir toward Sandra Dr
2.73 mi.		334ft	Turn right onto Sandra Dr
2.8 mi.		1240ft	Turn left onto Crescent Dr
3.03 mi.		1228ft	Head northeast on Crescent Dr toward Sunset Blvd
3.27 mi.		741ft	Turn right onto N Holly Ave
3.41 mi.		10ft	Head west on W Shields Dr toward N Holly Ave
3.41 mi.		1324ft	Turn left onto N Holly Ave
3.66 mi.		397ft	Head southeast on N Holly Ave toward W Mulberry St

AT	FOR	NOTES
3.73 mi.		355ft Head south on N Holly Ave toward W Pecan St
3.8 mi.		355ft Head south on N Holly Ave toward W Laurel St
3.87 mi.		155ft Head south on N Holly Ave toward W Houston St
3.9 mi.		511ft Turn right onto W Houston St
3.99 mi.		1668ft Head west on W Houston St toward Sunset Blvd
4.31 mi.		2393ft Turn left onto Binkley Park Dr
4.76 mi.		630ft Turn left onto W Center St
4.88 mi.		4356ft Head east on W Center St toward Holly Ave
5.71 mi.		Head north on S Rusk St toward Walcott St

runningmap.com

distance: 0.45 mi.
x 2 = .90

402 W. Pecan, Sherman Tx

Color-K Start - continues west to Lincoln Street

Temple I
Emeth S

Color-Toss Location Route continues south to Houston, left on sidewalk alongside Houston to Rusk.

Covenant
Presbyterian Church

Color-Toss Party Location at end of event At completion of second loop, the route is complete and runners gather at the southern end of Piner gym parking lot.

Piner Middle School

Color-Toss Location Route continues north back to Pecan to complete first loop

Nelson's Auto
Sound & Security

W Houston St

Thompson's
Frame & WheelThis HTML5 version is Beta. Send us some feedback to info@runningmap.com. Thanks!

Map Report a map error



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.5.

Meeting Date: 05/15/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Replat Approval of Lots 11 & 12, Block 7, Belvedere Estates Addition, being 1.536 acres in the J.B. McAnair Survey, Abstract No. 763 and also being Lots 11 & 12, Block 7, Belvedere Estates Addition; Lauren Whitey Scheibmeir and Raymond and Patsy Harman, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (3213 and 3217 Redbud Trail)

Issue:

To consider Replat approval of Lots 11 & 12, Block 7, Belvedere Estates Addition, being 1.536 acres in the J.B. McAnair Survey, Abstract No. 763 and also being Lots 11 & 12, Block 7, Belvedere Estates Addition, located at 3213 and 3217 Redbud Trail

Background:

The property is located at 3213 and 3217 Redbud Trail, between Stephens Circle and Cypress Grove Road in West Sherman. The property is zoned an R-1 (One Family Residential) District. The owners would like to replat the two lots by moving lot lines to enlarge the driveway at 3217 Redbud Trail.

Origination:

Lauren Whitey Scheibmeir and Raymond and Patsy Harman (Owners)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

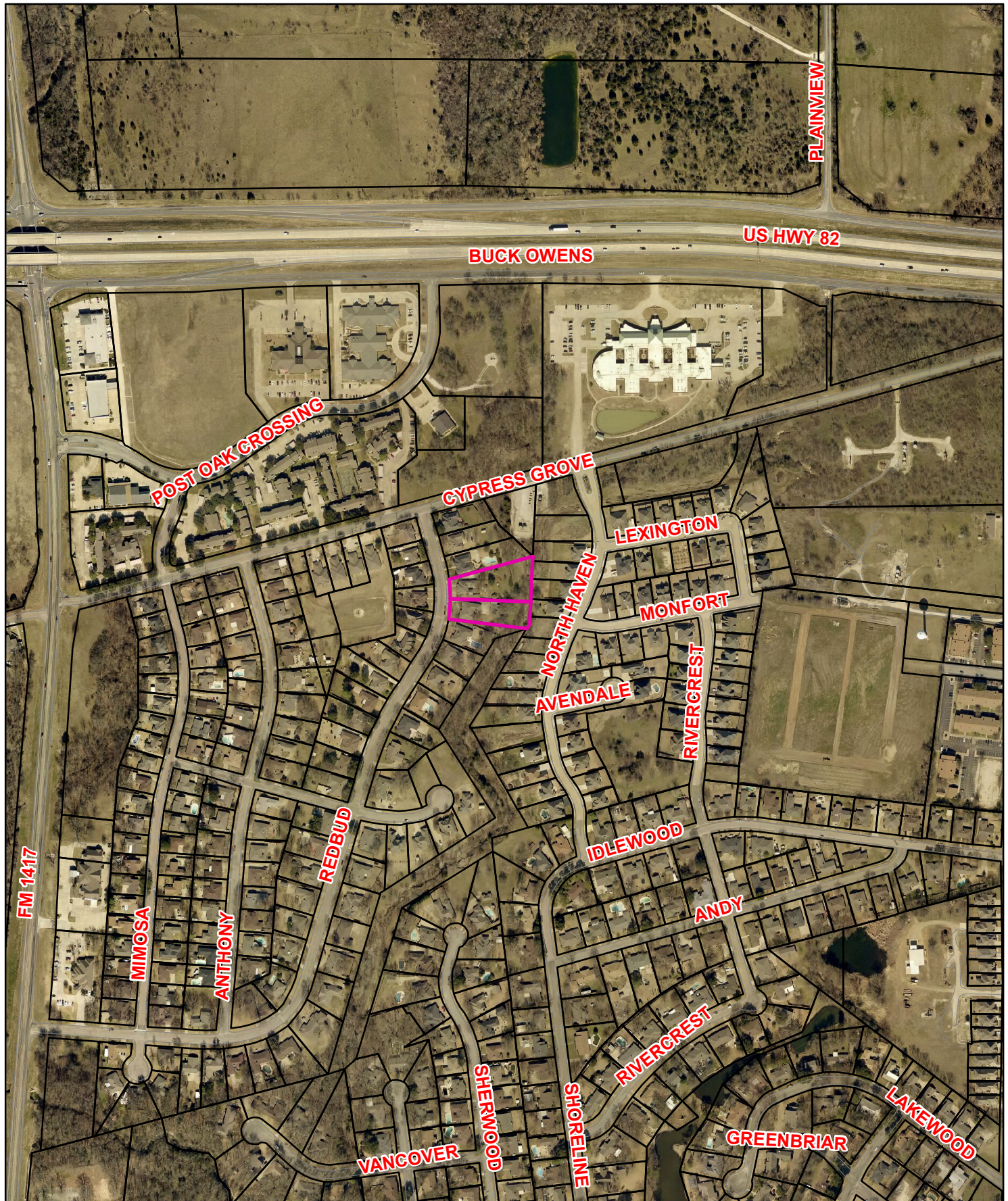
At the April 18, 2017 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Replat
Staff Review Letter
P&Z Communication



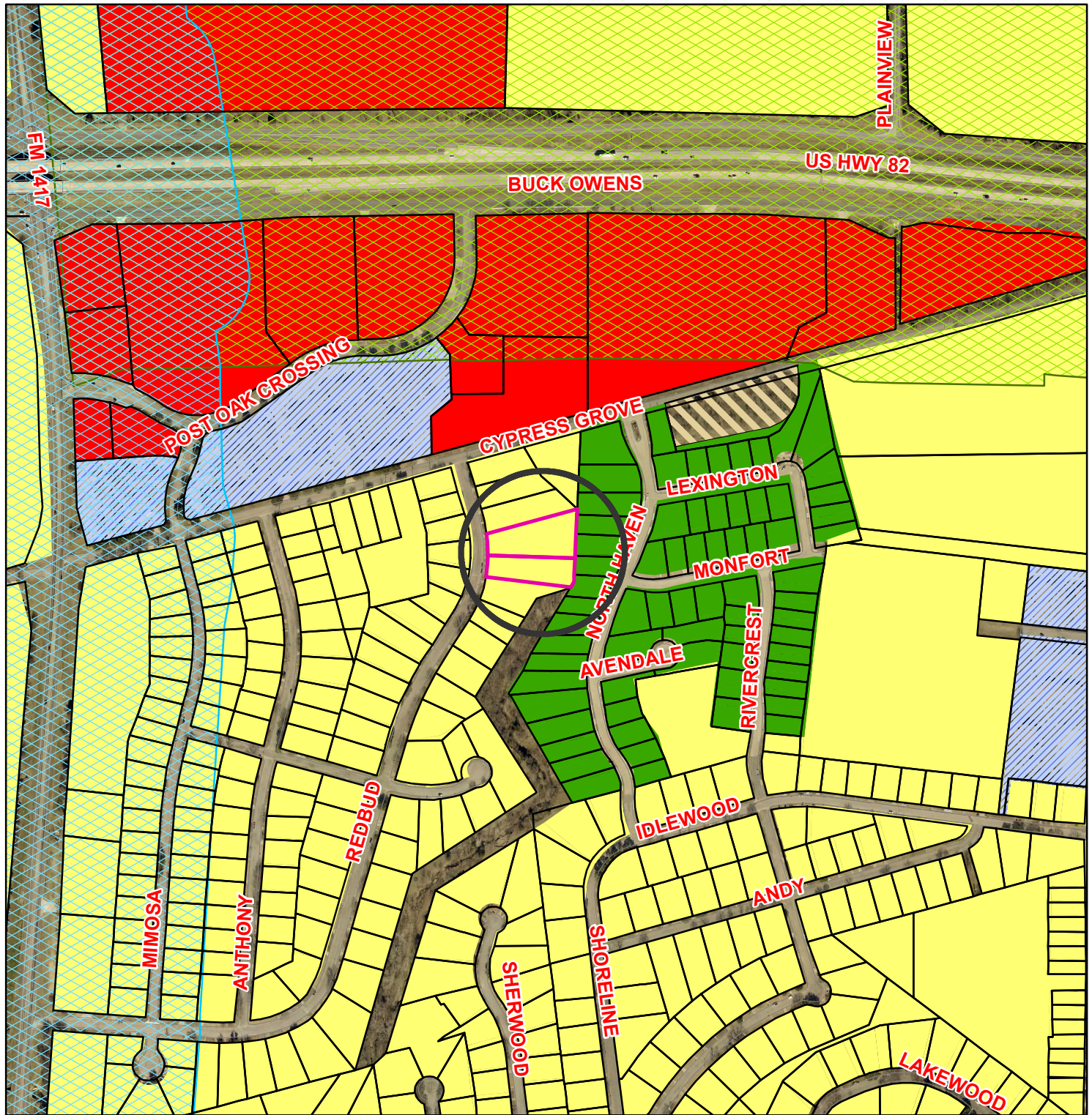
Sherman
CLASSIC TOWN. BROAD HORIZON.

3213 & 3217 Redbud Trail
Replat Lots 11 & 12, Blks. 7, Belvedere Estates



1 in = 484 ft

City of Sherman, Texas
Developmental Services Department



3213 & 3217 Redbud Trail Replat Lots 11 & 12, Blks. 7, Belvedere Estates

Legend

Special Districts Overlay

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

Transportation Corridor Zoning Districts

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

Unknown

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



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

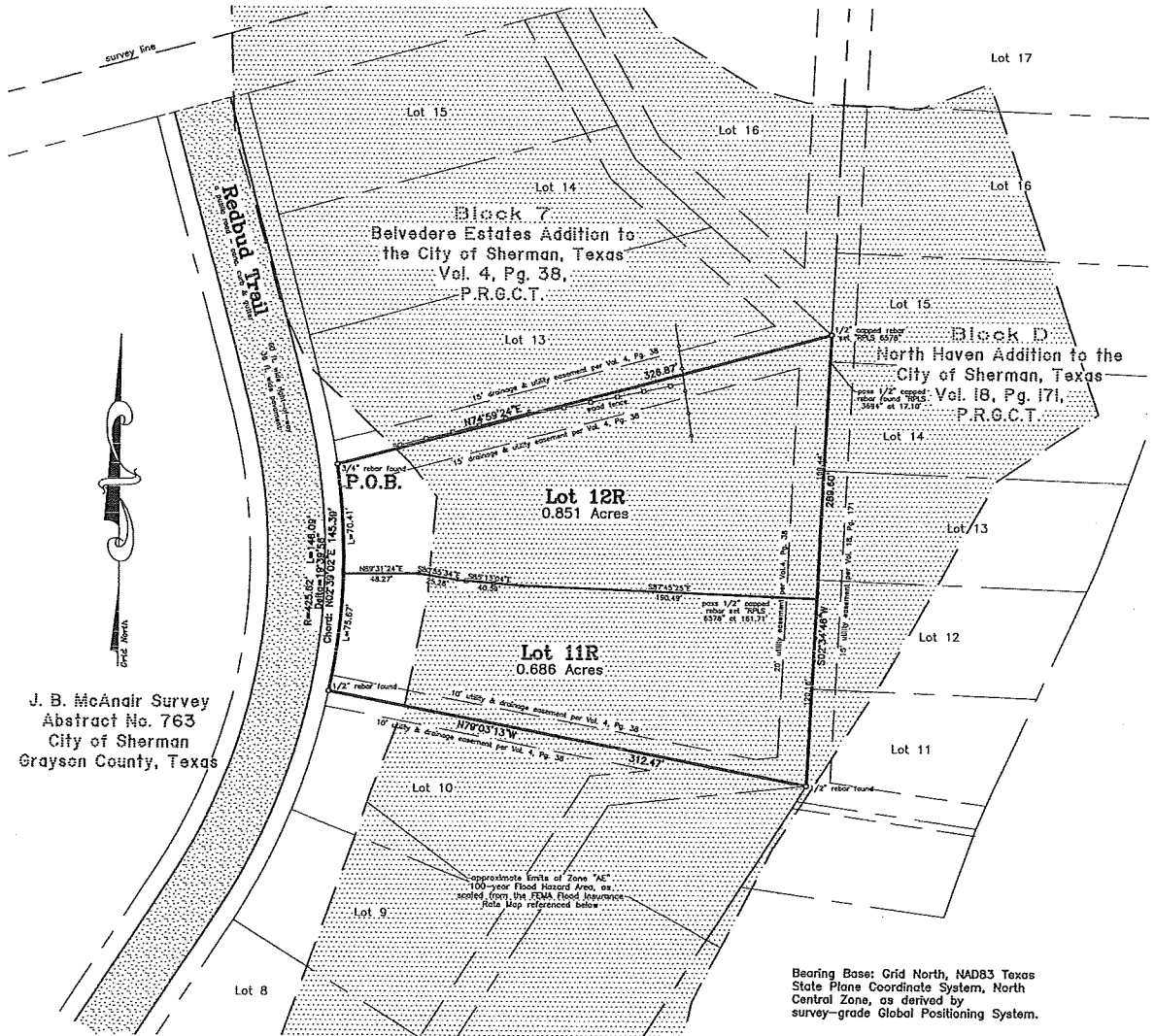
1 in = 484 ft

3217 Redbud Trail



3213 Redbud Trail





Replat of Lots 11 & 12, Block 7, Belvedere Estates Addition to the City of Sherman, Texas 1.536 Acres in the

**J. B. McAnair Survey
Abstract No. 763**

Lauren Whitney Scheibmeir

Owner of Lot 11

Raymond A. Harman & Patsy Harman

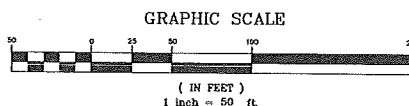
Owners of Lot 12

General Notes:

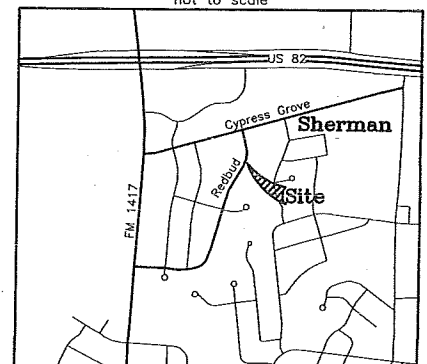
1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electric Delivery Co.
4. A portion of the property shown on the plat hereon lies within a Zone "AE" 100-Year Flood Hazard Area Designation, as scaled from the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0270 F, Revised Date: September 29, 2010.
5. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.

Job No. CGS35217

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph (903) 463-6191 Fax (903) 463-4088
Email: helveysurvey@cableone.net
Texas Board of Professional Land Surveying
Firm Registration No. 1008810



Location Map
not to scale



STAFF REVIEW LETTER

April 10, 2017

Lauren Whitney Scheibmeir
3213 Redbud Trail
Sherman, TX 75092

Raymond A. & Patsy Harman
3217 Redbud Trail
Sherman, TX 75092

Helvey-Wagner Surveying, Inc.
222 W. Main St.
Denison, TX 75020

Dear Applicants,

The request for approval of the Replat of Lots 11 & 12, Block 7, Belvedere Estates Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 18, 2017 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. All requirements of the Floodplain Ordinance should be followed.
6. Calls on legal description must match drawing.
7. Show complete ownership blocks for all property owners. Also show Owners' addresses below Addition block.
8. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
9. 2 Mylars must be submitted in 24"x36" size for recording. 1 mylar must be split to be 2-12"x18" pages per Grayson County requirements. 1 page must have the legal description and the other page must have the image. Both mylars must look the same with the exception of the split line down the middle. Both split pages must include the Subdivision Name block. Submit digital image to the Engineering department for approval prior to printing mylars.

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

If additional information or clarification is needed, do not hesitate to contact Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Danny Fuller, Fire Marshal
Steve Ayers, Dir. Of Community and Support Services

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Don Keene, Asst. City Manager



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

Agenda Item No. 5.

Meeting Date: 04/18/2017

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

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliott, Commissioner

Chris Vellotti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

Clay Mahone, Commissioner

Requested Action/Proposed Use:

*** 3213 & 3217 REDBUD TRAIL**

The request of Lauren Whitney Scheibmeir and Raymond and Patsy Harman (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 3213 and 3217 Redbud Trail, being 1.536 acres in the J.B. McAnair Survey, Abstract No. 763 and also being Lots 11 & 12, Block 7, Belvedere Estates Addition, as follows;

Planning and Zoning Commission

Replat Lots 11 & 12, Block 7, Belvedere Estates Addition

Background:

The property is located at 3213 and 3217 Redbud Trail between Stephens Circle and Cypress Grove Road in West Sherman and is zoned an R-1 (One Family Residential) District. The owners would like to replat the two lots to move the lot lines to enlarge the driveway on one of the lots.

Adjacent Zoning:

R-1 (One Family Residential) District

SF-1 (Single Family Residential) District

Origination:

Lauren Whitey Scheibmeir and Raymond and Patsy Harman (Owners)

Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

125

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Replat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.6.

Meeting Date: 05/15/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Replat Approval of Tuggle Replat in Windsor Place, being a Replat of Lots 1 and 16, Block 4, Windsor Place Addition, being 0.8214 acres in the J.B. McAnair Survey, Abstract No. 763 and also being all of Lots 1 and 16, Block 4, Windsor Place Addition; Grover and Kathleen Tuggle and Ann Mooney, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (2709 Dover Drive and 2702 Yorkshire Drive)

Issue:

To consider Replat approval of Tuggle Replat in Windsor Place, being a Replat of Lots 1 and 16, Block 4, Windsor Place Addition, being 0.8214 acres in the J.B. McAnair Survey, Abstract No. 763 and also being all of Lots 1 and 16, Block 4, Windsor Place Addition, located at 2709 Dover Drive and 2702 Yorkshire Drive

Background:

The property is located at 2709 Dover Drive and 2702 Yorkshire Drive in West Sherman off West Lamberth Road. The property is zoned an R-1 (One Family Residential) District. The owners would like to replat the two lots by moving lot lines to enlarge one of the lots.

Origination:

Grover and Kathleen Tuggle and Ann Mooney (Owners)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the April 18, 2017 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

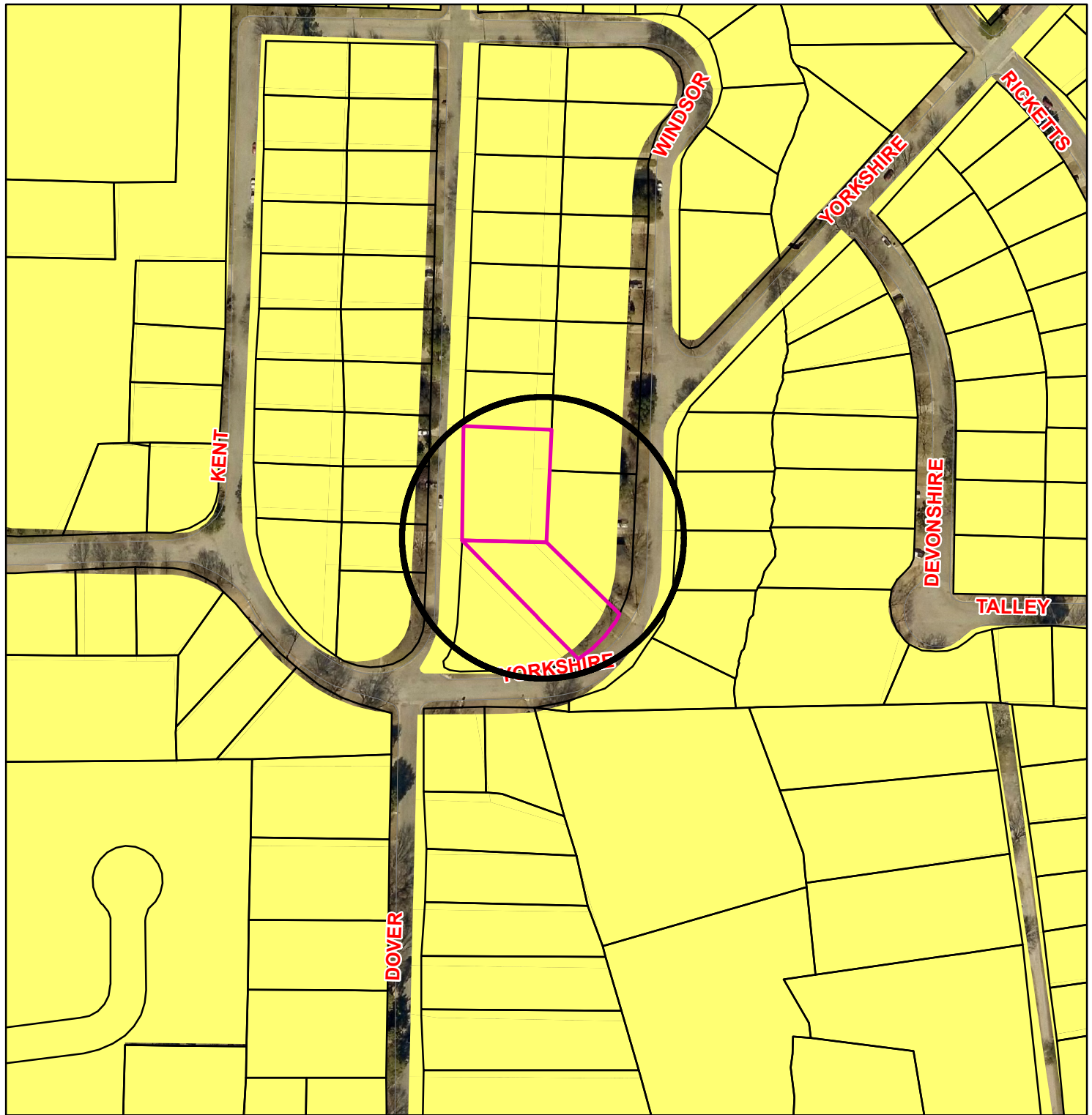
Location Map
Zoning Map
Zoning Sign Photo
Replat
Staff Review Letter
P&Z Communication



2709 Dover & 2702 Yorkshire Tuggle Replat in Windsor Place



1 in = 775 ft



2709 Dover Drive & 2702 Yorkshire Drive Tuggle Replat in Windsor Place

Legend

Special Districts Overlay

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

Transportation Corridor Zoning Districts

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

Unknown

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



City of Sherman, Texas
Developmental Services Department



1 in = 200 ft

2709 Dover



2702 Yorkshire





to the City of Sherman, Texas

0.8214 acres

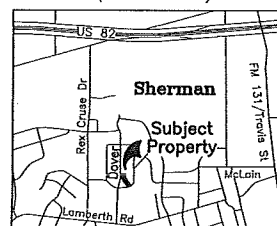
in the

J. B. McAnair Survey Abstract No. 763

Owners of Lot 1R:
Grover C. Tuggle, Jr. & Kathleen Tuggle
P.O. Box 1921
Sherman, Texas 75091

Owners of Lot 16R:
Ann Mooney
2702 Yorkshire Drive
Sherman, Texas 75092

Vicinity Map
(not to scale)

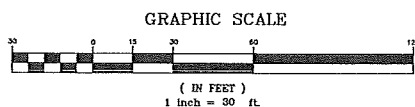


Page 1 of 2

General Notes:

1. Water supply provided by City of Sherman.
2. Sewer service provided by City of Sherman.
3. Electrical services provided by Onco Electrical Delivery Co.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across sold lots.
6. The City of Sherman will not be responsible for the maintenance and operation of the improvement or maintenance of erosion control.
7. The property shown on the plat herein lies within a Zone "X" (areas determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 4618010270 F, Revised Date: September 29, 2010.
8. The City of Sherman and the City Engineer or a licensed surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.
10. The City and addition place does have without the benefit of title commitments. Only the easements as shown on the filed plat of Windsor Place Addition are addressed herein.

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



STAFF REVIEW LETTER

April 10, 2017

Grover C. Tuggle, Jr. & Kathleen Tuggle
P.O. Box 1921
Sherman, TX 75091

Ann Mooney
2702 Yorkshire Drive
Sherman, TX 75092

Helvey-Wagner Surveying, Inc.
222 W. Main St.
Denison, TX 75020

Dear Applicants,

The request for approval of the Tuggle Replat in Windsor Place has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 18, 2017 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Remove frame building from plat.
6. Extend Texas Power & Light Company Easement through subject properties.
7. Remove new building lines from plat.
8. All aspects of the R-1 (One Family Residential) District and the accessory building ordinance must be followed.
9. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
10. 2 Mylars must be submitted in 24"x36" size for recording. 1 mylar must be split to be 2-12"x18" pages per Grayson County requirements. 1 page must have the legal description and the other page must have the image. Both mylars must look the same with the exception of the split line down the middle. Both split pages must include the Subdivision Name block. Submit digital image to the Engineering department for approval prior to printing mylars.

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

If additional information or clarification is needed, do not hesitate to contact Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Danny Fuller, Fire Marshal
Steve Ayers, Dir. Of Community and Support Services

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Don Keene, Asst. City Manager



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

Agenda Item No. 8.

Meeting Date: 04/18/2017

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

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliott, Commissioner

Chris Vellotti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

Clay Mahone, Commissioner

Requested Action/Proposed Use:

*** 2709 DOVER DRIVE & 2702 YORKSHIRE DRIVE**

The request of Grover & Kathleen Tuggle and Ann Mooney (Owners) and Helvey-Wagner Surveying (Surveyor) concerning the property at 2709 Dover Drive and 2702 Yorkshire Drive, being 0.8214 acres in the J.B. McAnair Survey, Abstract No. 763 and also being all of Lots 1 and 16, Block 4, Windsor Place Addition, as follows;

Planning and Zoning Commission

Replat approval of Tuggle Replat in Windsor Place, being a Replat of Lots 1 and 16, Block 4, Windsor Place Addition.

Background:

The property is located at 2709 Dover Drive and 2702 Yorkshire Drive in West Sherman off West Lamberth Road. The property is zoned an R-1 (One Family Residential) District. The owners would like to replat the two lots by moving lot lines to enlarge one of the lots.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Grover & Kathleen Tuggle and Ann Mooney (Owners)
Helvey-Wagner Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

68

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Replat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.7.

Meeting Date: 05/15/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Replat Approval of CAJC Addition, being 4.33 acres in the Daniel C. Shelp Survey, Abstract No. 1097; Flanagan Outdoor Power Equipment & Services, Inc., Owner; and Helvey-Wagner Surveying, Inc., Surveyor (5209 Texoma Parkway)

Issue:

To consider Replat approval of CAJC Addition, being 4.33 acres in the Daniel C. Shelp Survey, Abstract No. 1097, located at 5209 Texoma Parkway

Background:

The property is located at 5209 Texoma Parkway, between Fallon Drive and Woodlake Road. The applicant would like to plat the property into one lot for commercial development.

Origination:

Flanagan Outdoor Power Equipment & Services, Inc. (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the April 18, 2017 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

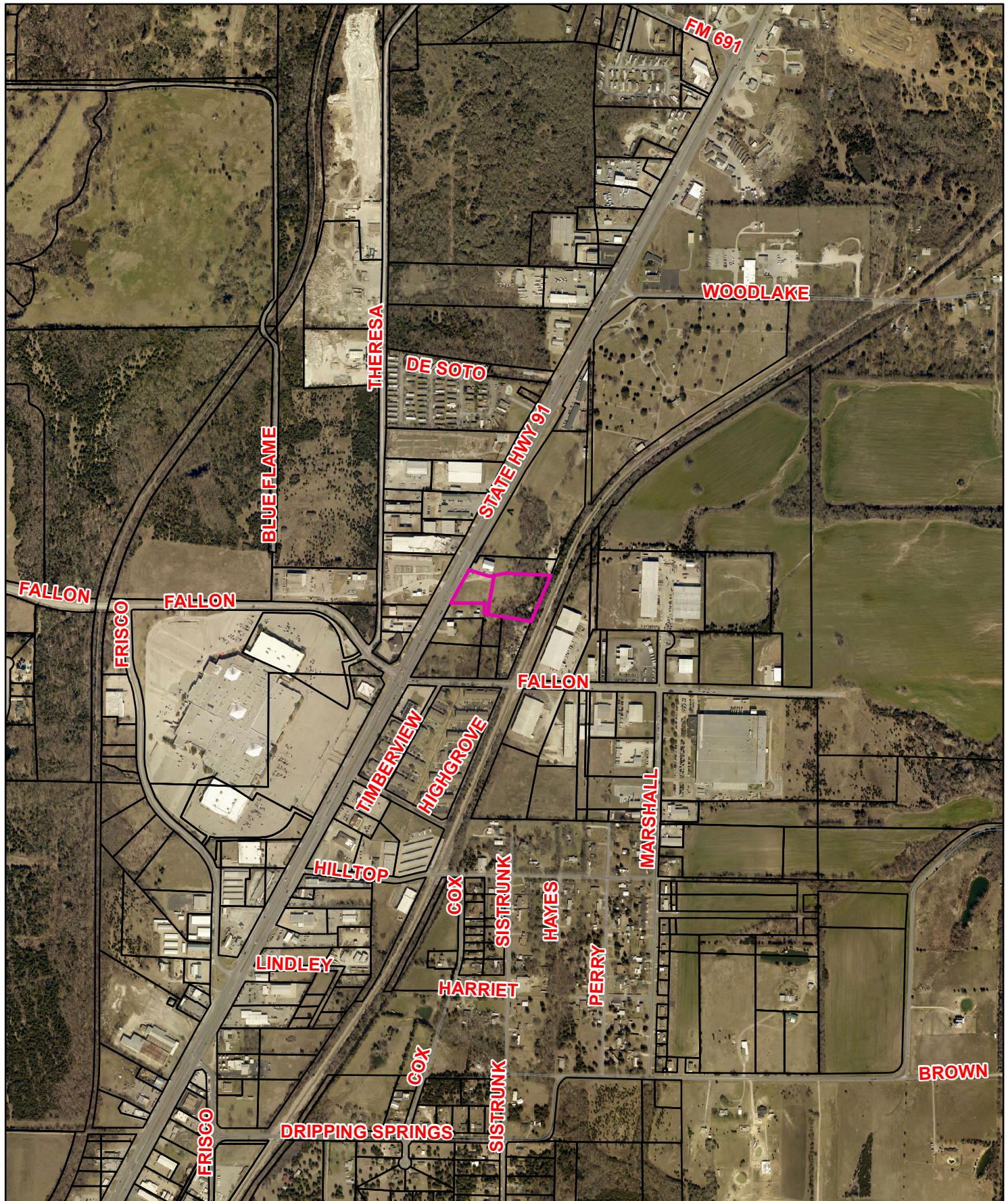
Location Map

Zoning Map

Replat

Staff Review Letter

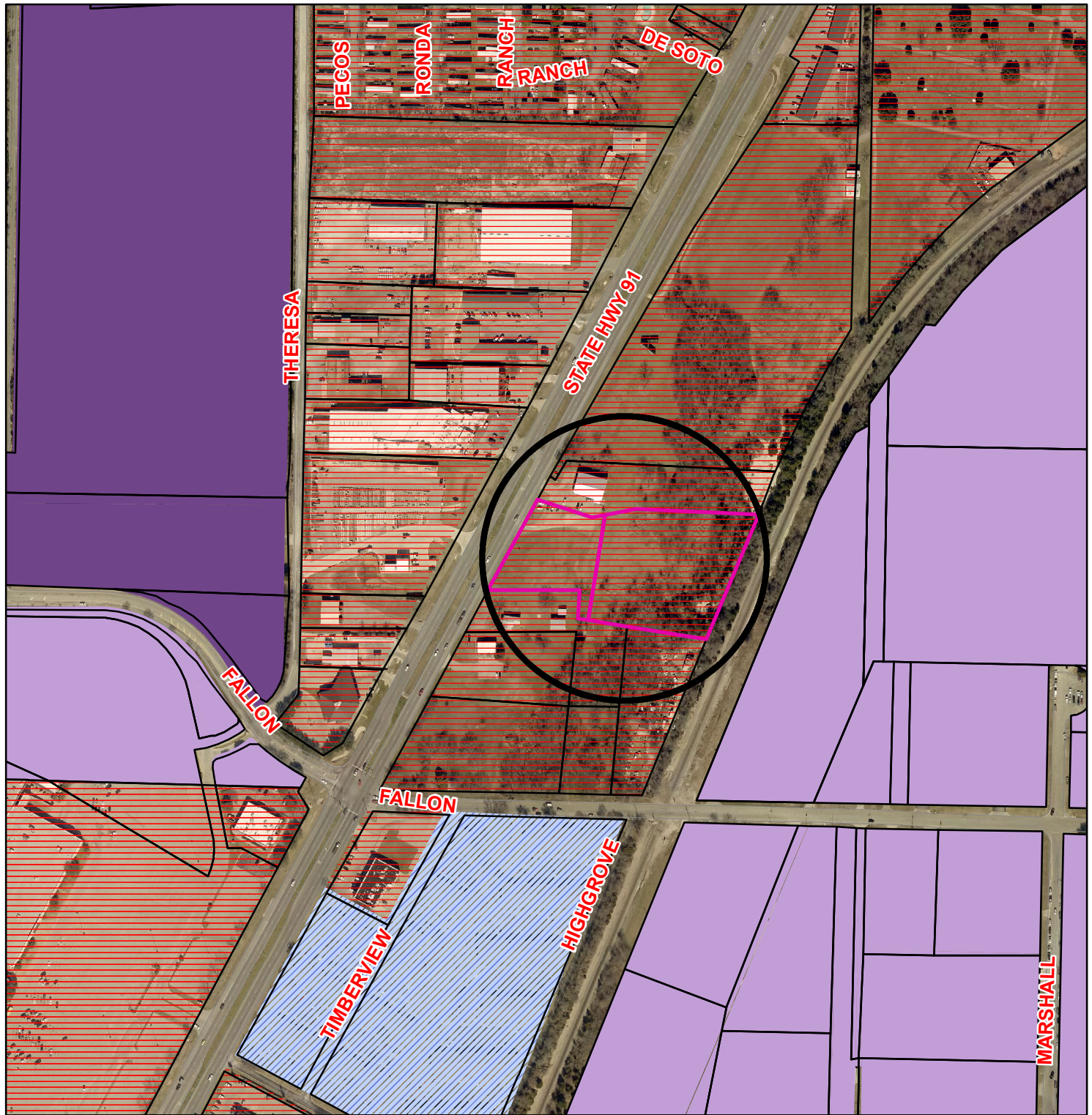
P&Z Communication



**5209 Texoma Parkway
CAJC Addition**



1 in = 968 ft



Zoning - 5209 Texoma Parkway Amended Plat - CAJC Addition

Legend

Special Districts Overlay

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

Transportation Corridor

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

Zoning Districts

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District

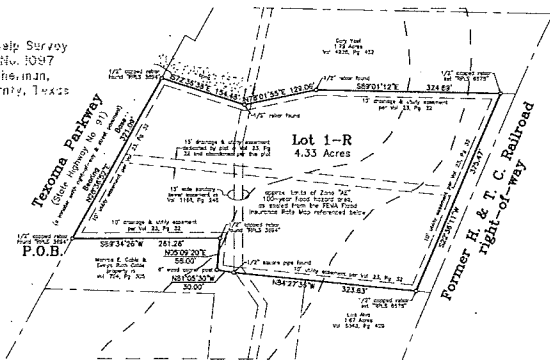


City of Sherman, Texas
Developmental Services Department



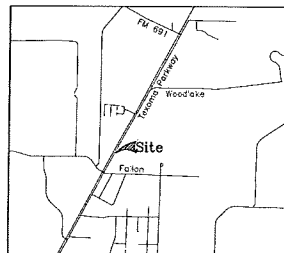
1 in = 387 ft

Daniel C. Shelp Survey
Abstract No. 1097
City of Sherman,
Grayson County, Texas



**Amended Plat of
CAJC Addition
to
the City of Sherman, Texas
4.33 Acres
in the
Daniel C. Shelp Survey
Abstract No. 1097**

Location Map
(not to scale)



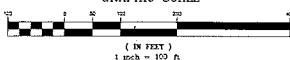
General Notes:

1. Water supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. District service is provided by Oncor Electric Delivery Co.
4. A portion of the property shown on this plat herein lies within a Zone "NE" 100-Year Flood Hazard Area Designation, as noted from the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 45160C0250 F, Revised Date September 29, 2010.
5. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph (803) 463-6181 Fax (803) 463-4088
Email: helveysurvey@coxnet.net
Texas Board of Professional Land Surveying
Firm Registration No. 1008810

Owner:
Flanagan Outdoor Power
Equipment & Services, Inc.
5517 Camino Dos Lagos
Sherman, Texas 75090
Ph: 903-271-1320

GRAPHIC SCALE



FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas and being a part of the Daniel C. Shelp Survey, Abstract No. 1097 and being an amended plat of Lots 1 and 2, CAJC Addition to the City of Sherman, Texas, as per plat of record in Volume 23, Pages 32 and 33, Plat Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch capped rebar found stamped "RPLS 3694" in the East right-of-way line of Texoma Parkway, at the Northwest corner of the property conveyed to Monroe E. Cable and Evelyn Ruth Cable in Volume 794, Page 305, Deed Records, Grayson County, Texas, at the most Westerly Southwest corner of said CAJC Addition;

THENCE North 28 deg. 36 min. 52 sec. East, with the East right-of-way line of said Texoma Parkway and a West line of said CAJC Addition, a distance of 321.09 ft. to a 1/2 inch capped rebar found stamped "RPLS 3694" at the Southwest corner of the 1.79 ac. tract of land conveyed to Gary Yost in Volume 4926, Page 452, Official Public Records, Grayson County, Texas, at the Northwest corner of said CAJC Addition;

THENCE South 72 deg. 36 min. 38 sec. East, with the South line of said Yost 1.79 ac. and the North line of said CAJC Addition, a distance of 154.48 ft. to a 1/2 inch rebar found at an angle point;

THENCE North 78 deg. 01 min. 55 sec. East, continuing with the South line of said Yost 1.79 ac. and the North line of said CAJC Addition, a distance of 129.06 ft. to a 1/2 inch rebar found at an angle point;

THENCE South 69 deg. 01 min. 12 sec. East, continuing with the South line of said Yost 1.79 ac. and the North line of said CAJC Addition, a distance of 324.89 ft. to a 1/2 inch capped rebar set stamped "RPLS 6578" at the Northeast corner of said CAJC Addition;

THENCE South 22 deg. 36 min. 11 sec. West, with the East line of said CAJC Addition, a distance of 375.47 ft. to a 1/2 inch capped rebar set stamped "RPLS 6578" in the North line of the 1.67 ac. tract of land conveyed to Luis Alva in Volume 5543, Page 409, said Official Public Records, at the Southeast corner of said CAJC Addition;

THENCE North 84 deg. 27 min. 36 sec. West, with the North line of said Alva 1.67 ac. and a South line of said CAJC Addition, passing the Northwest corner of said Alva 1.67 ac. and the most Easterly Northeast corner of said Cable tract and continuing now with a North line of said Cable tract for a total a distance of 323.63 ft. to a 1/2 inch square pipe found at an angle point;

THENCE North 81 deg. 05 min. 30 sec. West, continuing with a North line of said Cable tract and a South line of said CAJC Addition, a distance of 30.00 ft. to a 6 inch wood corner post at an Ell corner of said Cable tract, at the most Southerly Southwest corner of said CAJC Addition;

THENCE North 05 deg. 09 min. 20 sec. East, with an East line of said Cable tract and a West line of said CAJC Addition, a distance of 56.00 ft. to a 1/2 inch capped rebar found stamped "RPLS 3694" at the most Northerly Northeast corner of said Cable Tract, at an Ell corner of said CAJC Addition;

THENCE South 89 deg. 34 min. 26 sec. West, with a North line of said Cable tract and a South line of said CAJC Addition, a distance of 261.26 ft. to the **PLACE OF BEGINNING** and containing **4.33 ACRES** of land.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property shown hereon under my personal and direct supervision, and that the corner monumentation meets the standards set according to the Subdivision Regulations of the City of Sherman, Texas.

Kate A. Wagner, R. P. L. S. No. 6578

Date:



I, _____, Authorized Agent for Flanagan Outdoor Power Equipment & Services, Inc., owner of the Amended Plat of CAJC Addition, to the City of Sherman, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

Authorized Agent for Flanagan Outdoor Power Equipment & Services, Inc.

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Flanagan Outdoor Power Equipment & Services, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2017.

Notary Public, Grayson County, Texas

City of Sherman

This, the Amended Plat of CAJC Addition to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2017, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman Secretary

This, the Amended Plat of CAJC Addition to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2017, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing Amended Plat of CAJC Addition to the City of Sherman, Texas, was submitted to the city council of Sherman, Texas, on the _____ day of _____, 2017, and that the City Council, by formal action, then and there accepted the dedication of all easements, and other public areas, as shown and set forth in and upon said plat; and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as here above subscribed.

CERTIFIED THIS _____ DAY OF _____, 2017, BY _____ CITY CLERK, CITY OF SHERMAN, TEXAS

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph (803) 463-6181 Fax (803) 463-4088
Email: helveysurvey@coxnet.net
Texas Board of Professional Land Surveying
Firm Registration No. 1008810

STAFF REVIEW LETTER

April 10, 2017

Flanagan Outdoor Power
Equipment & Services, Inc.
5517 Camino Dos Lagos
Sherman, TX 75090

Helvey-Wagner Surveying, Inc.
222 W. Main St.
Denison, TX 75020

Dear Applicants,

The request for approval of the Replat of CAJC Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 18, 2017 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Show ownership block on subject property.
6. Detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
7. All requirements of the Floodplain Ordinance should be followed.
8. Final site plans, utility, drainage, and grading plan shall be provided and approved by the City Engineering Department.
9. Pro-Rata will be due at the time of development.
10. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
11. 2 Mylars must be submitted in 24"x36" size for recording. 1 mylar must be split to be 2-12"x18" pages per Grayson County requirements. 1 page must have the legal description and the other page must have the image. Both mylars must look the same with the exception of the split line down the middle. Both split pages must include the Subdivision Name block. Submit digital image to the Engineering department for approval prior to printing mylars.

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

If additional information or clarification is needed, do not hesitate to contact Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Danny Fuller, Fire Marshal
Steve Ayers, Dir. Of Community and Support Services

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Don Keene, Asst. City Manager



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

Agenda Item No. 13.

Meeting Date: 04/18/2017

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

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliott, Commissioner

Chris Vellotti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

Clay Mahone, Commissioner

Requested Action/Proposed Use:

*** 5209 TEXOMA PARKWAY**

The request of Flanagan Outdoor Power Equipment & Services, Inc. (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 5209 Texoma Parkway, being 4.33 acres in the Daniel C. Shelp Survey, Abstract No. 1097, as follows;

Planning and Zoning Board

Replat approval of CAJC Addition

Background:

The property is located at 5209 Texoma Parkway between Fallon Drive and Woodlake Road and is zoned a C-2 (General Commercial) District. The applicant would like to plat the property into one lot for commercial development.

Adjacent Zoning:

C-2 (General Commercial) District

Origination:

Flanagan Outdoor Power Equipment & Services, Inc. (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Estate – Estate is a large lot residential use (1-5 acres) with open space and a rural street network (ditches and no sidewalk). These homes are unlikely to have access to full service public utilities, especially sewer service.

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Replat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.8.

Meeting Date: 05/15/2017

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Replat Approval of W.M. Shannon's Supplement, Block 3, Lot 7R, being part of Lots 7, 8, 9 and 10 and an Abandoned Alley in Block 3, W.M. Shannon's Supplement, containing 0.762 acres; Mike and Gina Adams, Owners; and Preston Trail Land Surveying, LLC, Surveyor (1711 and 1715 North Woods)

Issue:

To consider Replat approval of W.M. Shannon's Supplement, Block 3, Lot 7R, being part of Lots 7, 8, 9 and 10 and an abandoned alley in Block 3, W.M. Shannon's Supplement, containing 0.762 acres, located at 1711 and 1715 North Woods Street

Background:

The property is located at 1711 and 1715 North Woods, between Fairview Street and Texas Street. The property is zoned a C-1 (Retail Business) District. The owners would like to replat the property into one lot for commercial development.

Origination:

Mike and Gina Adams (Owners)
Preston Trail Land Surveying, LLC (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the April 18, 2017 regular meeting, the Planning & Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

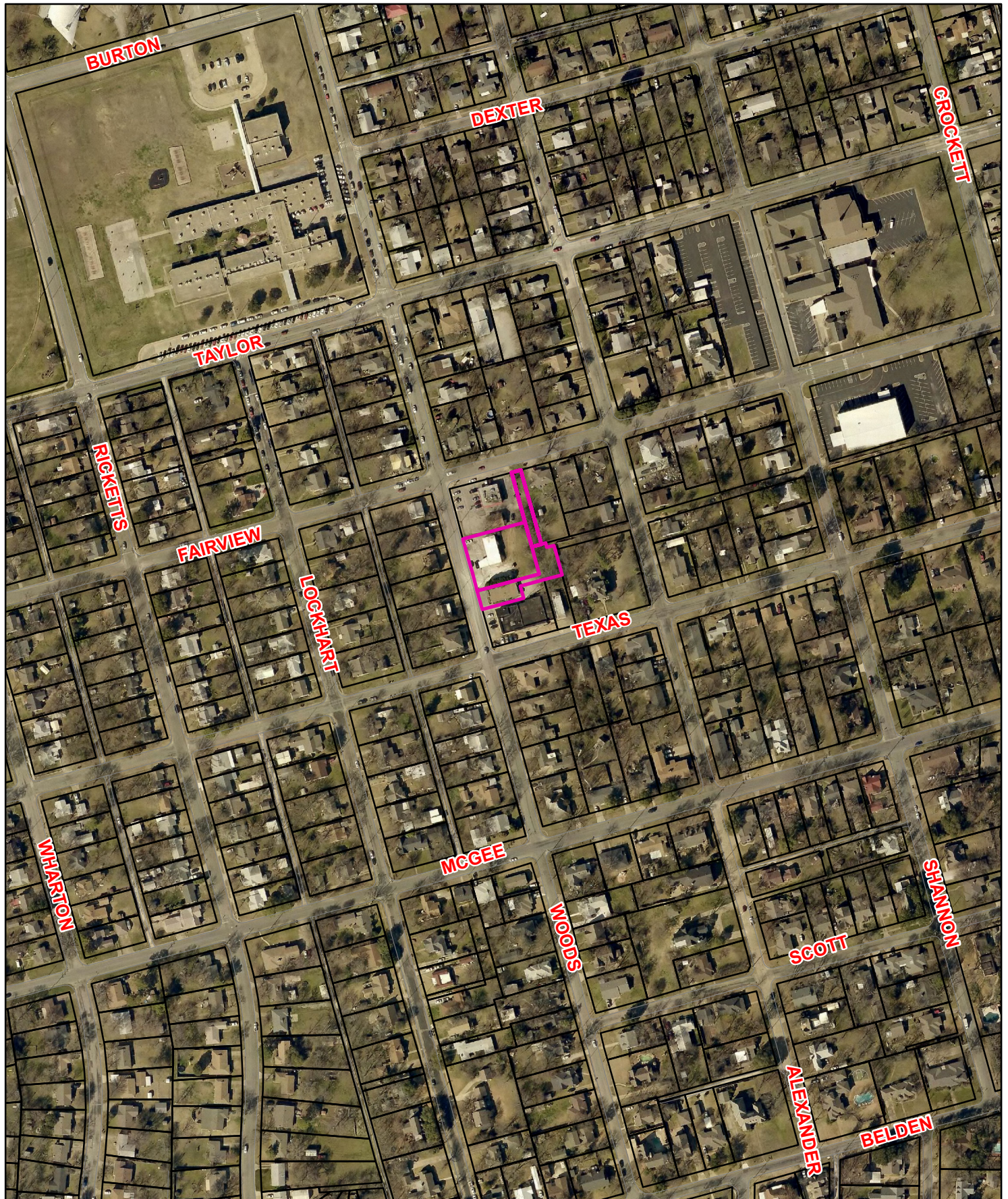
Location Map

Zoning Map

Replat

Staff Review Letter

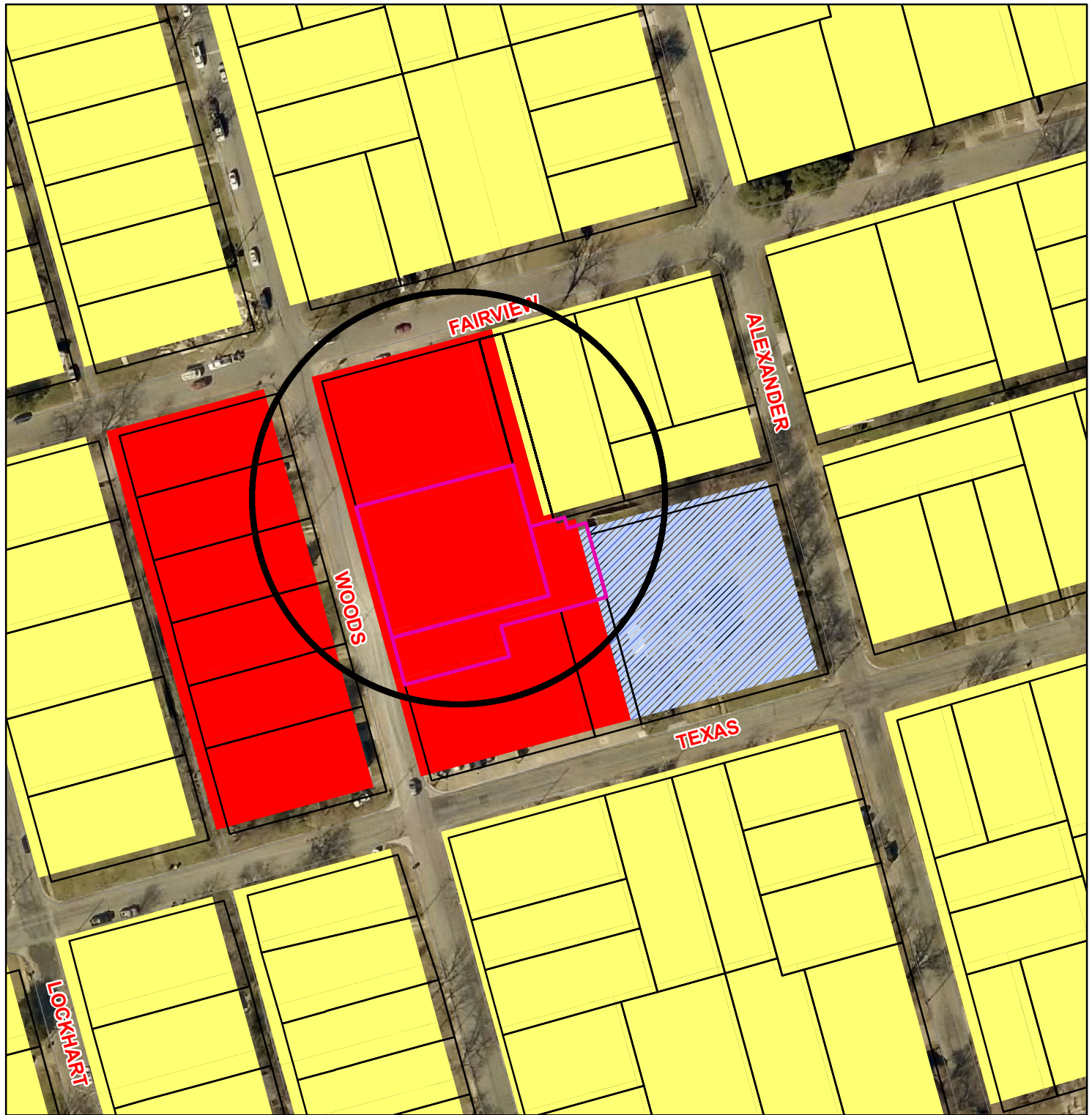
P&Z Communication



**1711 & 1715 N. Woods
Replat W.M. Shannon's Supplement**



1 in = 300 ft



1711 & 1715 N. Woods Replat W.M. Shannon's Supplement, Block 3, Lot 7R

Legend

Special Districts Overlay

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

Transportation Corridor Zoning Districts

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

Unknown

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

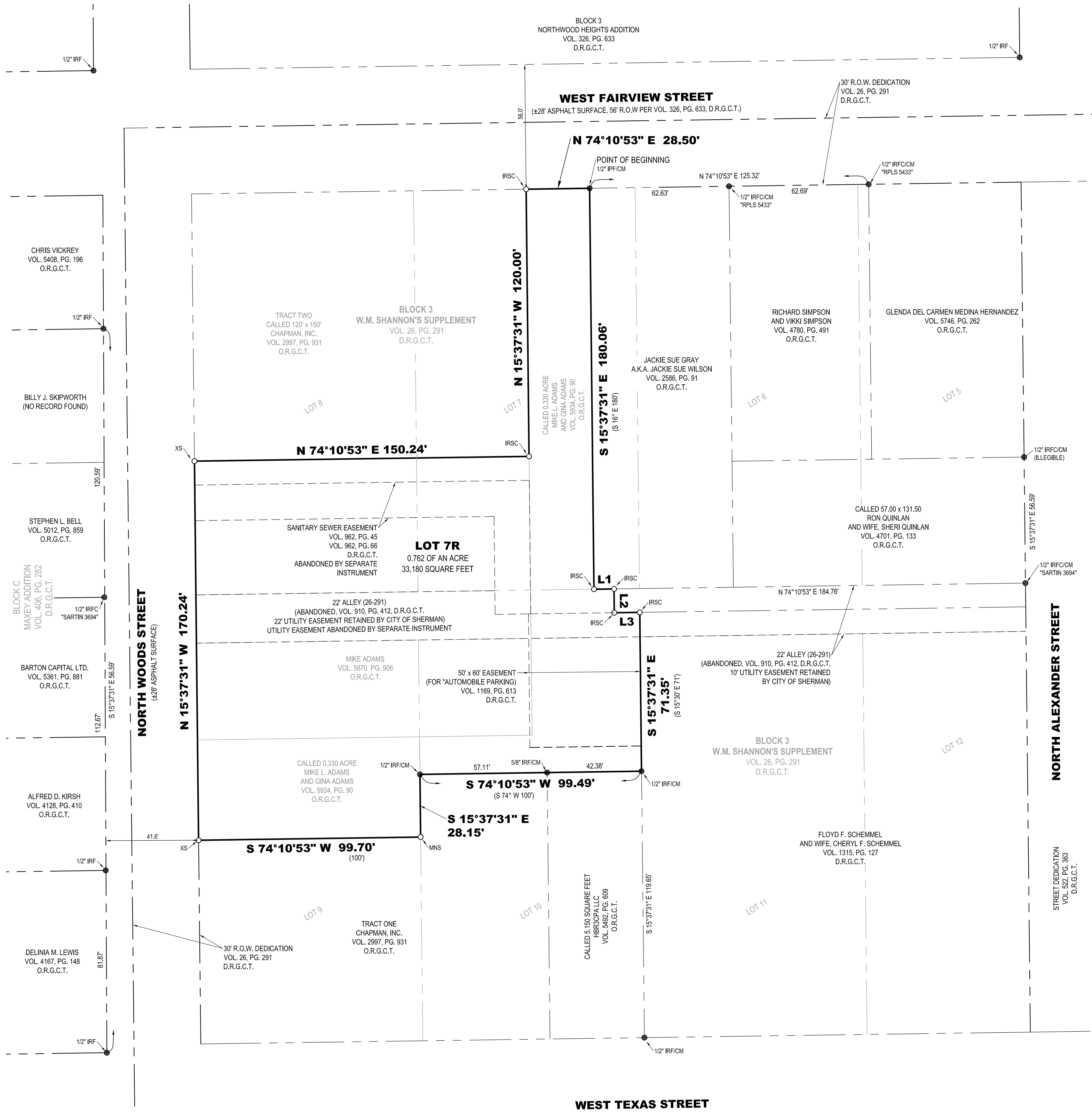
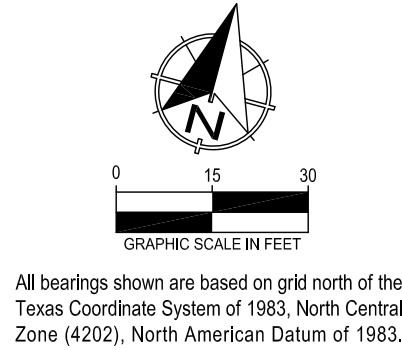


City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 129 ft



LEGEND	
● FOUND MONUMENT	R.O.W. RIGHT-OF-WAY
○ SET MONUMENT	O.R.G.C.T. OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
IRSC 1/2" IRON ROD W/ "PRESTON TRAIL LAND SURVEYING, RPLS 6585" CAP SET	D.R.G.C.T. DEED RECORDS, GRAYSON COUNTY, TEXAS
IRFC IRON ROD FOUND	VOL., PG. VOLUME, PAGE
IRFC IRON ROD FOUND W/ PLASTIC CAP	----- BOUNDARY LINE
MNS MAG NAIL SET W/ "PRESTON TRAIL, RPLS 6585" ALUMINUM WASHER SET	----- ADJOINER LINE
XS "X" SCRIBED IN CONCRETE SET	----- EASEMENT
CM CONTROLLING MONUMENT	

LINE	BEARING	DISTANCE
L1	N 74°10'53" E	9.00'
L2	S 15°37'31" E	10.68'
L3	N 74°10'53" E	11.45'

REPLAT
W.M. SHANNON'S SUPPLEMENT
BLOCK 3, LOT 7R
0.762 OF AN ACRE
Being a part of Lots 7, 8, 9 and 10,
and an abandoned alley in Block 3
W.M. Shannon's Supplement
City of Sherman, Grayson County, Texas

Preston Trail LAND SURVEYING		83493 N. State Hwy 289, Suite 5 Pottsboro, TX 75076 www.prestontrailandsurveying.com 903-213-0033	
TBPLS Firm No. 10164175	Drawn by: JEG Checked by: CRN	Scale: 1"=30' Date: 03-24-2017	Project No: 16-0465.2 Sheet No. 1 of 2

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF GRAYSON §

WHEREAS MIKE L. ADAMS and GINA ADAMS are the rightful owners of all of that certain tract or parcel of land situated in the City of Sherman, Grayson County, Texas, being all of a tract of land described in the deed to Mike Adams, recorded in Volume 5870, Page 906, and all of a called 0.330 acre tract of land described in the deed to Mike L. Adams and Gina Adams, recorded in Volume 5934, Page 90, both of the Official Records of Grayson County, Texas, same being a part of Lots 7, 8, 9 and 10, Block 3, of W.M. Shannon's Supplement, an addition to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Volume 26, Page 291, Deed Records of Grayson County, Texas, and a part of a 22-foot alley abandoned in Volume 910, Page 412, said Deed Records, and being and being more particularly described as follows:

BEGINNING at a 1/2-inch iron pipe found for the northeast corner of said 0.330 acre tract, common to the northwest corner of a tract of land described in the deed to Jackie Sue Gray A.K.A. Jackie Sue Wilson, recorded in Volume 2586, Page 91, said Official Records, and on the northerly line of Lot 7, and on the northerly line of said Block 3, and on the southerly right-of-way line of West Fairview Street, and from which a 1/2-inch iron rod with a plastic cap stamped "RPLS 5433" found for the northeast corner of a tract of land described in the deed to Richard Simpson and Vikki Simpson, recorded in Volume 4780, Page 491, said Official Records, and on the northerly line of Lot 5 of said Block 3, bears North 74°10'53" East, a distance of 125.32 feet;

THENCE South 15°37'31" East, with the easterly line of said 0.330 acre tract, and with the westerly line of said Gray tract, crossing said Lot 7, a distance of 180.06 feet to a 1/2-inch iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" (hereinafter referred to as Capped Iron Rod) set for a re-entrant corner of said 0.330 acre tract, and on the northerly line of said abandoned 22-foot alley;

THENCE North 74°10'53" East, with a northerly line of said 0.330 acre tract, and with the southerly line of said Gray tract, with the southerly line of said Lot 7, and with the northerly line of said abandoned 22-foot alley, a distance of 9.00 feet to a Capped Iron Rod set for a salient corner of said 0.330 acre tract;

THENCE South 15°37'31" East, with an easterly line of said 0.330 acre tract, crossing said abandoned 22-foot alley, a distance of 10.68 feet to a Capped Iron Rod set for a re-entrant corner of said 0.330 acre tract, and at the centerline of said abandoned 22-foot alley;

THENCE North 74°10'53" East, with a northerly line of said 0.330 acre tract, and with the centerline of said abandoned 22-foot alley, a distance of 11.45 feet to a Capped Iron Rod set for a salient corner of said 0.330 acre tract, common to the northwest corner of a tract of land described in the deed to Floyd F. Schemmel and wife, Cheryl F. Schemmel, recorded in Volume 1315, Page 127, said Deed Records;

THENCE South 15°37'31" East, with an easterly line of said 0.330 acre tract, and with the westerly line of aforesaid Schemmel Tract, crossing said abandoned 22-foot alley part of the way, and with the easterly line of said Lot 10 and the westerly line of Lot 11 of said Block 3 part of the way, a distance of 71.35 feet to a 1/2-inch iron rod found for the southeast corner of said 0.330 acre tract, common to the northeast corner of a called 5,150 square feet tract of land described in the deed to HBR3CPA LLC, recorded in Volume 5492, Page 609, said Official Records, and from which a 1/2-inch iron rod found for the southeast corner of said 5,150 square feet tract, common to the southwest corner of said Schemmel tract, and common to the southeast corner of said Lot 10, and common to the southwest corner of said Lot 11, and on the northerly right-of-way line of West Texas Street, bears South 15°37'31" East, a distance of 119.65 feet;

THENCE South 74°10'53" West, with a southerly line of said 0.330 acre tract, and with the northerly line of said 5,150 square feet tract, crossing said Lot 10, passing en route at a distance of 42.38 feet a 5/8-inch iron rod found for the northwest corner of said 5,150 square feet tract, common to the northeast corner of a tract of land described as Tract One in said deed recorded in Volume 2997, Page 931, and continuing on said course with a northerly line of said Tract One, a total distance of 99.49 feet to a 1/2-inch iron rod found for a re-entrant corner of said 0.330 acre tract, common to the norther-most northwest corner of said Tract One, and on the westerly line of said Lot 10, and on the easterly line of aforesaid Lot 9;

THENCE South 15°37'31" East, with an easterly line of said 0.330 acre tract, and with a westerly line of said Tract One, and with the westerly line of said Lot 10, and with the easterly line of said Lot 9, a distance of 28.15 feet to a MAG nail with an aluminum washer stamped "PRESTON TRAIL RPLS 6585" set for a salient corner of said 0.330 acre tract, common to a re-entrant corner on the northerly line of said Tract One;

THENCE South 74°10'53" West, with a southerly line of said 0.330 acre tract, and with a northerly line of said Tract One, crossing said Lot 9, a distance of 99.70 feet to an "X" cut scribed in concrete set for the southwest corner of said 0.330 acre tract, common to the northwest corner of said Tract One, and on the westerly line of said Lot 9, and on the easterly right-of-way line of North Woods Street;

THENCE North 15°37'31" West, with the westerly lines of said 0.330 acre tract, aforesaid Adams tract (5870-906) and with the westerly lines of said Lot 9, aforesaid abandoned 22-foot alley and aforesaid Lot 8, and with the westerly line of said Block 3, and with the easterly right-of-way line of said North Woods Street, a distance of 170.24 feet to an "X" cut scribed in concrete set for the northwest corner of said Adams tract (5870-906), common to the southwest corner of a called 120-foot x 150-foot tract of land described as Tract Two in the deed to Chapman, Inc., recorded in Volume 2997, Page 931, said Official Records;

THENCE North 74°10'53" East, with the northerly line of said Adams tract (5870-906), and with the southerly line of said Tract Two, a distance of 150.24 feet to a Capped Iron Rod set for the northeast corner of said Adams tract (5870-906), common to the southeast corner of said Tract One, and common to a re-entrant corner on the westerly line of said 0.330 acre tract;

THENCE North 15°37'31" West, with the westerly line of said 0.330 acre tract, and with the easterly line of said Tract Two, a distance of 120.00 feet to the POINT OF BEGINNING and enclosing 0.762 of an acre (33,180 square feet) of land, more or less.

CITY COUNCIL CERTIFICATE OF ACCEPTANCE

Accepted by the City Council of the City of Sherman, Texas:

Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing plat of **W.M. SHANNON'S SUPPLEMENT, BLOCK 3, LOT 7R** to the City of Sherman was submitted to the City Council on the _____ day of _____, 20____, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places as shown and set forth in and upon said map or plat and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this _____ day of _____, A.D. 20____.

Clerk, City of Sherman, Texas

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That **MIKE L. ADAMS and GINA ADAMS and CHAPMAN, INC.**, do hereby adopt this plat designating the hereinbefore described property as **W.M. SHANNON'S SUPPLEMENT, BLOCK 3, LOT 7R**, an Addition to the City of Sherman, Grayson County, Texas, and does hereby dedicate to the public use forever all streets, rights-of-way, alleys and easements shown thereon. The City or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Sherman, Texas.

BY: **MIKE L. ADAMS**

By: _____
Owner

STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Mike L. Adams, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20____.

Notary Public in and for the State of Texas

BY: **GINA ADAMS**

By: _____
Owner

STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Gina Adams, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20____.

Notary Public in and for the State of Texas

SURVEYORS CERTIFICATE

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground and that all monuments shown hereon actually actually exist and that their location, size, and material are correctly shown.

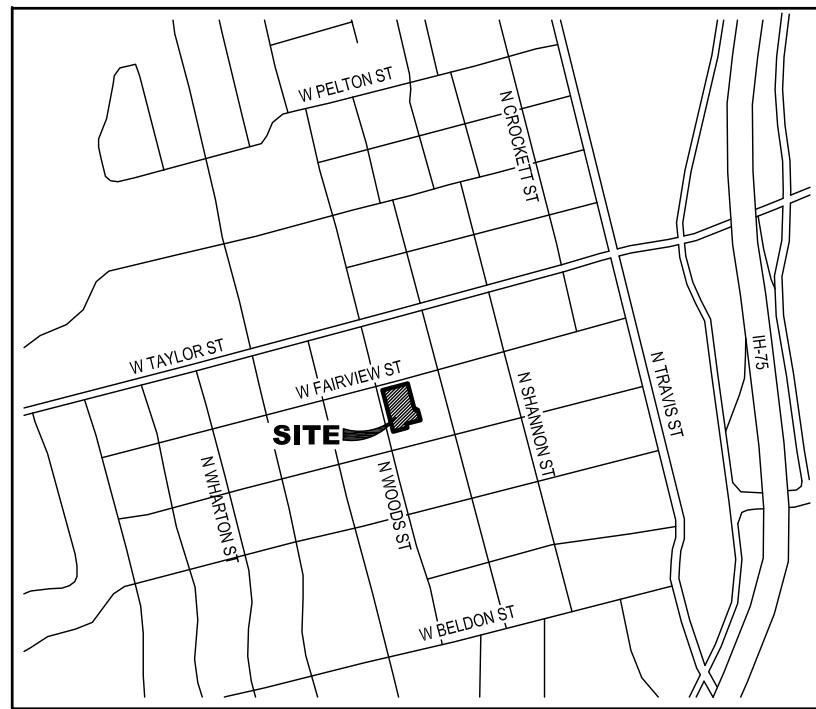
Chris R. Noah Date
Registered Professional Land Surveyor No. 6585

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

PLANNING AND ZONING COMMISSION CERTIFICATE OF ACCEPTANCE

Accepted this _____ day of _____, 20____,
by the City Planning and Zoning Commission of the City of Sherman, Texas.

Chairman Secretary



VICINITY MAP
(NOT TO SCALE)

OWNER:
Mike L. and Gina Adams
1721 N. Woods Street
Sherman, TX 75091
Ph.

SURVEYOR:
Chris Noah, RPLS 6585
Preston Trail Land Surveying
83493 N State Highway 289
Suite No. 5
Pottsboro, TX 75076
Ph: 903-213-0033

REPLAT
W.M. SHANNON'S SUPPLEMENT
BLOCK 3, LOT 7R
0.762 OF AN ACRE
Being a part of Lots 7, 8, 9 and 10,
and an abandoned alley in Block 3
W.M. Shannon's Supplement
City of Sherman, Grayson County, Texas

Preston Trail LAND SURVEYING		83493 N. State Hwy 289, Suite 5 Pottsboro, TX 75076 www.prestontrailandsurveying.com 903-213-0033	
TBPLS Firm No. 10164175	Drawn by: JEG Checked by: CRN	Scale: 1"=30' Date: 03-24-2017	Project No: 16-0465.2 Sheet No. 2 of 2

STAFF REVIEW LETTER

April 10, 2017

Mike L. & Gina Adams
1721 N. Woods Street
Sherman, TX 75091

Preston Trail Land Surveying
83493 N. S.H. 289, Suite 5
Pottsboro, TX 75076

Dear Applicants,

The request for approval of the Replat W.M. Shannon's Supplement Block 3, Lot 7R has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, April 18, 2017 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. The City of Sherman does not maintain alleys.
6. Require City Council approval to abandon easements by separate instrument.
7. Easements to be abandoned by separate instrument must show Volume and Page of said instrument.
8. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
9. 2 Mylars must be submitted in 24"x36" size for recording. 1 mylar must be split to be 2-12"x18" pages per Grayson County requirements. 1 page must have the legal description and the other page must have the image. Both mylars must look the same with the exception of the split line down the middle. Both split pages must include the Subdivision Name block. Submit digital image to the Engineering department for approval prior to printing mylars.

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

If additional information or clarification is needed, do not hesitate to contact Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Danny Fuller, Fire Marshal
Steve Ayers, Dir. Of Community and Support Services

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Don Keene, Asst. City Manager



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

Agenda Item No. 15.

Meeting Date: 04/18/2017

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

Joe Gilbert, Chairman

Kyle Patterson, Vice-Chairman

Sam Thorpe, Commissioner

Eric Elliott, Commissioner

Chris Vellotti, Commissioner

Sean Vanderveer, Commissioner

Shawn Davis, Commissioner

Jeff Adams, Commissioner

Clay Mahone, Commissioner

Requested Action/Proposed Use:

*** 1711 & 1715 N. WOODS**

The request of Mike and Gina Adams (Owners) and Preston Trail Land Surveying, LLC (Surveyor) concerning the property located at 1711 and 1715 North Woods Street, being part of Lots 7, 8, 9 and 10 and an abandoned alley in Block 3, W.M. Shannon's Supplement, containing 0.762 acres, as follows:

Planning and Zoning Board

Replat W.M. Shannon's Supplement, Block 3, Lot 7R

Background:

The property is located at 1711 and 1715 North Woods between Fairview Street and Texas Street. The property is zoned a C-1 (Retail Business) District. The owner would like the replat the property into one lot for commercial development.

Adjacent Zoning:

R-1 (One Family Residential) District

R-2 (Multi-Family Residential) District

C-1 (Retail Business) District

Origination:

Mike and Gina Adams (Owners)

Preston Trail Land Surveying, LLC (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Replat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Meeting Date: 05/15/2017

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2017 Council Calendar

2017

JANUARY						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
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FEBRUARY						
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JULY						
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AUGUST						
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OCTOBER						
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NOVEMBER						
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DECEMBER						
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24	25	26	27	28	29	30
31						

1/2/2017	New Years Day/Called Council Meeting on 1/3/2017 - Cancelled
3/21/2017	Called Joint Meeting with SISD Board of Trustees
4/21/2017	Called Budget Planning Mtg in Council Chambers
5/22/2017	Called Council Meeting for Introduction, PH and Adoption of Annexation Ordinance (459.6 acre tract on Preston Club Drive in ETJ)
6/15-16/2017	Called Budget Workshop in Council Chambers
9/4/2017	Labor Day/Called Council Meeting on 9/5/2017

[illegible]