STATE OF TEXAS §

May 1, 2023

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on May 1, 2023.

MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR JOSH STEVENSON. COUNCIL MEMBERS DOBBS, HOLLAND, HOWETH, MARROQUIN, TEAMANN.

MEMBERS ABSENT: NONE.

CALL TO ORDER

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were led by Deputy Mayor Josh Stevenson.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of April 17, 2023. Council Member Howeth moved to approve the Minutes, as presented; Second by Council Member Dobbs; All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

CITIZEN'S COMMENTS

There were no citizen's comments.

CITIZENS COMMENTS

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.

Council Member Marroquin asked to remove item G-3, entitled "Consider Request to Temporarily Close Certain Streets for the "Cinco de Mayo Festival" on Friday, May 5, 2023," and to consider it in its regular order of business.

The Council reviewed the Consent Agenda. Council Member Stevenson moved to approve the Consent Agenda, with the exception of Item G-3, which will be considered in its regular order of business. Second by Council Member Holland. All present voted AYE.

CONSENT AGENDA

CONSIDER REQUEST TO TEMPORARILY CLOSE CERTAIN STREETS FOR THE "CINCO DE MAYO FESTIVAL" ON FRIDAY, MAY 5, 2023

Council Member Marroquin asked to remove Item G-3 from Consent Agenda for discussion in its regular order of business.

CLOSE STREETS CINCO DE MAYO FESTIVAL

He said the Hispanic Heritage Council is sponsoring the first Annual Cinco de Mayo Festival on May 5, 2023, from 6:00 pm until 10:00 pm, in downtown Sherman. He invited the Council Members and all citizens to join the fun with good food, drinks, and music.

ACTION TAKEN.
Motion by Council Member Teamann to approve the Request to temporarily close certain streets for the "Cinco de Mayo Festival" on Friday, May 5, 2023, as presented. Second by Council Member Stevenson.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

ORD 6589 GLOBALWAFERS ENTERPRISE ZONE

Mayor Plyler introduced Ordinance No. 6589 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE; DESCRIBING AVAILABILITY OF CERTAIN LOCAL INCENTIVES; DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES; AND NOMINATING GLOBALWAFERS AMERICA, LLC TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK FOR DESIGNATION AS A QUALIFIED BUSINESS AND ENTERPRISE PROJECT.

Mary Lawrence, Director of Finance, explained that GlobalWafers' first application for Enterprise Zone status was rejected because the map for Enterprise Zones was updated between the time of the first application and the evaluation by the Office of the Governor.

This is working favorably for GlobalWafers, because the first zone was considered not in an Enterprise Zone. Since then, that area has been included in an Enterprise Zone, which will give them some easier thresholds to meet to receive the State incentive.

GlobalWafers has redone their application, and the City is redoing the ordinance to state that they are located in an Enterprise Zone. There is no cost to the City. It is purely a State program.

No citizens appeared before the City Council to discuss Ordinance No. 6589.

The Public Hearing was closed.

ORD 6589 GLOBALWAFERS ENTERPRISE ZONE

<u>Ordinance 6589</u>
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE; DESCRIBING AVAILABILITY OF CERTAIN LOCAL INCENTIVES; DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES; AND NOMINATING GLOBALWAFERS AMERICA, LLC TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK FOR

DESIGNATION AS A QUALIFIED BUSINESS AND ENTERPRISE PROJECT.

ACTION TAKEN.
Motion by Council Member Teamann to adopt Ordinance No. 6589, as presented. Second by Deputy Mayor Stevenson.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 7059
DOWNTOWN BUILDING IMPROVEMENT GRANT
(123 S. CROCKETT ST)

RESOLUTION NO. 7059 -- AUTHORIZING EXECUTION OF AN AGREEMENT WITH DAVID DOWNTAIN, D/B/A RP SHERMAN PROPERTIES II, LLC UNDER THE CITY OF SHERMAN'S DOWNTOWN BUILDING IMPROVEMENT GRANT PROGRAM FOR RENOVATIONS AT 124 S CROCKETT STREET
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH DAVID DOWNTAIN, D/B/A RP SHERMAN PROPERTIES II, LLC UNDER THE CITY OF SHERMAN'S DOWNTOWN BUILDING IMPROVEMENT GRANT PROGRAM FOR RENOVATIONS TO 124 S CROCKETT STREET.

Nate Strauch, Community and Support Services Manager, said this project is especially exciting for downtown, because it already has a tenant attached to it.

David Downtain, RP Sherman Properties II, said he was grateful for the Council's commitment to the revitalization of the downtown. This property is at the corner of Crockett and Lamar Streets, and is known as the King Building.

They have been working with a new restaurant, and have a pretty aggressive schedule for the project. They are adding a fire suppression system and grease trap to help facilitate the project. Mr. Downtain is requesting the Downtown Building Improvement Grant to assist with the improvements.

Mr. Downtain said the restaurant will be an Italian Restaurant that hasn't formally made their announcement, but they have signed a lease, and are working on some branding. The company has had restaurants in New York for 40 years. They also have some in East Texas, but this is the farthest west they have gone. He said the name of the restaurant is La Paisa Restaurante.

Robby Hefton, City Manager, asked about the timing, or the goal of the project. Mr. Downtain said one of the most challenging issue is the utilities and the fire suppression issues.

ACTION TAKEN.
Motion by Council Member Stevenson to approve Resolution No. 7059, as presented. Second by Council Member Teamann.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

Mayor Plyler asked that the captions of Resolutions 7060 and 7061 be read together.

RES 7060 CONVEY REAL PROPERTY (NORTH CREEK PARK ADDITION)

<u>RESOLUTION NO. 7060 -- AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO FINALIZE NEGOTIATIONS AND TO FINALIZE AND EXECUTE DOCUMENTS FOR THE CONVEYANCE OF REAL PROPERTY FROM YOUNG ENTERPRISES, LP, LOCATED AT LOT 3R-A OF NORTH CREEK PARK ADDITION, AS SHOWN IN PLAT OF RECORD IN DOCUMENT NO. 2023-79, PLAT RECORDS, GRAYSON COUNTY, TEXAS</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO FINALIZE NEGOTIATIONS AND TO FINALIZE AND EXECUTE CONTRACT DOCUMENTS FOR THE CONVEYANCE OF REAL PROPERTY FROM YOUNG ENTERPRISES, LP, LOCATED AT LOT 3R-A OF NORTH CREEK PARK ADDITION, AS SHOWN IN PLAT OF RECORD IN DOCUMENT NO. 2023-779, PLAT RECORDS, GRAYSON COUNTY, TEXAS.

RES 7061 NORTHCREEK SUBDIVISION PARK EQUIPMENT

<u>RESOLUTION NO. 7061 -- AUTHORIZING EXECUTION OF A CONTRACT WITH HUNTER KNEPSHIELD OF TEXAS, INC. FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND AND PARK EQUIPMENT AT THE NORTHCREEK SUBDIVISION THROUGH THE BUYBOARD PURCHASING COOPERATIVE</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT WITH HUNTER KNEPSHIELD OF TEXAS, INC. FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND AND PARK EQUIPMENT AT THE NORTHCREEK SUBDIVISION THROUGH THE BUYBOARD PURCHASING COOPERATIVE.

Clint Philpott, Assistant City Manager, said the first resolution is for the City to sign over a deed for this property. Negotiations have been ongoing for about nine months. Young Enterprises wanted to donate some property in the Northcreek Subdivision, for a neighborhood park.

The park will not have specific parking, it is really a neighborhood park for residents to walk too. He said the project works well with the City's Master Plan.

Mr. Philpott said the Rotary Club wanted to put some money toward a playground in the park. They will help fund the playground equipment.

The second resolution is for the purchase and installation of the park equipment. He said it will be a quick turnaround from commercial property to a residential park.

Theresa Hutchinson, Parks and Recreation Manager, said the park equipment will be a playground structure for up to 47 kids, for ages 5 to 12. It will also include a swing set, some other equipment, and a 20' pavilion. They hope to have the project completed by October 2023, in conjunction with the 100th Anniversary of the Rotary Club in Sherman.

ACTION TAKEN.
Motion by Council Member Howeth to approve Resolution Nos. 7060 and 7061, as presented. Second by Council Member Dobbs.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 7062
RIGHT-OF-WAY &
EASEMENTS
(HWY 75)

RESOLUTION NO. 7062 -- AUTHORIZING EXECUTION OF AN AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO ACQUIRE RIGHT OF WAY AND EASEMENTS ALONG U.S. HIGHWAY 75 IN THE CITY OF SHERMAN
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO ACQUIRE RIGHT OF WAY AND EASEMENTS ALONG U.S. HIGHWAY 75 IN THE CITY OF SHERMAN.

Mr. Philpott said the Texas Department of Transportation is working on the portion of Hwy 75, between FM 1417 and Texoma Parkway. They have multiple contracts to complete the three lanes south to the County line. The next phase will be for three lanes from Texoma Parkway to Hwy 82.

Part of that agreement is for the City to contribute 10% on any right-of-way or utility relocation costs. The right-of-way on this is fairly small and the City's portion should be about $50,000. Total cost for the project is about $114 million, and they are hoping to have the project designed, utilities relocated, and the right-of-way acquired so it will be ready for construction in 2025.

Funding will still need to be acquired by the State. He said they would probably ask for additional local match from the MPO, the County, and the City, to move that project ahead, in the State's schedule.

ACTION TAKEN.
Motion by Council Member Holland to approve Resolution No. 7062, as presented. Second by Council Member Howeth.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 7063
TERMINAL STORAGE
RESERVOIR & PUMP
STATION DESIGN

Mayor Plyler asked that the captions of Resolutions 7063, 7064, 7065, 7066, and 7067 be read together.

RESOLUTION NO. 7063 -- AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC. FOR DESIGN OF THE TERMINAL STORAGE RESERVOIR AND PUMP STATION
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A

PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC. FOR THE TERMINAL STORAGE RESERVOIR AND PUMP STATION.

RES 7064
DOWNTOWN
WASTEWATER
IMPROVEMENTS
PHASE 1

RESOLUTION NO. 7064 -- AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH BURGESS & NIPLE, INC. FOR THE DOWNTOWN WASTEWATER IMPROVEMENTS, PHASE 1 PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH BURGESS & NIPLE, INC. FOR THE DOWNTOWN WASTEWATER IMPROVEMENTS, PHASE 1 PROJECT.

RES 7065
WASTEWATER
TREATMENT &
WATER REUSE
MASTER PLAN
PROJECT

RESOLUTION NO. 7065 -- AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PLUMMER ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR DESIGN OF THE WASTEWATER TREATMENT AND WATER REUSE MASTER PLAN PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PLUMMER ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR DESIGN OF THE WASTEWATER TREATMENT AND WATER REUSE MASTER PLAN PROJECT.

RES 7066
WATER TREATMENT
PLANT EXPANSION
PROJECT

RESOLUTION NO. 7066 -- AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH GARVER. LLC FOR THE DESIGN OF THE SHERMAN WATER TREATMENT PLANT EXPANSION PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH GARVER, LLC FOR DESIGN OF THE SHERMAN WATER TREATMENT PLANT EXPANSION PROJECT.

RES 7067
WATER TREATMENT
PLANT-
CONCENTRATE
DISCHARGE &
OUTFALL DESIGN

RESOLUTION NO. 7067 -- AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PAPE-DAWSON ENGINEERS, INC. FOR SHERMAN WATER TREATMENT PLANT - CONCENTRATE DISCHARGE AND OUTFALL DESIGN SERVICES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PAPE-DAWSON ENGINEERS, INC. FOR SHERMAN WATER TREATMENT PLANT - CONCENTRATE DISCHARGE AND OUTFALL DESIGN SERVICES.

Wayne Lee, Director of Engineering, said there was recently a Greater Texoma Utility Authority bond approval for $117 million in project funding. The resolutions tonight would account for about $28 million being allocated.

Resolution 7063 is for about $2 million for engineering funds for the Terminal Storage Reservoir and Pump Station.

Resolution 7064 is an amendment to an existing contract with Burgess & Niple for Downtown Wastewater Improvements, Phase 1. It's about $104,000 added to their contract to complete the design. This project was funded from the TIRZ #2.

Resolution 7065 is an amendment to an existing contract with Plummer Associates, for design services at the Wastewater Treatment Plant, as they have evaluated the capacity at the plant, and the improvements that need to be made in the near future. Cost is about $11.4 million.

Resolution 7066 is an amendment to an existing service agreement with Garver, for expansion of the Water Treatment Plant. The contract is for the design of the improvements. Cost is about $14.3 million.

Resolution 7067 is an amendment to an existing service agreement with Pape-Dawson, for the concentrate that is produced through the water treatment process. Some additional engineering has been added to the work to determine a different outfall location, based on negotiations with the property owner. Cost is approximately $153,000.

Council Member Howeth verified that on Resolution 7064, the cost is only for the design, and will not impact the businesses yet. The timeline for downtown is for construction to happen after December 2023. The design will be completed sooner.

Council Member Teamann asked if the funds will be reallocated back to the TIRZ from the bond package. Mr. Hefton said they are just accumulating the funds and will be bonded against the TIRZ money. Ms. Lawrence said they had already issued the debt last year. There is about $3 million, and improvements will be constructed until they "run out of money."

Council Member Teamann questioned why the cost was so much greater on the Water Treatment Plant. Last time it cost $30 million and now it's $16 million just for the engineering. Mr. Lee discussed the difference in the projects. Tom Pruitt, Utility Engineer, outlined the construction of the new project and what it entailed. Inflation is also a factor in the additional cost. Mr. Hefton said they also need to maximize output from the well system too, and not just the Water Treatment Plant.

Council Member Marroquin asked, once the project is started, how long will it take to complete the Downtown Wastewater Improvements (Resolution 7064). Mr. Lee felt it should take less than a year to complete the project. Mr. Philpott added that there is a lot that could go wrong, because there are multiple lines, and they want to start on one line and get it completed before they start on another. Also, some of the lines are in the roadway and some are in the alley.

ACTION TAKEN.
Motion by Deputy Mayor Stevenson to approve Resolution Nos. 7063, 7064, 7065, 7066, and 7067, as presented. Second by Council Member Holland.
VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 7068
ASSIGNMENT OF WATER SERVICES AGREEMENT & TAX ABATEMENT AGREEMENT FROM PANDA SHERMAN POWER TO RAYBURN ENERGY STATION

RESOLUTION NO. 7068 -- CONSENTING TO ASSIGNMENT BY PANDA SHERMAN POWER, LLC TO RAYBURN ENERGY STATION LLC OF WATER SERVICES AGREEMENT DATED OCTOBER 26, 2011 AND TAX ABATEMENT AGREEMENT DATED OCTOBER 3, 2011 BETWEEN THE CITY OF SHERMAN, TEXAS AND PANDA SHERMAN POWER, LLC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CONSENTING TO ASSIGNMENT BY PANDA SHERMAN POWER, LLC TO RAYBURN ENERGY STATION LLC OF WATER SERVICES AGREEMENT DATED OCTOBER 26, 2011 AND TAX ABATEMENT AGREEMENT DATED OCTOBER 3, 2011 BETWEEN THE CITY OF SHERMAN, TEXAS AND PANDA SHERMAN POWER, LLC.
CONSENT AGENDA.

RES 7069
TxDOT TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM

RESOLUTION NO. 7069 -- AUTHORIZING SUBMISSION OF AN APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION'S 2023 TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM FOR PROJECTS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING SUBMISSION OF AN APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION'S 2023 TRANSPORTATION ALTERNATIVES SET-ASIDE CALL FOR PROJECTS.
CONSENT AGENDA.

RES 7070
ANNUAL SUPPLY OF WATER METERS

RESOLUTION NO. 7070 -- AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH WATER WORKS METROLOGY, LLC FOR AN ANNUAL SUPPLY OF WATER METERS FOR THE CUSTOMER AND UTILITY SERVICES DEPARTMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH WATER WORKS METROLOGY, LLC FOR AN ANNUAL SUPPLY OF WATER METERS FOR THE CUSTOMER AND UTILITY SERVICES DEPARTMENT.
CONSENT AGENDA.

RES 7071
WATER TREATMENT PLANT TELEHANDLER

RESOLUTION NO. 7071 -- AUTHORIZING THE PURCHASE OF A NEW GTH-5519 TELEHANDLER FROM TEREX GOVERNMENT PROGRAMS FOR THE WATER TREATMENT PLANT THROUGH THE U.S. GENERAL SERVICES ADMINISTRATION (GSA) MULTIPLE AWARD SCHEDULE COOPERATIVE PURCHASING PROGRAM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW GTH-5519 TELEHANDLER FROM TEREX GOVERNMENT

PROGRAMS FOR THE WATER TREATMENT PLANT THROUGH THE U.S. GENERAL SERVICES ADMINISTRATION MULTIPLE AWARD SCHEDULE PURCHASING PROGRAM.
CONSENT AGENDA.

RES 7072
AMBULANCE
PURCHASE

RESOLUTION NO. 7072 -- AUTHORIZING THE PURCHASE OF A 2023 FRAZER TYPE I 14' MODULE AMBULANCE FOR SHERMAN FIRE-RESCUE FROM RUSH TRUCKS OF OHIO AND FRAZER LTD, THROUGH BUYBOARD
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A 2023 FRAZER TYPE I 14' MODULE AMBULANCE FOR THE SHERMAN FIRE DEPARTMENT FROM RUSH TRUCKS OF OHIO AND FRAZER, LTD. THROUGH BUYBOARD.
CONSENT AGENDA.

REQ TO ADVERTISE
ANNUAL AUDIT

REQUEST TO ADVERTISE
SERVICES TO PERFORM THE ANNUAL AUDIT FOR THE PERIOD ENDING SEPTEMBER 30, 2023
The City Council approved the request to advertise for services to perform the Annual Audit for the City of Sherman, for the period ending September 30, 2023.

By Charter, the Council is required to annually appoint an independent auditor to perform a financial audit of the City. A compliance audit is also required in years when federal and state grant expenditures exceed certain amounts.

Five years ago, Pattillo, Brown & Hill, LLP was awarded the audit, based on their bid. All renewals for the services have expired and the staff will need bids for a new term.
CONSENT AGENDA.

OTHER BUSINESS
Mayor Plyler asked that the captions of Items G-1 and G-2 be read together.

ANNEXATION
SCHEDULE FOR
CITY OF SHERMAN
EAST STREET
PROPERTY

CONSIDER THE APPROVAL OF THE ANNEXATION SCHEDULING PLAN FOR ADOPTION OF APPROXIMATELY 78 ACRES OF LAND LOCATED NORTH OF POST OAK CREEK, SOUTH OF THREE OAKS, PHASE II, AND ALONG THE BURLINGTON SANTA FE RAILROAD, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRATERRITORIAL JURISDICTION; AND DIRECTING THE DEPARTMENT OF ENGINEERING SERVICES TO DEVELOP A SERVICE PLAN FOR THE AREA TO BE ANNEXED UPON APPROVAL OF THE ANNEXATION SCHEDULING PLAN

ANNEXATION
SCHEDULE FOR
THREE OAKS,
PHASE III

CONSIDER APPROVAL OF THE ANNEXATION SCHEDULING PLAN FOR ADOPTION OF APPROXIMATLEY 25.08 ACRES OF LAND LOCATED NORTH OF POST OAK CREEK, EAST OF U.S. HIGHWAY 75 AND SOUTH OF THREE OAKS, PHASE II, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRATERRITORIAL JURISDICTION; AND DIRECTING THE DEPARTMENT OF ENGINEERING SERVICES TO DEVELOP A SERVICE PLAN FOR THE AREA TO BE ANNEXED UPON APPROVAL OF THE ANNEXATION SCHEDULING PLAN

Mr. Philpott said these items are related to the Parks Master Plan and the development in South Sherman. The first one is the City's property that is located outside the City limits. The second one is adjacent to the future park, but a large portion is expected to be donated for Shark Tooth Park, as part of the Three Oaks Development.

If approved, both public hearings will be at the next Council Meeting. If they are annexed into the City, they can move forward with development agreements and park implementation.

ACTION TAKEN.

Motion by Council Member Teamann to approve the Annexation Scheduling Plan for the City of Sherman's East Street Property and the Annexation Scheduling Plan for Three Oaks, Phase III, as presented. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Holland, Howeth, Marroquin, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

COUNCIL COMMENTS

COUNCIL COMMENTS
There were no Council comments.

EXECUTIVE SESSION

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.

TEX. GOV'T CODE § 551.071 --
SEEKING THE ADVICE OF ITS ATTORNEY ABOUT PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS OR ANY MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE TEXAS OPEN MEETINGS ACT

a) Received legal advice regarding wastewater treatment agreement dated November 2, 2009 and related issues

TEX. GOV'T CODE § 551.072 --
DELIBERATING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.073 --
DELIBERATING A NEGOTIATED CONTRACT FOR A PROSPECTIVE GIFT OR DONATION TO THE CITY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.074 --
DELIBERATING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE; OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE UNLESS THE OFFICER OR EMPLOYEE WHO IS THE SUBJECT OF THE DELIBERATION OR HEARING REQUESTS A PUBLIC HEARING

TEX. GOV'T CODE § 551.076 –
DELIBERATING THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES OR A SECURITY AUDIT

TEX. GOV'T CODE § 551.087 –
DISCUSSING OR DELIBERATING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE CITY SEEKS TO HAVE LOCATE, STAY OR EXPAND IN OR NEAR THE CITY AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR DELIBERATING THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT

a) Economic development prospect

TEXAS GOV'T CODE § 551.089 --
DELIBERATING SECURITY ASSESSMENTS OR DEPLOYMENTS RELATING TO INFORMATION RESOURCES TECHNOLOGY, NETWORK SECURITY INFORMATION, OR THE DEPLOYMENT OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL, CRITICAL INFRASTRUCTURE OR SECURITY DEVICES

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:32 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:23 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

OPEN MEETING

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:24 p.m.

ADJOURNMENT

MAYOR

Linda Ashby
CITY CLERK