

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, APRIL 18, 2016
5:00 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. PLEDGE OF ALLEGIANCE LED BY DEPUTY MAYOR JASON SOFEY**
- A. 3. INVOCATION BY DEPUTY MAYOR JASON SOFEY**
- A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 4, 2016**

Proclamations

- B. 1. PROCLAMATION**
“Texoma Earth Day” – April 23, 2016

Public Hearing

- C. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5946**
Directing Oncor Electric Delivery Company, LLC to File Certain Information with the City of Sherman, Texas; Setting a Procedural Schedule for the Gathering and Review of Necessary Information in Connection Therewith; Setting Dates for the Filing of the City’s Analysis of the Company’s Filing and the Company’s Rebuttal to Such Analysis; Ratifying the Hiring of Legal Counsel and Consultants; Reserving the Right to Require the Reimbursement of the City of Sherman’s Rate Case Expenses; Setting a Public Hearing for the Purposes of Determining if the Existing Rates of Oncor Electric Delivery Company, LLC are Unreasonable or In Any Way in Violation of Any Provision of Law and the Determination by the City of Sherman of Just and Reasonable Rates to be Charged by Oncor Electric Delivery Company, LLC; Requiring Delivery of This Ordinance to the Company and the Steering Committee of Cities Served by Oncor’s Legal Counsel
- C. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5947**
Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Commercial Amusement Center (Baseball Training Facility with Batting Cages) in a C-2 (General Commercial) District at 1612 Baker Drive, being Lots 4 thru 9, Block 1, Joe Galbreth Subdivision (Eddie Young, Owner; Todd Young, Representative; and "The Bullpen", Chris Stephens, Tenant); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

- C. 3. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5948**
Renewing the Designation of Residential Reinvestment Zone, Number 041811-1, City of Sherman, Texas, for the Purpose of Residential Tax Abatement

Close Public Hearing and Consider Adoption of Ordinances

- C. 4. **ADOPTION OF ORDINANCES**
Consider Adoption of Ordinance Numbers: 5946, 5947 and 5948

- C. 5. **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

- D. 1. *** RESOLUTION NO. 6074**
Awarding a Bid to and Authorizing Execution of a Contract with Austin Asphalt, LP for an Annual Supply of Hot Mix Asphalt
- D. 2. *** RESOLUTION NO. 6075**
Authorizing Execution of an Agreement with Joey and Lynn Womble for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1012 North Harrison Avenue

Requests to Advertise

- E. 1. **REQUEST TO ADVERTISE**
Construction of a Biosolids Dewatering Facility at the Sherman Wastewater Treatment Plant

Other Business

- F. 1. **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 "7th Annual Lights on the Lake" on Saturday, July 2, 2016
- F. 2. *** OTHER BUSINESS**
Approve Quarterly Investment Report for Quarter Ended March 31, 2016
- G. **CITIZEN REQUESTS**
- H. **MEDIA QUESTIONS**
- I. **COUNCIL COMMENTS**

Executive Session

J. 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:
(a) Receive the City Attorney's Briefing on Pending or Contemplated Litigation |
| Section 551.074 | Personnel Matters:
(a) Consider the Qualifications, Appointment and Removal of Members to Boards and Commissions:
(1) Sherman Higher Education Finance Corporation (7) |
| 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

K. 1. OPEN MEETING

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

L. 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 April 14, 2016 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 14th day of April, 2016
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

Lawrence Davis, Council – District #1

Terrence R. Steele, Council – District #2

Tom Watt, Council – District #3

Tammy Johnson, Council – District #4



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. A. 4.

Meeting Date: 04/18/2016

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 4, 2016

Attachments

April 4, 2016

Substandard Structure Presentation

April 4, 2016

**MEMBERS PRESENT: MAYOR DAVID PLYLER.
COUNCIL MEMBERS COUCH, DAVIS, JOHNSON, STEELE,
WATT.**

CALL TO ORDER

CALL TO ORDER

APPROVE MINUTES

**CHILD ABUSE
AWARENESS MONTH
(APRIL 2016)**

**NATIONAL LIBRARY
WEEK
(APRIL 10-16, 2016)**

**NATIONAL PUBLIC
SAFETY TELE-
COMMUNICATORS**

1

Stenger, Police Communications Supervisor, designating April 10 through 16, 2016 as “National Public Safety Telecommunicators Week.” Ms. Stenger introduced fellow dispatchers Andrea Grimes, Assistant Communications Supervisor, and Lisa Williams, one of the newest dispatchers.

WEEK
(APRIL 10-16, 2016)

Mr. Stenger thanked the City Council for recognizing the dispatchers, who are often the “unsung heroes” on the other side of the telephone or radio. She said they play a vital role in helping the police and fire personnel. She added that it is a privilege to serve not only the Police and Fire Departments, but also the citizens of Sherman.

Council Member Watt said he had previously worked with Ms. Grimes and she did an amazing job. He said the City has a great staff of dispatchers and it is really appreciated.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

Mayor Plyler introduced Ordinance No. 5945 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED “BUILDING REGULATIONS”, AT ARTICLE 3.06, ENTITLED “HOUSING CODE”, DIVISION 2, ENTITLED “DANGEROUS BUILDINGS”, SECTION 3.06.010, 3.06.012, 3.06.014, 3.06.015, 3.06.016, 3.06.017, AND 3.06.018, AND DELETING IN ITS ENTIRETY SECTION 3.06.011; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

ORD 5945
SUBSTANDARD
STRUCTURES
BEFORE COUNCIL

Don Keene, Assistant City Manager, briefed the City Council on the staff’s latest efforts to address substandard structures. The City is trying to leverage their ability to fight the blight.

In the past, the City has handled substandard structures with varied results. But in June 2015, the City Council made it a priority by budgeting \$75,000 to accelerate the process and fund the demolition of vacant substandard structures in 2016.

The new program provides opportunities for the City to partner with property owners and offers options through Community Development Block Grant money. The property must be located in a specific area and the owners must meet some specific qualifications.

Under the program, the property owner would retain ownership of the property and no lien would be filed against the property. The goal is to revitalize the neighborhood and to open the property up for redevelopment.

The goal for FY 2015 was to demolish 15 substandard structures. Funding for the program would include \$45,000

from the General Fund and \$30,000 from CDBG money. The goal of the program is for a safer, cleaner City. Mr. Keene said partnering with the property owners is more efficient and the staff hopes this is the first year of a multi-year program.

Currently the City has demolished seven of the 15 houses planned for FY 2015. Three properties have been brought up to code and one has been demolished by the owner. He said five of the demolitions have been completed by City crews at a reduced cost and one has been done by a contractor. Eight properties are currently in process. Total cost of the project so far is approximately \$25,000. Dozens of structures have been identified as substandard.

Mr. Keene emphasized that clean lots are ready for rebirth, reinvestment, and redevelopment. Three lots that the City has cleared, on the corner of Chaffin and Andrews Streets, are on tonight's City Council agenda for residential tax abatements for the construction of new homes.

He outlined the process adding that in many cases, the properties that cause the most problem have absentee owners, which makes enforcement difficult. With the current process, the Substandard Commission has limited authority and there is a lengthy process with includes multiple layers of hearings and fines.

The proposed plan is much shorter, and issues of no compliance go to the City Council for a decision. In most cases, it is expected that the owners will either repair or agree to have the substandard structure demolished.

Mr. Keene said the proposed program will improve the overall safety, health, and appearance of the City; encourage rebirth and reinvestment; partner with property owners instead of working against them; simplify the process for improved efficiency; balance the public well being with private property rights; and provide a proactive, positive approach.

Council Member Steele asked about the fine levels that were used in the old process. Mr. Keene said he was not sure about the actual fine levels, because no fines have ever been collected.

Council Member Watt said the proposed program is outstanding. Many of the target properties are located in this district and he has already seen some good results.

Council Member Davis asked if there was a "similar thread" about how houses become substandard. Mr. Keene said there are probably several common threads, such as absentee ownership, property entwined in probate issues with many family members or owners, and sometimes, people just don't have the money to make repairs or to

demolish the structure. He said through this program, if a property owner meets the requirements, the Community Development Department can work with them on possible funding for repairs.

Robby Hefton, City Manager, said all of these structures are unoccupied, vacant structures. If these properties were an asset that could be income producing, such as a rental property, they would already be used for that. No one is being displaced.

Council Member Davis said if it was an asset, people could make the repairs. If it is torn down, it is an asset because the lot could be sold. Mr. Hefton said the program is either encouraging owners to make repairs so the property will become an asset or enabling them to have an asset that could be built on or sold to produce income.

Council Member Watt verified that the owner of a lot could rebuild on that lot after the City has cleared it. Mr. Hefton said there were no prohibitions about who builds on the lot. Mr. Keene said the City is looking for vacant structures that are a threat to the health and safety of the citizens.

Council Member Couch asked how many structures were in the downtown area. Mr. Keene said the concept works both with residential and commercial property. However commercial structures are different because you are required by law to have an asbestos inspection and it can become more expensive. The City does plan to “work the properties through the process” and see where they go. The staff plans to use the same approach for residential and commercial property.

Council Member Couch verified that approval of the proposed ordinance would repeal the Substandard Structure Commission. He felt this was a commonsense, simple approach to the issue.

No citizens appeared before the City Council to discuss Ordinance No. 5945.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 5945

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED “BUILDING REGULATIONS”, AT ARTICLE 3.06, ENTITLED “HOUSING CODE”, DIVISION 2, ENTITLED “DANGEROUS BUILDINGS”, SECTION 3.06.010, 3.06.012, 3.06.014, 3.06.015, 3.06.016, 3.06.017, AND 3.06.018, AND DELETING IN ITS ENTIRETY SECTION 3.06.011; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE.

ORD 5945
SUBSTANDARD
STRUCTURES
BEFORE COUNCIL

COUNCIL MINUTES – APRIL 4, 2016

ACTION TAKEN.

Motion by Council Member Watt to adopt Ordinance No. 5945, as presented. Second by Council Member Johnson.

VOTING AYE: Couch, Davis, Johnson, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6068 – ACCEPTING THE CONTRACT WITH FELIX CONSTRUCTION COMPANY AS COMPLETE FOR THE CONSTRUCTION OF THE CITY OF SHERMAN POST OAK CREEK WASTEWATER TREATMENT PLANT ULTRAVIOLET DISINFECTION SYSTEM PROJECT

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ACCEPTING THE CONTRACT WITH FELIX CONSTRUCTION COMPANY AS COMPLETE FOR THE CONSTRUCTION OF THE CITY OF SHERMAN POST OAK CREEK WASTEWATER TREATMENT PLANT ULTRAVIOLET DISINFECTION SYSTEM PROJECT.

CONSENT AGENDA.

RES 6068
WWTP ULTRAVIOLET
DISINFECTION
PROJECT

RESOLUTION NO. 6069 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH MENDI SALIJESKI FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 119 NORTH ANDREWS AVENUE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH MENDI SALIJESKI FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 119 NORTH ANDREWS AVENUE.

CONSENT AGENDA.

RES 6069
RESIDENTIAL TAX
ABATEMENT
(119 N. ANDREWS)

RESOLUTION NO. 6070 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH MENDI SALIJESKI FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 121 NORTH ANDREWS AVENUE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH MENDI SALIJESKI FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 121 NORTH ANDREWS AVENUE.

CONSENT AGENDA.

RES 6070
RESIDENTIAL TAX
ABATEMENT
(121 N. ANDREWS)

RESOLUTION NO. 6071 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH MENDI SALIJESKI FOR THE

RES 6071
RESIDENTIAL TAX

ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 125 NORTH ANDREWS AVENUE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH MENDI SALIJESKI FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 125 NORTH ANDREWS AVENUE.
CONSENT AGENDA.

ABATEMENT
(125 N. ANDREWS)

RESOLUTION NO. 6072 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH HABITAT FOR HUMANITY OF GRAYSON COUNTY FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 420 SOUTH RUSK STREET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH HABITAT FOR HUMANITY OF GRAYSON COUNTY FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 420 SOUTH RUSK STREET.
CONSENT AGENDA.

RES 6072
RESIDENTIAL TAX
ABATEMENT
(420 S. RUSK)

RESOLUTION NO. 6073 – AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BROCKETTE/DAVIS/DRAKE, INC. FOR THE ENGINEERING DESIGN OF A FOUR-LANE DIVIDED THOROUGHFARE FROM HERITAGE PARKWAY (FM 1417) THROUGH SHERMAN CROSSROADS TO US 75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BROCKETTE/DAVIS/DRAKE, INC. FOR THE ENGINEERING DESIGN OF A FOUR-LANE DIVIDED THOROUGHFARE FROM HERITAGE PARKWAY (FM 1417) THROUGH SHERMAN CROSSROADS TO US 75.

RES 6073
DESIGN OF
THOROUGHFARE
FROM FM 1417 TO
US HWY 75

Mr. Hefton said this is the first of many upcoming projects to award engineering and design contracts for utility and public works projects throughout the City. Development is driving the timing and pace of the projects.

Clay Barnett, Director of Public Works and Engineering, is helping vet through the qualification process for these engineers and design firms.

Mr. Barnett introduced Jim Riley, Associate with Brockette/Davis/Drake, Inc., adding that the staff is happy to be working with the company on the project.

Council Member Couch said he was excited to be moving forward with the repair of O.B. Groner Road. It was very rough and needs repair.

COUNCIL MINUTES – APRIL 4, 2016

ACTION TAKEN.

Motion by Council Member Davis to approve Resolution No. 6073, as presented. Second by Council Member Watt.

VOTING AYE: Couch, Davis, Johnson, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

OTHER BUSINESS

RECEIVE QUARTERLY PROGRESS REPORT FROM SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD CHAIRMAN WILLIE STEELE AND SEDCO EXECUTIVE VICE PRESIDENT FRANK E. GADEK

SEDCO QUARTERLY PROGRESS REPORT

Willie Steele, Chairman, Sherman Economic Development Corporation, presented the Sherman Economic Development Corporation's Quarterly Progress Report. He said John Plotnik, SEDCO President, was at a development meeting in Dallas.

On January 11, 2016, SEDCO presented an incentive payment of \$232,000 to Kaiser Aluminum for new equipment and facilities. On January 13, 2016, SEDCO and Midway Industrial Park broke ground on a 60,000 square foot industrial building.

Mr. Steele said on February 29, 2016, the Board approved a performance agreement with Anutak Products, Inc. for an insulation production company located behind the old Certainteed facility. The incentive will be \$25,000 based on a \$300,000 investment, with approximately 11 full time jobs.

Also on February 29, 2016, they approved a contract with J.P. Hart Lumber Company to purchase 37 acres located in Progress Park. This is one of the few actual property purchases in the Park. The contract includes \$20,000 in earnest money for a 90 day consideration.

SEDCO also approved a \$7,965 incentive on February 29, 2016, to Ball Corporation, which is located in the old Safeway building. They purchased some old tanks behind their facility and will use them to increase their product output.

Mr. Steele said SEDCO is currently working 21 active projects, with an estimated \$336 million in investments and 2,513 new jobs. Of course, Sherman will not get all the projects, but that indicates a great response. During the last quarter there were also 13 different site visits from companies interested in possible Sherman locations.

Plans for the next quarter include hosting the second Leadership Breakfast, with elected officials, business people, and industry people. SEDCO will celebrate their 20th Anniversary on April 25, 2016. On April 27, 2016, they will host a Mentor Breakfast for the past and present Board Chairmen to get together and talk about some good ideas.

COUNCIL MINUTES – APRIL 4, 2016

Mr. Plotnik; Frank Gadek, SEDCO Executive Vice President; Mr. Steele; Mayor Plyler; Mr. Hefton; and Eddie Brown, Chamber of Commerce President; will visit Governor Abbott's Office of Economic Development and Tourism, to discuss projects entering North Texas.

In January 2016, SEDCO approved a proposal to widen Progress Drive, which will create a parking lane for trucks waiting to off load materials at Progress Rail Services. The project will be complete by the end of April 2016.

SEDCO also offered the Buy Local Grant, which is a 5% incentive on anything a company spends during construction and start-up, that is spent locally, up to \$20,000. Mr. Steele said this is a good incentive to encourage companies to do business in Sherman.

During the first quarter, SEDCO entered into a partnership with Stream Realty, an international developer. They felt it was important to work with a marketing company that could help market Sherman nationally and internationally. Several good leads have already been received through the company.

Mr. Steele presented a list of meetings and events that SEDCO has attended during the first quarter. This gives a larger presence to SEDCO and helps "sell" Sherman to both those in Sherman and those outside of Sherman.

Mr. Steele thanked the City Council for their continued support.

CONSIDER REQUEST OF THE SHERMAN TOURISM/MAIN STREET MANAGER TO TEMPORARILY CLOSE CERTAIN STREETS AND USE CERTAIN CITY FACILITIES AND SERVICES FOR THE "TEXAS FIRST LADY'S VISIT" ON WEDNESDAY, MAY 4, 2016

MAIN STREET
PROGRAM, TEXAS
FIRST LADY'S VISIT
(MAY 4, 2016)

Sarah McRae, Tourism/Main Street Manager, briefed the City Council on an upcoming visit by Texas First Lady Cecilia Abbott, in conjunction with Sherman's inaugural year in the Main Street Program.

The ceremony will be held on May 4, 2016, at 1:00 p.m., on the east side of the Grayson County Court House. A reception at the Old Iron Post Restaurant will follow the ceremony.

She asked that the Council consider closing the 100 block of Travis Street during the event.

ACTION TAKEN.

Motion by Council Member Couch to approve the request of the Tourism/Main Street Manager to temporarily close certain streets and use certain City facilities for the "Texas First Lady's Visit" on May 4,

2016, as presented. Second by Council Member Johnson.

VOTING AYE: Couch, Davis, Johnson, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

CONSIDER APPROVAL OF THE ANNEXATION SCHEDULING PLAN FOR ADOPTION OF A TRACT OF LAND ON SISTRUNK STREET AND ADJACENT TO THE SHERMAN CITY LIMITS; 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
(4798 SISTRUNK ST)

Brandon Shelby, City Attorney, said the City received a request from a property owner on Sistrunk Street to be annexed into the City limits. The staff reviewed the request and felt it would be mutually beneficial to move forward with the annexation.

The current item schedules the public hearings as necessary, and final adoption of the annexation would be held at the Regular Council Meeting of June 6, 2016.

ACTION TAKEN.

Motion by Council Member Steele to approve the annexation scheduling plan for a tract of land on Sistrunk Street, as presented. Second by Council Member Davis.

VOTING AYE: Couch, Davis, Johnson, Steele, Watt.

VOTING NAY: None.

MOTION CARRIED.

CITIZENS REQUESTS
SENIOR CITIZENS CENTER

SENIOR CITIZENS
CENTER

Tim Price, 703 S. Throckmorton Street, said the SNAP Center on Broughton is in excess of 70 years old. The air conditioning vents have dirt and grease coming out of them, the air filter hasn't been changed, and the building is nasty.

It is too small, there's not enough parking, and there's not enough handicapped parking. Mr. Price added that access to the building is not safe. The building isn't on a smooth surface and the ramp they put in is "an afterthought."

Mr. Price said it is time for the City to build a new SNAP Center with a bigger, better parking lot and more handicapped spaces. The facility should be built on level ground so everyone will have access to the building.

He said many citizens would like to come to the SNAP Center to eat but there's not enough room. That's why they must deliver the meals.

SITE CLEARANCE ON STREETS

SITE CLEARANCE
ON STREETS

Mr. Price also addressed the City Council concerning the streets in the community. There are a lot of dead-end

streets with no jurisdiction and “double blind” corners. At the corner of Cherry and First Streets, Mr. Price said there is a huge tree against the curb and drivers can’t see around the corner. He added that there are many “unjurisdictioned” intersections in that neighborhood, and they are unsafe.

Mr. Price said there is a blind corner at the intersection of Wells and First Streets. He added that there are many unsafe intersections with no jurisdiction in Sherman.

He asked the Council to enact a project to get the dead-end streets connected and the proper jurisdiction and controls on intersections. He said there are many intersections in Sherman that have no stop signs or yield signs.

Mr. Price said the government has funding available and he directed the staff to Federal and State money, as well as non-profit organizations, with money available to the City.

Mr. Price reiterated that the SNAP Center needs to be replaced and said there is land available on Gallagher Drive where the old drive-in theater was located. He said the land belongs to the City of Sherman and would be a good location for the SNAP Center with a large parking lot.

Mayor Plyler asked the staff to look into the SNAP Center and the intersections that Mr. Price mentioned. Council Member Johnson said she has previously spoken with Mr. Hefton and felt the staff is already looking into the SNAP Center.

Mr. Hefton said the staff reviews all the City facilities. He added that the SNAP program is not a City of Sherman program, but is a Texoma Council of Government program. The City partners with TCOG to provide them space for the SNAP program. He suggested that Mr. Price also visit with the TCOG staff about his concerns.

He also asked Mr. Price if he had a specific list of the blind intersections. Mr. Price said he was in the process of making a video of all the intersections in Sherman, and it will be posted on the Internet.

Mr. Hefton asked for a written list of the intersections.

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

SHERMAN IS A GREAT PLACE TO LIVE

Council Member Watt said there are so many good things going on around Sherman and Grayson County. He said it’s a great place to live.

HABITAT FOR HUMANITY

Council Member Couch was asked to speak at a Habitat for

MEDIA QUESTIONS

**GREAT PLACE
TO LIVE**

**HABITAT FOR
HUMANITY**

Humanity ceremony on Saturday, April 9, 2016. He said it's the first time the organization has had a project in Sherman since 2010.

ANNOUNCEMENTS

Mayor Plyler announced the following:

- The Sherman Community Players are performing "The Importance of Being Earnest", which runs through April 17, 2016. He encouraged citizens to support SCP and enjoy the hilarious play in the process.
- On April 6, 2016, at 7:30 p.m., Austin College will host the Grammy winning pianist Jacqueline Schwab. Her work appears in many Ken Burns' documentaries.
- The Keep Sherman Beautiful Commission will host its annual Let's Talk Trash litter pickup at Sherman Town Center on April 9, 2016. Volunteers will pick up trash from 9:00 a.m. until 11:00 a.m. and then head to Dr. Martin Luther King, Jr. Park for National Parks Day.
- Mayor Plyler introduced a video advertising the annual Hot Summer Nights event which starts in June 2016. Marshall Tucker Band will kick off the season on June 2, 2016 and Los Lonely Boys will wrap it up on July 28, 2016. Foghat will appear at the annual Lights on the Lake event on July 2, 2016 at Pecan Grove Park.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:52 p.m.

ANNOUNCEMENTS

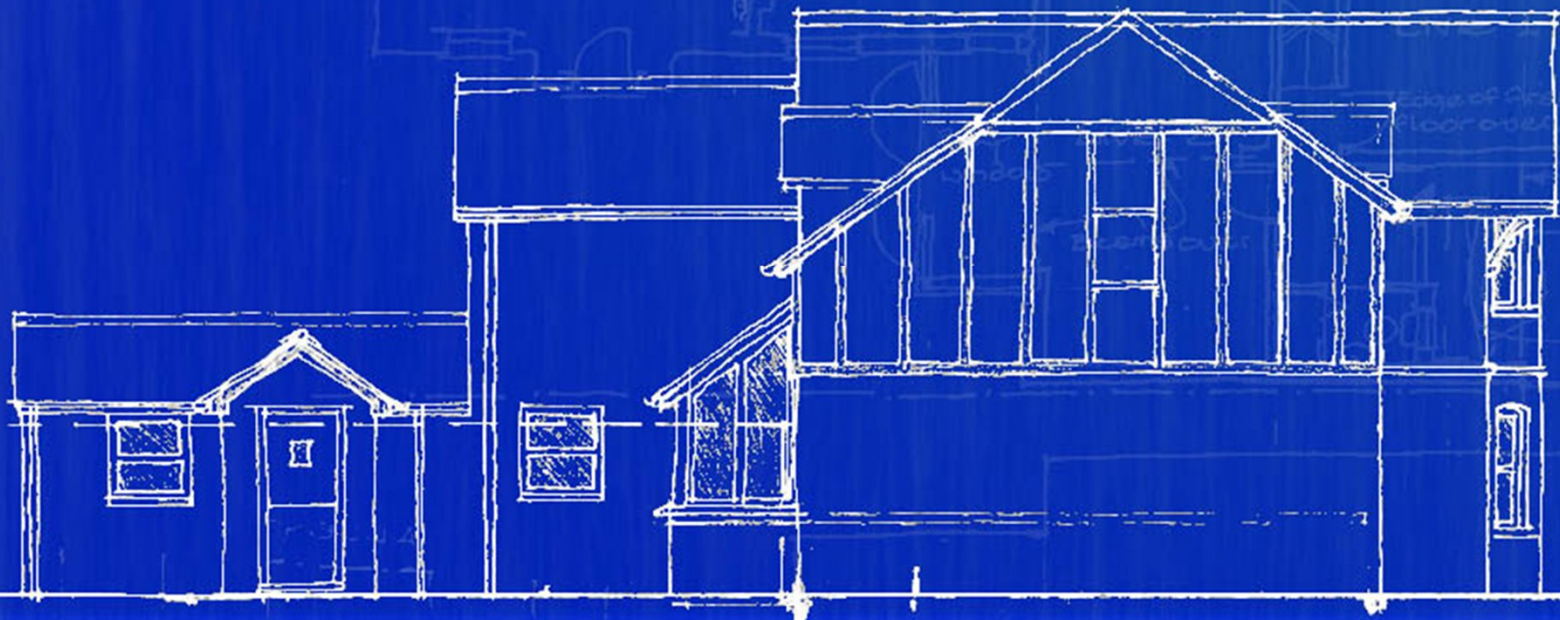
ADJOURNMENT

MAYOR

CITY CLERK

Mitigating Substandard Structures

Leveraging Our Fight Against Blight



History

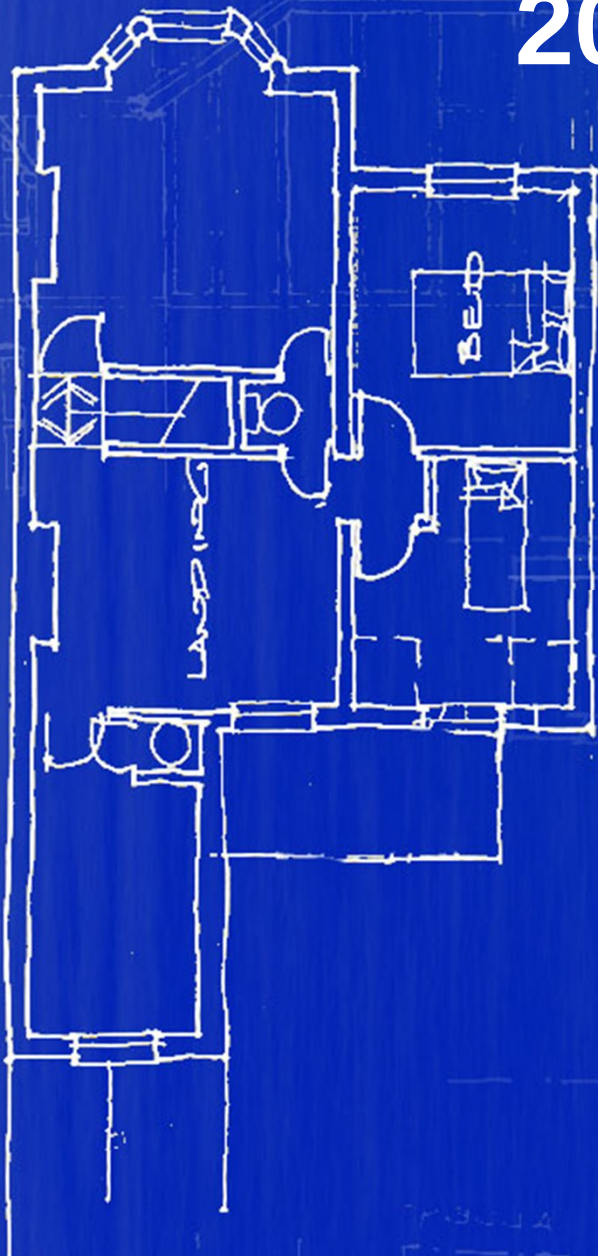
- Various approaches taken by the City of Sherman in the past produced varied results.
- June 2015 – Council made this initiative a priority by budgeting \$75,000 to fund demolition of vacant substandard structures in 2016 and accelerate the process.
- The new program provides additional opportunities for owners to partner with the City to mitigate substandard structures while retaining ownership (no property lien).
- The goal is to revitalize the neighborhood by removing blight and opening those lots for redevelopment.
- Our goal: remove 15 substandard structures in 2016 Budget Year
- Funding: \$45K General Fund and \$30K CDBG funds

New Program: Our Objective

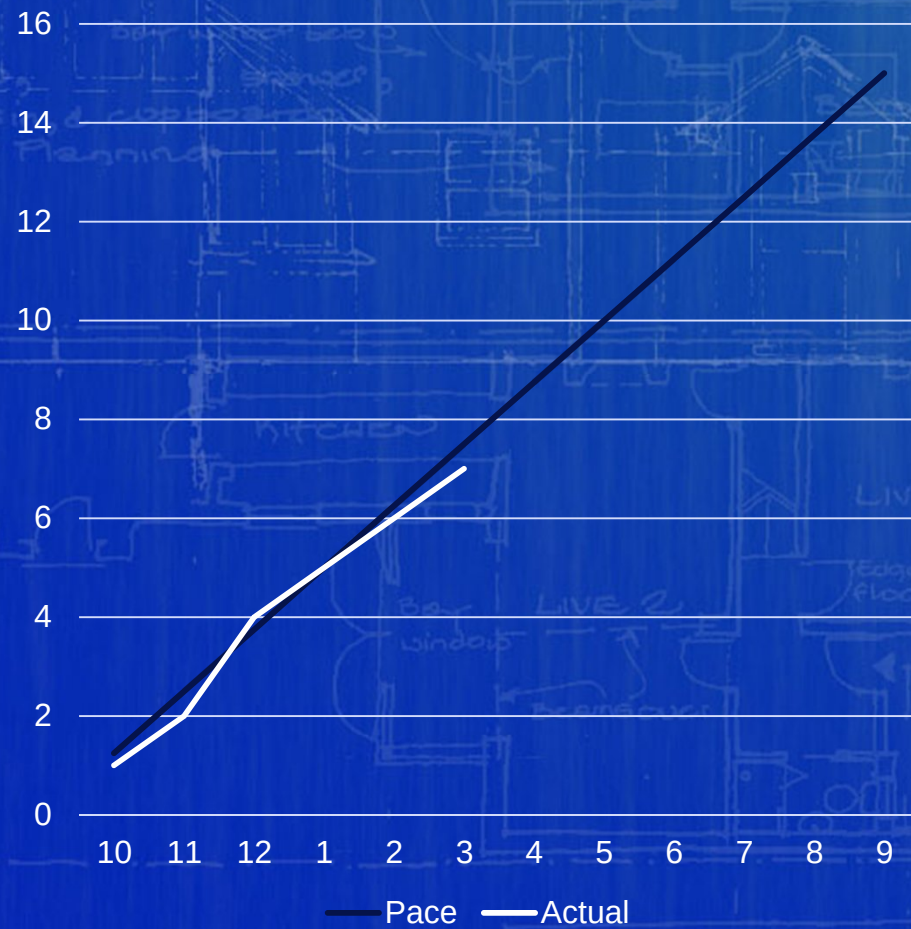
"It's really designed to promote a cleaner and safer Sherman. We hope to partner with property owners, and particularly, properties that are vacant. ... It saves us time and it just feels better to have a property owner come beside you instead of the city bringing out the big hammer and pounding you over the head, saying, 'Go clean up your mess there.' ... I would hope and expect that this is Year One of a multi-year effort. This needs to be just part of the DNA of what we do to make a cleaner city, a safer city and to encourage development."

Robby Hefton - 2016 Budget Workshop, June 26, 2015

2016 Progress

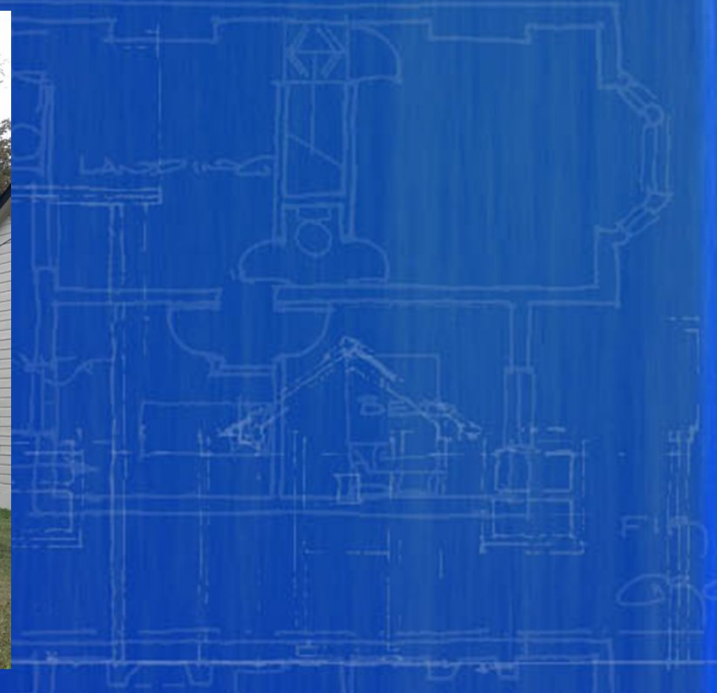


On Pace



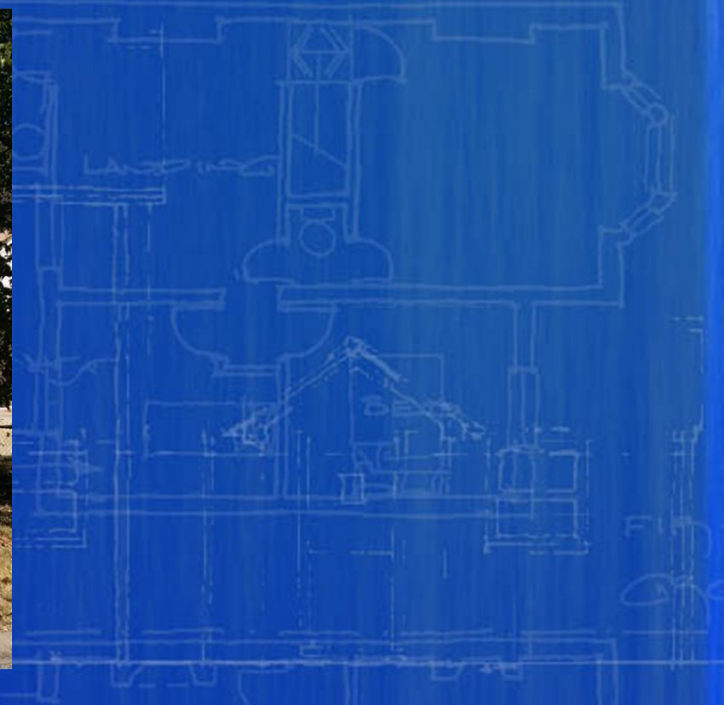
2016 Progress...

- 3 properties voluntarily brought up to code
- 1 demolition by owner
- 5 demolitions by city crew (when available/reduces cost)
- 1 demolition by contractor
- 8 properties currently in process
- Total 2016 cost to date: Approx \$25K
- Dozens of structures have been identified as substandard
- 8 City departments involved in the process (no dedicated FTE)



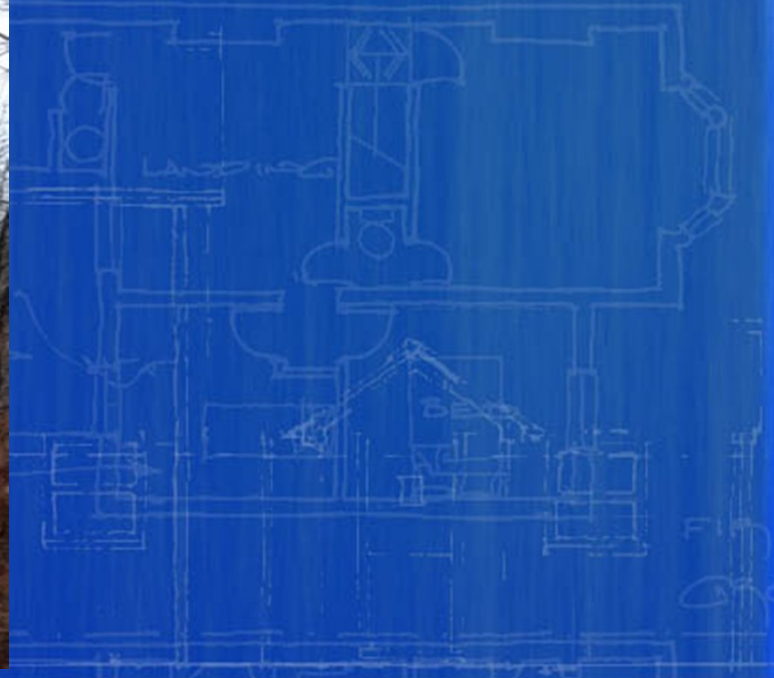
S. Charles





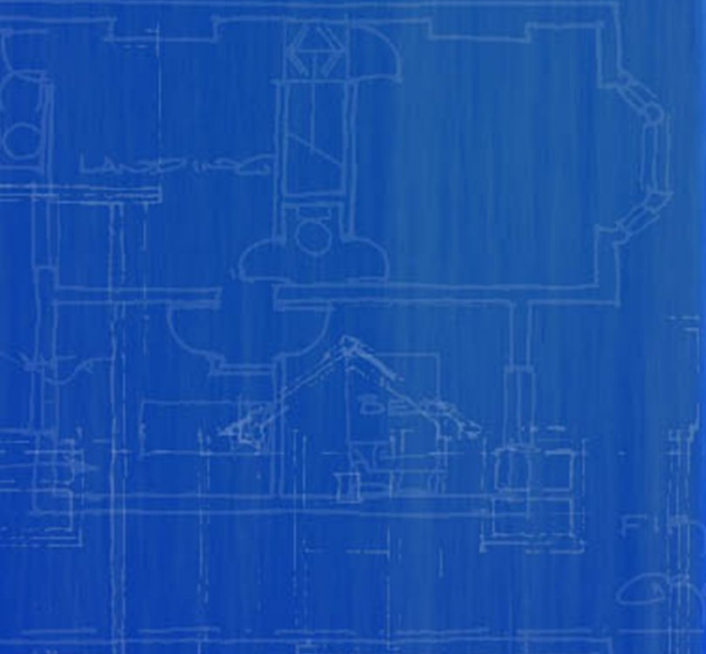
E. Pacific





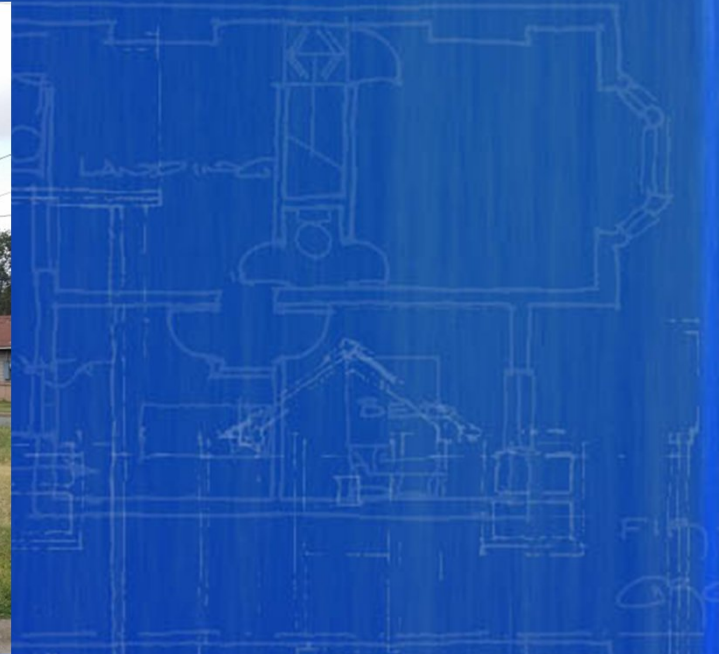
S. Montgomery





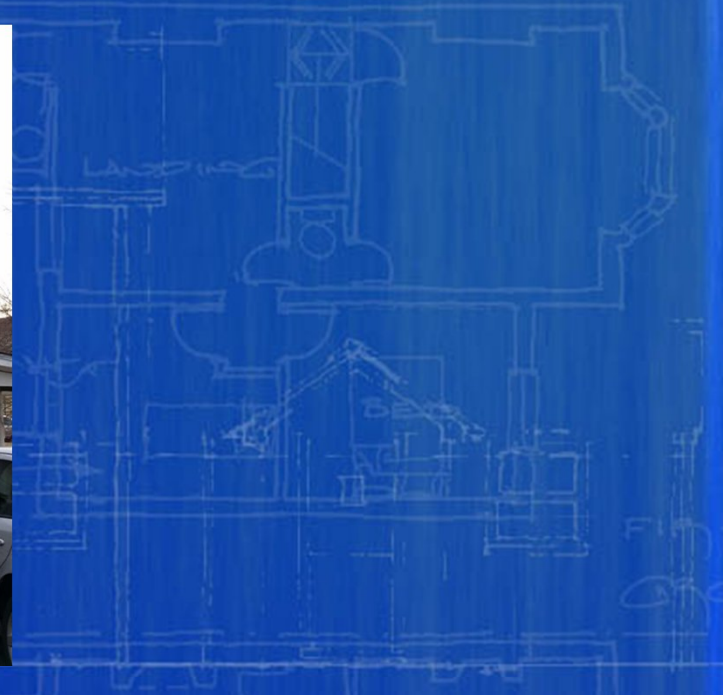
W. Cherry





N Throckmorton

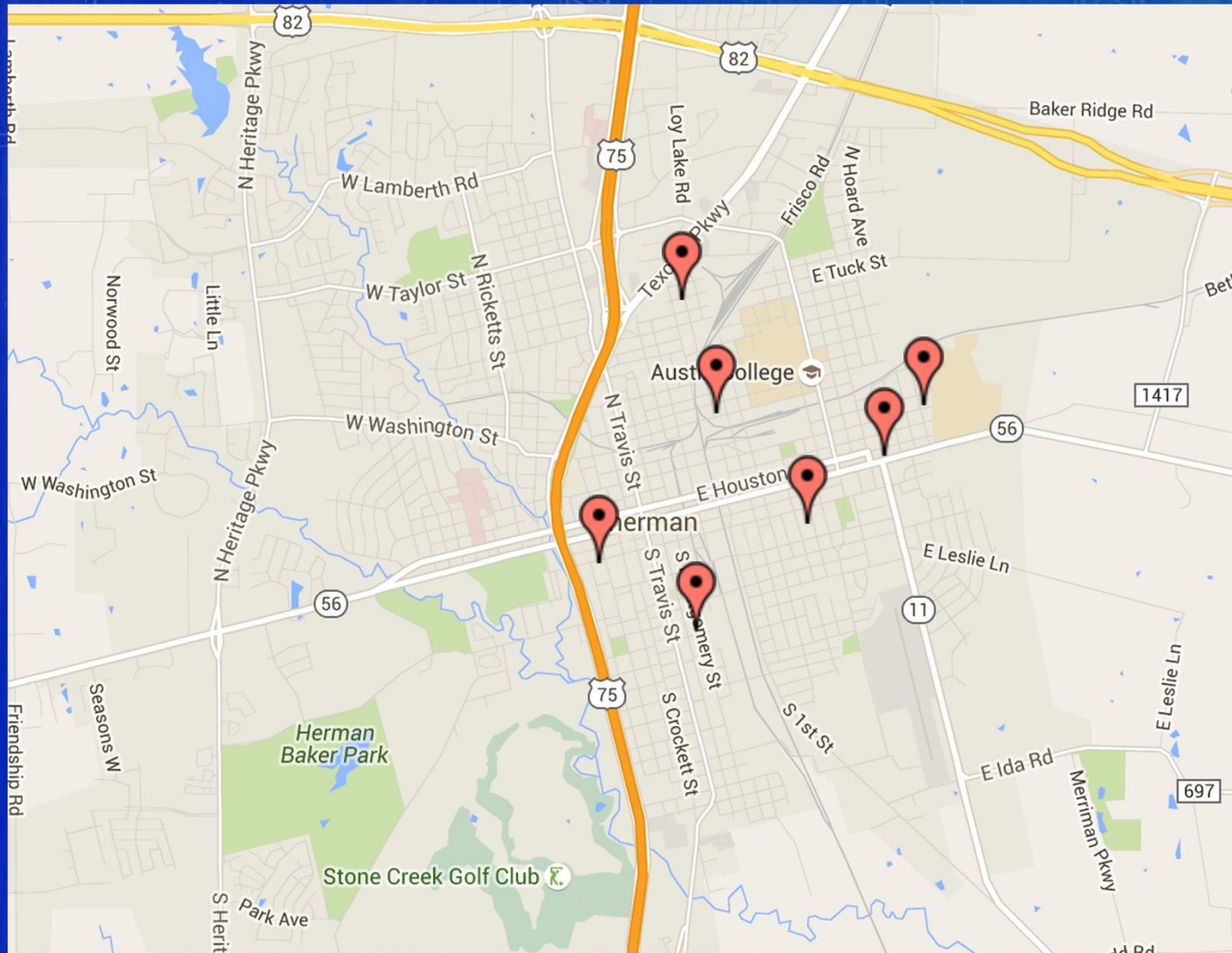




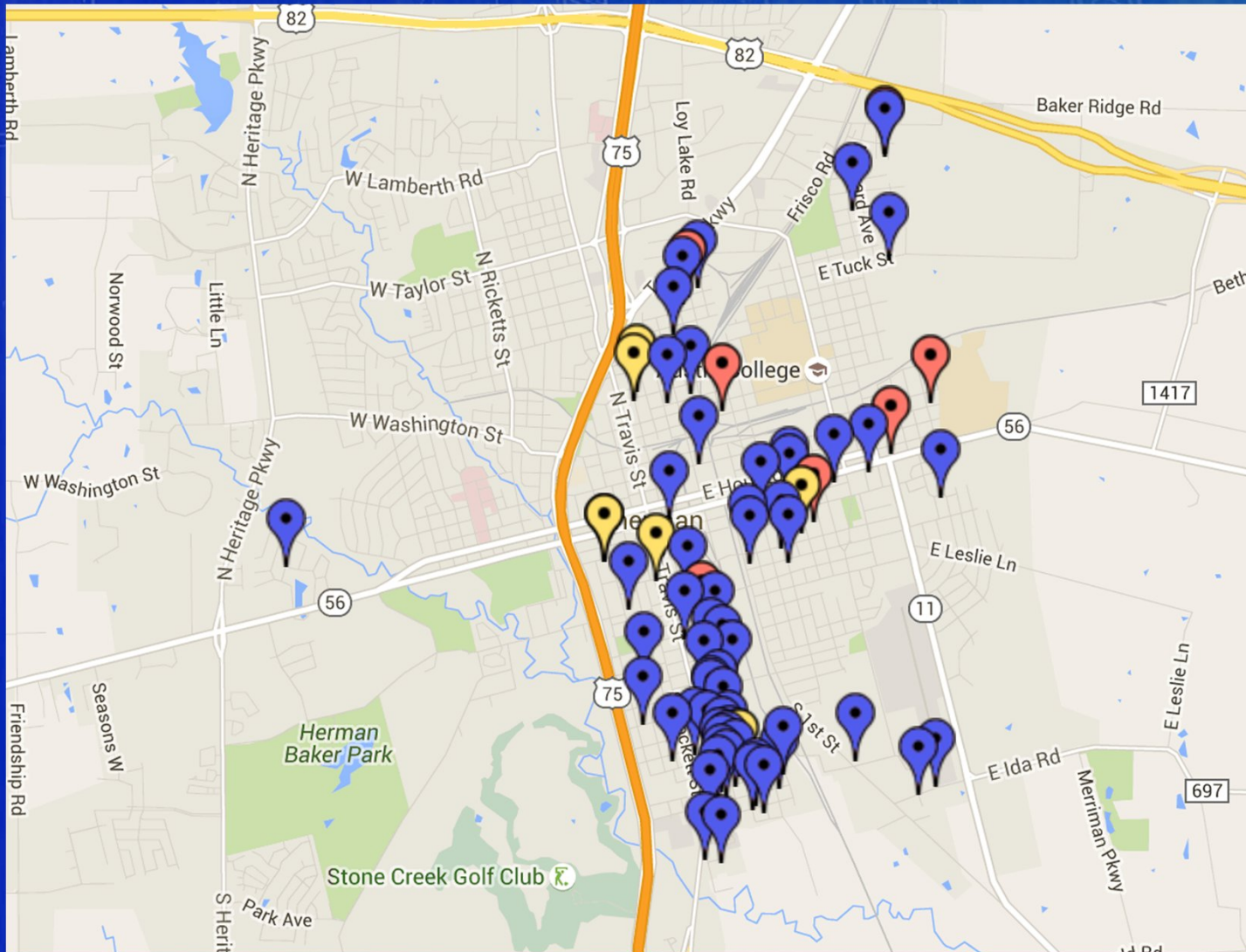
N. Colbert



2016 Progress



Where We're Going...



Rebirth and Reinvestment

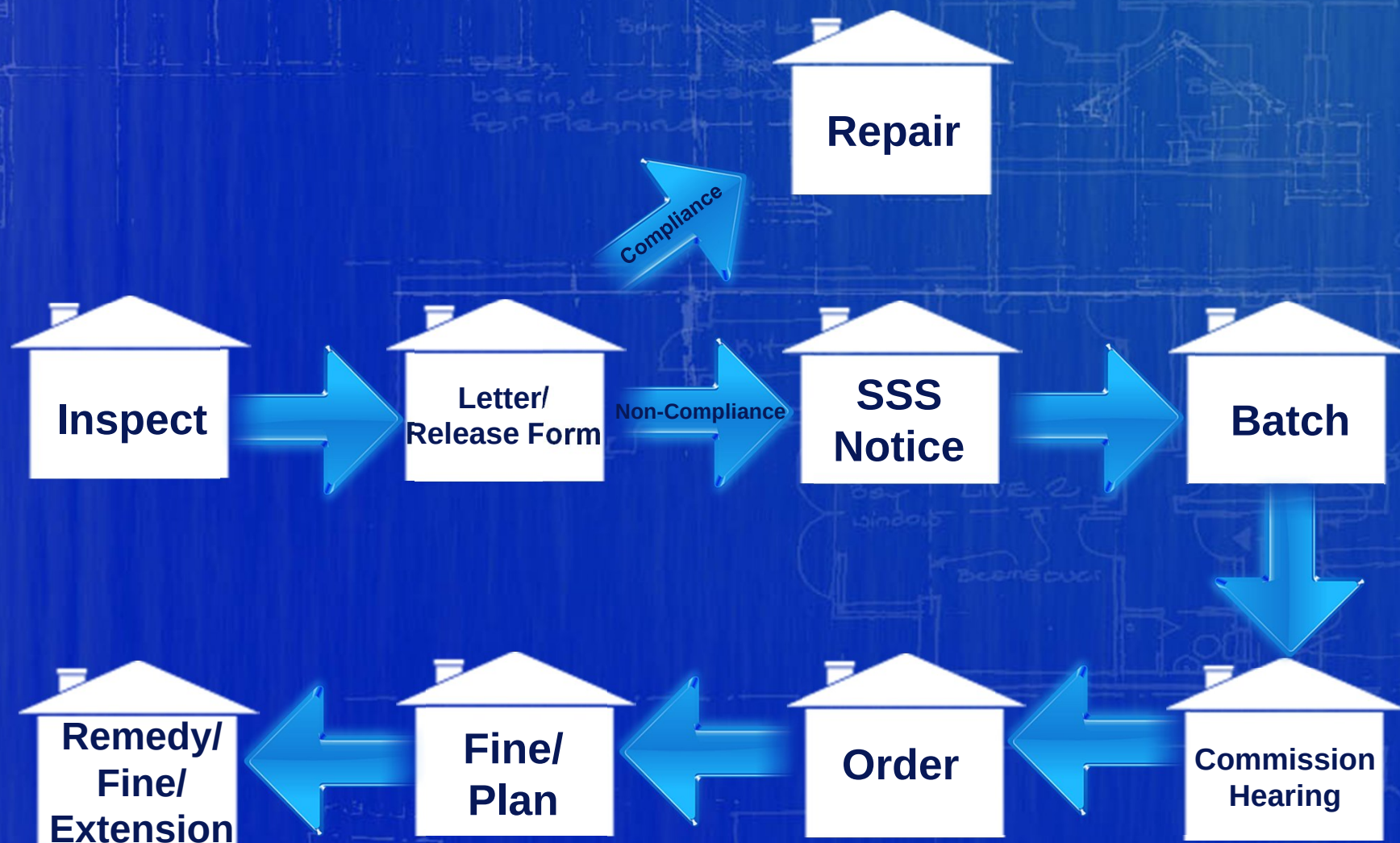


Corner of Chaffin & Andrews
(D.2, D.3, & D.4 of tonight's agenda)

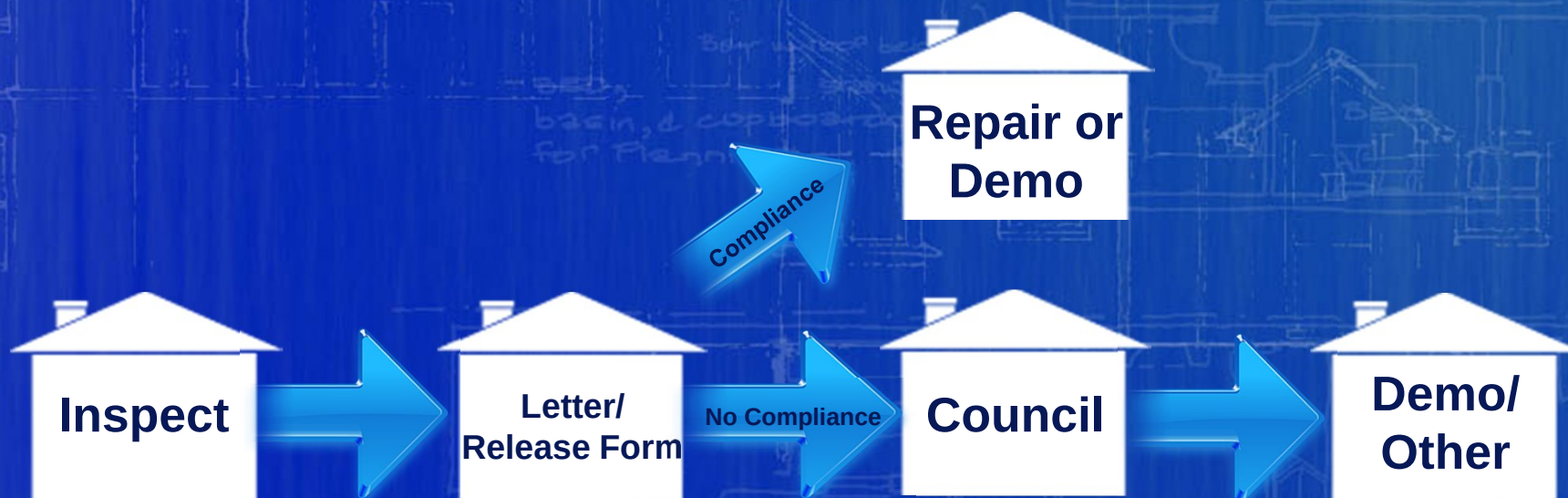
Current Process: Issues

- Absentee ownership makes enforcement difficult
- Commission has limited authority
- Lengthy (multiple layers of hearings, fines, etc.)

Current Process



Proposed Plan

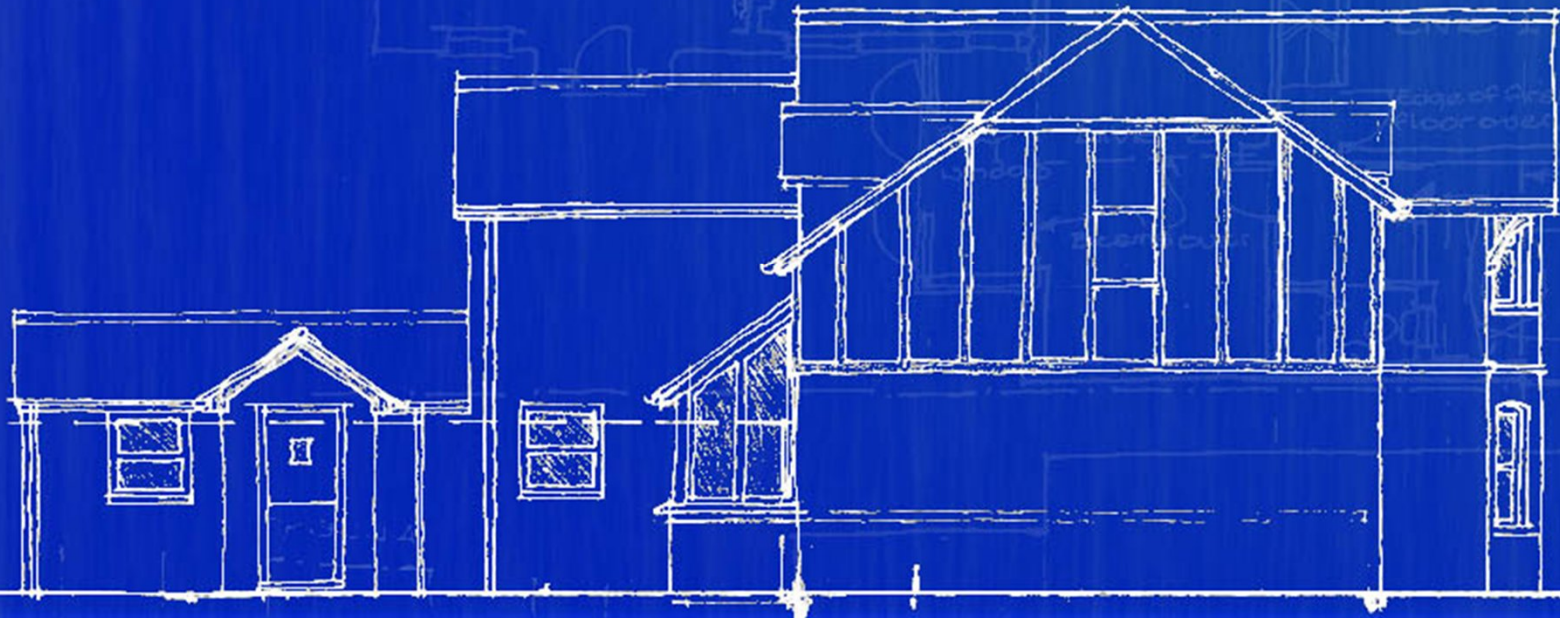


Summary

A New Approach and Process...

- **Improving** the overall safety, health, and appearance of our City
- **Encouraging** rebirth and reinvestment (defined as the action of reappearing or starting to flourish or increase after a decline; revival)
- **Partnering** with property owners, not working against them
- **Simplifying** the process for improved efficiency
- **Balancing** public well being with private property rights
- A **Proactive, Positive** approach

Questions?





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. B. 1.

Meeting Date: 04/18/2016

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

PROCLAMATION

“Texoma Earth Day” – April 23, 2016

Issue:

The 8th Annual Earth Day Festival will be held on Saturday, April 23, 2016 from 8:30 a.m. until 5:00 p.m. on the Sherman Municipal Grounds. The Texoma Earth Day Festival Planning Committee has requested a proclamation to publicize the event.

Background:

Earth Day was originally founded in 1970 and is intended to inspire awareness and appreciation for the Earth's natural environment. It is celebrated annually in April and corresponds to the beginning of Spring.

Origination:

The request for the proclamation originated with the Texoma Earth Day Festival Planning Committee.

Financial Consideration:

There is no financial consideration to the request.

Staff Recommendation:

It is the staff recommendation that a proclamation be presented designating April 23rd as “Texoma Earth Day” in Sherman.

Alternatives:

The Council could choose not to present the proclamation.

Attachments

"Texoma Earth Day" Proclamation



Proclamation

WHEREAS, all people in the global community have a moral right to a healthy, sustainable environment with economic growth, and

WHEREAS, human activities around the world are causing severe environmental damage that threatens human health and our planet's ability to sustain a diverse community of life, and

WHEREAS, the citizens of the global community must step forward and take action to create a green economy that lives in harmony with the environment, and

WHEREAS, local communities can do much to reverse environmental degradation and contribute to building a healthy society by addressing issues such as energy use, transportation, waste prevention, and litter control, and

WHEREAS, there are sound economic, environmental, and social reasons for local governments to initiate energy efficiency and renewable energy practices, and

WHEREAS, the Texoma Earth Day Festival will be held on April 23, 2016 on the Municipal Building Grounds and will feature programs and activities where ordinary people will learn practical things to improve the health of the planet and to enhance the community's natural environment.

NOW THEREFORE, I, David Dwyer, Mayor of the City of Sherman, Texas, by the authority vested in me, do hereby proclaim April 23, 2016

TEXOMA EARTH DAY

in the City of Sherman and encourage all citizens, businesses, and institutions to use this day to celebrate the Earth and commit to building a sustainable society.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Sherman to be affixed this the 18th day of April, 2016.

Mayor

ATTEST:

Sinde Ashby
City Clerk





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 1.

Meeting Date: 04/18/2016

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5946

Directing Oncor Electric Delivery Company, LLC to File Certain Information with the City of Sherman, Texas; Setting a Procedural Schedule for the Gathering and Review of Necessary Information in Connection Therewith; Setting Dates for the Filing of the City's Analysis of the Company's Filing and the Company's Rebuttal to Such Analysis; Ratifying the Hiring of Legal Counsel and Consultants; Reserving the Right to Require the Reimbursement of the City of Sherman's Rate Case Expenses; Setting a Public Hearing for the Purposes of Determining if the Existing Rates of Oncor Electric Delivery Company, LLC are Unreasonable or In Any Way in Violation of Any Provision of Law and the Determination by the City of Sherman of Just and Reasonable Rates to be Charged by Oncor Electric Delivery Company, LLC; Requiring Delivery of This Ordinance to the Company and the Steering Committee of Cities Served by Oncor's Legal Counsel

Issue:

The initiation of a rate case against Oncor Electric Delivery Company, LLC to result in a reduction in rates to Oncor customers.

Background:

In 2007, publicly traded TXU was taken private by investors who created Energy Future Holdings (EFH). EFH was saddled with debt and, on April 29, 2014, declared bankruptcy in Delaware. On December 7, 2015, the bankruptcy court signed an Order approving EFH's Sixth Amended Joint Plan of Reorganization, which included a plan to sell Oncor to a consortium of investors who divided Oncor into two companies and created a Real Estate Investment Trust (REIT) in order to provide Hunter Hunt sole control over Oncor operations and allow REIT owners to capture all federal tax savings derived from the REIT structure.

On March 24, 2016, the Public Utility Commission of Texas (PUC), in a 2-1 vote, approved the transaction subject to a number of conditions supported by cities to offset some inherent risks associated with the REIT structure. As part of the Commissioners' discussions, substantial attention was paid to the fact that REITs receive immediate, permanent exemption from federal taxation to the extent that the REIT distributes income to owners. Hunt and Purchasers claimed their intent is to distribute 100% of income, thus avoiding the asset company (Oncor would be divided into an asset company and an operating company with the operating company leasing assets from the asset company) having to pay any federal income taxes.

Oncor is currently collecting somewhere between \$200 million and \$250 million annually from

ratepayers for presumed payments to the IRS. The two Commissioners who voted in favor of the transaction with conditions expressed beliefs that the tax savings should be shared with ratepayers. Since the case pending before the Commission was not a rate case, the Commissioners could not reduce Oncor's rates.

The PUC can only initiate rate proceedings in areas where it has original jurisdiction - the environs areas outside municipal limits. If there is to be any rate relief within municipal limits, cities must either initiate a rate proceeding by passing a show cause resolution or wait until a final order from the PUC in a case initiated by Oncor, which will not occur before mid-2018.

Please see attached staff report for more information.

Origination:

Geoffrey M. Gay, General Counsel to the Steering Committee of Cities Served by Oncor, at Lloyd Gosselink Rochelle & Townsend, P.C.

Financial Consideration:

Adoption of this ordinance will initiate a rate case against Oncor Electric Delivery Company, LLC.

Staff Recommendation:

It is recommended that the City Council adopt the ordinance.

Alternatives:

As the Executive Committee of the Steering Committee of Cities Served by Oncor has recommended the adoption of this ordinance, no alternatives are recommended.

Attachments

Ordinance No. 5946

Staff Report

ORDINANCE NO. 5946

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DIRECTING ONCOR ELECTRIC DELIVERY COMPANY, LLC TO FILE CERTAIN INFORMATION WITH THE CITY OF SHERMAN, TEXAS; SETTING A PROCEDURAL SCHEDULE FOR THE GATHERING AND REVIEW OF NECESSARY INFORMATION IN CONNECTION THEREWITH; SETTING DATES FOR THE FILING OF THE CITY'S ANALYSIS OF THE COMPANY'S FILING AND THE COMPANY'S REBUTTAL TO SUCH ANALYSIS; RATIFYING THE HIRING OF LEGAL COUNSEL AND CONSULTANTS; RESERVING THE RIGHT TO REQUIRE THE REIMBURSEMENT OF THE CITY OF SHERMAN'S RATE CASE EXPENSES; SETTING A PUBLIC HEARING FOR THE PURPOSES OF DETERMINING IF THE EXISTING RATES OF ONCOR ELECTRIC DELIVERY COMPANY, LLC ARE UNREASONABLE OR IN ANY WAY IN VIOLATION OF ANY PROVISION OF LAW AND THE DETERMINATION BY THE CITY OF SHERMAN OF JUST AND REASONABLE RATES TO BE CHARGED BY ONCOR ELECTRIC DELIVERY COMPANY, LLC.; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR'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, is a regulatory authority under the Public Utility Regulatory Act ("PURA") and has original jurisdiction over the rates of Oncor Electric Delivery Company, LLC ("Oncor") to determine if such rates are just and reasonable; and

WHEREAS, Sections 33.021, 36.003 and 36.151 of PURA empower a regulatory authority, on its own motion or on a complaint by any affected person, to determine whether the existing rates of any public utility for any service are unreasonable or in any way in violation of any provision of law and, upon such determination, to determine the just and reasonable rates; and

WHEREAS, the City of Sherman has reason to believe that Oncor is over-earning and its rates are excessive; and

WHEREAS, the City of Sherman is a member of the Steering Committee of Cities Served by Oncor; and

WHEREAS, the Executive Committee of the Steering Committee of Cities Served by Oncor has recommended that cities pass an ordinance or resolution that requires Oncor to show cause why its transmission and distribution rates should not be reduced; and

WHEREAS, the City of Sherman and the City Council of the City of Sherman desire, on its own motion, to exercise its authority under Sections 33.021, 36.003 and 36.151 of PURA; and

WHEREAS, a procedural schedule should be established for the filing of certain information by Oncor, procedures to be followed to obtain and review information from Oncor, the filing of an analysis of such information by the City, the filing of rebuttal information from Oncor, and a public hearing at which time the City shall make a determination whether the existing rates of Oncor are unreasonable or are in any way in violation of any provision of law, and if such rates should be revised, and just and reasonable rates determined for Oncor;

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 this Ordinance constitutes notice of the City's intent to proceed with an inquiry into the transmission and distribution rates charged by Oncor. On or before September 1, 2016, Oncor shall file with the City of Sherman information that demonstrates good cause for showing that Oncor's transmission and distribution rates should not be reduced. Specifically, Oncor shall file with the City of Sherman information for the test year beginning January 1, 2015 and ending December 31, 2015, regarding Oncor's cost of service elements, including, but not limited to, the elements detailed by the Public Utility Commission as necessary for the filing of a Statement of Intent to Change Rates. The test year may be updated for more current data and shall be adjusted for known and measureable changes.

SECTION 3. That the City's designated representatives shall have the right to obtain additional information from Oncor through the filing of requests for information, which shall be responded to within fifteen (15) days from the receipt of such request for information.

SECTION 4. That the City's designated representatives shall file their analysis of Oncor's filing and information on or before October 13, 2016.

SECTION 5. That Oncor shall file any rebuttal to the analysis of City's representatives on or before November 10, 2016. With its rebuttal, Oncor may present whatever additional information it desires to defend its current rates.

SECTION 6. That a public hearing shall be conducted by the City Council for the City of Sherman during a regular council meeting scheduled between November 15 and December 15. At such hearing a representative of Oncor and a representative of the City of Sherman's consultants will each be allowed to address the City Council and summarize previously filed reports for no more than fifteen (15) minutes. Based upon such hearing, a determination of the reasonableness of the existing rates of Oncor shall be made by the City Council and, if necessary, just and reasonable rates shall be determined to be thereafter observed and enforced for all services of Oncor within the City of Sherman, Texas.

SECTION 7. That the City Council may, from time to time, amend this procedural schedule and enter additional orders as may be necessary in the public interest and to enforce the provisions hereof.

SECTION 8. That subject to the right to terminate employment at any time, the City of Sherman hereby ratifies the Steering Committee's selection of Geoffrey Gay with the law firm of Lloyd, Gosselink, Rochelle & Townsend as legal counsel to assist the City of Sherman in its ratemaking and to prosecute any appeals to the Texas Public Utility Commission or court. The Executive Committee of the Steering Committee of Cities Served by Oncor shall retain appropriate consultants to prepare a report and make rate recommendations.

SECTION 9. That fees and expenses of attorneys and consultants assisting the City in the Steering Committee's review of the reasonableness of Oncor's rates will be processed through the Steering Committee; but the City reserves the right to seek reimbursement from Oncor pursuant to the PURA Section 33.023.

SECTION 10. That a copy of this Ordinance shall be sent to E. Allen Nye, Jr., Senior Vice President, General Counsel and Secretary, Oncor Electric Delivery Company, LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202, and to Geoffrey Gay, General Counsel to the Steering Committee of Cities Served by Oncor, at Lloyd Gosselink Rochelle & Townsend, P.C., P. O. Box 1725, Austin, Texas 78767-1725.

SECTION 11. 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 _____, 2016.

ADOPTED on this the _____ day of _____, 2016.

EFFECTIVE DATE on this the _____ day of _____, 2016.

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

Staff Report to Support Ordinance Directing Oncor Concerning Just and Reasonable Rates

Recent Public Utility Commission of Texas (“Commission”) proceedings related to approval of conversion of Oncor into a Real Estate Investment Trust (“REIT”) resulted in the Commissioners’ desire to share \$200 million to \$250 million in annual federal income tax (“FIT”) savings with Oncor ratepayers. Since the proceeding involving a change of ownership and control of Oncor was not a rate case, the Commission had no jurisdiction to order a reduction in rates. The new owners of Oncor indicated an intent to file a rate case in mid-2017 to become effective in 2018. Believing that a two-year wait to factor FIT savings into rates was too long to wait, the Steering Committee of Cities Served by Oncor decided to initiate a rate case against Oncor.

Whereas Clauses Explained

Cities have original rate making jurisdiction over Oncor’s rates and services within their municipal limits. The Commission has original jurisdiction over the environs outside municipal limits and appellate jurisdiction over city rate making orders.

As a regulatory authority, Cities that retain original jurisdiction may initiate rate making proceedings by filing an ordinance or resolution requiring a public utility to show cause why rates should not be reduced.

The City of Sherman works with other similar Oncor Cities on regulatory issues through the Steering Committee of Cities Served by Oncor, which has functioned continuously since 1988.

The Executive Committee of the Steering Committee recommends that member Cities pass show cause ordinances or resolutions to initiate a rate case so that Oncor rates may be reduced.

Explanation of “Be It Ordained” Sections

Section 1 approves all findings in the Ordinance.

Section 2 provides notice to Oncor that it is compelled to file information that would otherwise be required if the Company filed a request to increase rates at the Commission by September 1, 2016. This Section requires that historic data from calendar year 2015 be filed to demonstrate that its rates should not be reduced.

Section 3 authorizes Cities’ representatives to file requests for information which shall be answered by Oncor within fifteen (15) days of receipt.

Sections 4 and 5 set other dates critical to the procedural process for rate setting. Cities’ report will be due on October 13, 2016; and the Oncor rebuttal will be due November 10, 2016.

Section 6 establishes that a hearing will occur and final order will be issued between November 15, 2016 and December 15, 2016.

Section 7 provides that the procedural schedule may be amended by the City and that other orders may be extended. For example, once the REIT conversion is finalized, Cities may enter interim orders requiring a sharing of tax savings that benefit ratepayers.

Section 8 authorizes the hiring of legal counsel and authorizes the Executive Committee to hire consultants.

Section 9 confirms that Cities will seek reimbursement of their rate making expenses from Oncor.

Section 10 directs that a copy of the signed Ordinance be sent to a representative of the Company and legal counsel for the Steering Committee.

Section 11 confirms that the Ordinance was adopted in compliance with Open Meeting laws.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 2.

Meeting Date: 04/18/2016

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5947

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Commercial Amusement Center (Baseball Training Facility with Batting Cages) in a C-2 (General Commercial) District at 1612 Baker Drive, being Lots 4 thru 9, Block 1, Joe Galbreth Subdivision (Eddie Young, Owner; Todd Young, Representative; and "The Bullpen", Chris Stephens, Tenant); 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 Eddie Young (Owner), Todd Young (Representative) and "The Bullpen", Chris Stephens (Tenant), concerning the property at 1612 Baker Drive, being Lots 4 thru 9, Block 1, Joe Galbreth Subdivision, to allow a commercial amusement center (Baseball Training Facility with Batting Cages) in a C-2 (General Commercial) District

Background:

The property is located at 1612 Baker Drive between Texoma Parkway and Frisco Road; it is zoned a C-2 (General Commercial) District. Chris Stephens would like to open "The Bullpen", a baseball training facility consisting of batting cages and nets. The lease space is approximately 5,200 square feet and will be located between Hitek Audio and European Motor Cars; the exterior finish on the building is masonry. Parking will be available for fifty (50) spaces.

Origination:

Eddie Young (Owner)

Todd Young (Representative)

"The Bullpen", Chris Stephens (Tenant)

Financial Consideration:

None

Staff Recommendation:

At the March 22, 2016 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. 5947

Location Map

Zoning Map

Zoning Photo

Plat

Site Plan

Elevations

P&Z Communication

Staff Review Letter

ORDINANCE NO. 5947

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 A COMMERCIAL AMUSEMENT CENTER (BASEBALL TRAINING FACILITY WITH BATTING CAGES) IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 1612 BAKER DRIVE, BEING LOTS 4 THRU 9, BLOCK 1, JOE GALBRETH SUBDIVISION (EDDIE YOUNG, OWNER; TODD YOUNG, REPRESENTATIVE; AND “THE BULLPEN”, CHRIS STEPHENS, TENANT); 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, Eddie Young (Owner), Todd Young (Representative) and “The Bullpen”, Chris Stephens (Tenant) are granted a Specific Use Permit to allow a commercial amusement center (Baseball Training Facility with Batting Cages) in a C-2 (General Commercial) District at 1612 Baker Drive, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lots 4 thru 9, Block 1, Joe Galbreth Subdivision

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 sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.

2. Parking is permitted on paved surfaces only (concrete or asphalt).
3. All parking shall be on private property and shall not encroach into Baker Drive right-of-way; a parking space is considered to be 9'x20'.
4. A minimum 6' screening height is required and to be maintained abutting any residential uses.
5. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
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. No on street parking allowed.

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 _____, 2016.

ADOPTED on this the _____ day of _____, 2016.

EFFECTIVE DATE on this the _____ day of _____, 2016.

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



City of Sherman, Texas
Developmental Services Department

1612 Baker Drive



NOT TO SCALE

1 in = 261 ft



Zoning - 1612 Baker Drive

Legend

Transportation Corridors Overlay

HWY_NAME

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75

Special Districts Overlay

DISTRICT_NAME

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

ZONING PARCELS

Zoning Classification

- 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



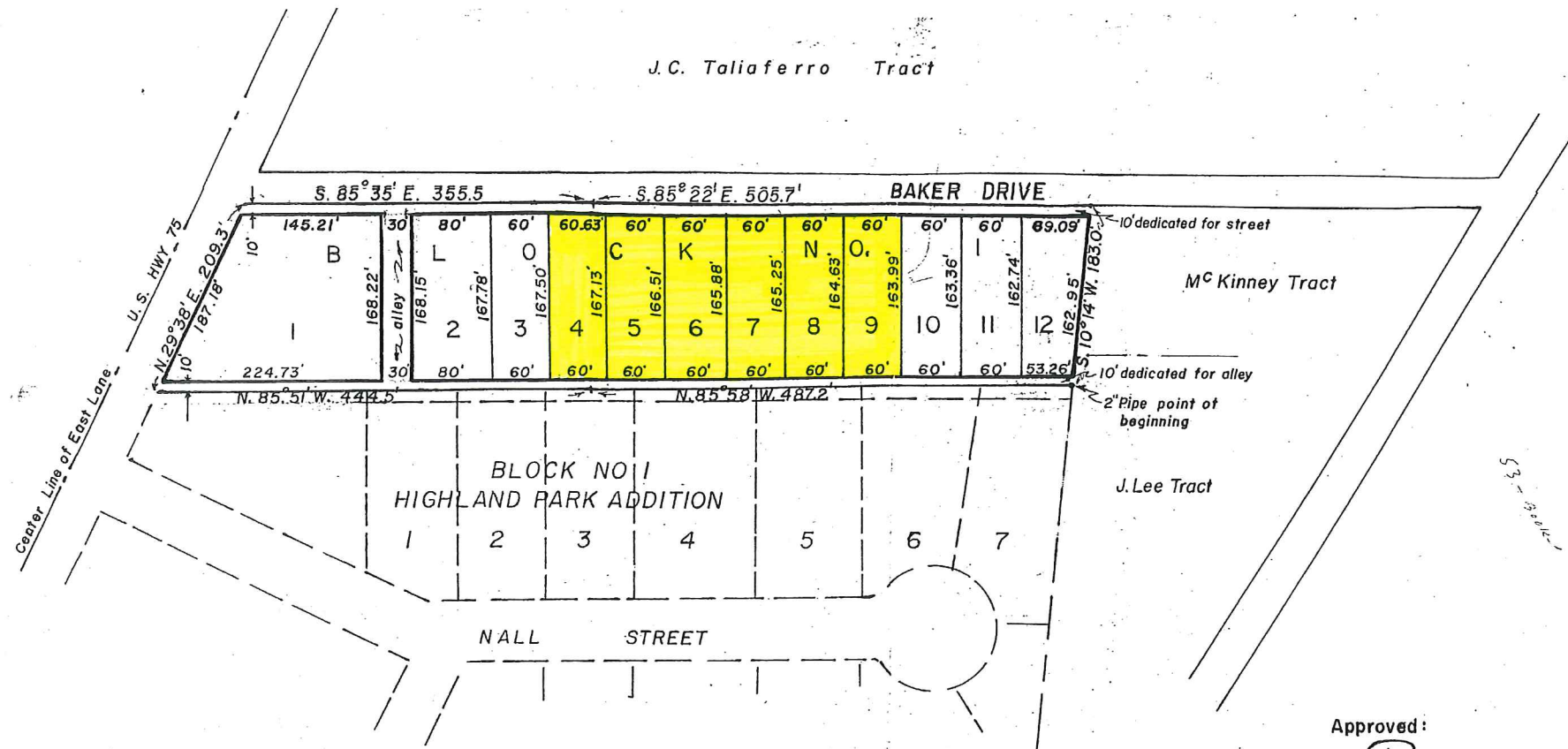
NOT TO SCALE

1 in = 261 ft

1612 Baker Dr.



J.C. Taliaferro Tract



JOE GALBRETH SUBDIVISION

City of SHERMAN, TEXAS

JOE GALBRETH, OWNER

Approved:

[Signature]
Chairman, City Planning Commission

May 27, 19
Date

Accepted:

[Signature]
Mayor, City of Sherman

May 27, 19
Date

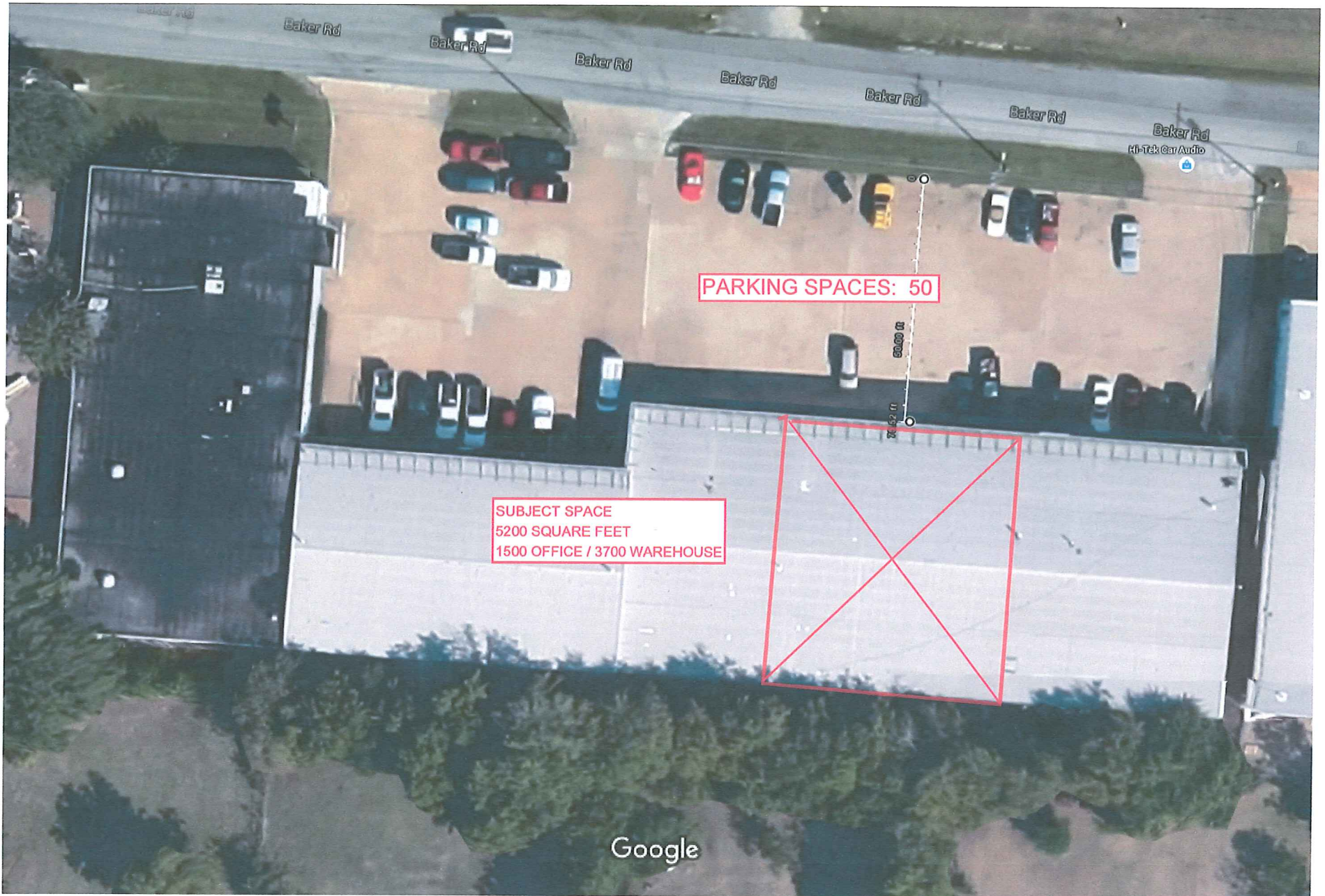
The undersigned, the City Clerk of the City of Sherman hereby certifies that the foregoing final plat of the JOE GALBRETH Subdivision to the City of Sherman was submitted to the City Commission on the 27th day of May 1957, and the City Commission by formal action then and there did accept the dedication of the street and alleys as shown and set forth in and upon said plat, and said City Commission further authorized the Mayor to note the acceptance thereof by signing his name.

We, Joe Galbreth and Mary Galbreth dedicate 10 ft. for street and 10 ft. for alley adjacent to

BASEBALL TRAINING FACILITY

(OCCUPANCY LESS THAN 25)

SITE PLAN VIEW



BUILDING ELEVATIONS (1612 BAKER RD)



PROPOSED USE: BASEBALL TRAINING FACILITY CONSISTING OF BATTING CAGES AND NETS (OCCUPANCY: LESS THAN 25)

LOCATION: 1612 BAKER RD (VACANT SPACE IN BETWEEN HITEK AUDIO AND EUROPEAN MOTOR CARS)

ESTIMATED 50 PARKING SPACES FOR SITE TOTAL WITH FIRE LANE (NO MORE THAN 5-10 PARKING SPACES WILL BE USED FOR TENANT OPERATION AT ANY ONE TIME DURING OPEN HOURS)



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

Agenda Item No. 8.

Meeting Date: 03/22/2016

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:

1612 BAKER DRIVE

The request of Eddie Young (Owner), Todd Young (Representative) and The Bullpen, Chris Stephens (Tenant), concerning the property at 1612 Baker Drive, being Lots 4 thru 9, Block 1, Joe Galbreth Subdivision, as follows;

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a commercial amusement center (Baseball Training Facility with Batting Cages) in a C-2 (General Commercial) District.

Background:

The property is located at 1612 Baker Drive between Texoma Parkway and Frisco Road; it is zoned a C-2 (General Commercial) District. Chris Stephens would like to open "The Bullpen", a baseball training facility consisting of batting cages and nets. The lease space is approximately 5,200 square feet and will be located between Hitek Audio and European Motor Cars; the exterior finish on the building is masonry. Parking will be available for fifty (50) spaces.

Adjacent Zoning:

C-2 (General Commercial) District

R-1 (One Family Residential) District

Origination:

Eddie Young (Owner)

Todd Young (Representative)

The Bullpen, Chris Stephens (Tenant)

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:

14

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Photo

Plat

Site Plan

Elevations

Staff Review Letter

STAFF REVIEW LETTER

March 16, 2016

Todd Young
5414 N. FM 1417
Sherman, Texas 75092

Chris Stephens
2000 Monte Cristo Dr.
Sherman, Texas 75092

Dear Applicants,

The request for a Specific Use Permit and site plan to allow a commercial amusement center (Baseball Training Facility with Batting Cages) in a C-2 (General Commercial) District for the property located at 1612 Baker Drive has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 22, 2016 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 sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Parking is permitted on paved surfaces only (concrete or asphalt).
3. All parking shall be on private property and shall not encroach into Baker Drive right-of-way; a parking space is considered to be 9'x20'.
4. A minimum 6' screening height is required and to be maintained abutting any residential uses.
5. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
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. No on street parking allowed.

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., City Engineer
Don Keene, Asst. City Manager

Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Dir. Of Community and Support Services



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 3.

Meeting Date: 04/18/2016

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5948

Renewing the Designation of Residential Reinvestment Zone, Number 041811-1, City of Sherman, Texas, for the Purpose of Residential Tax Abatement

Issue:

To renew the residential reinvestment zone created for the City of Sherman's Residential Tax Abatement Program

Background:

The City currently maintains a Residential Tax Abatement Program to promote reinvestment in economically declining sections of the City. To qualify for the Program, a property is required to have residential zoning. Every five years, the City is required to renew the Abatement Program's Reinvestment Zone, Number 041811-1. This Zone designates the geographic boundaries of properties eligible for benefit under the Program. The Zone was last revised and renewed by Ordinance No. 5692, adopted at the April 18, 2011 Council meeting.

When last renewed, the Zone was revised to include those areas designated as low-to-moderate income tracts by the U.S. Census Bureau and set forth in the City of Sherman's Consolidated Plan and Strategy for Community Planning & Development Programs for 2010-2014.

At this renewal, the map has been updated to reflect the current low-to-moderate income tracts designated by the U.S. Census Bureau and used for the City's Community Development Block Grant (CDBG) Program. The program has also been revised to apply only to properties whose value is assessed at less than \$100,000.00.

Origination:

Mayor and City Council

Financial Consideration:

There is no direct cost to revising the Reinvestment Zone for Sherman's Residential Tax Abatement Program.

Staff Recommendation:

The staff recommends approval of this ordinance and the renewal of Residential Reinvestment Zone, Number 041811-1, City of Sherman, Texas.

Alternatives:

The Council could further revise the current Reinvestment Zone; or it could decide to discontinue the Residential Tax Abatement Program.

Attachments

Ordinance No. 5948

Ordinance No. 5692

ORDINANCE NO. 5948

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RENEWING THE DESIGNATION OF RESIDENTIAL REINVESTMENT ZONE, NUMBER 041811-1, CITY OF SHERMAN, TEXAS, FOR THE PURPOSE OF RESIDENTIAL TAX ABATEMENT; 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 Council of the City of Sherman has heretofore established Guidelines and Criteria and a Reinvestment Zone for the Residential Tax Abatement Program, pursuant to the provisions of Chapter 312, Tax Code, Vernon's Texas Codes Annotated; and

WHEREAS, the Reinvestment Zone created for residential tax abatement expires five years after the date of designation and may be renewed for periods not to exceed five years; and

WHEREAS, said Reinvestment Zone was last renewed by Ordinance No. 5692 at the City Council's April 18, 2011 meeting;

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

SECTION 1. That the hereinafter described real property is hereby established as Residential Reinvestment Zone, Number 041811-1, City of Sherman, Texas, for the purposes of and pursuant to Chapter 312, Tax Code, Vernon's Texas Codes Annotated. Such Reinvestment Zone is hereby described as follows:

That tract of land situated in the City of Sherman, Grayson County, Texas, being described as follows, to-wit:

All real property located within the street boundaries depicted on the map attached hereto and incorporated herein by reference as Exhibit A.

SECTION 2. The value of real property eligible for tax abatement within the zone described herein shall not exceed One Hundred Thousand Dollars (\$100,000.00).

SECTION 3. 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 _____, 2016.

ADOPTED on this the _____ day of _____, 2016.

EFFECTIVE DATE on this the _____ day of _____, 2016.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

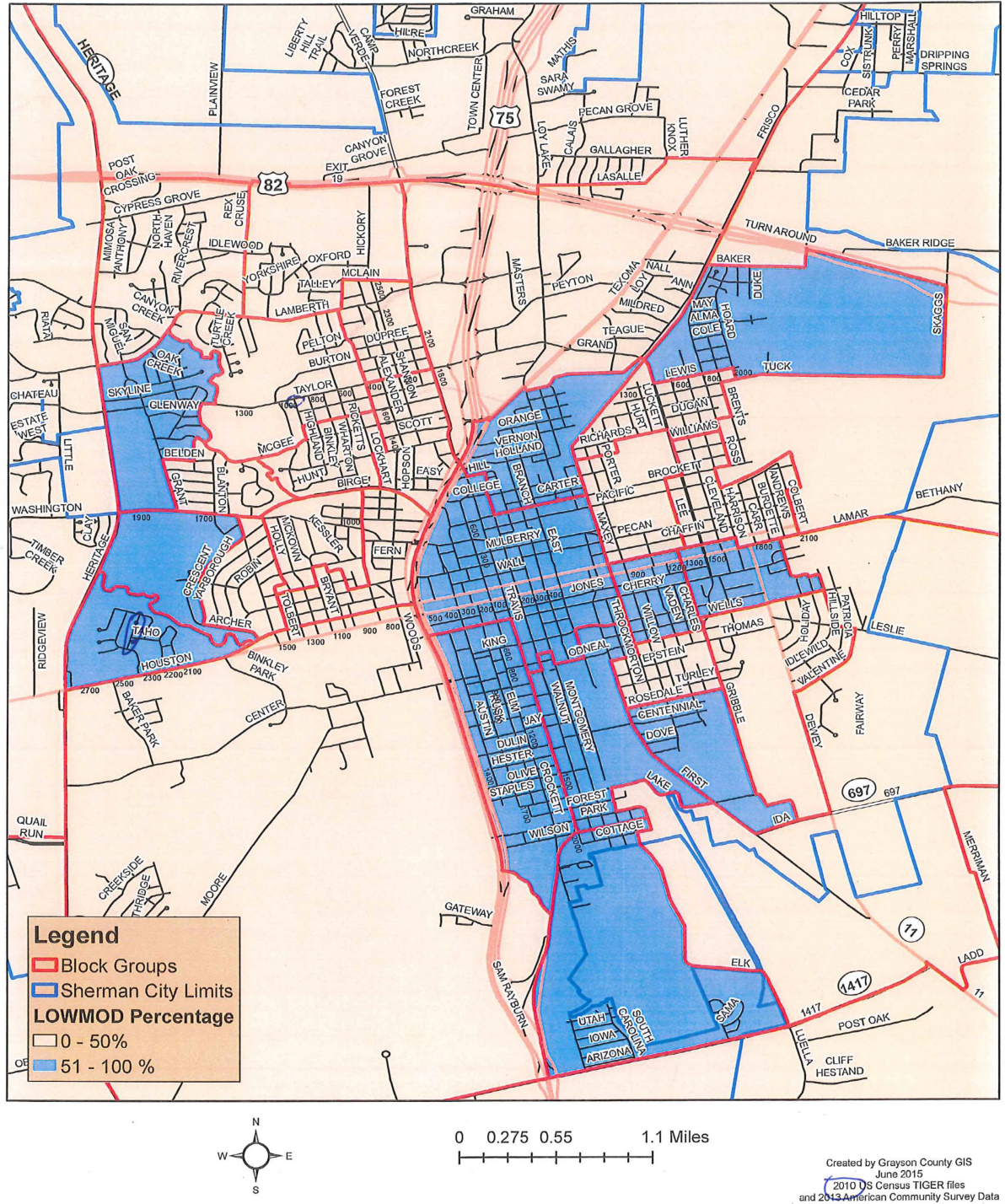
BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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

Exhibit A
Residential Reinvestment Zone, Number 041811-1, City of Sherman, Texas

Sherman, Texas



ORDINANCE NO. 5692

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REVISING THE DESIGNATION OF RESIDENTIAL REINVESTMENT ZONE, NUMBER 041811-1, CITY OF SHERMAN, TEXAS, FOR THE PURPOSE OF RESIDENTIAL TAX ABATEMENT; 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 Council of the City of Sherman has heretofore established Guidelines and Criteria and a Reinvestment Zone for the Residential Tax Abatement Program, pursuant to the provisions of Chapter 312, Tax Code, Vernon's Texas Codes Annotated; and

WHEREAS, the Reinvestment Zone created for residential tax abatement expires five years after the date of designation and may be renewed for periods not to exceed five years; and

WHEREAS, said Reinvestment Zone was last renewed by Ordinance No. 5537 at the City Council's June 2, 2008 meeting;

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

SECTION 1. That the hereinafter described real property is hereby established as Residential Reinvestment Zone, Number 041811-1, City of Sherman, Texas, for the purposes of and pursuant to Chapter 312, Tax Code, Vernon's Texas Codes Annotated. Such Reinvestment Zone is hereby described as follows:

That tract of land situated in the City of Sherman, Grayson County, Texas, being described as follows, to-wit:

BEGINNING at a point in the centerline of the intersection of U.S. Hwy. 82 and Hwy. 91; **THENCE** east along U.S. Hwy. 82 to its intersection with Skaggs Road;

THENCE south along Skaggs Road to Tuck Street; **THENCE** west along Tuck Street to Ellington Avenue; **THENCE** in a southerly direction from Ellington Avenue to Elliot Avenue; **THENCE** south along Elliot Avenue to Mulberry Street; **THENCE** west on Mulberry Street to Colbert Avenue; **THENCE** south along Colbert Avenue to Lamar Street; **THENCE** west on Lamar Street to Wanda Street; **THENCE** south and east along Wanda Street, Hillbrook Street and Patricia Drive to its intersection with Wells Avenue; **THENCE** west along Wells Avenue to Loving Avenue; **THENCE** south along Loving Avenue to the north point of McCall Drive; **THENCE** west on McCall Drive to Gribble Street; **THENCE** south along Gribble Street to Rosedale Street;

THENCE west along Rosedale Street to First Street; **THENCE** south and east along First Street to Lake Avenue; **THENCE** west in a straight line to the City Limits Line; **THENCE** along the City Limits Line to Sherman Street; **THENCE** west along Sherman Street and Mercer Drive to Crockett Street; **THENCE** north along Crockett Street to Wilson Avenue; **THENCE** west along Wilson Street to U.S. Hwy 75;

THENCE north along U.S. Hwy 75 to the south ROW of Center Street; **THENCE** west along the south ROW of Center Street to the east ROW of Bryant Avenue; **THENCE** south along the east ROW of Bryant Avenue to Steadman Street; **THENCE** west along Steadman Street to Moore Street; **THENCE** northeast along Moore Street to Holly Avenue; **THENCE** north along Holly Avenue to the north ROW line of Center Street; **THENCE** east along the north ROW of Center Street to Binkley Street; **THENCE** north along Binkley Street to King Street; **THENCE** east along King Street to Woods Street; **THENCE** north along Woods Street to Lamar Street; **THENCE** west along Lamar Street to Tolbert Avenue; **THENCE** north along Tolbert Avenue to Mulberry Street; **THENCE** East along Mulberry Street to Carl Street; **THENCE** South along Carl Street to Pecan Street; **THENCE** East along Pecan Street to Ricketts Street; **THENCE** North along Ricketts to Freeman Street; **THENCE** East along Freeman and Washington Street to U.S. Hwy 75;

THENCE Northeasterly with U.S. Highway 75 to Travis Street; **THENCE** Northerly along Travis Street to Taylor Street; **THENCE** Westerly along Taylor Street to Woods Street; **THENCE** North along Woods Street to Lamberth Road; **THENCE** East along Lamberth Road to Woods Street; **THENCE** North along Woods Street to McLain Drive; **THENCE** East along McLain to Travis Street; **THENCE** Northerly along Travis Street to Canyon Grove Road; **THENCE** North easterly along Canyon Grove Road to Loy Lake Road;

THENCE South along Loy Lake Road to La Salle Drive; **THENCE** Easterly along LaSalle Drive to Versaille Drive; **THENCE** Northeasterly along Versaille Drive to Gallagher Road; **THENCE** East along Gallagher Road to State Highway 91 (Texoma Parkway); **THENCE** Northerly along State Highway 91 (Texoma Parkway) to Woodlake Road; **THENCE** East along Woodlake Road to the intersection of the Southern Pacific Railroad; **THENCE** Southerly with the Centerline of the Southern Pacific Railroad to the **PLACE OF BEGINNING.....**

Unless otherwise indicated, all lines are along the centerline of referenced streets.

SECTION 2. 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 18th day of April, 2011.

ADOPTED on this the 18th day of April, 2011.

EFFECTIVE DATE on this the 18th day of April, 2011.

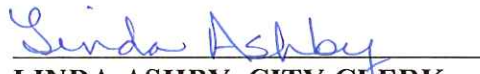
CITY OF SHERMAN, TEXAS

BY:


BILL MAGERS, MAYOR

ATTEST:

BY:

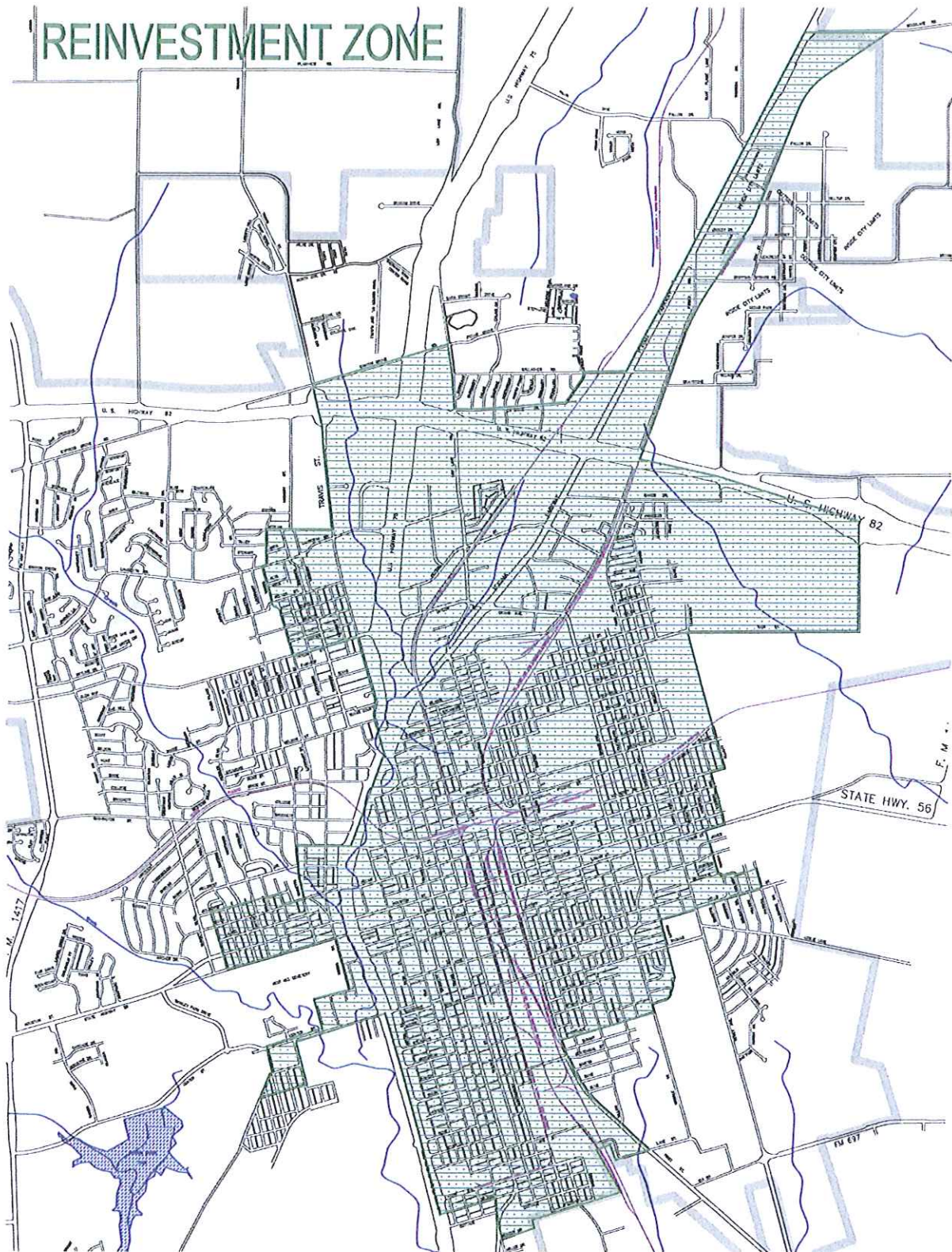

LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY:


BRANDON S. SHELBY,
CITY ATTORNEY

Residential Reinvestment Zone, Number 041811-1, City of Sherman, Texas





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 4.

Meeting Date: 04/18/2016

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 5946, 5947 and 5948

Issue:

C. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5946

Directing Oncor Electric Delivery Company, LLC to File Certain Information with the City of Sherman, Texas; Setting a Procedural Schedule for the Gathering and Review of Necessary Information in Connection Therewith; Setting Dates for the Filing of the City's Analysis of the Company's Filing and the Company's Rebuttal to Such Analysis; Ratifying the Hiring of Legal Counsel and Consultants; Reserving the Right to Require the Reimbursement of the City of Sherman's Rate Case Expenses; Setting a Public Hearing for the Purposes of Determining if the Existing Rates of Oncor Electric Delivery Company, LLC are Unreasonable or In Any Way in Violation of Any Provision of Law and the Determination by the City of Sherman of Just and Reasonable Rates to be Charged by Oncor Electric Delivery Company, LLC; Requiring Delivery of This Ordinance to the Company and the Steering Committee of Cities Served by Oncor's Legal Counsel

C. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5947

Amending Section 8, Subsection (5)(a), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Commercial Amusement Center (Baseball Training Facility with Batting Cages) in a C-2 (General Commercial) District at 1612 Baker Drive, being Lots 4 thru 9, Block 1, Joe Galbreth Subdivision (Eddie Young, Owner; Todd Young, Representative; and "The Bullpen", Chris Stephens, Tenant); Providing that this Specific Use Permit Shall be Granted Subject to Certain Conditions; Providing a Penalty Not to Exceed \$2,000.00

C. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5948

Renewing the Designation of Residential Reinvestment Zone, Number 041811-1, City of Sherman, Texas, for the Purpose of Residential Tax Abatement



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. C. 5.

Meeting Date: 04/18/2016

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:

D. 1. * RESOLUTION NO. 6074

Awarding a Bid to and Authorizing Execution of a Contract with Austin Asphalt, LP for an Annual Supply of Hot Mix Asphalt

D. 2. * RESOLUTION NO. 6075

Authorizing Execution of an Agreement with Joey and Lynn Womble for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1012 North Harrison Avenue

F. 2. * OTHER BUSINESS

Approve Quarterly Investment Report for Quarter Ended March 31, 2016



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 1.

Meeting Date: 04/18/2016

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

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6074**

Awarding a Bid to and Authorizing Execution of a Contract with Austin Asphalt, LP for an Annual Supply of Hot Mix Asphalt

Issue:

To consider the award of bid to Austin Asphalt, LP of Celina, Texas, for the purchase of up to 3,000 tons of Hot Mix Asphalt for the City of Sherman's 2016 Street Maintenance Program

Background:

Each year, the Street Maintenance Department prepares for annual street patching repair needs. A request to advertise for public bids was approved by the City Council in its meeting of March 21, 2016. The Invitation to Bid was publicly advertised and, out of two (2) bids submitted on April 12, 2016, Austin Asphalt, LP of Celina, Texas, was the lowest bid.

Origination:

Street Maintenance Department

Financial Consideration:

The lowest bid, submitted by Austin Asphalt, LP, for the required Hot Mix Asphalt was \$50.50 per ton (not delivered) and \$61.61 per ton (delivered). There are sufficient funds in the fiscal year 2015-2016 annual Street Maintenance Department operating budget to purchase up to 3,000 tons of Hot Mix Asphalt. Based on these volumes, the expected total cost would be between \$151,500 (not delivered) and \$184,830 (delivered).

Staff Recommendation:

It is the staff's recommendation that the Sherman City Council award the City of Sherman's Hot Mix Asphalt contract to Austin Asphalt, LP of Celina, Texas, for one (1) twelve (12) month period.

Alternatives:

As may be recommended by the City Council

Attachments

Resolution No. 6074

City of Sherman Standard Contract

Addendum #1

Bid Tabulation

RESOLUTION NO. 6074

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDED A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH AUSTIN ASPHALT, LP FOR AN ANNUAL SUPPLY OF HOT MIX ASPHALT; 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 Austin Asphalt, LP is hereby awarded the bid, based on estimated volume of 3,000 tons of hot mix asphalt; 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 Austin Asphalt, LP for an estimated volume of 3,000 tons of hot mix asphalt, in accordance with all contract documents 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 _____, 2016.

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:

Austin Asphalt LP

Name

6330 Commerce Dr., #150

Address

Irving, TX 75063

City, State, Zip

214-596-7300

Telephone

ptinsley@austin-ind.com

Email

DESCRIPTION OF GOODS

This Contract is for the purchase by the City of Sherman, Texas, of the goods, materials and 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:

Bid No. 2016-05 - Hot Mix Asphalt

[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.

DURATION: From April 18, 2016 to April 17, 2017

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. Mail 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.

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.

26. **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.
27. **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.
28. **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.
29. **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.

30. **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.

EXECUTED this 12TH day of APRIL

SELLER:

Michael D. Manning
(Signature)

Michael D. Manning / V.P.
(Type/Print Name and Title/Position)

6330 Commerce Dr., #150
(Address)

Irving TX 75063
(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



Addendum #1
Annual Requirements for Hot Mix Asphalt Bid No. 2016-05

The City of Sherman is currently in an Inter-Local Agreement with Grayson County, which allows for either government entity to "piggy-back" off of any current contract and its related terms and conditions. As related to this bid, the Seller agrees to extend contract terms and conditions to any Hot Mix Asphalt purchases that Grayson County purchases from the Seller for the duration of the contract with the City of Sherman.

EXECUTED this _____ day of _____, _____.

SELLER:

(Signature)

Michael D. Manning, V.P.

(Type/Print Name and Title/Position)

6330 Commerce Dr., #150

(Address)

Irving, TX 75063

(City,State,Zip)

CITY OF SHERMAN:

By: _____
Robby Hefton,
City Manager
220 W. Mulberry
Sherman, TX 75090

ATTEST:

By: _____
Linda Ashby,
City Clerk

APPROVED:

By: _____
Brandon Shelby,
City Attorney

**CITY OF SHERMAN
BID TABULATION
Hot Mix Asphalt
BID OPENING Tuesday, April 12, 2016; 2:00 PM**

[illegible]



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. D. 2.

Meeting Date: 04/18/2016

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6075**

Authorizing Execution of an Agreement with Joey and Lynn Womble for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1012 North Harrison Avenue

Issue:

This item is to consider property tax abatement for the construction of a new single-family residence at 1012 North Harrison Avenue.

Background:

Several years ago, the City Council began a residential tax abatement program to encourage the redevelopment of older sections of town. This application is for the construction of a new single-family residence at this location. This lot is in the current designated zone for residential tax abatement.

Origination:

Joey and Lynn Womble, Owners/Applicants

Financial Consideration:

A \$75.00 application fee has been received for this residential lot. If granted, the initial abatement for this property will be approximately \$339.08 annually.

Staff Recommendation:

The staff recommends approval of this abatement since it meets the requirements of the process.

Alternatives:

The City Council could decide against granting this abatement.

Attachments

Resolution No. 6075

Residential Tax Abatement Agreement

Application

Warranty Deed

Survey

Building Permit

Site Plan

Photo

Location Map

Residential Reinvestment Zone Map

RESOLUTION NO. 6075

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOEY AND LYNN WOMBLE FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1012 NORTH HARRISON AVENUE; 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 receipt of a fully-executed agreement from Joey and Lynn Womble and subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an agreement with Joey and Lynn Womble for the abatement of ad valorem property taxes for a period of ten (10) years, for the construction of one (1) new single-family residence at 1012 North Harrison Avenue, lying within the City of Sherman's Residential Tax Reinvestment Zone, in accordance with the City's policies and procedures established for this purpose.

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 _____, 2016.

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

THE STATE OF TEXAS §
 §
COUNTY OF GRAYSON §

AGREEMENT

THIS AGREEMENT, entered into by and between the **CITY OF SHERMAN, TEXAS**, a home rule city and municipal corporation of the State of Texas, duly acting herein by and through its City Manager, hereinafter referred to as CITY, and **JOEY AND LYNN WOMBLE**, hereinafter referred to as OWNER,

WITNESSETH:

WHEREAS, on the 18th day of April, 2011, the City Council of Sherman, Texas, passed Ordinance No. 5692 establishing a reinvestment zone for residential tax abatement, as authorized by Chapter 312 of the Texas Tax Code, as amended, hereinafter referred to as CODE; and

WHEREAS, the CITY has adopted a resolution (Resolution No. 5960) stating that it elects to be eligible to participate in a residential tax abatement program; and

WHEREAS, the CITY desires to create the proper economic and social environment to induce the investment of private resources in real estate construction located in incorporated areas of the CITY; and

WHEREAS, the CITY hereby finds that it may effectively encourage and assist the creation of such an environment by participating in tax abatement pursuant to the CITY; and

WHEREAS, the CITY has created a reinvestment zone within its jurisdiction to induce the investment of private resources in real estate construction located in incorporated areas of the CITY, and OWNER has agreed to construct certain real property improvements; and

WHEREAS, OWNER is prepared to comply with the provisions of the CITY'S guidelines and criteria enacted the 18th day of April, 2011;

NOW, THEREFORE, WITNESS THIS TAX ABATEMENT AGREEMENT which provides as follows:

I.

1.01 To the extent authorized by the Texas Constitution and by the Tax Code, CITY hereby agrees to exempt from City of Sherman taxation a portion of the increase in value of taxable real property of OWNER in the CITY over the same real property and its value as calculated by the Grayson Appraisal District for ad valorem property tax purposes in accordance with the following schedule. Such tax exemption shall be in effect for tax years beginning January 1, 2016, and continuing for tax years 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023,

2024 and 2025, with same constituting ten (10) tax years. However, nothing contained herein shall be construed to grant an abatement of taxes to be assessed based on the change of use of the property from an agricultural use to another use, sometimes referred to as rollback taxes, penalties or interest. In the event rollback taxes are applicable for the real property utilized by OWNER, then such increase in value of taxable property resulting from such rollback shall be used as the tax value for such property for the tax year 2016, sometimes referred to herein as the Base Tax Year.

SCHEDULE OF TAXES ASSESSED

<u>TAX YEAR</u>	<u>ABATEMENT</u>
2016	100%
2017	100%
2018	100%
2019	100%
2020	100%
2021	100%
2022	80%
2023	60%
2024	40%
2025	20%

II.

2.01 OWNER warrants and represents that the real property upon which OWNER has constructed or will construct improvements is qualified property within the meaning of that Act, and that such has been and will remain eligible for tax abatement under the provisions of the Property Redevelopment and Tax Abatement Act, Sections 312.001, et seq., Texas Tax Code.

2.02 To continue to qualify for tax abatement under the terms of this Agreement, OWNER hereby warrants and represents that the improvements made by OWNER on the real property described herein are for residential use.

2.03 The tax abatement granted under the terms of the Agreement shall only be implemented if appraised value of all real property and improvements located thereon owned by OWNER and lying within designated zone exceeds the base year value. The OWNER agrees that Grayson Appraisal District shall, at reasonable times upon reasonable notice, have access to the property made the subject of this Agreement, and that the above set forth inspectors shall be able to inspect the property to insure that the improvements are being made in accordance with the terms and conditions hereof and utilized in accordance with this Agreement.

III.

3.01 The term of this Agreement shall be for tax years 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024 and 2025, as indicated above in paragraph 1.01.

IV.

4.01 The kind, number and location of all proposed property improvements are set forth as follows:

Construction of one (1) new single-family residence at 1012 North Harrison Avenue, Sherman, Texas, and as more particularly described by the following:

BEING Lot 8 and the north ½ of Lot 9, Block 2, College Park Addition

5.01 OWNER agrees that, should he fail to make improvements substantially as described or fail to perform any other term or covenant hereof, CITY shall have the right, after giving notice and opportunity to cure as hereinafter set out, to recapture all tax revenue on said property in the zone lost as a result of this Agreement for the entire term of the Agreement. Such recapture shall mean that all of such property shall be taxed at the full improved value as assessed by the Grayson Appraisal District for all years this Agreement has been in effect. The payment of such recaptured taxes minus any taxes paid by OWNER during the years this Agreement has been in force shall be due January 1 of the next following year and shall be delinquent if not paid on or prior to January 31st. Penalties and interest shall be calculated thereafter as if all taxes had become due in the same year. The CITY agrees prior to enforcement of the terms of this paragraph to give 120 days written notice to the address shown below of OWNER'S default in completing the improvements called for in this Agreement, and OWNER shall have the right to cure such default within the 120-day period.

VI.

6.01 This Agreement shall inure to the benefit of CITY and OWNER, and shall be binding upon them, their heirs, successors and assigns. It is specifically provided and agreed that the right to tax abatement shall inure to the benefit of subsequent owners so long as the term and conditions of this Agreement are in effect.

VII.

7.01 CITY agrees that this Agreement may be assigned and the improvements leased or sub-leased, without any further necessity for consent, by the OWNER to any person, firm or corporation.

VIII.

8.01 At any time before the expiration of the term hereof, this Agreement may be modified by the mutual action of the parties hereto to include other provisions that could have been included in the original agreement or to delete provisions that were not necessary to the original agreement. Such modification must be in writing and signed by all the parties hereto and made by the same procedure by which the original Agreement was approved and executed. In no event may the original Agreement be modified so as to extend the term beyond the original term of this Agreement.

IX.

9.01 This Agreement shall be construed subject to the laws of the State of Texas, and particularly to the Property Redevelopment and Tax Abatement Act, Chapter 312 of the Texas Tax Code.

9.02 All appraisal values for real property shall be made by the Grayson Appraisal District or such other entity as may succeed or replace such District.

9.03 OWNER is hereby notified that the Grayson Appraisal District may impose additional requirements which must be met in order for OWNER to realize the benefit of tax abatement and this Agreement. Contact should be made by OWNER with the District in person at 512 North Travis Street, Sherman, Texas, or by telephone at (903) 893-9673.

X.

10.01 This Agreement is subject to all provisions of all outstanding bond issues of CITY. To the extent that this Tax Abatement Agreement conflicts with any of the provisions of such bond issues, such bond issues and attendant documents thereto shall control.

XI.

11.01 This Tax Abatement Agreement is specifically subject to present laws of the State of Texas and any future laws enacted subsequent to the execution of this Agreement which may provide retroactively for a modification of Agreements of this type as a matter of law. Upon the effective date of any such law, then this Agreement shall automatically be so modified.

XII.

12.01 Notices required by this Agreement shall be mailed to the following addresses as same may be in the future changed by either party upon written notice to the other:

City of Sherman
P.O. Box 1106
Sherman, Texas 75091-1106
(903) 892-7200

Joey & Lynn Womble
2320 Meadows Lane
Sherman, Texas 75092
(903) 893-5386

Copy to: Grayson Appraisal District
512 North Travis Street
Sherman, Texas 75090
(903) 893-9673

This Agreement is performable in Grayson County, Texas. Witness our hands on this the _____ day of _____, 2015.

CITY:
CITY OF SHERMAN, TEXAS

OWNERS:
JOEY & LYNN WOMBLE

BY: _____
ROBBY HEFTON
CITY MANAGER

BY: _____
JOEY WOMBLE

BY: _____
ROBBY HEFTON

BY: _____
LYNN WOMBLE

ATTEST:

BY: _____
LINDA ASHBY
CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY
CITY ATTORNEY

**THE STATE OF TEXAS §
COUNTY OF GRAYSON §**

BEFORE ME, the undersigned authority, on this day personally appeared **JOEY WOMBLE**, 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 express.

GIVEN UNDER MY HAND and seal of office this ____ day of _____, 2015 A.D.

**NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS**

**THE STATE OF TEXAS §
COUNTY OF GRAYSON §**

BEFORE ME, the undersigned authority, on this day personally appeared **LYNN WOMBLE**, 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 express.

GIVEN UNDER MY HAND and seal of office this ____ day of _____, 2015 A.D.

**NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS**

**CITY OF SHERMAN
APPLICATION FOR RESIDENTIAL TAX ABATEMENT**

Property Owner:

Name: Jody & Lynn Womble

Mailing Address: 2320 Meadows Ln Sherman, TX 75092

Telephone Number: 972 900 2338

Contact (if different than owner):

Name: _____

Mailing Address: _____

Telephone Number: _____

Property:

Physical Address: 1012 N Harrison

Summary Legal Description: Lot: 8+9^{1/2} Block: 2 Addition: College Park

Full Legal Description: Include as an attachment a full legal description with metes and bounds.

Improvements:

Type of Improvements (please check one). New Construction: ☒ Remodeling: _____

Estimated Value of Improvements: \$91,150⁰⁰

Estimated Date of Start of Construction: 4/1/16

Estimated Date of Completion of Project: 6/30/16

Description of Project: Single family residence

Applicant(s): Jody Womble

Date: 3/15/16

Lynn Womble

Date: 3/15/16

Grayson County
Wilma Blackshear Bush
County Clerk
Sherman, Texas 75090



70 2010 00009910

Instrument Number: 2010-00009910

Recorded On: May 27, 2010
As
Recordings

Parties: LOWRY THOMAS A ETAL
To WOMBLE JOE LAYNE JR ETAL

Billable Pages: 2
Number of Pages: 4

Comment: WD

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

Recordings	20.00
Total Recording:	20.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

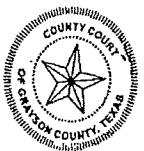
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Record and Return To:

Document Number: 2010-00009910
Receipt Number: 310691
Recorded Date/Time: May 27, 2010 02:54:15P
Book-Vol/Pg: BK-OR VL-4807 PG-421
User / Station: G WHITE - Cashiering Station 1

CHAPIN TITLE CO., INC.
620 N. TRAVIS ST.
SHERMAN TX 75090



THE STATE OF TEXAS
COUNTY OF GRAYSON
I hereby certify that this instrument was FILED in the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Grayson County, Texas.

Wilma Blackshear Bush

Wilma Blackshear Bush, Grayson County Clerk

Bk Vol Ps
00009910 OR 4807 422

232867

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

General Warranty Deed

Date: May 24 2010

Grantor: THOMAS A. LOWRY and JANET HUBER LOWRY

Grantee: JOE LAYNE WOMBLE, JR. and FLORENCE LYNN ZANDER WOMBLE

Grantee's Mailing Address:

2320 Meadows Ln
Sherman, TX 75092
Grayson County

Consideration:

TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

BEING LOT EIGHT (8) AND THE NORTH ONE-HALF (½) OF LOT NINE (9) IN BLOCK TWO (2) OF COLLEGE PARK ADDITION, AN ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 81, PAGE 438, DEED RECORDS, GRAYSON COUNTY, TEXAS.

Reservations from Conveyance:

The herein described tract of land is being conveyed subject to all outstanding Mineral Deeds and/or Reservations, Royalty Deeds and/or Reservations, oil and gas leases, easements and property restrictions appearing of record in the Deed Records and/or Official Records of the County of the property described herein; affecting the herein described property, all of which are excepted from the WARRANTY hereinafter given.

Exceptions to Conveyance and Warranty:

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2010, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from

Bk Vol Ps
00009910 OR 4807 423

Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and 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. Grantor binds Grantor and Grantor's 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 Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

Thomas A. Lowry
THOMAS A. LOWRY

Janet Huber Lowry
JANET HUBER LOWRY

STATE OF Indiana)

COUNTY OF Jefferson)

This instrument was acknowledged before me on May 24, 2010, 2010, by THOMAS A. LOWRY and JANET HUBER LOWRY.

Jeannette Renee Broadbrite
Jeannette Renee Broadbrite - JCR
Notary Public, State of ~~Texas~~ Indiana
My commission expires:
2-9-2012 Jefferson County, Indiana.

PREPARED IN THE OFFICE OF:

Adams, Bennett & Duncan
100 East Broadway
Gainesville, Texas 76240

AFTER RECORDING RETURN TO:

Chapin Title Co.
620 N. Travis
Sherman, TX 75092

Ek Vol Pg
00009910 OR 4807 424

Filed for Record in:
Grayson County

On: May 27, 2010 at 02:54P

As a
Recording

Document Number: 00009910

Amount: 20.00

Receipt Number - 310691

By:
GAIL WHITE

STATE OF TEXAS

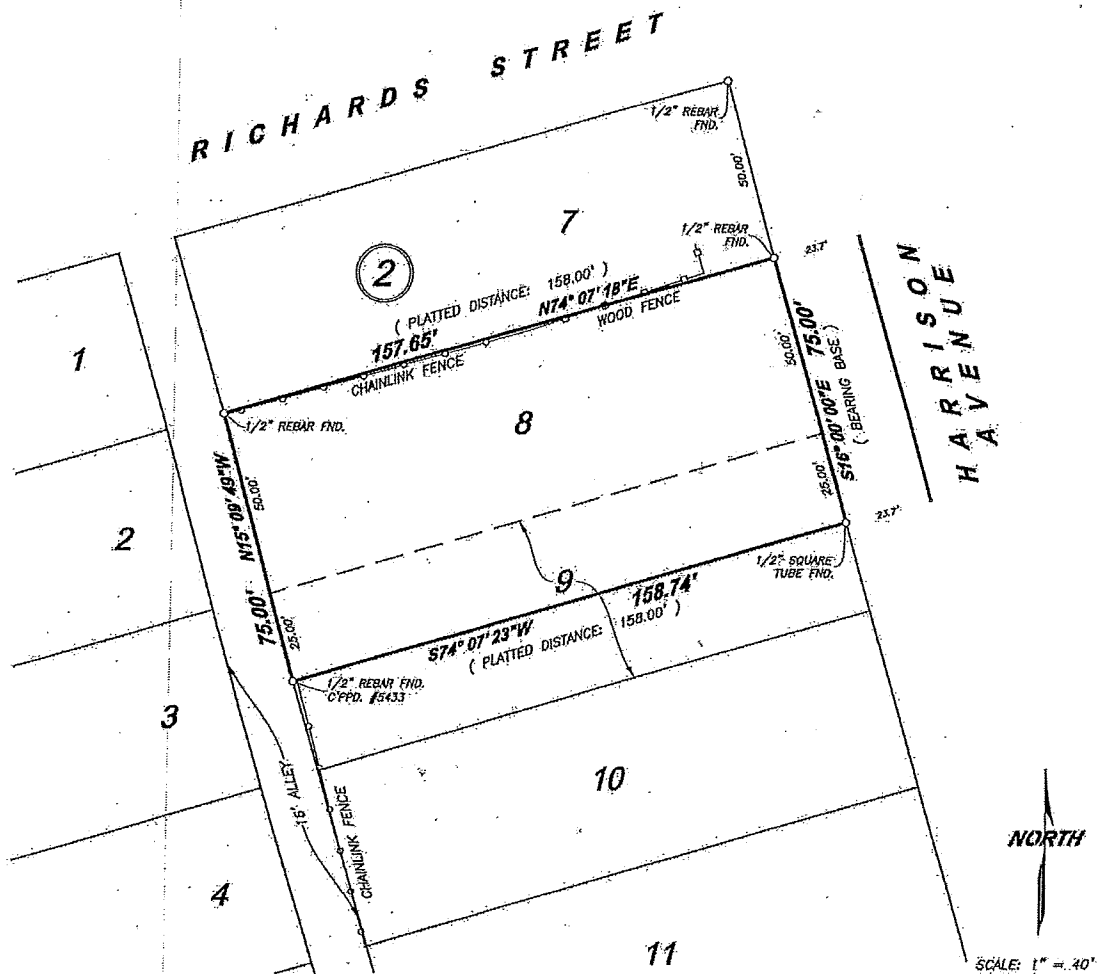
COUNTY OF GRAYSON

I hereby certify that this instrument was
filed on the date and time stamped hereon by me
and was duly recorded in the volume and page
of the named records of:

Grayson County
as stamped hereon by me.

May 27, 2010

Wilma Blackshear Bush, County Clerk
Grayson County



SARTIN & ASSOCIATES, INC.

REGISTERED PROFESSIONAL LAND SURVEYORS

FIRM Headquarters - #10081100

109 S. Travis • P.O. Box 1843 Sherman, TX 75091
Phone: (903)892-8003 • Fax: (903)868-2970 • Email: msartin@gccoispc.com

SURVEY FOR: JOEY WOMBLE and LYNN WOMBLE

I, Marshall Sartin, Registered Professional Land Surveyor, hereby certify that a survey of the property shown hereon was made on the ground on the 17th day of March, 2016 of the following described property:

Lot EIGHT (8) and the North ONE-HALF (25.00' ft.) of Lot NINE (9) in Block TWO (2) of COLLEGE PARK ADDITION to the City of Sherman, Texas as shown by plat of record in Volume 81, Page 438, Deed Records, Grayson County, Texas.

That the improvements located on said property are known as 1012 N. HARRISON AVENUE, SHERMAN, TX this survey substantially complies with the current Minimum Standards for Professional Land Surveyors as adopted by the Texas Board of Professional Land Surveying, and is subject to all easements of record or as shown on recorded plat that may affect said property.

THIS SURVEY PLAT WAS PREPARED FROM A SURVEY PERFORMED ON THE DATE SHOWN HEREON FOR THE CLIENT NAMED HEREINABOVE AND FOR THE TRANSACTION TAKING PLACE AT THE TIME OF THIS SURVEY. THIS SURVEY PLAT IS NOT TO BE USED IN CONNECTION WITH ANY FUTURE TRANSACTIONS WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE UNDERSIGNED SURVEYOR AND THE UNDERSIGNED SURVEYOR ACCEPTS NO LIABILITY FOR ANY FUTURE UNAUTHORIZED USE OF THIS SURVEY PLAT.

Marshall Sartin R.P.L.S #3694



CITY OF SHERMAN

RESIDENTIAL BUILDING PERMIT

PERMIT #: 160404

SUBCONTRACTOR: JOE/LYNN WOMBLE JR

DATE ISSUED: 3/09/2016

PROJECT ADDRESS: 1012 N HARRISON AVE
PARCEL ID:
SUBDIVISION:

LOT #:
BLK #:
ZONE ORD:

ISSUED TO: JOE/LYNN WOMBLE JR
ADDRESS: 2320 MEADOWS LN
CITY, ST ZIP: SHERMAN TX 75092-3001
PHONE:

CONTRACTOR: BLUESTONE PARTNERS LLC
ADDRESS: PO BOX 368
CITY, ST ZIP: SHERMAN TX 750910368
PHONE: 903-813-1415

PROP.USE: ONE FAMILY RESIDENTIAL
WORK: NEW RESIDENTIAL
CONSTRUCTION
VALUATION: \$ 91,150.00
OCCP TYPE: ONE FAMILY RESIDENTIAL
CNST TYPE: WOOD FRAME

SQ FT: 1,619.00
BEDROOMS: 4

BATHROOMS: 2
STORIES: 1

FEE CODE	DESCRIPTION	AMOUNT
BLD10	RESIDENTIAL STORMWATER MGMT	\$ 25.00
TOTAL		\$ 25.00

NOTES:

NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.


(SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT)

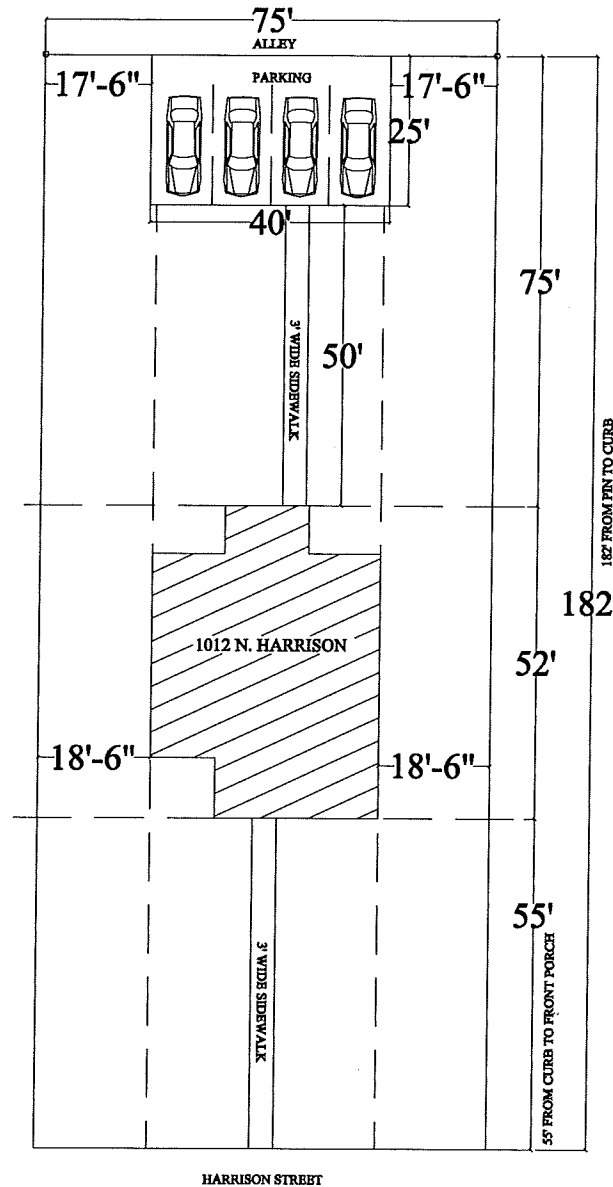
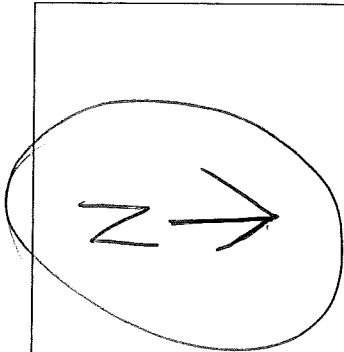
3/9/16
DATE


(APPROVED BY) FLOOD PLAIN ADMINISTRATOR

3/9/16
DATE


(APPROVED BY) BUILDING & ZONING

3/31/16
DATE



SHEET:
SITE PLAN

PAGE #:
6

SCALE:
NTS

ADDRESS:

1012 N. HARRISON ST
SHERMAN, TX
75090

OWNER:

JOEY WOMBLE

NOTES:

House to be
constructed to 2009
IRC codes

SQUARE FOOTAGE:

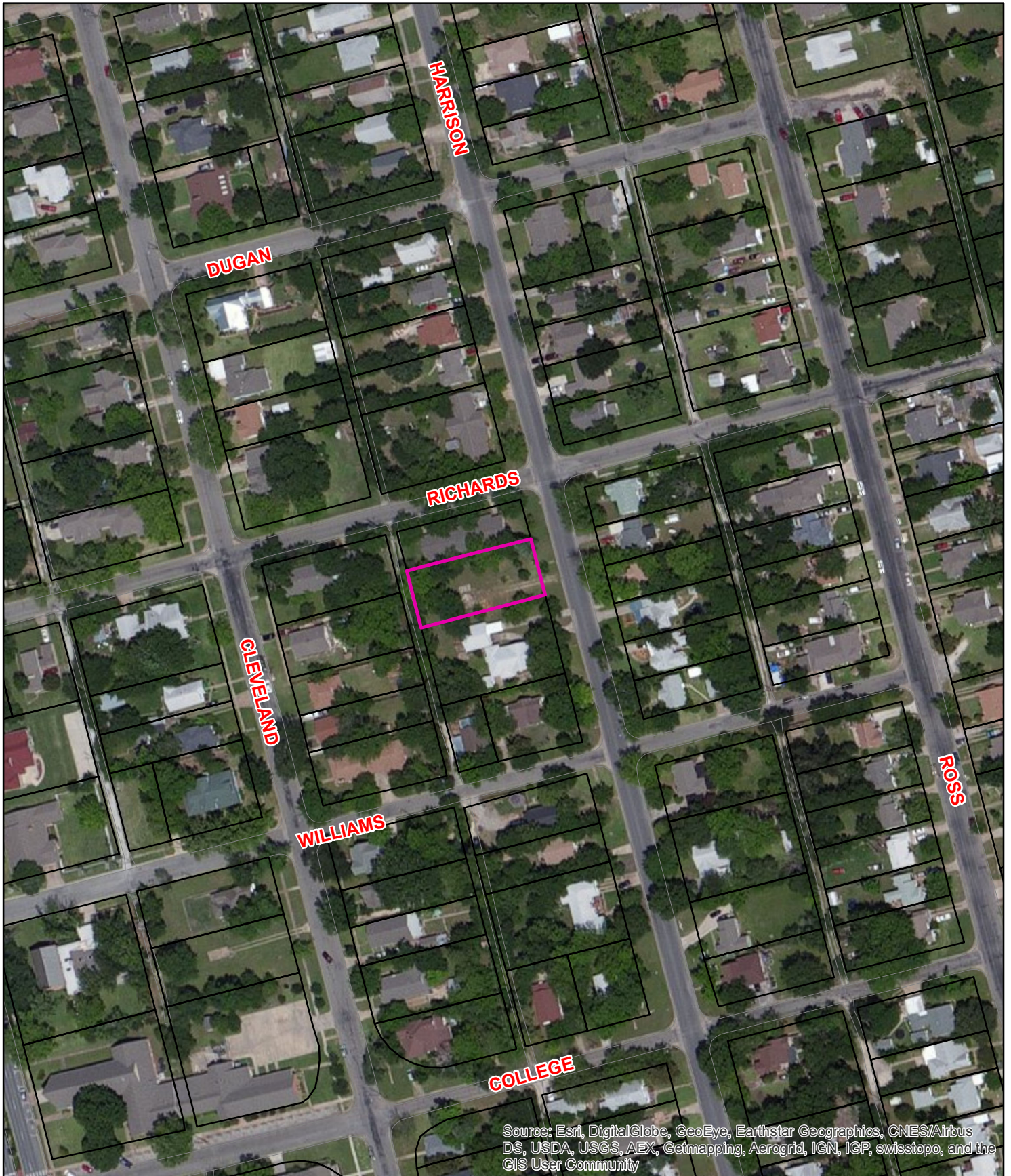
Front Porch: 273
Back Porch: 96
Total Heated: 1250

DOOR/ WINDOW LEGEND

	DOOR TAG
	DOOR WIDTH (2' 4")
	DOOR HEIGHT (6' 8")
	WINDOW TAG
	WINDOW WIDTH
	WINDOW HEIGHT

1012 N. Harrison Avenue





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Sherman
CLASSIC TOWN. BROAD HORIZON.

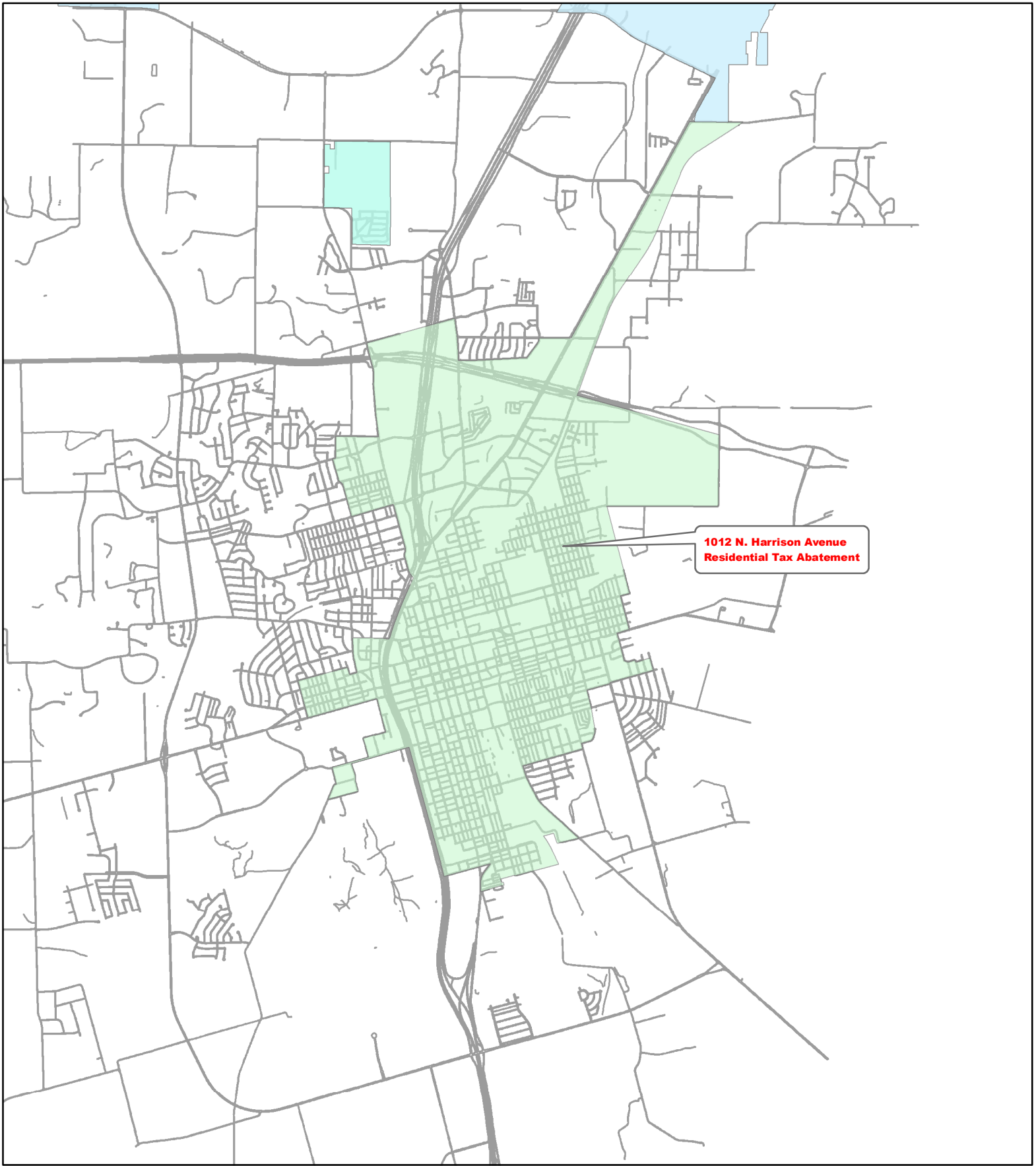
City of Sherman, Texas
Developmental Services Department

1012 N. Harrison Ave.



NOT TO SCALE

1 in = 163 ft



1012 N. Harrison Avenue Residential Tax Abatement



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE
1 inch = 5,000 feet



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. E. 1.

Meeting Date: 04/18/2016

Prepared By: Mark Gibson, Director of Utilities

Approved By: Robby Hefton, City Manager

Caption:

REQUEST TO ADVERTISE

Construction of a Biosolids Dewatering Facility at the Sherman Wastewater Treatment Plant

Issue:

Seeking permission to advertise for bids for the construction of a biosolids dewatering facility at the City's Wastewater Treatment Plant

Background:

The City's Capital Improvement Program contains a project to construct a biosolids dewatering facility at the City's wastewater treatment plant. The facility will allow the City to manage its biosolids program by replacing an onsite contractor who has done the work in the past.

Origination:

Department of Utilities Administration

Financial Consideration:

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

Staff Recommendation:

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

Alternatives:

As may be directed by the City Council

Attachments

Location Map





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. F. 1.

Meeting Date: 04/18/2016

Prepared By: Steve Ayers, Director of Community and Support Services

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 "7th Annual Lights on the Lake" on Saturday, July 2, 2016

Issue:

A request has been received from Sarah McRae, Sherman's Tourism/Main Street Manager, for the "7th Annual Lights on the Lake" at Pecan Grove Park. In order to accommodate this large community event, Ms. 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 (FM 1417) at Canyon Creek Drive. The dedication was followed by the 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 4th of July celebration attended by large crowds. This year, it is being hosted by the City's Tourism and Parks/Recreation Departments; and Ms. McRae requests the use of Pecan Grove Park on Friday July 1st and Saturday, July 2nd 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

Request Letter

Neighborhood Map



memorandum

DATE: April 1, 2016
TO: Steve Ayers, Director of Community and Support Services
FROM: Sarah McRae, Tourism/Main Street Manager
SUBJECT: Lights on the Lake 2016

The Sherman Tourism & Main Street Department would like to reserve Pecan Grove Park West & East from Friday, July 1st through Saturday, July 2nd, 2016 for Lights on the Lake, Sherman's Independence Day Celebration. We are requesting that Lights on the Lake be held on Saturday, July 2nd.

We have booked Alpha Media Group to play music beginning at 3:00 p.m. until approximately 7:15 p.m. allowing time for opening remarks, thanks to our sponsors, comments from the Mayor and any other requests while Foghat sets up to play beginning at 7:45 p.m. Foghat will play until we are ready for fireworks to begin at 9:30 p.m.

We are contracting the fireworks with the same vendor as in 2015, Illumination Fireworks, a large company from Dallas.

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 majority of city departments, especially Sherman Fire and Sherman Police.

If you have any questions, please contact me.

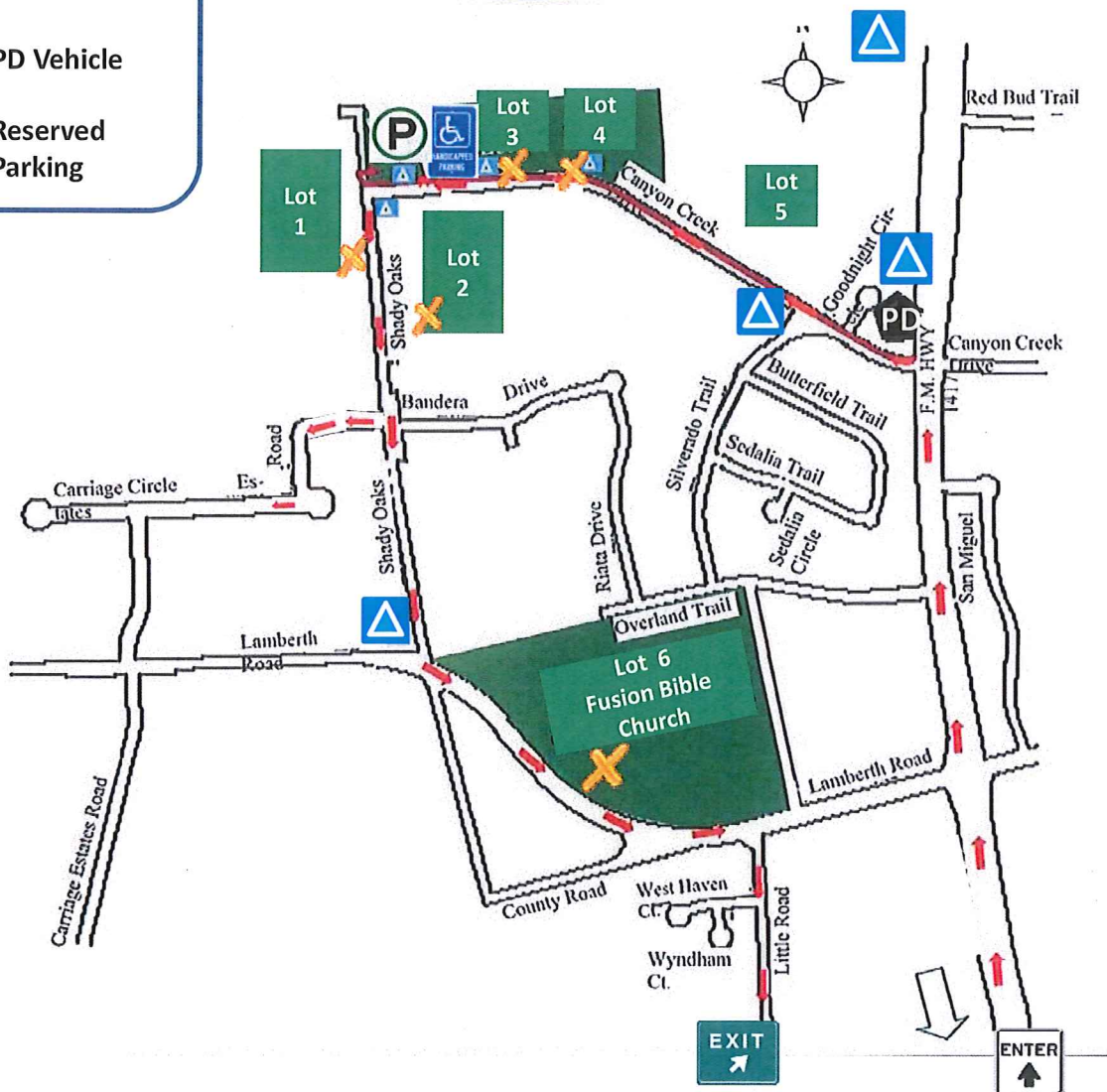
cc: Otis Henry, Police Chief
Danny Jones, Fire Chief

July 2, 2016



KEY

- Public Parking Entrance
- Tent
- PD Vehicle
- Reserved Parking





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Agenda Item No. F. 2.

Meeting Date: 04/18/2016

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Approve Quarterly Investment Report for Quarter Ended March 31, 2016

Issue:

To approve the Investment Report for the quarterly period ending March 31, 2016

Background:

These reports are being presented in accordance with the state law that requires at least quarterly presentation to the Council. Beginning this quarter, a separate report is included for the Tax Note proceeds received in February, as required by the Investment Policy. The reports were given to the Investment Committee prior to submittal to the Council.

As of March 31, 2016, the portfolios were in compliance with applicable state laws and the Investment Policy. The Operating investment portfolio had a book value of about \$20.5 million, an increase of about \$4.8 million from prior quarter of \$15.7 million, due to purchases of State of Texas Obligations, a Certificate of Deposit, U.S. Agency securities and the Local Government Investment Pools. The underlying investments were adequately diversified among four different types of securities. This portfolio is appropriately liquid; and its weighted-average maturity was about 498 days, up from 487 days last period. The portfolio yield of 0.855% for the quarter is higher than the benchmark yield of 0.59%. The portfolio value on the City's books is essentially equal to the market value of the overall portfolio.

The CO debt proceeds portfolio balance of \$1.8 million was invested in a Local Government Investment Pool with a maturity of one day. The yield of .32% was above the benchmark yield of .18% for this portfolio. Book value and market value were about the same.

Origination:

Finance

Financial Consideration:

None

Staff Recommendation:

It is recommended that the Council accept the Investment Report as presented.

Alternatives:

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

Attachments

Memo to Investment Committee for QE March 31, 2016

Investment Report for QE March 31, 2016

Tax Notes Investment Report for QE March 31, 2016



memorandum

DATE: Wednesday, April 12, 2016

TO: The City of Sherman Investment Committee
Councilman Jason Sofey
Councilman Tom Watt
Robby Hefton, City Manager

FROM: Mary Lawrence, Director of Finance 

CC: Don Keene, Assistant City Manager

SUBJECT: Investment Reports for Quarter Ended March 31, 2016

Enclosed are copies of the quarterly investment reports for the quarter ended March 31, 2016. Per the Investment Policy, the Tax Note proceeds are reported in a separate investment report. As of that date, the City was in compliance with all applicable state laws and internal policies for the portfolios.

The total operating portfolio balance of about \$20.5 million increased by about \$4.8 million during the quarter, compared to the balance at December 31, 2015 due to purchases of State of Texas political subdivision obligations, a Certificate of Deposit, U.S. Agency Securities, and the Local Government Investment Pools. The underlying investments were adequately diversified among four different types of securities. The portfolio had a weighted-average maturity of about 498 days, up from 487 days from last quarter. The portfolio yield of 0.855% was higher than our benchmark 1-year Constant Maturity Treasury Index of 0.59%. Book value closely approximated market value.

The CO debt proceeds portfolio balance of \$1.8 million was invested in a Local Government Investment Pool with a yield of .32% and a maturity of one day. The yield exceeds the 4-week Constant Maturity index of .18%. The only transactions in the portfolio were the receipt of the tax note proceeds and interest income.

This investment report will be on the April 18th City Council agenda for their review and approval. Please call me if you have any questions about this item.

attachments (as stated above)

CITY OF SHERMAN, TEXAS
INVESTMENT PORTFOLIO SUMMARY
For the Quarter Ending March 31, 2016

	Total Portfolio Summary		
	Current Quarter 3/31/2016	Prior Quarter 12/31/2015	Change From Prior Quarter
Book Value	\$ 20,535,721	\$ 15,731,172	\$ 4,804,549
Market Value	\$ 20,559,648	\$ 15,716,329	\$ 4,843,319
Weighted Average Maturity - Days	498	487	11
Weighted Average Yield	0.855%	0.812%	0.043%
Earned Income	\$ 30,046	\$ 33,723	\$ (3,677)
Earned Income - Year-to-Date	\$ 63,769	\$ 33,723	\$ 30,046

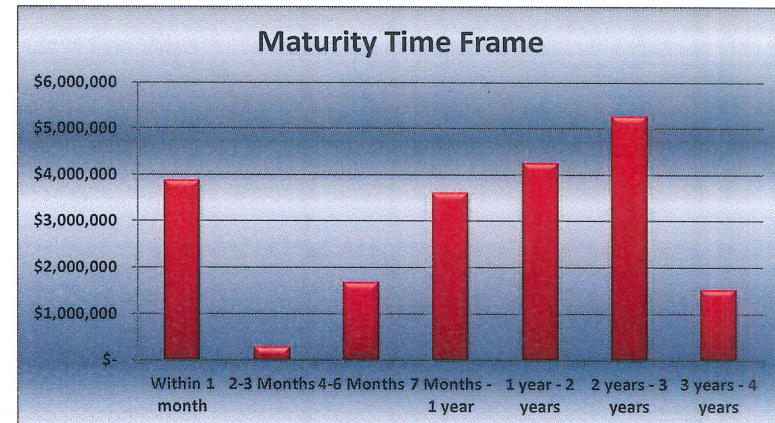
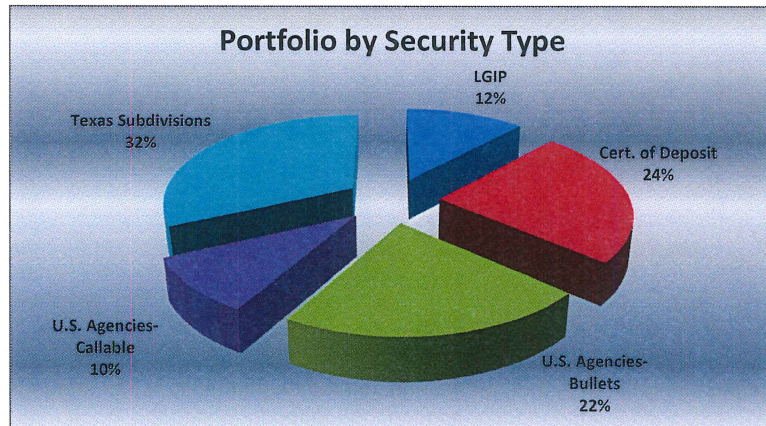
This report complies with the requirements of the public funds investment law and covers all the funds of the City of Sherman that are subject to that law.

As of March 31, 2016, the City's portfolio had a book value of about \$20.5 million, which approximates the market value. Of this amount, \$2.4 million was held in Local Government Investment Pools (LGIP), \$5.0 million was held in Certificates of Deposit (CD), \$6.5 million was held in U.S. Agency Securities and \$6.6 million was held in State of Texas political subdivision obligations.

The portfolio value increased by \$4.8 million from the previous quarter due to purchases of State of Texas political subdivision obligations (\$0.8 million), U.S. Agency Securities (\$3.0 million), short-term Certificates of Deposit through the CDARS program (\$1.0) and the Local Government Investment Pools (LGIP) of \$1.0 million; and maturities of about \$1.0 in State of Texas political subdivision obligations.

The weighted average yield on the portfolio was .85%, 26 basis points above the 1-year Constant Maturity Treasury Index of .59% and 4 basis points above the previous quarter.

The weighted average maturity of the portfolio increased from 487 days at December 31, 2015, to 498 days at March 31, 2016.



Mary Lawrence

Mary Lawrence, Finance Director and City of Sherman Investment Officer

Tammy Davis

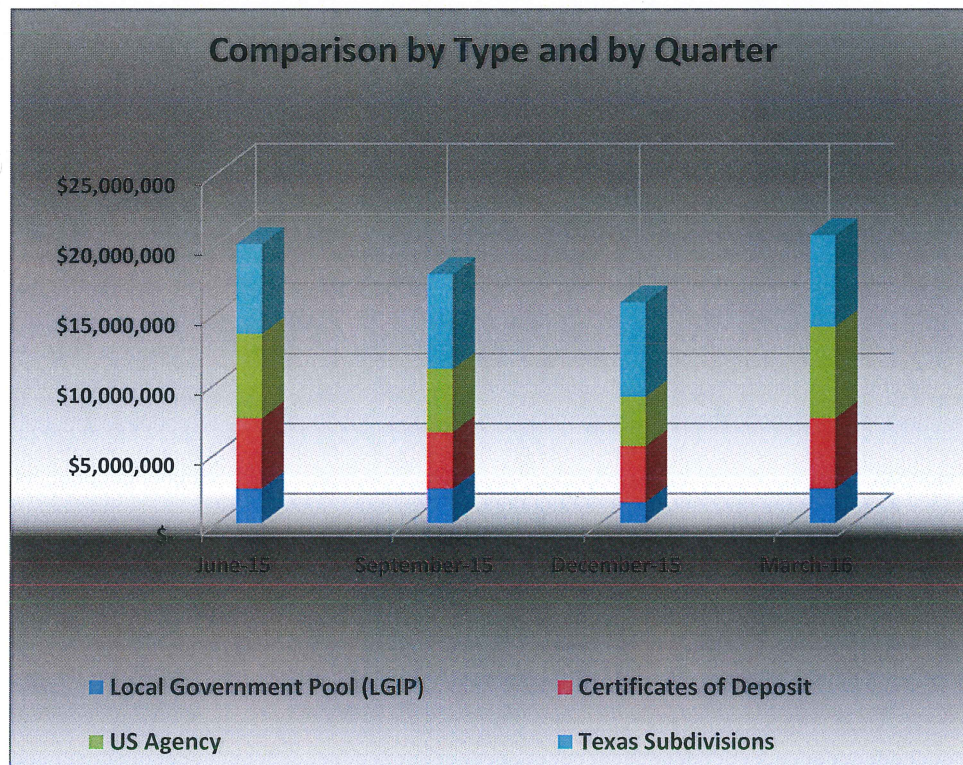
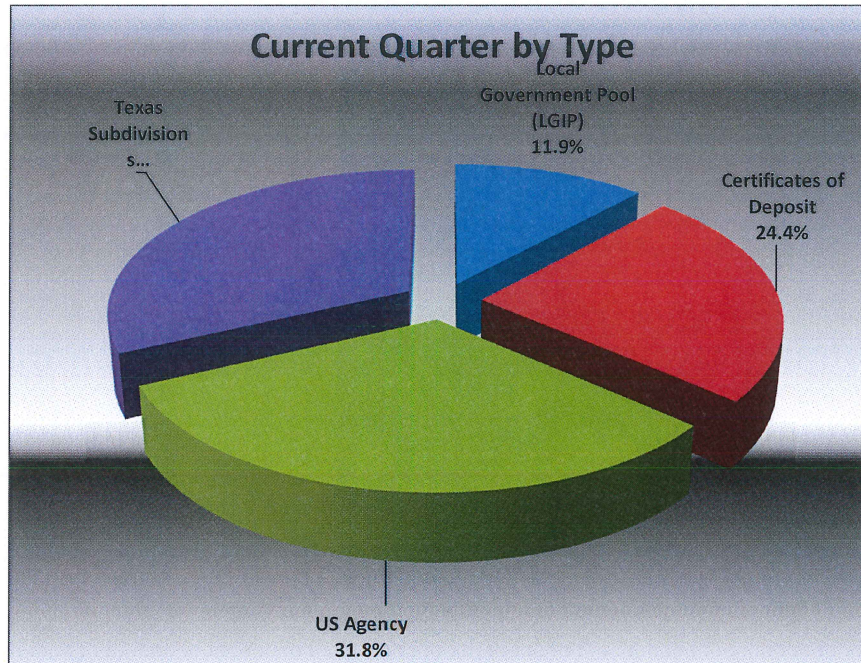
Tammy Davis, Controller and City of Sherman Investment Officer

CUSIP	Settlement Date	Security Type	Security Description	CPN Rate	Maturity Date	Credit Rating	Par Value	Purchase Price	Original Cost	Book Value	Market Price	Market Value	Days to Maturity	YTM
Tex-Pool		LGIP	TexPool			AAAm	\$ 1,059,751	100.00	\$ 1,059,751	\$ 1,059,751	100.01	\$ 1,059,825	1	0.30%
TexStar		LGIP	TexSTAR			AAAm	1,383,881	100.00	1,383,881	1,385,026	100.01	1,385,148	1	0.31%
CD 4176805135	4/8/2015	CD	Landmark Bank	0.35%	4/8/2016		1,000,000	100.00	1,000,000	1,002,639	100.00	1,002,639	8	0.35%
CDARS 1018776738	2/18/2016	CD	CDARS	0.40%	8/18/2016		1,000,000	100.00	1,000,000	1,000,000	100.00	1,000,000	140	0.40%
CD 4176804344	2/20/2014	CD	Landmark Bank	0.50%	10/20/2016		500,000	100.00	500,000	501,265	100.00	501,265	203	0.50%
CD 4176804781	10/1/2015	CD	Landmark Bank	0.43%	10/1/2016		1,000,000	100.00	1,000,000	1,001,085	100.00	1,001,085	184	0.43%
CD 4176805036	1/12/2015	CD	Landmark Bank	0.50%	11/12/2016		500,000	100.00	500,000	502,504	100.00	502,504	226	0.50%
CD 4176805564	3/22/2016	CD	Landmark Bank	0.80%	3/22/2017		1,000,000	100.00	1,000,000	1,000,000	100.00	1,000,000	356	0.80%
414941MY7	3/27/2015	Texas Subdivision	Harris Co TX MUD	2.00%	4/1/2016	A3	185,000	101.41	187,612	185,014	99.99	185,000	1	0.60%
914729JM1	5/23/2013	Texas Subdivision	Univ of North Texas	4.50%	4/15/2016	Aa2	250,000	111.26	278,153	250,402	99.95	250,278	15	0.55%
54810C6X3	5/23/2013	Texas Subdivision	Lower CO River Auth	5.00%	5/15/2016	A1	290,000	112.86	327,300	291,550	100.01	291,586	45	0.61%
796456DW8	2/14/2013	Texas Subdivision	St Augustine ISD	1.00%	8/15/2016	AAA	500,000	101.21	506,050	500,873	99.91	500,425	137	0.65%
346805EY6	3/25/2015	Texas Subdivision	Ft Bend Co TX MUD	2.00%	9/1/2016	A3	185,000	101.46	187,701	185,792	99.95	185,696	154	0.97%
849520QT1	2/9/2016	Texas Subdivision	Spring Creek TX UD	2.00%	10/1/2016	AA	95,000	100.87	95,823	95,644	99.95	95,599	184	0.65%
129703ER1	2/1/2014	Texas Subdivision	Calhoun Co TX ISD	3.00%	2/15/2017	AAA	500,000	107.20	535,985	510,592	99.91	510,115	321	0.57%
313379VE6	2/20/2015	Agency Bullet	FHLB	1.01%	6/19/2017	AA+	1,000,000	100.40	1,003,970	1,002,078	100.17	1,003,775	445	0.84%
887127TM0	2/24/2015	Texas Subdivision	Timberline TX UD	2.00%	8/1/2017	AA	475,000	102.64	487,559	481,922	99.85	481,189	488	0.90%
3130AOWJ5	3/6/2014	Agency Bullet	FHLB	1.02%	8/7/2017	AA+	1,000,000	100.24	1,002,385	1,000,943	100.56	1,006,537	494	0.95%
34684PAW6	3/17/2016	Texas Subdivision	Ft Bend Co TX MUD #137	3.00%	9/1/2017	AA	300,000	102.94	308,823	308,591	99.74	307,791	519	0.96%
31315PZ28	2/17/2016	Agency Bullet	Farmer Mac	1.20%	12/22/2017	AA+	1,000,000	100.70	1,006,987	1,006,541	99.99	1,006,436	631	0.82%
67381PKE1	12/17/2014	Texas Subdivision	Oakmont TX PUD	2.00%	3/1/2018	A3	225,000	102.09	229,712	227,780	100.00	227,783	700	1.33%
232425NBO	2/24/2016	Texas Subdivision	CY-Champ TX PUD	2.00%	3/1/2018	AA	225,000	102.20	229,941	229,699	99.91	229,493	700	0.90%
667489FV5	2/24/2015	Texas Subdivision	NW Harris Co TX MUD	2.00%	4/1/2018	A2	210,000	102.74	215,748	213,717	100.11	213,959	731	1.10%
643161HB1	5/21/2015	Texas Subdivision	New Caney TX MUD	2.00%	4/1/2018	Aa3	270,000	101.36	273,672	272,574	100.33	273,486	731	1.51%
414911JL2	2/25/2015	Texas Subdivision	Harris Co TX MUD	2.00%	5/1/2018	A3	135,000	102.81	138,789	137,484	100.39	138,017	761	1.10%
313379DT3	3/1/2016	Agency Bullet	FHLB	1.25%	6/8/2018	AA+	1,000,000	100.71	1,007,060	1,006,796	100.15	1,008,310	799	0.94%
41421GFW4	2/27/2015	Texas Subdivision	Harris Co TX MUD # 468	2.00%	9/1/2018	A3	740,000	102.47	758,248	752,583	100.67	757,634	884	1.28%
82620YFZ1	6/19/2015	Texas Subdivision	Sienna Plantation MUD	2.00%	9/1/2018	A3	230,000	100.86	231,978	231,606	101.20	234,379	884	1.73%
34680CDA4	6/23/2015	Texas Subdivision	Ft Bend Co TX MUD #128	2.00%	9/1/2018	A3	650,000	102.02	663,130	659,959	99.78	658,502	884	1.35%
955496GC2	8/6/2015	Texas Subdivision	W Ranch TX Mgmt Dist	1.65%	9/1/2018	A3	340,000	100.60	342,030	341,599	100.16	342,162	884	1.45%
41421DRU2	3/24/2016	Texas Subdivision	Harris Co TX MUD #419	3.00%	9/1/2018	AA	140,000	104.43	146,203	146,155	99.61	145,583	884	1.15%
3130A5LB3	6/30/2015	Agency Callable	FHLB	1.50%	12/28/2018	AA+	1,000,000	100.00	1,000,000	1,000,000	100.17	1,001,746	1,002	1.50%
31331KB74	9/30/2015	Agency Bullet	FFCB	1.88%	3/29/2019	AA+	500,000	102.46	512,316	510,527	100.72	514,193	1,093	1.12%
88213ACF0	7/23/2015	Texas Subdivision	TX St A&M Sys Brd	4.00%	5/15/2019	AA+	500,000	108.07	540,330	533,029	100.93	538,010	1,140	1.80%
3130A7D36	2/26/2016	Agency Callable	FHLB	1.50%	2/26/2020	AA+	1,000,000	100.00	1,000,000	1,000,000	99.95	999,498	1,427	1.50%
Total							\$20,388,632		\$ 20,661,136	\$ 20,535,721		\$ 20,559,648		

CUSIP	Settle Date	Security Description	Maturity Date	Market Value 12/31/2015	Change in Market Value	Market Value 3/31/2016
Tex-Pool		TexPool		\$ 59,049	\$ 1,000,776	\$ 1,059,825
TexStar		TexSTAR		1,384,243	905	1,385,148
CD 4176804781	10/1/2014	Landmark Bank	10/1/2016	1,000,000	1,085	1,001,085
CD 4176804997	12/22/2014	Landmark Bank	3/22/2016	1,005,009	(1,005,009)	-
CD 4176805135	4/8/2015	Landmark Bank	4/8/2016	1,001,756	883	1,002,639
CDARS 1018776738	2/18/2016	CDARS	8/18/2016	-	1,000,000	1,000,000
CD 4176804344	2/20/2014	Landmark Bank	10/20/2016	500,635	630	501,265
CD 4176805036	1/12/2015	Landmark Bank	11/12/2016	501,872	632	502,504
CD 4176805564	3/25/2017	Landmark Bank	3/25/2017	-	1,000,000	1,000,000
667825RN5	5/23/2013	Northwest ISD	2/15/2016	351,639	(351,639)	-
129703EQ3	2/1/2014	Calhoun Cnty TX ISD	2/15/2016	501,610	(501,610)	-
82620TMZ4	4/10/2015	Sienna Plantation MUD	3/1/2016	115,213	(115,213)	-
414941MY7	3/27/2016	Harris Co TX MUD	4/1/2016	185,450	(450)	185,000
914729JM1	5/23/2013	Univ of North Texas	4/15/2016	252,688	(2,411)	250,278
54810C6X3	5/23/2013	Lower CO River Auth	5/15/2016	294,771	(3,185)	291,586
796456DW8	2/14/2013	St Augustine ISD	8/15/2016	500,955	(530)	500,425
346805EY6	3/25/2015	Ft. Bend Co TX MUD	9/1/2016	186,071	(375)	185,696
849520QT1	2/9/2016	Spring Creek TX UD	10/1/2016	-	95,599	95,599
129703ER1	2/15/2017	Calhoun Co TX ISD	2/15/2017	513,010	(2,895)	510,115
313379VE6	2/20/2015	FHLB	6/19/2017	1,000,572	3,203	1,003,775
887127TM0	2/24/2015	Timberline TX UD	8/1/2017	482,163	(974)	481,189
3130AOWJ5	3/6/2014	FHLB	8/7/2017	1,002,788	3,749	1,006,537
3468PAW6	3/17/2016	Ft Bend Co TX MUD #137	3/17/2016	-	307,791	307,791
31315PZ28	3/17/2016	Farmer Mac	12/22/2017	-	1,006,436	1,006,436
67381PKE1	12/17/2014	Oakmont TX PUD	3/1/2018	227,567	216	227,783
23242NBO	2/24/2016	CY-Champ TX PUD	3/1/2018	-	229,493	229,493
667489FV5	2/24/2015	NW Harris Co TX MUD	4/1/2018	212,411	1,548	213,959
643161HB1	5/21/2015	New Caney TX MUD	4/1/2018	272,803	683	273,486
414911JL2	2/25/2015	Harris Co TX MUD	5/1/2018	137,800	217	138,017
313379DT3	2/29/2016	FHLB	6/8/2018	-	1,008,310	1,008,310
41421GFW4	2/27/2015	Harris Co TX MUD # 468	9/1/2018	756,265	1,369	757,634
8260YFZ1	6/19/2015	Sienna Plantation MUD	9/1/2018	233,843	536	234,379
34680CDA4	6/23/2015	Ft Bend Co TX MUD #128	9/1/2018	656,617	1,885	658,502
955496GC2	8/6/2015	W Ranch TX Mgmt Dist	9/1/2018	338,858	3,304	342,162
41421DRU2	3/24/2016	Harris Co TX MUD	9/1/2018	-	145,583	145,583
3130A5LB3	6/30/2015	FHLB	12/28/2018	1,000,842	904	1,001,746
31331KB74	9/30/2015	FFCB	3/29/2019	506,509	7,684	514,193
88213SVG0	7/23/2015	TX St A&M Sys Brd	5/15/2019	533,320	4,690	538,010
3130A7D36	2/26/2016	FHLB	2/26/2020	-	999,498	999,498
Total				\$ 15,716,329	\$ 4,843,319	\$ 20,559,648

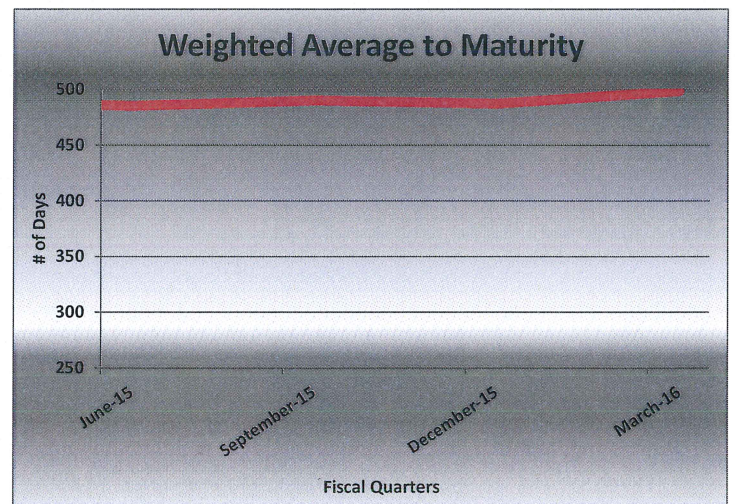
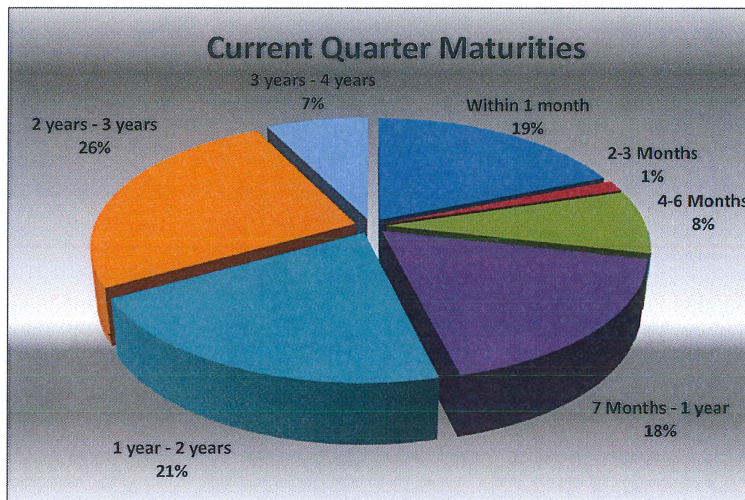
Trade Date	Settle Date	CUSIP	Security Description	Coupon	Maturity Date	Call Date	Par Value	Principal Amount	Interest Purchased/Received	Total Amount	YTM
<u>Maturities</u>											
	2/15/2016	129703EQ3	Calhoun Cnty TX ISD	3.00%	2/15/2016		\$ 500,000	\$ 500,826	\$ 7,500	\$ 508,326	0.38%
	2/16/2016	667825RN5	Northwest ISD	4.60%	2/15/2016		350,000	350,576	8,050	358,626	0.55%
	3/1/2016	82620TMZ4	Sienna Plant TX MUD	2.00%	3/1/2016		115,000	115,013	1,150	116,163	0.57%
	3/22/2016	CD 4176804997	Landmark Bank	0.50%	3/22/2016		1,000,000	1,005,009	1,250	1,006,259	0.50%
<u>Purchases</u>											
	1/13/2016	Tex-Pool	LGIP	0.30%			1,000,000	1,000,000	-	1,000,000	0.30%
	2/9/2016	84952QT1	Spring Creek TX UD	2.00%	10/1/2016		95,000	95,822	42	95,864	0.65%
	2/17/2016	CDARS 1018776738	CDARS	0.40%	8/17/2016		1,000,000	1,000,000	-	1,000,000	0.40%
	2/17/2016	31315PZ28	Farmer Mac	1.20%	12/22/2017		1,000,000	1,006,987	1,833	1,008,820	0.82%
	2/24/2016	23245NBO	CY-Champ TX PUD	2.00%	3/1/2018		225,000	229,941	288	230,229	0.90%
	2/26/2016	3130A7D36	FHLB	1.50%	2/26/2020	8/26/2016	1,000,000	1,000,000	-	1,000,000	1.50%
	2/29/2016	313379DT3	FHLB	0.94%	6/8/2018		1,000,000	1,007,060	2,882	1,009,942	0.94%
	3/17/2016	3468PAW6	Fort Bend TX MUD Dist #137	3.00%	9/1/2017		300,000	308,823	400	309,223	0.96%
	3/24/2016	41421DRU2	Harris Co TX MUD Dist #419	3.00%	9/1/2018		140,000	146,203	268	146,471	1.15%
	3/25/2016	CD 4176805564	Landmark Bank	0.80%	3/25/2017		1,000,000	1,000,000	-	1,000,000	0.80%
<u>Income Payments</u>											
	3/31/2016	Tex-Pool	LGIP	0.30%			1,059,751		697	697	0.30%
	3/31/2016	TexStar	LGIP	0.31%			1,385,026		1,071	1,071	0.31%
	1/1/2016	CD 4176804781.2	Landmark Bank	0.43%	10/20/2016		1,000,000		1,085	1,085	0.43%
	1/8/2016	CD 4176805135	Landmark Bank	0.35%	4/8/2016		1,000,000		884	884	0.35%
	1/12/2016	CD 4176805036	Landmark Bank	0.50%	11/12/2016		500,000		632	632	0.50%
	2/20/2016	CD 4176804344	Landmark Bank	0.50%	10/20/2016		500,000		630	630	0.50%
	2/29/2016	CDARS 1018776738	CDARS	0.40%	8/17/2016		1,000,000		132	132	0.40%
	3/31/2016	CDARS 1018776738	CDARS	0.40%	8/17/2016		1,000,000		340	340	0.40%
	2/1/2016	887127TM0	Timberline TX UD	2.00%	8/1/2017		475,000		4,750	4,750	0.90%
	2/7/2016	3130A0WJ5	FHLB	1.02%	8/7/2017		1,000,000		5,100	5,100	0.95%
	2/15/2016	129703ER1	Calhoun Co TX ISD	3.00%	2/15/2017		500,000		7,500	7,500	0.57%
	2/16/2016	796456DW8	St Augustine ISD	1.21%	8/15/2016		500,000		2,500	2,500	0.65%
	3/1/2016	346805EY6	Ft Bend Co TX MUD	2.00%	9/1/2016		185,000		1,850	1,850	0.97%
	3/1/2016	82620YFZ1	Sienna Plantation TX MUD	2.00%	9/1/2018		230,000		2,300	2,300	1.73%
	3/1/2016	955496GC2	W Ranch TX Mgmt Dist	1.65%	9/1/2018		340,000		3,272	3,272	1.45%
	3/1/2016	41421GFW4	Harris Co TX MUD # 468	2.00%	9/1/2018		740,000		7,400	7,400	1.28%
	3/1/2016	3468CDA4	Ft Bend Co TX MUD #128	2.00%	9/1/2018		650,000		9,750	9,750	1.35%
	3/1/2016	67381PKE1	Oakmont TX PUD	2.00%	3/1/2018		225,000		2,250	2,250	1.33%
	3/29/2016	31331K74	FFCB	1.88%	3/29/2019		500,000		4,688	4,688	1.12%
Total								\$ 80,493			

Cash/Investment Type	Balance 6/30/2015	Balance 9/30/2015	Balance 12/31/2015	Balance 3/31/2016	Percent of Portfolio	Portfolio Cap
Local Government Pool (LGIP)	\$ 2,442,453	\$ 2,442,823	\$1,443,415	\$ 2,444,777	11.90%	50.00%
Certificates of Deposit	5,011,570	4,012,017	4,009,272	5,007,493	24.38%	50.00%
US Agency	6,010,104	4,518,830	3,515,023	6,526,885	31.78%	50.00%
Texas Subdivisions	6,443,643	6,788,949	6,763,462	6,556,565	31.93%	50.00%
Total	\$ 19,907,770	\$ 17,762,619	\$ 15,731,172	\$ 20,535,721	100.00%	



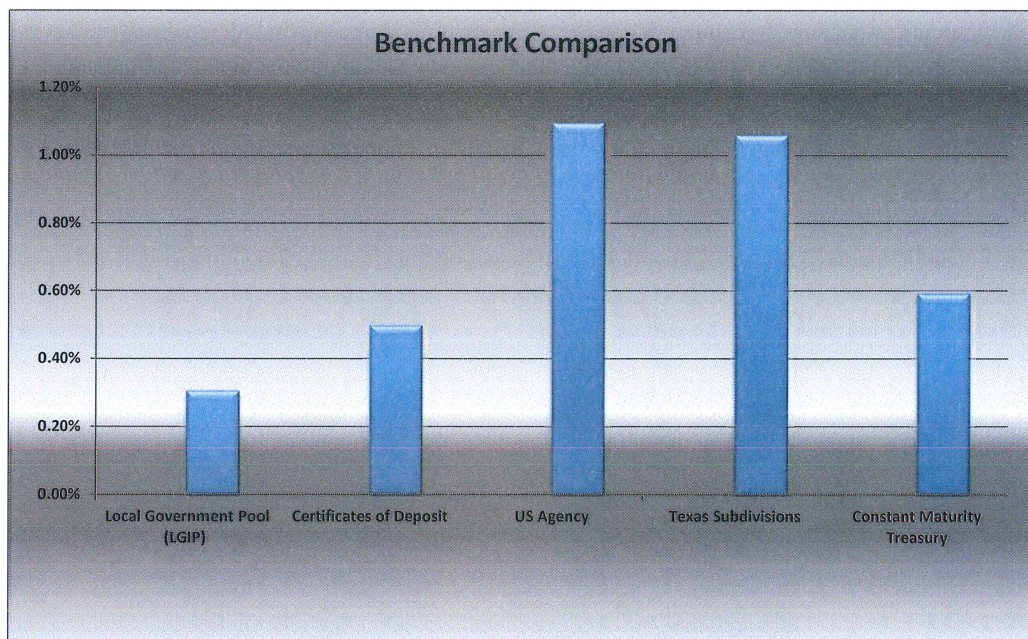
Maturity Time Frame	Balance 6/30/2015	Balance 9/30/2015	Balance 12/31/2015	Balance 3/31/2016	Percent of Portfolio
Within 1 month	\$ 3,446,198	\$ 3,445,218	\$ 1,443,415	\$ 3,882,832	18.91%
2-3 Months	512,379	1,002,315	1,973,991	291,550	1.42%
4-6 Months	2,006,871	1,979,981	1,734,935	1,686,665	8.21%
7 Months - 1 year	3,731,685	2,428,626	2,689,968	3,611,090	17.58%
1 year - 2 years	4,215,901	4,010,321	3,000,398	4,257,554	20.73%
2 years - 3 years	3,343,205	2,845,537	3,841,396	5,273,001	25.68%
3 years - 4 years	2,651,531	2,050,621	1,047,069	1,533,029	7.47%
4 years - 5 years	-	-	-	-	0.00%
	\$ 19,907,770	\$ 17,762,619	\$ 15,731,172	\$ 20,535,721	100.00%

Liquidity Indicator	Maximum Allowable				
Weighted Average Maturity	485.03	489.80	487.16	498.48	500.00



Date Received/ Purchased	CUSIP	Security Description	Coupon	YTM	Interest Purchased/ Received	Accrued Interest/ Amortization	Income Earned
3/31/2016	Tex-Pool	TexPool		0.30%	697	-	697
3/31/2016	TexStar	TexSTAR		0.31%	1,071	-	1,071
1/1/2016	CD 4176804781.2	Landmark Bank	0.43%	0.43%	1,085	40	1,125
1/8/2016	CD 4176805135	Landmark Bank	0.35%	0.35%	884	(9)	875
1/12/2016	CD 4176805036	Landmark Bank	0.50%	0.50%	632	(7)	625
2/20/2016	CD 4176804344	Landmark Bank	0.50%	0.50%	630	(141)	489
3/22/2016	CD 4176804997	Landmark Bank	0.50%	0.50%	1,250	(24)	1,226
3/31/2016	CDARS 1018776738	CDARS	0.40%	0.40%	471	-	471
3/31/2016	CD 4176805564	Landmark Bank	0.80%	0.80%	-	132	132
2/1/2016	887127TM0	Timberline TX UD	2.00%	0.90%	4,750	(3,673)	1,077
2/7/2016	3130A0WJ5	FHLB	1.02%	0.95%	5,100	(2,780)	2,320
2/15/2016	667825RN5	Northwest ISD	4.60%	0.55%	8,050	(7,940)	110
2/15/2016	129703ER1	Calhoun Co TX ISD	1.88%	0.52%	7,500	(6,743)	757
2/15/2016	129703EQ3	Calhoun Co TX ISD	3.00%	0.38%	7,500	(7,560)	(60)
3/1/2016	82620YFZ1	Sienna Plantation TX MUD	2.00%	1.73%	2,300	(1,305)	995
3/1/2016	41421GFV4	Harris Co MUD	2.00%	1.28%	7,400	(5,082)	2,318
3/1/2016	67381PKE1	Oakmont PUD	2.00%	1.33%	2,250	(1,499)	751
3/1/2016	3468CDA4	Ft. Bend Cnty TX MUD	2.00%	1.35%	9,750	(7,525)	2,225
3/1/2016	346805EY6	Ft. Bend Cnty TX MUD	2.00%	0.97%	1,850	(1,402)	448
3/1/2016	82620TMZ4	Sienna Plantation TX MUD	2.00%	0.57%	1,150	(1,040)	110
3/1/2016	954496GC2	W Ranch TX Mgmt Dist	1.65%	1.45%	3,273	(2,035)	1,238
3/29/2016	31331KB74	FFCB	1.88%	1.12%	4,688	(3,221)	1,467
3/31/2016	313379VE6	FHLB	1.01%	0.84%	-	2,128	2,128
3/31/2016	796456DW8	St Augustine ISD	1.21%	0.65%	2,500	(1,616)	884
3/31/2016	3130A5LB3	FHLB	1.50%	1.50%	-	3,708	3,708
3/31/2016	84952QT1	Spring Creek TX UD	2.00%	0.65%	42	38	80
3/31/2016	31315PZ28	Farmer Mac	1.20%	0.82%	1,833	(879)	954
3/31/2016	313379DT3	FHLB	1.25%	0.94%	2,882	(2,104)	778
3/31/2016	3468PAW6	Ft Bend Co TX MUD # 137	3.00%	0.96%	400	118	518
3/31/2016	41421DRU2	Harris Co TX MUD	3.00%	1.15%	268	(247)	21
3/31/2016	232425NBO	CY-Champ TX PUD	2.00%	0.90%	288	221	508
3/31/2016	667489FV5	NW Harris Co TX MUD	2.00%	1.10%	-	610	610
3/31/2016	414941MY7	Harris Co TX MUD	2.00%	0.60%	-	299	299
3/31/2016	643161HB1	New Caney TX MUD	2.00%	1.51%	-	1,029	1,029
3/31/2016	914729JM1	Univ of NorthTexas	4.50%	0.55%	-	375	375
3/31/2016	414911JL2	Harris Co TX MUD	2.00%	1.10%	-	378	378
3/31/2016	88213ACF0	TX St A&M Sys Brd	4.00%	1.80%	-	2,363	2,363
3/31/2016	54810C6X3	Lower CO River Auth	5.00%	0.61%	-	491	491
3/31/2016	3130A7D36	FHLB	1.50%	1.50%	-	1,250	1,250

\$ 80,493 \$ (50,447) \$ 30,046



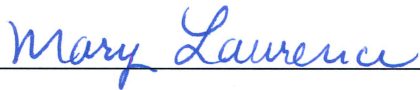
CITY OF SHERMAN, TEXAS
CO DEBT PROCEEDS PORTFOLIO SUMMARY
For the Quarter Ending March 31, 2016

Total Portfolio Summary			
	Current Quarter 3/31/16	Prior Quarter 12/31/15	Change From Prior Qtr
Book Value	\$ 1,807,850	\$ -	\$ 1,807,850
Market Value	\$ 1,807,977	\$ -	\$ 1,807,977
Weighted Average Maturity - Days	1	-	1
Weighted Average Yield	0.32%	0.00%	0.32%
Earned Income	\$ 920	\$ -	\$ 920
Earned Income - Year-to-Date	\$ 920	\$ -	\$ 920

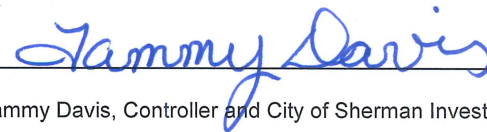
This report complies with the requirements of the public funds investment law and covers all the funds of the City of Sherman that are subject to that law.

As of March 31, 2016, the City's CO Debt Proceeds portfolio had a book value of about \$1.8 million, which approximates the market value held in a Local Government Investment Pool (LGIP). A deposit of the debt proceeds and the addition of interest income were the only transactions.

The weighted average yield on the portfolio was 0.32% ,about 14 basis point above the 4-week Constant Maturity yield of 0.18%.



Mary Lawrence, Finance Director and City of Sherman Investment Officer



Tammy Davis, Controller and City of Sherman Investment Officer



Name	Settle Date	Sec. Type	Sec. Description	CPN	Mty Date	S&P Rating	Par Value	Purch Price	Orig Cost	Book Value	Mkt Price	Market Value	Days to Mty	YTM
TexPool Tax Notes	2/2/16	LGIP	TexPool			AAAm	\$ 1,807,850	100.00	\$ 1,807,850	\$ 1,807,850	100.01	\$ 1,807,977	1	0.32%
Total							\$ 1,807,850		\$ 1,807,850	\$ 1,807,850		\$ 1,807,977		



CITY OF SHERMAN, TX
Market Value Summary
AS of 3/31/2016

CUSIP	Settle Date	Sec. Description	Mty Date	Market Value 12/31/2015	Change in Market Value	Market Value 3/31/2016
		TexPool		\$ -	\$ 1,807,977	\$ 1,807,977
Total				\$ -	\$ 1,807,977	\$ 1,807,977



CITY OF SHERMAN, TX
Investment Transaction Report
AS of 3/31/2016

Trade Date	Settle Date	Name	Security Description	Coupon	Mty Date	Call Date	Par Value	Price	Principal Amount	Interest Purchased/Received	Total Amount	YTM
<u>Purchase</u>												
	2/2/2016	TexPool Tax Notes	LGIP	0.32%			\$ 1,806,930	1.00	1,806,930	-	1,806,930	0.32%
<u>Income Payments</u>												
	2/29/2016	TexPool Tax Notes	LGIP	0.32%			\$ 1,807,850			418	418	0.32%
	3/31/2016	TexPool Tax Notes	LGIP	0.32%			\$ 1,807,850			502	502	0.32%
Total									\$ 1,806,930	\$ 920	\$ 1,807,850	



CITY OF SHERMAN, TX
Comparison by Type
AS of 3/31/2016

Cash/Investment Type	Balance 6/30/2011	Balance 9/30/2015	Balance 12/31/2015	Balance 3/31/2016	Percent of Portfolio	Portfolio Cap
Local Government Pool (LGIP)	\$ -	\$ -	\$ -	\$ 1,807,850	100.00%	100.00%
Total	\$ -	\$ -	\$ -	\$ 1,807,850	100.00%	



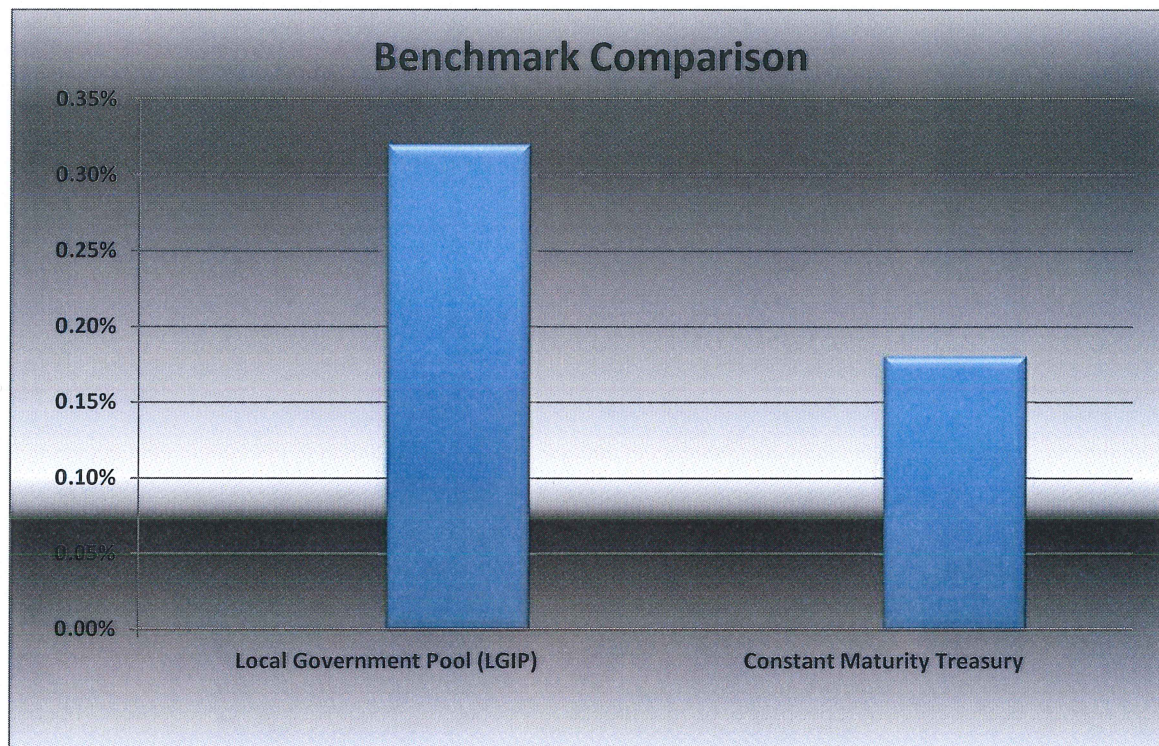
CITY OF SHERMAN, TX
Portfolio by Maturity
AS of 3/31/2016

Maturity Time Frame	6/30/2015	9/30/2015	12/31/2015	3/31/2016	Percent of Portfolio	Minimum Allowable
Within 1 month	\$ -	\$ -	\$ -	\$ 1,807,850	100.00%	100.00%
	\$ -	\$ -	\$ -	\$ 1,807,850		

Liquidity Indicator

Weighted Average Maturity	0.00	0.00	0.00	1.00
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Date Received/ Purchased	Name	Security Description	Coupon	YTM	Interest Purchased/ Received	Accrued Interest/ Amortization	Income Earned
2/29/2016	TexPool Tax Notes	LGIP		0.32%	\$ 418	\$ -	\$ 418
3/31/2016	TexPool Tax Notes	LGIP		0.32%	\$ 502	\$ -	\$ 502
					\$ 920	\$ -	\$ 920





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Meeting Date: 04/18/2016

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2016 Council Calendar

2016

JANUARY						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

FEBRUARY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

MARCH						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

APRIL						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

MAY						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

JUNE						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

JULY						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

AUGUST						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

SEPTEMBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

OCTOBER						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

NOVEMBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

DECEMBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

1/11/2016	Called Council Meeting for Transportation Workshop
4/11/2016	Called Joint Mtg with SISD Board in Council Chambers
4/15/2016	Called Budget Planning Meeting in Council Chambers
06/21-22/2016	Called Budget Workshop in Council Chambers
7/4/2016	Independence Day/Called Council Meeting on 7/5/2016

9/5/2016	Labor Day/Called Council Meeting on 9/6/2016