

STATE OF TEXAS

§

April 3, 2023

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on April 3, 2023.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

COUNCIL MEMBER MARROQUIN.

CALL TO ORDER

Mayor Plyler called the meeting to order at 5:02 p.m. The Pledge of Allegiance and Invocation were led by Mayor David Plyler.

CALL TO ORDER

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of March 20, 2023. Council Member Teamann moved to approve the Minutes, as presented; Second by Council Member Dobbs; All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

PROCLAMATION

"ACHIEVEMENT OF EXCELLENCE IN LIBRARIES AWARD" - 2022
Mayor Plyler presented a proclamation to Melissa Eason, Library Services Administrator, recognizing the Library's "Achievement of Excellence in Libraries Award" for 2022.

ACHIEVEMENT OF
EXCELLENCE IN
LIBRARIES AWARD

Ms. Eason thanked the Mayor and Council for the proclamation and for their support. She said Sherman has a great Library, and she thanked her staff, and the many community organizations that offer their support. She said the Library has a lot to offer

Library staff that also accepted the award were Susan McGinn, Administrative Assistant; Sonia Pereira, Library Assistant; and Cassie Wickline, Youth Librarian.

CITIZEN'S COMMENTS

ANNUAL EARTH DAY FESTIVAL

Amy Hoffman-Shehan, 1503 S. Travis, said the 15th Annual Earth Day Festival will be held on April 22, 2023. The event will be held in the Municipal Ballroom and on the grounds. Ms. Hoffman-Shehan outlined the schedule and events that will be held, and the many recycling opportunities that will be available.

ANNUAL EARTH
DAY FESTIVAL

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.

CONSENT AGENDA

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

Mayor Plyler introduced Ordinance No. 6580 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RELATING TO GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2023 (CITY OF SHERMAN PROJECT); AND APPROVING THE ISSUANCE THEREOF AND THE FACILITIES TO BE CONSTRUCTED OR ACQUIRED BY SUCH AUTHORITY.

ORD 6580
GTUA REVENUE
BONDS FOR
SHERMAN PROJECTS

Mary Lawrence, Director of Finance, said Thursday, the Greater Texoma Utility Authority sold the City's utility bonds. She introduced Garry Kimball, President at Specialized Public Finance, Inc., to update the Council.

Mr. Kimball said the sale began several months ago, where the water and sewer revenue pledge was rated, and the "A" rating was reaffirmed. There are four separate installments of bonds, the first of which took place last year. These installments of bonds will accomplish all the water and sewer projects required to help accommodate the Texas Instruments project, and other similar projects for the City.

They locked rates last Thursday, and the anticipated closing will be on April 27, 2023.

It was originally budgeted to be an approximately \$138.5 million issue, but ended up being just over \$137 million. The estimated issuance cost came in at half what they were anticipating, primarily because of the very aggressive bond insurance bid.

He said they put the bond issuance out for the market, and try to get it enhanced. They put it out for bid to companies that will "rent" the City a higher bond rating, than what the City has. The City pays a premium, and they turn an "A" bond into an "AA" bond, resulting in lower rates for the City. If the lower rates offset the cost of the premium, they buy the insurance.

Mr. Kimball said the City of Sherman has an incredible story to tell, with the Texas Instruments expansion, and with GlobiTech. That really resonated with the insurance providers, and their bid was significantly lower than was expected. Between that, and the capitalized interest, because of lower interest rates, they were able to lock in a 4.29% true interest cost, instead of the anticipated 4.55%.

He added that, with the recent banking crisis, even though the market had been very turbulent the last few weeks, it benefited this transaction tremendously. The total interest expense, as a result of the lower interest rate, came in over \$13 million lower than budget.

Mr. Kimball said they were able to shorten the call option from the standard 10 years, to a 9 year call, which gives the City added flexibility with regards to repayment. It was an incredibly strong showing. He added that, in historical terms, Municipal Bond Rates have been higher 74.26% of the time, over the last 20 years versus the current market.

No other citizens appeared before the City Council to discuss Ordinance No. 6580.

Mayor Plyler introduced Ordinance No. 6581 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 8 (OFFENSES AND NUISANCES), ARTICLE 8.02 (OFFENSES INVOLVING PUBLIC SAFETY), SECTION 8.02.005 (SEX OFFENDER RESIDENCY), TO REVISE DEFINITIONS AS SET FORTH IN THE TEXAS PENAL CODE, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

ORD 6581
SEX OFFENDER
RESIDENCY

Zach Flores, Executive Director of Public Safety, said the City has an ordinance designating where a sex offender cannot live in the City of Sherman. As the City grows, there are some properties that are no longer prudent to those restrictions, because they centered around where children gathered.

He said the proposed ordinance removes some of the places that are no longer prudent, adds terminology and offenses that are consistent with the last legal update, and will mirror State law.

No citizens appeared before the City Council to discuss Ordinance No. 6581.

Mayor Plyler introduced Ordinance No. 6582 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 13 (UTILITIES), ARTICLE 13.08 (UTILITY BILLING), SECTION 13.08.002 (UTILITY BILLING), TO IMPOSE A LIEN AGAINST AN OWNER'S PROPERTY FOR DELINQUENT UTILITY BILLS IN ACCORDANCE WITH SECTION 552.0025 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING A PENALTY CLAUSE WITH A MAXIMUM FINE OF \$500, SAVINGS, REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

ORD 6582
DELINQUENT
UTILITY BILLING
LIEN AGAINST
PROPERTY

Mr. Flores said the staff continues to work towards the Council's initiative of cleaning up the City, and are trying to hold Multi-Family and Commercial, Hotel/Motel Properties, to a higher standard that is desired for the City. This is not intended for the Single-Family Residential customer.

COUNCIL MINUTES – APRIL 3, 2023

It seems that these issues run parallel, and these substandard properties seem to also have delinquent utility accounts. This is meant to be a measure that will help protect some of the residents that utilize these facilities.

No citizens appeared before the City Council to discuss Ordinance No. 6582.

The Public Hearing was closed.

Ordinance 6580

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RELATING TO GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2023 (CITY OF SHERMAN PROJECT); AND APPROVING THE ISSUANCE THEREOF AND THE FACILITIES TO BE CONSTRUCTED OR ACQUIRED BY SUCH AUTHORITY.

ORD 6580
GTUA REVENUE
BONDS FOR
SHERMAN PROJECTS

Ordinance 6581

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 8 (OFFENSES AND NUISANCES), ARTICLE 8.02 (OFFENSES INVOLVING PUBLIC SAFETY), SECTION 8.02.005 (SEX OFFENDER RESIDENCY), TO REVISE DEFINITIONS AS SET FORTH IN THE TEXAS PENAL CODE, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

ORD 6581
SEX OFFENDER
RESIDENCY

Council Member Howeth asked if any specific place has changed in Sherman. Mr. Flores said the City's former Youth Center no longer fits the definition, and there would be no reason to restrict a sex offender from that location. The ordinance will also add other offenses that the Legislation has added to the State Penal Code.

Ordinance 6582

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 13 (UTILITIES), ARTICLE 13.08 (UTILITY BILLING), SECTION 13.08.002 (UTILITY BILLING), TO IMPOSE A LIEN AGAINST AN OWNER'S PROPERTY FOR DELINQUENT UTILITY BILLS IN ACCORDANCE WITH SECTION 552.0025 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING A PENALTY CLAUSE WITH A MAXIMUM FINE OF \$500, SAVINGS, REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

ORD 6582
DELINQUENT
UTILITY BILLING
LIEN AGAINST
PROPERTY

Council Member Holland verified that the intent of this ordinance was to hold the owners of the property liable for the payment of their utilities. Mr. Flores said the City did not want to penalize tenants, but there have recently been property owners that have failed to pay their utilities and then the tenants are at risk for having their utilities cut off.

The City wants to capture those monies, but not at the expense of the resident. This is a tool to ensure that the City will get those funds without having to “punish” those that have no fault at all. State law allows this action, but it does require this ordinance as a prerequisite.

ACTION TAKEN.

Motion by Council Member Teamann to adopt Ordinance Nos. 6580, 6581, and 6582, as presented. Second by Deputy Mayor Stevenson.

VOTING AYE: Dobbs, Holland, Howeth, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7051 -- AWARDING A BID TO AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH THOS. S. BYRNE, INC, DBA BYRNE CONSTRUCTION SERVICES, AS CONSTRUCTION MANAGER-AT-RISK (CMAR), FOR SERVICES IN CONNECTION WITH THE EVALUATION OF WHETHER A NEW CITY HALL IS APPROPRIATE

RES 7051
NEW CITY HALL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH THOS. S. BYRNE, INC. DBA BYRNE CONSTRUCTION SERVICES, AS CONSTRUCTION MANAGER-AT-RISK (CMAR), FOR SERVICES IN CONNECTION WITH THE EVALUATION OF WHETHER A NEW CITY HALL FACILITY IS APPROPRIATE.

Mr. Flores said, earlier this year, the City contracted with Gensler Architecture to look at the feasibility and space needs that would go into a new City Hall. In conjunction with that, the staff has gone through the competitive process to select a Construction-Manager-At-Risk, to help on the estimating side of the project to get a cost.

Byrne Construction has recently completed the new Police Department, and the staff is familiar with, and able to work well with them.

Mr. Flores said Byrne Construction was also selected for Resolution 7952, for renovations and additions to Fire Station No. 1, however these selections were made independently. He reiterated that the City has a history with Byrne Construction and also went through the competitive process.

Council Member Teamann said he did not remember the Council approving that project for advertisement. Mr. Flores said it was done in January 2023.

Robby Hefton, City Manager, said the plan is to bring all of this back to Council at the Budget Workshop in June 2023. There will be a fuller discussion about the results of this preliminary information, from both Byrne Construction and from Gensler Architect. He said the decision tonight is not to build a new City Hall, but to move forward with pricing one and scoping one, and to have more discussion in June.

ACTION TAKEN.

Motion by Council Member Howeth to approve Resolution No. 7051, as presented. Second by Council Member Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7052 -- AWARDING A BID TO AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH THOS S. BYRNE, INC. DBA BYRNE CONSTRUCTION SERVICES, AS CONSTRUCTION MANAGER-AT-RISK, FOR SERVICES IN CONNECTION WITH THE EVALUATION OF WHETHER RENOVATIONS AND ADDITIONS TO FIRE STATION NO. 1 ARE APPROPRIATE

RES 7052
FIRE STATION
NO. 1 RENOVATIONS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH THOS. S. BYRNE, INC. DBA BYRNE CONSTRUCTION SERVICES, AS CONSTRUCTION MANAGER-AT-RISK (CMAR), FOR SERVICES IN CONNECTION WITH THE EVALUATION OF WHETHER RENOVATIONS AND ADDITIONS TO FIRE STATION NO. 1 ARE APPROPRIATE.

Billy Hartsfield, Fire Chief, said they engaged with Hidell and Associates several months ago to determine what can be done with Station No. 1. He said they needed to hire a Construction-Manager-at-Risk to estimate the cost of the project to help Council make determinations.

There were four bids that came back, and after a thorough review, it was determined that Byrne had an excellent resume in regards to Fire Stations. He asked the Council for permission to move forward with the project.

If they do choose to do renovations to Fire Station No. 1, he said they are fortunate that they currently have the facilities to move people around and continue to provide services to all areas of the City.

Council Member Dobbs said his question was related to both Resolution 7051 and 7052. He said the CMAR fee for Resolution 7051 is 2.45% of the construction phase total cost, and the CMAR fee for Resolution 7052 is 3.45%. He asked why one fee was so much more than the other. Mayor Plyler said it is based on the size of the project.

ACTION TAKEN.

Motion by Council Member Howeth to approve Resolution No. 7052, as presented. Second by Council Member Holland.

VOTING AYE: Dobbs, Holland, Howeth, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7053 -- DETERMINING A PUBLIC NECESSITY TO ACQUIRE BY EMINENT DOMAIN CERTAIN PROPERTY INTERESTS FOR PUBLIC USE, INCLUDING PERMANENT WATER EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE

RES 7053
EMINENT DOMAIN
FOR 36" WEST
WATER EXTENSION

PROJECT

CONSTRUCTION, EXPANSION, ACCESS, REPAIR AND MAINTENANCE OF PUBLIC WATER AND OTHER UTILITY IMPROVEMENTS, FROM THE LOCATION SHOWN IN EXHIBIT "A", AS DEEMED NECESSARY BY THE CITY MANAGER OR HIS DESIGNEE; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE CERTAIN PROPERTY INTERESTS FOR PUBLIC USE BY EMINENT DOMAIN FOR SUCH USES; AUTHORIZING THE CITY MANAGER OF THE CITY OF SHERMAN, TEXAS TO ESTABLISH PROCEDURES FOR ACQUIRING THE EASEMENT, OFFERING TO ACQUIRE THE EASEMENTS, VOLUNTARILY, FROM THE LANDOWNER(S) THROUGH THE MAKING OF BONA FIDE OFFERS AND APPROPRIATING FUNDS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DETERMING A PUBLIC NECESSITY TO ACQUIRE BY EMINENT DOMAIN CERTAIN PROPERTY INTERESTS FOR PUBLIC USE, INCLUDING PERMANENT WATER EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE CONSTRUCTION, EXPANSION, ACCESS, REPAIR AND MAINTENANCE OF PUBLIC WATER AND OTHER UTILITY IMPROVEMENTS, FROM LOCATION SHOWN IN EXHIBIT "A", AS DEEMED NECESSARY BY THE CITY MANAGER OR HIS DESIGNEE; GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE DOMAIN FOR SUCH USES; AUTHORIZING THE CITY MANAGER OF THE CITY OF SHERMAN, TEXAS, TO ESTABLISH PROCEDURES FOR ACQUIRING THE EASEMENTS, OFFERING TO ACQUIRE THE EASEMENTS, VOLUNTARILY, FROM THE LANDOWNER(S) THROUGH THE MAKING OF BONA FIDE OFFERS; APPROPRIATING FUNDS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Hefton said there are currently no properties identified yet, but because the project will be on a short time-frame, the staff wanted to get it approved to use eminent domain, if necessary, to secure the easements. He added that they do not know of any properties at this time, that will, for sure, go to eminent domain.

Wayne Lee, Director of Engineering, said because of the industrial development to the south, the infrastructure needs will require a 36" water main from the Water Treatment Plant, in north Sherman, to the industry and planned development in south Sherman. He displayed a map showing parcels where the easements are needed.

The proposed resolution authorizes Mr. Hefton to set up a process acquiring the easements, and negotiations for voluntary easements.

Mr. Lee said Freese & Nichols is the engineering firm on the job, and a subcontractor is obtaining appraisals for each property. At which time, a bona fide offer will be made to each property owner. They are required by law to give an initial offer, and after 45 days, they can give a final offer. If the final offer is not accepted, after two weeks, the City can move to eminent domain, if a resolution cannot be made with the property owner.

The City does want to avoid eminent domain, and a couple of properties have already been obtained, and the property owners have signed voluntarily. The staff also has verbal agreement from a couple of other property owners.

The staff is asking for authority to pursue eminent domain, if they cannot come to a timely resolution with a property owner. This project needs to be installed and in-service in two years.

Council Member Teamann said they discussed eminent domain on a project a while back and the staff said there would not be any more of these in the future. He said it seems to be the standard for 32 properties along this path. He felt that eminent domain should be the last resort for property owners. They should have their fair opportunity to sell their property at the right value.

He asked if this resolution is approved, would the staff have to bring back to Council for the approval of every eminent domain property in the path of this line or will staff have the ultimate authority to approve the eminent domain action.

Mr. Lee said this resolution would authorize the staff to proceed with eminent domain.

Mr. Hefton said, depending on the dollar amount, the staff would bring it back anyway. Any "large" amount would be brought back to Council anyway. He added that the staff does not want any of these easements to be through eminent domain. That process takes months to complete, which we don't have on this project. He said he hoped that the staff could come to an agreement with each of these property owners, ahead of time. He said the appraisals are the starting point for the negotiations.

Mr. Hefton said, historically, the staff has been extremely successful in avoiding eminent domain. This has actually been done only in rare cases. However, sometimes it must be done, especially in this project, because there is such pressure on the project time frame. They need that "weapon in their arsenal."

Council Member Teamann said there are a lot of weeks that go into a negotiation, and he felt since the Council meets every two weeks, it could be an agenda item each time.

Mr. Lee outlined the process for negotiations and what was done prior to going to eminent domain. He said it would possibly cost a months' time if they had to get it on the Council agenda. Getting the process on the Commissioner's Court document could take months. He said, even the loss of a month, could mean the project is not in service.

Council Member Teamann asked Ryan Pittman, City Attorney, if a stipulation could be added that Council would have to approve any eminent domain issue. Mr. Pittman said that could be made a part of the motion, and the resolution would need to be revised to make it effective.

Mr. Hefton said the staff has also discussed setting a dollar amount. If Council wants to know “what is going on,” they could approve every issue. But they could also set a dollar amount that they “feel comfortable” with that could be approved by staff. Anything over \$50,000 would have to be brought back to Council anyway. He said there might be an amount between \$0 and \$50,000 that they might feel comfortable with giving the staff authority to approve.

Mayor Plyler said this project has a critical timeline, and he would be comfortable with anything over \$50,000 coming back for Council approval.

Council Member Teamann asked if staff would have to come back to Council with anything over \$50,000 anyway. Mr. Pittman said the way the resolution is written it gives the staff the authority to go forward, and this would be the approval process for that.

Mayor Plyler said this project is too critical, and he didn’t want it to wait for any reason.

Council Member Teamann said on the smaller projects, he could support that, if it’s anything over \$50,000, that’s fine.

Mr. Hefton asked what the width is of the easement that is needed. Mr. Lee said it is typically a 45’ wide easement, and there is an additional temporary construction easement that they are requiring that is another 40’ to 50’ in width.

ACTION TAKEN.

Motion by Council Member Teamann to approve Resolution No. 7053, with the stipulation that anything over \$50,000 would need to come back for Council approval.

Mr. Pittman reminded Council that there is specific wording that must be used for this motion.

ACTION TAKEN.

Motion by Council Member Teamann to move that the City Council of the City of Sherman, Texas, authorize the use of the power of eminent domain to acquire property shown on Exhibit “A” for the construction, expansion, acquisition, repair, and maintenance, of public water and other utilities under the dollar amount of \$50,000, anything over \$50,000 will come back for Council approval. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

Council Members discussed the possibility of calling a Special Council Meeting if they need to consider an eminent domain action over \$50,000, due to the importance of this project.

RESOLUTION NO. 7054 -- AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE FINLEY CULTURAL CENTER UNDER THE CITY OF SHERMAN’S CENTRAL BUSINESS DISTRICT HISTORIC

RES 7054
DOWNTOWN HISTORIC
GRANT FOR

BUILDING RESTORATION AND IMPROVEMENT GRANT
PROGRAM FOR IMPROVEMENTS TO 500 N ELM STREET

FINLEY CULTURAL
CENTER
(500 N. ELM ST)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE FINLEY CULTURAL CENTER UNDER THE CITY OF SHERMAN'S CENTRAL BUSINESS DISTRICT HISTORIC BUILDING RESTORATION AND IMPROVEMENT GRANT PROGRAM FOR IMPROVEMENTS TO 500 N. ELM STREET.

Nate Strauch, Community and Support Services Manager, introduced a request for the Downtown Building Improvement Grant, for the Finley Cultural Center.

He said this was the first time the City has been approached by a non-profit organization about using this grant, but there is nothing in the rules to prohibit that request, and the building does qualify for a roof replacement.

Teri Fine, Sherman Service League, was available to answer any questions the Council might have.

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to approve Resolution No. 7054, as presented. Second by Council Member Teamann.

VOTING AYE: Dobbs, Holland, Howeth, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 7055 -- AWARDING A BID TO AND
AUTHORIZING EXECUTION OF A CONTRACT WITH TYLER
TECHNOLOGIES, INC., A DELAWARE CORPORATION, FOR
MUNICIPAL PERMIT SOFTWARE SERVICES

RES 7055
DEVELOPMENT
SERVICES SOFTWARE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT WITH TYLER TECHNOLOGIES, INC., A DELAWARE CORPORATION, FOR MUNICIPAL PERMIT SOFTWARE SERVICES.
CONSENT AGENDA.

REQUEST TO ADVERTISE
PURCHASE OF PLAYGROUND EQUIPMENT AND PARK
EQUIPMENT TO BE LOCATED IN A PARK LOCATED IN
NORTHCREEK SUBDIVISION

REQ TO ADVERTISE
PLAYGROUND &
PARK EQUIPMENT
FOR NORTHCREEK
SUBDIVISION PARK

The City Council approved the purchase of playground equipment and park equipment to be located in a park in Northcreek Subdivision.

The project is part of the 2022-2023 Capital Improvement Program Budget, and will include bids for playground equipment, pavilion, tables, benches, and a water fountain for the park. The Sherman Rotary Club will also be donating funding for the playground and benches.

CONSENT AGENDA.

OTHER BUSINESS
CONSIDER REQUEST OF THE 2023 EARTH DAY PLANNING
COMMITTEE TO TEMPORARILY CLOSE CERTAIN STREETS FOR

CLOSE STREETS
FOR EARTH DAY

THE 14TH ANNUAL “TEXOMA EARTH DAY FESTIVAL” ON SATURDAY, APRIL 22, 2023

FESTIVAL

The City Council approved the request of the 2023 Earth Day Planning Committee to temporarily close certain streets for the 14th Annual “Texoma Earth Day Festival,” which will be held on the Municipal Grounds, on April 22, 2023, from 9:00 am until 4:00 pm.

They are requesting barricades for two street closures and closure of the City Hall parking lot. They are also requesting delivery and pick-up for the barricades.

CONSENT AGENDA.

CONSIDER REQUEST OF DOWNTOWN SHERMAN NOW TO TEMPORARILY CLOSE CERTAIN STREETS FOR “CRAFT THE NIGHT AWAY” ON SATURDAY, MAY 13, 2023

CLOSE STREETS
FOR CRAFT THE
NIGHT AWAY

The City Council approved the request of Downtown Sherman NOW to temporarily close certain streets for “Craft the Night Away,” which will be held on May 13, 2023, in Downtown Sherman.

The are requesting to close Crockett Street and Travis Street, between Lamar Street and Houston Street, from 1:00 pm to 11:00 pm for the event. The event will feature craft beer from 30 Texas breweries for sampling, food trucks, artisan crafters, and musicians.

Downtown Sherman NOW will obtain the necessary permits from the Texas Tobacco and Alcohol Commission for the sale of the craft beer. They are requesting barricades, traffic cones, and solid waste receptacles from the City.

They will also work with the Police Department to arrange for security officers, and they have been instructed that emergency vehicle accessibility must be maintained throughout the closed streets at all times.

CONSENT AGENDA.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

PARKS AND RECREATION ADVISORY BOARD (1)

PARKS & REC
BOARD

ACTION TAKEN.

Motion by Deputy Mayor Stevenson to appoint Christy Baca to the Parks and Recreation Advisory Board for a term from April 4, 2023 to April 4, 2025. Second by Council Member Howeth.

VOTING AYE: Dobbs, Holland, Howeth, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

COUNCIL COMMENTS

ADVISORY BOARD VACANCIES

ADVISORY BOARD
VACANCIES

Deputy Mayor Stevenson asked if the staff would prepare a list of vacancies on the City's advisory board. Mr. Hefton said the staff will prepare a list.

VISITORS TO COUNCIL MEETING

VISITORS TO
COUNCIL MEETING

Council Member Howeth said she was impressed with the young people in the audience. Members of The Camp - Sports and

Recreation Llc/Legends Inc., were in attendance at the Council Meeting. She thanked them for attending. They are members of Andre Luper's Boxing Camp.

CONGRATULATIONS TO THE SHERMAN PUBLIC LIBRARY

Council Member Howeth congratulated the Sherman Public Library on receiving the "Achievement of Excellence in Libraries Award" for 2022. She said people no longer go to the library just to check out a book. They have many different items to check out and they also have a lot of activities.

CONGRATULATIONS
TO SHERMAN
PUBLIC LIBRARY

DOWNTOWN INFORMATIONAL MEETING

Council Member Howeth thanked Mr. Strauch and Sarah McRae, Tourism/Main Street Manager, for arranging the Downtown Informational Meeting for the merchants and other interested individuals. She said she was pleased with the attendance, and they were pleased with the information provided.

DOWNTOWN
INFORMATIONAL
MEETING

VISITORS TO COUNCIL MEETING

Council Member Holland also said he was glad the young people from The Camp attended the Council Meeting. He said they are the future.

VISITORS TO
COUNCIL MEETING

RIBBON CUTTING FOR THE NEW POLICE DEPARTMENT

Council Member Holland commended the Police Department staff for the great job they did hosting the ribbon cutting for the new facility.

RIBBON CUTTING
FOR POLICE DEPT

CONGRATULATIONS TO THE SHERMAN PUBLIC LIBRARY

Council Member Dobbs congratulated the Sherman Public Library on receiving the "Achievement of Excellence in Libraries Award" for 2022.

CONGRATULATIONS
TO SHERMAN
PUBLIC LIBRARY

RIBBON CUTTING FOR THE NEW POLICE DEPARTMENT

Council Member Dobbs congratulated the Police Department on their new facility, and said it was obvious that Sherman supports and funds the Police, and always will. He said he was proud of the ribbon cutting and offered his congratulations.

RIBBON CUTTING
FOR POLICE DEPT

ANNOUNCEMENTS

Mayor Plyler announced the following:

- Coffee With the Mayor will be held on April 7, 2023, at Schulman's Movie Bowl Grille. The lineup for Hot Summer Nights and Lights on the Lake will be released.
- First Annual Cinco de Mayo event will be held downtown on May 5, 2023, at 6:00 p.m. It will feature live music, food, drink options, and fun for the entire family.
- Craft the Night Away will be held downtown on May 14, at 5:00 p.m. Adult beverages will be available from area breweries, as well as some great entertainment.

ANNOUNCEMENTS

Mr. Hefton added that the City offices will be closed on Friday, April 7, 2023, in recognition of Good Friday.

EXECUTIVE SESSION

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

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

TEX. GOV'T CODE § 551.071 --

SEEKING THE ADVICE OF ITS ATTORNEY ABOUT PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS OR ANY MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE TEXAS OPEN MEETINGS ACT

- a) Received legal advice regarding possible expansion of the Grayson County Jail

TEX. GOV'T CODE § 551.072 --

DELIBERATING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.073 --

DELIBERATING A NEGOTIATED CONTRACT FOR A PROSPECTIVE GIFT OR DONATION TO THE CITY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.074 --

DELIBERATING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE; OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE UNLESS THE OFFICER OR EMPLOYEE WHO IS THE SUBJECT OF THE DELIBERATION OR HEARING REQUESTS A PUBLIC HEARING

TEX. GOV'T CODE § 551.076 --

DELIBERATING THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES OR A SECURITY AUDIT

TEX. GOV'T CODE § 551.087 --

DISCUSSING OR DELIBERATING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE CITY SEEKS TO HAVE LOCATE, STAY OR EXPAND IN OR NEAR THE CITY AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR DELIBERATING THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT

- a) Sherman Hospital Project

TEXAS GOV'T CODE § 551.089 --

DELIBERATING SECURITY ASSESSMENTS OR DEPLOYMENTS RELATING TO INFORMATION RESOURCES TECHNOLOGY, NETWORK SECURITY INFORMATION, OR THE DEPLOYMENT OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL, CRITICAL INFRASTRUCTURE OR SECURITY DEVICES

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:41 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:52 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

OPEN MEETING

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:54 p.m.

ADJOURNMENT



MAYOR



CITY CLERK

GREATER TEXOMA UTILITY AUTHORITY (City of Sherman Projects)
Series 2023 Contract Revenue Bond Offering Summary



SPECIALIZED PUBLIC FINANCE INC.
 FINANCIAL ADVISORY SERVICES

New Money Bonds to Fund: 2nd Installment of Water & Sewer System Capital Improvements Plan

Key Dates

February 24, 2023 - First Draft of Offering Documents circulated by Specialized Public Finance (FA)
 March 8, 2023 - Rating Agency Discussion with Standard & Poor's ("A" Bond Rating Affirmed)
 March 30, 2023 - Rates on 2023 Contract Revenue Bonds Locked
 April 27, 2023 - Anticipated Closing - Bond Proceeds to be wired to GTUA

Financial Update

	<i>Original Budget</i>	<i>Final Pricing</i>
Total Par Amount of Bonds Issued	\$ 138,455,000	\$ 137,070,000
Estimated Net Proceeds	\$ 117,965,562	\$ 117,965,562
Estimated Issuance + Bond Insurance Costs	\$ 1,414,169	\$ 756,292
True Interest Cost (TIC)	4.55%	4.29%
Total Interest Expense (1)	\$ 144,744,467	\$ 131,594,347

Transaction Highlights

Standard 10-Year Call Option Reduced to 9-Year Call without Penalty (increases budgeting flexibility).
 Bond Offering was +4 Times Oversubscribed, which Allowed Yields to be Reduced on Date of Rate Lock. Indicates Strong Market Reception.
 In Historical Terms, Municipal Bond Rates have been Higher 74.26% of the Time over the last 20 Years vs. Current Market.

(1) Exclusive of capitalized interest funded at closing.