STATE OF TEXAS §

February 19, 2018

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 February 19, 2018.

MEMBERS PRESENT: **MAYOR DAVID PLYLER; DEPUTY MAYOR PAM HOWETH. COUNCIL MEMBERS HOLLAND, SOFEY, STEELE, STEVENSON, TEAMANN.**

MEMBERS ABSENT: **NONE.**

CALL TO ORDER

CALL TO ORDER

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

APPROVE MINUTES

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of February 5, 2018. Council Member Sofey moved to approve the Minutes as presented; Second by Council Member Holland. All present voted AYE.
MOTION CARRIED.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

ORD 6099
INDUSTRIAL REINVESTMENT ZONE

Mayor Plyler introduced Ordinance No. 6099 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DESIGNATING A CERTAIN AREA AS INDUSTRIAL REINVESTMENT ZONE, NUMBER 022018-01, CITY OF SHERMAN, TEXAS, PROVIDING FOR THE ESTABLISHMENT OF AGREEMENTS WITHIN THE ZONE, AND OTHER MATTERS RELATING THERETO; PROVIDING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE FOR THE COMMENCEMENT OF THE REINVESTMENT ZONE AND THIS ORDINANCE.

Robby Hefton, City Manager, said this is the first action for the establishment of the Reinvestment Zone for Finisar. The final action will be held at the next Council Meeting on March 5, 2018, and will include a public hearing and adoption of the resolution for the tax abatement. The Council will also consider a Chapter 380 Agreement at the same meeting.

No citizens appeared before the City Council to discuss Ordinance No. 6099.

ORD 6100
ATMOS RATE REVIEW

Mayor Plyler introduced Ordinance No. 6100 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING A TARIFF AUTHORIZING AN ANNUAL RATE REVIEW MECHANISM ("RRM") AS A SUBSTITUTION FOR THE ANNUAL INTERIM RATE ADJUSTMENT PROCESS DEFINED BY SECTION 104.301 OF

THE TEXAS UTILITIES CODE, AND AS NEGOTIATED BETWEEN ATMOS ENERGY CORP., MID-TEX DIVISION ("ATMOS MID-TEX" OR "COMPANY") AND THE STEERING COMMITTEE OF CITIES SERVED BY ATMOS; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; DECLARING AN EFFECTIVE DATE; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY.

Brandon Shelby, City Attorney, said this is the annual review of ATMOS' rates. This ordinance represents a negotiated tariff and a rate review mechanism that was negotiated between their Council and the City Council, through the ATMOS Steering Committee, of which Sherman is a member.

This will allow ATMOS to move forward with the rate review. Additional information on the proposed rate will be presented to the Council at a later date.

No citizens appeared before the City Council to discuss Ordinance No. 6100.

The Public Hearing was closed.

<u>ADOPTION OF ORDINANCES</u>

<u>Ordinance 6099</u>

ORD 6099 INDUSTRIAL REINVESTMENT ZONE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DESIGNATING A CERTAIN AREA AS INDUSTRIAL REINVESTMENT ZONE, NUMBER 022018-01, CITY OF SHERMAN, TEXAS, PROVIDING FOR THE ESTABLISHMENT OF AGREEMENTS WITHIN THE ZONE, AND OTHER MATTERS RELATING THERETO; PROVIDING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE FOR THE COMMENCEMENT OF THE REINVESTMENT ZONE AND THIS ORDINANCE.

<u>Ordinance 6100</u>

ORD 6100 ATMOS RATE REVIEW

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING A TARIFF AUTHORIZING AN ANNUAL RATE REVIEW MECHANISM ("RRM") AS A SUBSTITUTION FOR THE ANNUAL INTERIM RATE ADJUSTMENT PROCESS DEFINED BY SECTION 104.301 OF THE TEXAS UTILITIES CODE, AND AS NEGOTIATED BETWEEN ATMOS ENERGY CORP., MID-TEX DIVISION ("ATMOS MID-TEX" OR "COMPANY") AND THE STEERING COMMITTEE OF CITIES SERVED BY ATMOS; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; DECLARING AN EFFECTIVE DATE; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY.

ACTION TAKEN.

Motion by Council Member Steele to adopt Ordinance Nos. 6099 and 6100, as presented. Second by Deputy Mayor Howeth.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED

CONSENT AGENDA

CONSENT AGENDA

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

RESOLUTIONS

RESOLUTION NO. 6341 – AUTHORIZING EXECUTION OF AN EARLY COMPLETION BONUS ADDENDUM TO THE AWARDED CONTRACTOR CONSTRUCTION MANAGER-AT-RISK (CMAR) FOR THE CONSTRUCTION OF FIRE STATION NO. 4

RES 6341
FIRE STATION NO. 4
(TABLED)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN EARLY COMPLETION BONUS ADDENDUM TO THE AWARDED CONTRACTOR CONSTRUCTION MANAGER-AT-RISK (CMAR) FOR THE CONSTRUCTION OF FIRE STATION NO. 4.

Steve Ayers, Assistant City Manager, said the addendum is for the contract with Crossland for the construction of Fire Station No. 4. The City currently has a contract for a 10 month completion of the project. The staff is asking for authorization to execute an early completion bonus addendum.

The bonus would be a 30 day incentive of $30,000 for early completion. This early completion would assist with logistics on the Schulman project, by removing Fire Station No. 4.

Currently the 10 month contract with Crossland would put completion of the project in mid-to-late November 2018. With the incentive, it could push completion to early October 2018.

The addendum would also include a $1,000 daily incentive for every day between 30 days and 45 days that the project is completed earlier. The staff did not feel that completion earlier than 45 days from the contracted date would be possible.

Mr. Ayers said that with Crossland's resources and their ability, the staff felt there was a good possibility that the earlier completion could be met. So far, they have moved quickly on the project.

Council Member Teamann asked if there was a "cap" on the incentive. The cap is at 45 days and Mr. Ayers said that would "be really pushing it" for them to complete the project any earlier than that. He said earlier would be good because it would facilitate the Schulman project.

Council Member Teamann asked if there was a clause in the contract that if they were over the construction deadline, that they would lose $1,000 per day. Mr. Ayers said there are things in the contract that would be effected, but a delay is not monetary.

Mr. Hefton said those are liquidated damages. He said if the Council wants to add a cap to the addendum, they could approve the resolution, subject to the cap. He added that, from a practical standpoint, he did not feel it was needed.

Council Member Sofey asked what the primary reason was for the incentive. Mr. Hefton said the location of the current Fire Station is detrimental to development of the Schulman project. The sooner the Fire Station can be relocated the better, but it must be relocated without problems to the services provided by the Department.

Council Member Sofey asked if the City has closed on the sale of the property to Schulman. Mr. Hefton said closing on sale of the land should be no later than April 5, 2018. Council Member Sofey said he had a problem with incentivizing the construction company for $30,000 before closing on the property. Mr. Hefton said the staff could bring the item back for consideration after the closing.

Council Member Sofey said he wanted to be developer friendly, but would feel more comfortable if the City had "money in the bank" from Schulman when the incentive is paid. Mr. Hefton said if the deal went away, the City would still market the property.

Mr. Hefton said consideration of the incentive can be brought back to the City Council after closing on the property.

Council Member Teamann asked if the same thing can be done on the negative side too. Would they owe the City money if they are late? Council Member Sofey said the contract has already been signed and there are some things, like weather, that are out of the contractor's control.

Council Member Stevenson said since it is a 10 month contract, does the incentive need to be considered now. Mr. Hefton said "in theory" no, but to complete the project early they would probably need to move forward from the beginning in order to manage the timeline of the project.

Council Member Stevenson confirmed that closing on the property would be held April 5, 2018.

ACTION TAKEN.

Motion by Council Member Sofey to table Resolution No. 6341 until after closing on the property, as presented. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED TO TABLE.

RES 6342
LAMBERTH RD
STREAM CROSSINGS

<u>RESOLUTION NO. 6342 – AUTHORIZING EXECUTION OF A CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES WITH HALFF ASSOCIATES, INC. TO DESIGN IMPROVEMENTS TO THE LAMBERTH ROAD STREAM CROSSINGS ALONG THE EAST FORK OF POST OAK CREEK AND EAST LAMBERTH BRANCH</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES WITH HALFF ASSOCIATES, INC. TO DESIGN IMPROVEMENTS TO THE LAMBERTH ROAD STREAM CROSSINGS ALONG THE EAST FORK OF POST OAK CREEK AND EAST LAMBERTH BRANCH.

Clint Philpott, Director of Engineering, said this contract was for the design of two crossings on Lamberth Road, between U.S. Hwy 75 and Travis Street. By spending a little money, these improvements should allow the crossings to handle a 100-year flood event.

This is part of the Stormwater Program and should ensure that emergency vehicles will be able to cross the bridges. Design should take about six months, with construction starting in the early Fall 2018.

Deputy Mayor Howeth asked if the project would have any impact on the citizens and business that are located downstream. Mr. Philpott said it should not have an impact other than during construction.

Council Member Stevenson confirmed that construction should take at least six months.

ACTION TAKEN.
Motion by Council Member Stevenson to adopt Resolution No. 6342, as presented. Second by Deputy Mayor Howeth.
VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6343
DEVELOPMENT AGREEMENT (SWEETWATER SPRINGS SUBDIVISION)

<u>RESOLUTION NO. 6343 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH BARTON CAPITAL, LTD. FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN SWEETWATER SPRINGS SUBDIVISION, A 17.112-ACRE DEVELOPMENT OFF OF MARSHALL STREET AND HILLTOP DRIVE, ALONG DRIPPINGS SPRINGS ROAD IN THE CITY OF SHERMAN</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH BARTON CAPITAL, LTD.

FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN SWEETWATER SPRINGS SUBDIVISION, A 17.112-ACRE DEVELOPMENT OFF OF MARSHALL STREET AND HILLTOP DRIVE, ALONG DRIPPING SPRINGS ROAD IN THE CITY OF SHERMAN.

Mr. Philpott said this was a Development Agreement for a residential subdivision off of Dripping Springs Road, near Marshall Street. It includes about 51 lots. The development fee will cover the cost of inspections for the subdivision.

ACTION TAKEN.
Motion by Deputy Mayor Howeth to adopt Resolution No. 6343, as presented. Second by Council Member Holland.
VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6344 DEVELOPMENT AGREEMENT (BROOKSTONE GARDEN HOMES ADDITION)

<u>RESOLUTION NO. 6344 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH BROOKHAVEN DEVELOPMENT JOINT VENTURE FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN BROOKSTONE GARDEN HOMES ADDITION, A 4.085-ACRE DEVELOPMENT OFF OF F.M. 1417 (HERITAGE PARKWAY), SOUTHEAST OF QUAIL RUN ROAD IN THE CITY OF SHERMAN</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH BROOKHAVEN DEVELOPMENT JOINT VENTURE FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN BROOKSTONE GARDEN HOMES ADDITION, A 4.085-ACRE DEVELOPMENT OFF OF F.M. 1417 (HERITAGE PARKWAY), SOUTHEAST OF QUAIL RUN ROAD IN THE CITY OF SHERMAN.

Mr. Philpott said this is also a Development Agreement for a residential subdivision, consisting of about 24 lots. It is located north of Pebblebrook, off of F.M. 1417.

ACTION TAKEN.
Motion by Council Member Sofey to adopt Resolution No. 6344, as presented. Second by Council Member Stevenson.
VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6345 ANNUAL R-O-W MOWING

<u>RESOLUTION NO. 6345 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH SF LANDSCAPING FOR ANNUAL RIGHT-OF-WAY FINISH MOWING SERVICES</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING

EXECUTION OF A CONTRACT WITH SF LANDSCAPING FOR ANNUAL RIGHT-OF-WAY FINISH MOWING SERVICES. CONSENT AGENDA.

CHANGE ORDER SHERMAN INDUSTRIAL PARK REPLACEMENT SEWER

CHANGE ORDER NO. 2

APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENT TO EXECUTE CHANGE ORDER NO. 2; SHERMAN INDUSTRIAL PARK REPLACEMENT SEWER; LYNN VESSELS, LLC; $21,199.10 INCREASE

Mark Gibson, Director of Utilities, said this was the second change order for the Industrial Sewer Project on the south side of town. The primary scope of the change order is to accommodate the increase in pipe prices caused by Hurricane Harvey. Originally, the City also switched to a different size of pipe to move the project along quicker. The vendors are claiming "Force Majeure" because of the Hurricane

Mr. Gibson said another part of the change order is to lower one of the railroad bores about a foot under the railroad tracks to assure there is no problem with an existing sewer.

The total cost of the three change order items is $21,199.10, yielding a revised contract price of $1,562,342.25.

ACTION TAKEN.

Motion by Deputy Mayor Howeth to approve the Greater Texoma Utility Authority's intent to execute Change Order No. 2 to Lynn Vessels, LLC, in the amount of a $21,199.10 increase for the Sherman Industrial Park Replacement Sewer, as presented. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

SET PUBLIC HEARING FOR FINISAR TAX ABATEMENT

OTHER BUSINESS

SETTING THE PUBLIC HEARING ON THE PROPOSED AGREEMENT WITH FINISAR SHERMAN RE HOLDCO, LLC, A TEXAS LIMITED LIABILITY COMPANY, FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR IMPROVEMENTS WITHIN INDUSTRIAL REINVESTMENT ZONE, NUMBER 022028-01, CITY OF SHERMAN, TEXAS

Mr. Hefton said this is a companion item to Ordinance No. 6099, which designated the Industrial Reinvestment Zone. This item is to set the public hearing for the actual Tax Abatement, which will also be held at the March 5, 2018 City Council Meeting.

ACTION TAKEN.

Motion by Council Member Teamann to set a Public Hearing at the Regular Council Meeting of March 5, 2018, to consider the Proposed Agreement with Finisar Sherman RE HOLDCO, LLC, for the abatement of Ad Valorem

Property Taxes for improvements within Industrial Reinvestment Zone, Number 022028-01, as presented. Second by Council Member Stevenson.
VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

CALL SPECIAL MTG FOR COUNCIL TRAINING WORKSHOP

<u>CONSIDER CALLING A SPECIAL MEETING OF THE CITY COUNCIL FOR A TRAINING WORKSHOP TO BE CONDUCTED BY E. ALLEN TAYLOR, JR., FOUNDING PARTNER OF TAYLOR, OLSON, ADKINS, SRALLA AND ELAM, LLP ON WEDNESDAY, MARCH 28, 2018</u>
Mr. Hefton said this is the second annual training for the City Council from Allen Taylor, Jr., Founding Partner of Taylor, Olson, Adkins, Sralla and Elam, LLP. The training will include a legal update regarding various City-related topics. He provides a similar training for the Planning and Zoning Commission Members too.

The proposed date for training was March 28, 2018, however some Council Members had a conflict with the date. Other dates were discussed and Mr. Hefton suggested that the March 28 date be switched with the February 28 date that was being proposed for the Planning and Zoning Members.

Most Council Members felt that they would be able to attend the Training if it was held on February 28, 2018.

ACTION TAKEN.
Motion by Council Member Holland to set a Special Called City Council Meeting for February 28, 2018, at 11:00 a.m., to hold a Training Workshop, as presented. Second by Council Member Teamann.
VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

BUDGET CALENDAR

<u>DISCUSS AND CONSIDER APPROVAL OF THE BUDGET CALENDAR FOR FISCAL YEAR (FY) 2018-2019</u>
Mary Lawrence, Director of Finance, said the proposed budget calendar is similar to last year's calendar. The Budget Planning Meeting was proposed for April 20, 2018 and the Budget Workshop was proposed for June 14-15, 2018. It is expected that only one day will be needed for the Budget Workshop.

Two Council Members said they would not be available for the April 20 Meeting. Other dates were discussed and Mr. Hefton proposed that the Budget Planning Meeting be moved to April 27, 2018.

ACTION TAKEN.
Motion by Council Member Sofey to adopt the Budget Calendar for FY 2018-2019, changing the date for the

Budget Planning Meeting to April 27, 2018. Second by Council Member Steele.
VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

APPROVE THE QUARTERLY INVESTMENT REPORTS FOR QUARTER ENDED DECEMBER 31, 2017

QUARTERLY INVESTMENT REPORT

The City Council approved the Quarterly Investment Reports for the quarter ended December 31, 2017. As of December 31, 2017, the portfolios were in compliance with applicable State laws and with the City's internal Investment Policy.

The Operating Investment Portfolio had a book value of about $12.9 million, a decrease of about $1.1 million from the prior quarter of $14 million, due to the maturity of a Certificate of Deposit, a U.S. Agency Security, and withdrawals from a Local Government Investment Pool (LGIP). Funds were also deposited into the LGIP.

The underlying investments were adequately diversified among four different types of securities. This portfolio is appropriately liquid and it's weighted-average maturity was about 482 days, a decrease of 28 days from last quarter.

The portfolio yield of 1.355% for the quarter is 40 basis points below the benchmark yield of 1.76%. The portfolio value on the City's books is essentially equal to the market value of the overall portfolio.

The Debt Proceeds Portfolio balance of $21.8 million was invested in a Local Government Investment Pool, an FDIC Insured Investment Account, and a U.S. Agency security.

Current period transactions included the addition of interest income and the receipt of $4 million of debt proceeds to fund stormwater projects. Approximately $3.7 million was disbursed for project payments.

The yield of 1.13% was fifteen basis points below the benchmark yield of 1.28% for this portfolio. Book value and market value were about the same.
CONSENT AGENDA.

CITIZENS REQUESTS
FIRE STATION NO. 4 RELOCATION

FIRE STATION NO. 4 RELOCATION

Peter Tracy, 705 S. Valentine, expressed concern about the relocation of Fire Station No. 4 to the west side of U.S. Hwy 75 instead of the east side of the highway. He asked if there would be a light placed at the intersection to allow the emergency vehicles to cross over U.S. Hwy 75 quickly.

Currently there are two housing developments within two miles of the fire station, but when relocated, the fire station will be four miles away. He was concerned about the response

time since the emergency vehicles will have to cross F.M. 1417 and U.S. Hwy 75.

He asked if there would be controls on the light system to give the emergency vehicles automatic right-of-way and would there be a light when they cross over F.M. 1417.

Mr. Hefton said that would be determined by the Texas Department of Transportation and if warranted, it would be installed.

Mr. Tracy said most of the industrial facilities in that area have sprinkler systems, so their needs are not as rapid as a trailer park.

Mr. Hefton said the relocation of the fire station would not alter the coverage that the City currently has. Mr. Tracy said his concern is crossing the intersection.

Mr. Hefton said emergency vehicles are able to cross intersections whether or not they are regulated. They have the right-of-way and routinely cross intersections. He said the staff will review the situation and make sure the vehicles can safely cross the intersections. Especially as that area develops, he said, if it's warranted, the City will make sure there is a light at that intersection.

MEDIA QUESTIONS

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

POSITIVE GROWTH IN SHERMAN

POSITIVE GROWTH IN SHERMAN

Council Member Sofey recognized the positive growth in Sherman adding that over 80 new residential lots were platted and Finisar is locating in Sherman. He said these were two good indicators of the growth.

ANNOUNCEMENTS

ANNOUNCEMENTS

Mayor Plyler announced the following:

- Coffee with the Mayor will be held March 2, 2018, at Austin College.

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

EXECUTIVE SESSION

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.

SECTION 551.071 – CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION

SECTION 551.071 --	**CONSULT WITH THE CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER**
SECTION 551.074 --	**PERSONNEL MATTERS: CONSIDER THE QUALIFICATIONS, APPOINTMENT AND REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS PLANNING AND ZONING COMMISSION (1)**
SECTION 551.087 --	**DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT AND DELIBERATE ANY OFFERS OR INCENTIVES TO THE BUSINESS PROSPECT**

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:40 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:13 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

PLANNING & ZONING COMMISSION

PLANNING AND ZONING COMMISSION (1)
ACTION TAKEN.

Motion by Deputy Mayor Howeth to appoint Leigh Ann Sims to the Planning and Zoning Commission, for a term from February 21, 2018 to February 21, 2021. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Sofey, Steele, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

ADJOURNMENT

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:15 p.m.

____
MAYOR

____
CITY CLERK