

City of *OVILLA* City Council

Dean Oberg, Place Two
David Griffin, Place Three

Richard Dormier, Mayor
Kimberly Case, Place One, Mayor Pro Tem

Doug Hunt, Place Four
Brad Piland, Place Five

Monday, August 14, 2023 105 S. Cockrell Hill Road, Ovilla, TX 75154 6:30 P.M. Council Chamber Room

AGENDA

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on **Monday, August 14, 2023**, at **6:30 P.M.** in the Ovilla Municipal Building, Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items:

I. CALL TO ORDER

- Invocation – led by Mayor Pro Tem Case
- U.S. Pledge of Allegiance and TX Pledge - led PL3 Griffin

II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS, PROCLAMATIONS

City Manager Update:

- Heritage Day Announcement
- Employee Evaluations
- Conference Room

III. CITIZEN'S COMMENTS

The City Council welcomes comments from Citizens. Those wishing to speak must sign in before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised or make any decisions at this time. Speakers under citizens' comments must observe a three-minute time limit. Inquiries regarding matters not listed on the agenda may be referred to Staff for research and possible future action.

IV. CONSENT AGENDA

The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member, in which event those items will be pulled from the consent agenda for individual consideration on the regular agenda during this meeting.

- C1.** Financial Transactions over \$5,000
- C2.** Minutes of the Regular Council Meeting July 10, 2023
- C3.** Minutes of the Special Council Meeting and Budget Workshop July 18, 2023
- C4.** Minutes of the Special Council Meeting and Budget Workshops July 19, 2023
- C5.** Minutes of the Special Council Meeting and Budget Workshop July 24, 2024
- C6.** Investment Report for October through June 2023

V. REGULAR AGENDA

- ITEM 1. DISCUSSION** –Discuss a proposed traffic calming device policy.
- ITEM 2. DISCUSSION/ACTION** –Review the proposed Fiscal Year 2023-2024 Budget, discuss the preliminary determination of the tax rate, and direct staff as necessary.
- ITEM 3. DISCUSSION/ACTION** – Consideration of and action on setting the proposed tax rate for the Fiscal Year 2023-2024 Budget and take a record vote.

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- ITEM 4. DISCUSSION/ACTION** – Consideration of and action on setting a Public Hearing to be held on Monday, September 11, 2023 at 6:30 p.m. for the purpose of allowing public comments on the adoption of the 2023/2024 Fiscal Year Budget and the 2023/2024 Tax Rate.
- ITEM 5. DISCUSSION/ACTION** – Consideration of and action on Resolution No. R2023-13 a Resolution of the City of Ovilla, Texas finding that Oncor electric delivery company LLC’s application to amend its distribution cost recovery factor and update generation riders to increase distribution rates within the city should be denied; authorizing participation with the steering committee of cities served by Oncor; authorizing hiring of legal counsel; finding that the city’s reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.
- ITEM 6. DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-14 an Ordinance of the City Council of the City of Ovilla, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex division regarding the company’s 2023 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; requiring the company to reimburse ACSC’S reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this ordinance to the company and the ACSC’S legal counsel.
- ITEM 7. DISCUSSION/ACTION** – Receive, discuss and consider a recommendation from City Staff regarding the apparent low bid and best service provider for Solid Waste Disposal services in the City of Ovilla to include a directive to begin negotiations with the selected vendor for City Council consideration.
- ITEM 8. DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-15 An ordinance of the City Council of the City of Ovilla, Texas, creating article 8.06 “sex offender regulations” to establish residency restrictions for sex offenders that prohibit residency of a registered sex offender within one thousand (1,000) feet of a child safety zone; providing definitions; providing residence location restrictions; prohibiting solicitation of trick-or-treaters; adopting procedures to apply for exemptions from the ordinance and providing a scope of exemption; providing for the incorporation of premises; providing a cumulative repealer clause; providing a savings clause; providing a severability clause; providing for a penalty of a fine in an amount not to exceed five hundred dollars (\$500) for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues; providing for publication and providing for an effective date.
- ITEM 9. DISCUSSION** – Discuss progress and receive updates on activities related to the 2023 Heritage Day Celebration, Saturday, September 23, 2023.
- ITEM 10. DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

VI. RECEIVE DEPARTMENTAL REPORTS – NO ACTION OR DISCUSSION

- Departmental Reports

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|---------------------------|-------------------------------------|
| • Police Department | Police Chief J. Bennett |
| • Fire Department | Fire Chief B. Kennedy |
| • Public Works Department | Public Works Director J. Kuykendall |
| • Finance Department | Finance Director E. Scott |
| • City Secretary | City Secretary B. Taylor |

VII. EXECUTIVE SESSION

The City Council of the City of Ovilla, Texas, reserves the right to meet in a closed session on any item listed on this Agenda should the need arise, pursuant to authorization by Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).

1. §551.074: to deliberate 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: (i) City Manager

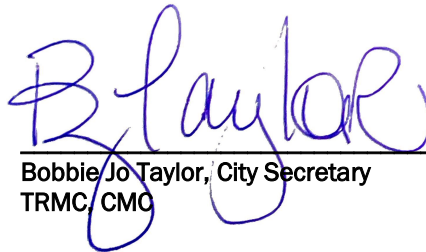
VIII. RECONVENE INTO OPEN SESSION - IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551, THE CITY COUNCIL WILL RECONVENE INTO OPEN SESSION TO CONSIDER ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION.

IX. REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS BY COUNCIL AND STAFF

X. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF August 14, 2023, Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofovilla.org, on the 11th day of August 2023, prior to 6:30 p.m., in compliance with Chapter 551, Texas Government Code. A quorum of the governmental body will be physically present at the location noticed above. Pursuant to Tex. Gov't Code 551.127, one or more members of the governing body may appear via videoconference call.




Bobbie Jo Taylor, City Secretary
TRMC, CMC

This facility is ADA-compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call 972-617-7262 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. PLEASE SILENCE ALL CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.

PURSUANT TO SECTION 30.06, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

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CONFORME A LA SECCIÓN 30.06 DEL CÓDIGO PENAL (ENTRADA SIN AUTORIZACIÓN POR TITULAR DE LICENCIA CON UNA PISTOLA OCULTA), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411 DEL CÓDIGO DE GOBIERNO (LEY DE LICENCIAS DE PISTOLAS), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA OCULTA.

PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

CONFORME A LA SECCIÓN 30.07 DEL CÓDIGO PENAL (ENTRADA SIN AUTORIZACIÓN POR TITULAR DE LICENCIA CON UNA PISTOLA VISIBLE), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411 DEL CÓDIGO DE GOBIERNO (LEY DE LICENCIAS DE PISTOLAS), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA VISIBLE.