

*City of O*VILLA City Council

Rachel Huber, Place One

Larry Stevenson, Place Two

David Griffin, Place Three, Mayor Pro Tem

Richard Dormier, Mayor

Doug Hunt, Place Four

Michael Myers, Place Five

Dennis Burn, City Manager

NOTICE OF CITY COUNCIL BRIEFING SESSION

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, March 13, 2017

6:00 P.M.

Council Chamber Room

AGENDA

- I. CALL TO ORDER
- II. CONDUCT A BRIEFING SESSION to review and discuss agenda items for the 6:30 p.m. regular meeting.
- III. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the March 13, 2017 Briefing Session 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.cityofvilla.org, on the 10th day of March 2017 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



Pamela Woodall, City Secretary

DATE OF POSTING: 3-10-2017 TIME: 1:00 am/pm
DATE TAKEN DOWN: _____ TIME: _____ am/pm

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 PAGERS, CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.

City of Ovilla City Council

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David Griffin, Place Three, Mayor Pro Tem

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Michael Myers, Place Five

Dennis Burn, City Manager

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, March 13, 2017

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, March 13, 2017** 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
- Pledge of Allegiance

II. 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).

Closed meeting called pursuant to Section 551.071(2) of the Texas Government Code. Consultation with the City Attorney on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of the Texas Open Meetings Act.

III. 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. January 2017 Financial Transactions over \$5,000
- C2. Briefing Session and Minutes of the February 13, 2017 Regular Council Meeting
- C3. Resolution R2017-07 Supporting House Bill 1427, authorizing Mayor to execute.
- C4. Resolution R2017-08 Approval of the Interlocal Cooperation Contract for the Lease of a voting machine between Ellis County and the City of Ovilla, Texas, authorizing Mayor to execute.

IV. REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Consideration of and action on adoption of Ordinance No. 2017-02, of the City of Ovilla, Texas, amending Chapter 8, Article 8.2 “Nuisances” of the Code of Ordinances of the City of Ovilla, Texas.

ITEM 2. DISCUSSION/ACTION – Receive recommendation from the Planning and Zoning Commission to consider and take action on the final plat application filed by Massey Shaw for the residential development of Bryson Manor Subdivision Phase 2 Final Plat located at the NE corner of Bryson Lane and Shiloh Road.

City of Ovilla City Council

Rachel Huber, Place One

Larry Stevenson, Place Two

David Griffin, Place Three, Mayor Pro Tem

Richard Dormier, Mayor

Doug Hunt, Place Four

Michael Myers, Place Five

Dennis Burn, City Manager

ITEM 3. *DISCUSSION/ACTION* – Receive a recommendation from the Planning and Zoning Commission Advisory Committee on the update of the Impact Fees and set a date for the public hearing for final consideration.

ITEM 4. *DISCUSSION* – Receive presentation from Jack Thompson from Orasi and an Ovilla Economic Development Corporation representative to review and discuss the proposed Strategic Plan.

ITEM 5. *DISCUSSION/ACTION* – Consideration of and Action on Ordinance No. 2017-03, of the City of Ovilla, Texas, amending Chapter 15, Article 15.02, Section 15.02.003, of the Ovilla Code of Ordinances; providing revised terms of office for members of the Park Board, providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

ITEM 6. *DISCUSSION/ACTION* – Consideration of and Action on Resolution R2017-06 of the City of Ovilla, Texas, to approve an agreement between “The Payment Group, LLC and its division, TRAFFICPAYMENT.COM, (TP) for the license of TP online citation payment services and authorize the Mayor to execute said agreement.

ITEM 7. *DISCUSSION/ACTION* – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

V. COMMENTS, PRESENTATIONS & REPORTS

- Proclamations to be read by Mayor Dormier:
 1. Meals on Wheels
 2. North Texas Poison Control

- Citizen 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 citizen's 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.

- Department Activity Reports / Discussion

• Police Department	Police Chief B. Windham
o Monthly Report	
o Racial Profiling Report	
• Fire Department	(Prepared by) Fire Chief B. Kennedy
o Monthly Report	Presented by City Manager Dennis Burn
• Public Works	Public Works Director B. Piland
o Monthly Report /Water loss report	
1. Monthly Park Maintenance Reports	
• Finance Department	Accountant L. Harding
o January 2017 Financials	
o Bank Balances through March 09, 2017	
• Administration	City Manager D. Burn
o City Manager Reports	
o Monthly Municipal Court Report	
o Monthly Code/Animal Control Reports	
1. Monthly activity reports	

City of Ovilla City Council

Rachel Huber, Place One

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David Griffin, Place Three, Mayor Pro Tem

Richard Dormier, Mayor

Doug Hunt, Place Four

Michael Myers, Place Five

Dennis Burn, City Manager

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

VII. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the March 13, 2017 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 10th day of March 2017 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



Pamela Woodall

Pamela Woodall, City Secretary

DATE OF POSTING: 3-10-2017 TIME: 1:00 am/pm
DATE TAKEN DOWN: _____ TIME: _____ am/pm

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CERTIFIED EXECUTIVE SESSION AGENDA

Date: 13 March 2017

I, Richard A. Dormier, Mayor of the City of Ovilla, Texas hereby convene into Executive Session at _____ p.m. on the 13 day of March 2017.

The following Council Members and staff attended:

<u>Council Members</u>	<u>Staff Members</u>	<u>City Attorney</u>
<input type="checkbox"/> Mayor, Richard Dormier	<input type="checkbox"/> Dennis Burn, City Manager	<input type="checkbox"/> City Attorney, Ron MacFarlane
<input type="checkbox"/> Place 3, David Griffin	<input type="checkbox"/> Pam Woodall, City Secretary	<input type="checkbox"/> Other Legal Counsel
<input type="checkbox"/> Place 1, Rachel Huber		
<input type="checkbox"/> Place 2, Larry Stevenson		
<input type="checkbox"/> Place 4, Doug Hunt		
<input type="checkbox"/> Place 5, Mike Myers		

The following is an agenda of an Executive Session of the City of Ovilla, Texas, held pursuant to the Texas Open Meetings Act, Government Code Section:

<input checked="" type="checkbox"/> 551.071 - Consultation w/Attorney	<input type="checkbox"/> 551.072 - Real Property
<input type="checkbox"/> 551.073 - Deliberations about Gift	<input type="checkbox"/> 551.074 - Personnel Matters
<input type="checkbox"/> 551.076 - Security Personnel or Devices	<input type="checkbox"/> 551.086 - Test item (SB 595)
<input type="checkbox"/> 551.087 - Economic Development Negotiations (SB1851)	
<input type="checkbox"/> 418.183 - Homeland Security	

Said Executive Session has been conducted in order to deliberate on the following matters:

Closed meeting called pursuant to Section 551.071(2) of the Texas Government Code. Consultation with the City Attorney on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of the Texas Open Meetings Act.

I, Richard A. Dormier, Mayor, hereby adjourn the Executive Session at _____ p.m. on the 13 day of March 2017. No Action was taken in Executive Session. Any action, as a result of this Executive Session, will be taken and recorded in open session.

I certify that this agenda is a true and accurate record of the proceedings.

Richard A. Dormier, Mayor

CONSENT ITEMS C1 – C4

Meeting Date: March 13, 2017

Department: Administration/Finance

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: Staff

Amount: N/A

Attachments:

- C1. January 2017 Financial Transactions over \$5,000
- C2. Briefing Session and Minutes of the February 13, 2017 Regular Council Meeting
- C3. Resolution R2017-07 Supporting House Bill 1427, authorizing Mayor to execute.
- C4. Resolution R2017-08 Approval of the Interlocal Cooperation Contract for the Lease of a voting machine between Ellis County and the City of Ovilla, Texas, authorizing Mayor to execute.

Discussion / Justification:

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

I move to approve the consent items as presented.



DATE: March 13, 2017

TO: Honorable Mayor and Council Members

FROM:
Linda Harding, Accountant

SUBJECT: Transactions Over \$5,000 For January 2017

**City of Ovilla Expenditures Over \$5,000
for the Month of JANUARY 2017**

Date	Check#	General Fund Payee	Description	Amount
1/9/2017	45987	T.M.R.S.	Retirement	\$ 21,035.12
1/12/2017	ach	Quick Books Payroll Service	Payroll	\$ 47,213.31
1/12/2017	46021	US Treasury	Payroll Taxes	\$ 8,627.74
1/13/2017	46024	City of Midlothian	Emergency Medical Trans	\$ 15,889.75
1/13/2017	46030	City of Ovilla	EDC - Sales Tax Transfer	\$ 21,776.99
1/13/2017	46025	Holiday Ford	Police Dept - 2016 Ford Interceptor	\$ 48,999.81
1/13/2017	46016	State Comptroller	State Criminal Cost	\$ 21,284.56
1/20/2017	46039	TML	Quarterly TML Insurance	\$ 13,254.10
1/20/2017	46046	Progressive Waste Solutions	Solid Waste	\$ 18,161.00
1/23/2017	46058	U.S. Bank	Interest	\$ 97,762.50
1/24/2017	46063	City of Ovilla	Due to W&S Fund	\$ 7,560.41
1/27/2017	46081	Ellis County Precinct #4	Lariat Trail - Cement	\$ 34,121.40
1/27/2017	ach	Quick Books Payroll Service	Payroll	\$ 48,652.17
1/27/2017	46061	US Treasury	Payroll Taxes	\$ 8,949.84
1/27/2017	46061	United Health Care	Health Insurance	\$ 11,232.60
Total General Fund Transactions \$5,000 and Over				\$ 424,521.30

Date	Check#	Water & Sewer Fund Payee	Description	Amount
1/13/2017	16593	City of Ovilla General Fund	Payroll 1 13 2017	\$ 10,643.78
1/20/2017	16603	City of Ovilla General Fund	Solid Waste	\$ 20,557.99
1/27/2017	16604	City of Ovilla General Fund	Payroll 1 27 17	\$ 10,643.78

Total Water & Sewer Fund Transactions \$5,000 and Over	\$ 41,845.55
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CITY OF OVILLA MINUTES

Monday, February 13, 2017

City Council Briefing Session

105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Council Briefing Session of the Ovilla City Council to order at 6:00 p.m., with notice of the meeting duly posted. Mayor Dormier made the following public announcement asking all individuals to be cognizant of the two signs at the entrance to the Council Chamber room referencing Sections 30.06 and 30.07 of the *Penal Code, persons licensed under Subchapter H, Chapter 411, Government Code may not enter this property with a concealed handgun nor enter this property with a handgun that is carried openly.*

The following City Council Members were present:

Rachel Huber	Council Member, Place 1
Larry Stevenson	Council Member, Place 2
David Griffin	Mayor Pro Tem, Place 3
Doug Hunt	Council Member, Place 4
Michael Myers	Council Member, Place 5

Mayor Dormier announced all Council members were present, thus constituting a quorum. Various department directors and staff were also present. Staff presented Council with future agenda items and/or pending items still under staff review.

CALL TO ORDER

CONDUCT A BRIEFING SESSION to review and discuss agenda items for the 6:30 p.m. regular meeting.

1. Council, Mr. Burn and staff reviewed each item on the agenda. There was discussion and clarification on the following:
 - a. Consent: Was the committed fund balance up to date?
 - b. Item 3: Confirmed the options for placement of restrooms.
 - c. Item 6: Not the maintenance schedule expected. Staff to return in March with this item.
 - d. Item 7: Not the representation expected. PL5 Myers will bring information to March meeting.
 - e. Item 10: April 29 is the only available clean-up date.

ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:27 p.m.

ATTEST:

Richard A. Dormier, Mayor

Pamela Woodall, City Secretary

Approved March 13, 2017

CITY OF OVILLA MINUTES

Monday, February 13, 2017

Regular City Council Meeting

105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Regular Council Meeting of the Ovilla City Council to order at 6:30 p.m., with notice of the meeting duly posted. Mayor Dormier made the following public announcement asking all individuals to be cognizant of the two signs at the entrance to the Council Chamber room referencing Sections 30.06 and 30.07 of the *Penal Code, persons licensed under Subchapter H, Chapter 411, Government Code may not enter this property with a concealed handgun nor enter this property with a handgun that is carried openly.*

The following City Council Members were present:

Rachel Huber	Council Member, Place 1
Larry Stevenson	Council Member, Place 2
David Griffin	Mayor Pro Tem, Place 3
Doug Hunt	Council Member, Place 4
Michael Myers	Council Member, Place 5

Mayor Dormier announced that all Council members were present, thus constituting a quorum. City Manager Dennis Burn, various department directors and staff were also present.

CALL TO ORDER

PL2 Stevenson gave the Invocation and PL1 Huber led the recitation of the Pledge of Allegiance.

COMMENTS, PRESENTATIONS & REPORTS

Presentation: Mayor Dormier read a Proclamation in honor of African American Month

Citizen Comments

1. Ms. Jimmie Wade, 606 Creekview: Spoke on various topics.
 - a) Street repairs and culverts
 - b) Asked that Mr. Burn speak with her when she comes to the city offices.
 - c) Voiced appreciation to PL2 Stevenson and the Police Department for their support.

Department Activity Reports / Discussion

Police Department

Monthly Report was reviewed.

Police Chief B. Windham

Fire Department

Monthly Report was reviewed.

Fire Asst. Chief K. Lindsey

1. Assistant Fire Chief Lindsey reported that new fire department volunteers were being appointed.

Public Works

Monthly Report was reviewed.

Public Works Director B. Piland

1. PW Director Piland advised that he added water purchases and losses to his monthly report.
2. Sixty-four work orders were issued in January 2017.
3. All city parks needed new bedding – it was an ongoing and continued necessity.
4. Fire hydrant replacement in Brookwood was discussed.
5. Monthly Park Maintenance sheets were reviewed.

Finance Department reports were reviewed:

City Manager D. Burn

1. November 2016 Financials.
2. Bank balances as of February 09, 2017 were reviewed.

Administration

City Manager Reports were reviewed.

City Manager D. Burn

Monthly Municipal Court Report was reviewed.

City Secretary P. Woodall

Monthly Code/Animal Control Reports were reviewed.

Code/AC Officer M. Dooly

CONSENT AGENDA

- C1. December 2016 Financial Transactions over \$5,000
- C2. Investment Report for quarter ending December 31, 2016
- C3. Committed Fund Balance Report for quarter ending December 31, 2016
- C4. Briefing Session and Minutes of the January 09, 2017 Regular Council Meeting

PL4 Hunt moved to approve the consent items as presented, seconded by PL2 Stevenson.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 5-0.

PUBLIC HEARING

Council received presentation, recommendation and public comments on approving Land Use Assumptions and Capital Improvements Plan for the City's updated Water and Wastewater Impact Fee Service Area, based on a recommendation from the Capital Improvement and Impact Fee Advisory Committee. (Also referred to as the Planning and Zoning Advisory Committee)

Mayor Dormier opened the Public Hearing at 7:15 p.m.

Andrew Mata with Birkhoff, Hendricks and Carter, LLP gave a brief presentation of the need to update and adopt land use assumptions, capital improvements for the water and wastewater impact fees which is based on projected growth and the City's Comprehensive Land Use Plan.

There was no one to speak.

Mayor Dormier closed the Public Hearing at 7:22 p.m.

REGULAR AGENDA

ITEM 1. *DISCUSSION/ACTION* – Consideration of and Action on Resolution R2017-02 of the City of Ovilla, Texas, approving the Land Use Assumptions and Capital Improvements Plan for the City's proposed Water and Wastewater Impact Fee Service Area; based on recommendation from the Capital Improvement and Impact Fee Advisory Committee and declaring an effective date.

Texas Local Government Code Chapter 395.054 provides for the process to review and amend the Land Assumptions, CIP and Impact Fees. Water and Wastewater (Sewer) Impact Fees are an assessment imposed by a political subdivision for new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development. Any developer seeking a building permit for a new development (residential or commercial) that will generate additional use of utility resources will be responsible for paying Impact Fees. As it pertains to Impact Fees, the "developer" shall mean any person, company, agency, or entity that is undertaking a project. This includes non-profit entities, churches, and individuals subdividing land for family members as well as those whose primary business is developing land or constructing homes or businesses for profit. School districts are exempt from water and wastewater impact fees.

The current impact fees were established/amended in 2014. The allowable maximum water impact fee is \$3,311 and the allowable maximum wastewater impact fee is \$1,441. Both fees are per new living unit.

The Planning and Zoning Commission Advisory Committee (Capital Improvement and Impact Fee Advisory Committee) forwarded recommendation to approve the Land Use Assumptions and Capital Improvements Plan for the proposed Water and Wastewater Impact Fee update. The Impact Fee update will be brought before Council for review and consideration in the coming months.

PL4 Hunt moved to approve Resolution R2017-02 of the City of Ovilla, Texas, approving the Land Use Assumptions and Capital Improvements Plan for the City's proposed updated Water and Wastewater Impact Fee Service Area; based on recommendation from the Capital Improvement and Impact Fee Advisory Committee, effective this 13th day of February 2017, seconded by Mayor Pro Tem Griffin.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 5-0.

ITEM 2. DISCUSSION/ACTION – Consideration of and Action on Resolution R2017-03 accepting the Annual Financial Audit Report for the year ended September 30, 2016, prepared by Yeldell, Wilson, Wood and Reeve, P.C.

Danny Strunc, with Yeldell, Wilson, Wood and Reeve, P.C., was present to review the highlights of the audit and answer questions on the Annual Financial Report for the City's fiscal year ended September 30, 2016. The Firm's Management Letter and comparative sections were explained and confirmed that the City was at approximately 179-days operational committed fund balance, whereas, the City's resolution required 90-days of committed fund balance. Mayor Dormier noted a considerable water loss, however.

PL2 Stevenson moved that Council accept the Annual Financial Audit Report for the year ended September 30, 2016, prepared by Yeldell, Wilson, Wood and Reeve, P.C., seconded by PL1 Huber.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 5-0.

ITEM 3. DISCUSSION/ACTION – Consideration of and Action to review and approve the placement site of the Heritage Park Restroom Facility.

City Manager Dennis Burn presented Council with a map and two options for placement locations in Heritage Park for the restrooms, sharing pros and cons for each option. Council's consensus was Option 2:

Option 2.

Pros: (1) Does not block view of Heritage Park.
(2) Located near water/sewer/electricity
(3) Does not take up parking spaces.

Option 2.

Cons: (1) Difficult to unload and place.
(2) Hard to view and inspect.
(3) Easy to vandalize.

Mayor Pro Tem Griffin moved to approve Option 2 for the site location of the Heritage Park Restroom Facility, seconded by PL2 Stevenson.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 5-0.

ITEM 4. DISCUSSION – Discuss and consider the designation of the Ovilla Police Station as a safe zone.

Mayor Dormier commented that this would not only be considered a safe zone but in actuality an "exchange" zone. The use of the internet for purchasing and trading goods is becoming increasingly popular. There are, however, inherent dangers in using the internet to set up meetings with total strangers. Individuals have fallen victim to various crimes ranging from murder to robbery to simple theft when meeting strangers for an exchange. To help combat this issue, the police department has a proposal to establish an internet exchange zone in an effort to set up an area covered by video surveillance. The proposal presented has two components, phase one to include cameras around the police department and phase two to include cameras around city hall focusing on city hall, the fire department and public works assets. The two phases have also been combined for a lower price due to on-site costs. The Council's consensus was to direct staff to move forward with this concept and to obtain additional quotes for cameras and return for consideration.

Discussion only.

ITEM 5. DISCUSSION/ACTION – Consideration of and Action on Resolution R2017-04 enacting a City of Ovilla Citizens on Patrol Program and adopting an operating procedure for the program.

Chief Windham addressed a desire to implement a Citizens on Patrol Program (COP) with Council during their January meeting. Returning with this item, the Police Department prepared their own COP Operating Procedure Manual and agreement form and would like to begin a Citizens on Patrol Program (COP). This Program involves citizens taking some responsibility for their community and working with the police to make it a better, safer place. Staff confirmed that the City's insured, TMLIRP covers qualified volunteers on this program.

Some of the basic services a team of COP's can provide:

- Patrolling in a city police vehicle with the appropriate Citizens on Patrol signage.
- Reporting suspicious behavior to the on-duty police officers.
- Conducting vacation house checks
- Assisting with traffic direction/control at accident scenes and road closures such as Heritage Day.
- Providing assistance at events such as Lords Acre.
- Providing PR assistance at local events.
- Providing code enforcement assistance in identification of violations.

PL2 Stevenson moved to approve Resolution R2017-04 enacting a City of Ovilla Citizens on Patrol Program and adopting an operating procedure for the program, seconded by Mayor Pro Tem Griffin.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 5-0.

ITEM 6. DISCUSSION/ACTION – Consideration of and Action on a draft Road Maintenance and Operations Manual and direct staff as necessary.

Staff presented a draft Road Maintenance and Operations Manual. The draft manual was address during the Council Briefing Session with suggestions from the governing body. Staff will return with a revised draft at the March Council meeting.

NO ACTION.

ITEM 7. DISCUSSION/ACTION – Consideration of and Action to direct staff as necessary for continued research of a plan for the use and installation of Smart Water Meters.

PL5 Myers advised that the information provided was not to his expectation and asked that staff return with the same agenda item for the March meeting. PL5 would make the presentation at that time.

NO ACTION.

ITEM 8. DISCUSSION/ACTION – Consideration of and Action on Resolution R2017-05 of the City of Ovilla, Texas, for and on behalf of the City of Ovilla, Texas an Agreement Letter, by and between the City of Ovilla and Lee Engineering, LLC for the preparation of a Rough Proportionality Study for Hidden Valley Residential Development, authorizing the Mayor to execute said document.

City Manager Dennis Burn shared background information on this residential development:

Alluvium Development Inc. is no longer pursuing the development of Hidden Valley Estates. The City Council at their August 8, 2016 meeting approved the preliminary plat and approved various variances. The City Council at their October 11, 2016 meeting denied a variance request for the first floor/second floor minimum square footage requirements.

Current status: A new/different developer is interested in purchasing the 117.758-acre property. Prior to the purchase, the new potential developer wants to know the proportionality cost of the development. Should the City Council approve this agreement: (1) the developer will pay the City the \$3,500.00 cost to prepare the study,

(2) the City will forward to Lee Engineering this contract plus the approved preliminary plat and the traffic plan prepared by Alluvium, (3) Lee Engineering will prepare and forward the proportionality study to the City, (4) the City will in turn forward the study to the developer, and (5) the City will pay Lee Engineering. As stated in the proposal, the study should take five days to complete. The City Engineer will be involved with Lee Engineering in the preparation of the study.

Mayor Pro Tem Griffin moved to approve Resolution R2017-05 of the City of Ovilla, Texas, for and on behalf of the City of Ovilla, Texas an Agreement Letter, by and between the City of Ovilla and Lee Engineering, LLC for the preparation of a Rough Proportionality Study for Hidden Valley Residential Development, authorizing the Mayor to execute said document, seconded by PL1 Huber.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 5-0.

ITEM 9. DISCUSSION/ACTION – Consideration of and Action on the status of the Municipal Services Advisory Committee (MSAC) and the need for additional members.

The MSAC consists of a five-member board; three resident members and two ex-officio members being the City Manager and the Public Works Director. Staff has posted notice seeking board applications for quite some time. No applications have been pending, however, one application (Mike Bira) was submitted just prior to the Council meeting.

PL2 Stevenson moved to appoint Mike Bira to serve as a member to the Municipal Services Advisory Committee (MSAC), seconded by PL5 Myers.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 5-0.

ITEM 10. DISCUSSION/ACTION – Consideration of and Action on establishing and setting the annual Clean-Up date for the City of Ovilla.

Based on the only date available by the City's contracted refuse company, April 29 is the selected date.

NO ACTION.

ITEM 11. DISCUSSION – Discussion and review of City Code of Ethics and Procedures on Hearing Ethics Complaints.

Mayor Dormier gave a review and reminder of the Code of Ethics and read principles from the Rules of Procedures.

DISCUSSION ONLY. NO ACTION.

ITEM 12. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

N/A. NO ACTION.

EXECUTIVE SESSION

Mayor Dormier announced that Council would convene into Executive Session at 8:43 p.m. to consider the following:

ITEM 13. DISCUSSION/ACTION – Closed session called pursuant to § 551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property.

Mayor Dormier and Council reconvened into Regular Session at 8:59 p.m. Mayor Dormier announced that no decisions were made in Executive Session.

NO ACTION.

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

1. Mayor Dormier	None
2. PL1 Huber	Reminder of Ovilla Service League Spaghetti Dinner 02/17.
3. PL2 Stevenson	None
4. PL3 Griffin	None
5. PL4 Hunt	None
6. PL5 Myers	Staff to verify to Council that all daily collections were placed in the safe at night. Verify to Council that all water payments are processed daily. Consider on-line deposits.
7. City Manager	None

ADJOURNMENT

PL4 Hunt moved to adjourn the February 13, 2017 Council Meeting, seconded by Mayor Pro Tem Griffin. There being no further business, Mayor Dormier adjourned the meeting at 9:05 p.m.

ATTEST:

Pamela Woodall, City Secretary

Richard Dormier, Mayor

Approved March 13, 2017

Executive Agenda filed separately.

CITY OF OVILLA, TEXAS

RESOLUTION NO. R2017-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, SUPPORTING HOUSE BILL 1427 WHICH AMENDS SECTION 41.005 OF THE TEXAS UTILITIES CODE TO CLARIFY THAT A MUNICIPALITY MAY REGULATE THE OPERATIONS OF AN ELECTRIC COOPERATIVE THROUGH THE CITY'S ZONING ORDINANCE WHICH IS A PERMISSIBLE PUBLIC HEALTH, SAFETY, OR WELFARE REGULATION; PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, House Bill 1427 (2017), a copy of which is attached hereto as *Exhibit A*, proposes to amend Section 41.005 of the Texas Utilities Code, also referred to as the Public Utility Regulatory Act ("PURA"); and

WHEREAS, Section 41.005 of the Texas Utilities Code currently provides in part that a municipality may not directly or indirectly regulate the rates, operations, and services of an electric cooperative except, with respect to operations, to the extent necessary to protect the public health, safety, or welfare; and

WHEREAS, municipal zoning authority is contained in Chapter 211 of the Texas Local Government Code; and

WHEREAS, Section 211.001 of the Texas Local Government Code states the following: "The [zoning] powers granted under this subchapter are for the purpose of promoting the public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance;" and

WHEREAS, an inline electrical substation has been defined by the rules of the Public Utility Commission of Texas ("PUC") to be an electrical substation constructed within one (1) mile of an existing electrical transmission line; and

WHEREAS, the Public Utility Commission of Texas currently does not control where an electric cooperative may locate an inline electrical substation; and

WHEREAS, the Public Utility Commission of Texas currently does not require a certificate of convenience and necessity ("CCN") to be held by an electric cooperative for the placement and location of an inline electrical substation; and

WHEREAS, electrical cooperatives' and the PUC's view of Section 41.005 of the Texas Utilities Code and PURA is that electrical cooperatives are the first, only, and final decision-maker on the placement and location of inline electrical substations; and

WHEREAS, electrical cooperatives' and the PUC's view of Section 41.005 of the Texas Utilities Code and PURA results in a regulatory vacuum with no oversight by the State of Texas, or any county or municipality as to the placement and location of inline electrical substations; and

WHEREAS, the City Council of the City of OVILLA, Texas, believes Section 41.005 of the Texas Utilities Code currently preserves the authority for the City, through its zoning ordinance, to regulate the location of an inline electrical substation of an electric cooperative, provided the City does not use its zoning powers to exclude the electric cooperative from the City; and

CITY OF OVILLA, TEXAS

WHEREAS, to conclude otherwise leaves the citizens of the State of Texas to the whims of electrical cooperatives on the placement and location of inline electrical substations with no venue for contesting such placement and no oversight by the State of Texas or the impacted local municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS THAT:

SECTION 1. The City Council of the City of OVILLA, Texas, strongly supports House Bill 1427 (2017) and any legislation that would clarify that Section 41.005 of the Texas Utilities Code does not prohibit Texas municipalities from enforcing zoning or other land use regulations, authorized pursuant to the Texas Constitution or the laws of the State of Texas, on an electric cooperative.

SECTION 2. This support for House Bill 1427 (2017) and any similar legislation be communicated to members of the Texas Legislature and the Texas Governor's office.

SECTION 3. This Resolution shall become effective from and after its date of passage in accordance with law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OVILLA, TEXAS, THIS 13 day of MARCH, 2017.

RICHARD DORMIER, MAYOR OF OVILLA

ATTEST:

Pamela Woodall, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr. City Attorney

CITY OF OVILLA, TEXAS

Exhibit A

[House Bill 1427 (2017)]

CITY OF OVILLA, TEXAS

By: Fallon

H. B. No. 1427

A BILL TO BE ENTITLED

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 41.005, Utilities Code, is amended to
6 read as follows:

7 Sec. 41.005. LIMITATION ON MUNICIPAL AUTHORITY. (a)
8 Notwithstanding any other provision of this title, a municipality
9 may not directly or indirectly regulate the rates, operations, and
10 services of an electric cooperative, except, with respect to
11 operations, to the extent necessary to protect the public health,
12 safety, or welfare.

13 **(b)** This section does not prohibit a municipality from
14 making a lawful charge for the use of public rights-of-way within
15 the municipality as provided by Section 182.025, Tax Code, and
16 Section 33.008 of this code. An electric cooperative shall be an
17 electric utility for purposes of Section 182.025, Tax Code, and
18 Section 33.008 of this code.

19 (c) This section does not prohibit a municipality from
20 enforcing the municipality's zoning or other land use regulations,
21 including a specific use permit, except that a municipality's
22 enforcement of the municipality's land use regulations may not:

CITY OF OVILLA, TEXAS

H.B. No. 1427

1 (2) directly conflict with a certification granted by
2 the commission under Chapter 37.

3 SECTION 2. This Act takes effect September 1, 2017.

RESOLUTION NO. R2017-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY OF OVILLA, TEXAS, AN INTERLOCAL COOPERATION CONTRACT FOR THE LEASE OF VOTING MACHINES BETWEEN ELLIS COUNTY AND THE CITY OF OVILLA, EFFECTIVE MARCH 13, 2017.

* * * * *

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVILLA:

Section 1. The City Council of the City of Ovilla hereby authorizes the Mayor to execute an Interlocal Cooperation Contract for the lease of a voting machine for the May 06, 2017 general election.

Section 2. The City of Ovilla agrees to pay of fee of \$324.17, payable to Ellis County for the lease of one voting machine, payable in advance, the 10th day before the lease period begins. Lease period is April 20, 2017 through May 08, 2017.

Section 2. A copy of said Interlocal Cooperation Contract with Ellis County for the lease of the voting machine is attached hereto as Exhibit "A" and made a part hereof for all purposes.

PASSED, APPROVED, AND RESOLVED this 13 day of March 2017.

ATTEST: _____
Pamela Woodall, **CITY SECRETARY**

APPROVED: _____
Richard Dormier, **MAYOR**

**INTERLOCAL COOPERATION CONTRACT FOR THE LEASE
OF VOTING MACHINES BETWEEN ELLIS COUNTY, TEXAS AND
CITY OF OVILLA**

THIS AGREEMENT is entered into on this 14th day of Feb 2017, by and between the County of Ellis, a local government as defined by Article 791.003(4) of the Texas Government Code (herein "County") and City of Ovilla, a local government as defined by Article 791.003(4) of the Texas Government Code, hereinafter referred to as Lessee.

RECITALS:

WHEREAS: Article 123.032(b) of the Texas Election Code provides that a political subdivision may lease equipment from a county in which the political subdivision is wholly or partly situated; and

WHEREAS: Article 123.032(c) of the Texas Election Code provides, with some limitations, that if a political subdivision desires to lease equipment owned by a county in which the political subdivision is wholly or partly situated, the county shall lease the equipment to the political subdivision under the terms agreed to by the parties; and

WHEREAS: County is the owner of certain voting machines identified as AutoMark Model A-100-00; and

WHEREAS: The purpose of Interlocal Agreements is to increase the efficiency and effectiveness of local governments by authorizing them to contract, to the greatest possible extent, with one another and with agencies of the state; and

WHEREAS: The sharing of voting machines constitutes a "governmental function and service," as defined in Article 791.003(3) (N) of the Texas Government Code, in which the contracting parties are mutually interested; and

WHEREAS: The lease constitutes a contract or agreement described in Article 791.011(c) (2) of the Texas Government Code to provide a governmental function or service that each party to the contract is authorized to perform individually; and

WHEREAS: Lessee has expressed its desire to contract with County for the rental of the herein above described voting machines and certifies under Article 791.011(d) (3) of the Texas Government Code, that sufficient funds from current revenues are available to pay the obligation set out herein, in an amount, as required by Article 791.011(e), that fairly compensates County; and

WHEREAS: County is willing to contract with Lessee to enter into an agreement for the lease of said machines upon the terms and conditions set out hereinafter.

AGREEMENT:

NOW THEREFORE, for value received and in consideration of the covenants, conditions, and premises herein contained, the parties agree as follows;

1. County agrees to lease to Lessee the Voting Machines for a fee of **\$324.17** per machine paid in advance. Said payment is for a period of **April 20, 2017** through **May 8, 2016** and is **due by 2:00 p.m. the tenth day before the lease period begins**. Lessee agrees to pay the contract amount, prior to receiving the equipment, and no later than 10 days before the beginning of the lease period.
2. In the event the equipment leased from County to Lessee pursuant to this lease is stolen, lost, damaged, vandalized, destroyed or rendered inoperable, whether intentional or not, Lessee agrees to reimburse County for the full cost of replacement or repair of such equipment. The repair cost shall be determined by the equipment service vendor. The Lessee's payment for repair or replacement costs for damaged or lost equipment, or service cost resulting from same shall be remitted to County by Lessee within thirty (30) days of written notice of loss sent by County to Lessee.
3. County shall supply the Lessee with **ONE (1)** AutoMark Model A-100-00 machines.
4. Lessee is responsible for the following actions or functions:
 - A. Contacting Election System and Software, Inc., herein ES&S, for coding of AutoMark voting machines.
 - B. Ordering Optical Scan Ballots and Flashcard for the AutoMark.
 - C. Pick-Up of equipment from the Elections Administrator's Office.
 - D. Return of equipment to Elections Administration Office by 4:00 p.m. on the next business day after the election.
 - E. Reasonable care to prevent theft of or damage to the AutoMark voting machines.
5. Lessee shall designate individuals at each location to be in charge of operations who will oversee the receipt, care, custody, and control of the machines ("Designated Individuals"). Prior to delivery of the machines, Lessee shall obtain any training necessary for the proper operation and care of the machines for the Designated Individuals.
6. Lessee must designate Individuals for training in the proper operation of the AutoMark machines. ES&S may periodically provide training in the proper use of the AutoMark machines. Designated Individuals should attend such training. The Elections Administrator will also provide training to Lessees and its Designated Individuals. The Lessee shall pay any costs of training Designated Individuals, as well as other personnel it may need to properly and lawfully conduct an election. The Elections Administrator must be satisfied that the Lessee is adequately trained in the operation of the AutoMark machines prior to Lessee or its agent picking up any machines.

7. Lessee assumes full liability for the safekeeping of the Voting Machine(s) and all associated items such as inventory and supplies furnished by Ellis County. The Ellis County Elections Administrator will notify Lessee in writing of any damaged, missing, and unaccounted for machines or associated items and Lessee shall have up to thirty (30) days to research and rectify any discrepancies before payment is due. The Lessee agrees to pay for any destroyed, damaged, or missing machines or associated items.

8. Lessor is not responsible for the operation or accuracy of the machines or for the failure of the machines to operate in a proper or accurate manner. Lessee shall not be responsible for the failure of Lessee or its employees, its Designated Individual, or other agents or representatives to operate the machines properly. Lessee agrees to defend, indemnify, and hold harmless Ellis County from and against any election contest and from and against any and all claims made by any party regarding the accuracy, operation or use of the voting machines in recording or failing to record votes or for any purpose whatsoever or the training or lack of training in the proper use of the machines.

9. Lessee hereby agrees to indemnify and hold harmless County and its officers, officials, and employees from and against any loss, including claims, demands and causes of action and which loss, claim, demand or cause of action resulted from the performance or non-performance of Lessee or its agents, representatives or employees pursuant to the terms of this agreement.

10. This Agreement is entire as to all of the performance to be rendered under it. Breach of any material obligation to be performed by either party shall constitute a breach of the entire Agreement and shall give either party the right to immediately terminate this Agreement.

11. Lessee agrees to notify County of any change in the Designated Individuals within 14 calendar days of such change and will be responsible to assure the proper training of such individuals.

12. Either party hereto may voluntarily terminate this Agreement at any time upon sixty (60) days prior written notice to the other party sent as provided herein. Within seven (7) days after the date of termination, the Lessee shall return to County all Voting Machines, together with associated equipment and supplies.

13. Notice given pursuant to this Agreement shall be in writing and shall be given by United States certified mail, postage prepaid, addressed to the appropriate party as set forth below:

COUNTY: Jana Onyon, Ellis County Elections Administrator
204 E Jefferson Street
Waxahachie, Texas 75165

With a copy to: Patrick Wilson, County Attorney
109 S. Jackson St.
Waxahachie, Texas 75165

LESSEE:	Name of Entity	CITY OF OVILLA
	Name of Contact	PAMELA WOODALL
	Address for Notice	105 S. COCKRELL HILL ROAD
		OVILLA, TEXAS 75154

The person and address to which notices are to be given may be changed at any time upon written notice to the other party.

14. The term of this Agreement shall continue in full force and effect for one year from the date of the Agreement. However, the agreement may expire at an earlier time through the complete fulfillment of the obligations set forth herein by all parties hereto.

15. This Agreement shall be construed under and in accordance with the laws of the State of Texas. Exclusive venue for any action taken relative to this agreement shall be Ellis County, Texas.

16. Neither party shall assign its rights, nor delegate its duties under this Agreement without prior written consent of the other party. Such unauthorized assignment and/or delegation shall, at the option of the non-assigning and/or non-delegating party be a material breach for which the non-assigning and/or non-delegating party may void this Agreement.

17. The provisions of this Agreement are not intended to create, nor shall they be in any way construed to create, a joint venture, a partnership, agency, or any other similar relationship between the parties. The Lessee acknowledges that it is an independent contractor and that it will be acting as an independent contractor in performing its obligations under this Agreement.

18. Ellis County is not obligated nor is it expected to file, defend the filing of, intervene into, or otherwise join or participate in any way in any litigation that may be filed by or against Lessee relating in any way either directly or indirectly to the use of the leased equipment or any training relating thereto. Should litigation be instituted by any other person or entity, Lessee shall, to the extent permitted by law, hold harmless and indemnify Ellis County against all claims, costs and expenses, including attorney's fees, arising from the use of the leased equipment and/or any training relating thereto, as well as any other action filed against Lessee or Ellis County or the Ellis County Elections Office's actions associated with this agreement.

19. This Agreement shall supersede any and all other agreements for services specified hereunder, whether oral or written.

20. This Agreement shall not be amended or modified, except in writing signed by authorized representatives of the Lessee, County, and the County Elections Office.

21. This agreement replaces all other agreements or contracts, if any, by and between the Parties hereto as they pertain to lease of voting machines.

22. This agreement shall become effective after the authorization and approval of the governing body of Lessee acting through its presiding officer or official and upon approval by the Commissioners Court of Ellis County, Texas, as Lessor, acting through its County Judge.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date and year first written above.

County of Ellis, State of Texas:

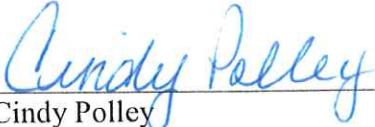

Carol Bush

Ellis County Judge

Lessee:

By: _____
Signature of Authorized Representative

Attest:


Cindy Polley
Ellis County Clerk




Jana Onyon
Ellis County Elections Administrator

Printed Name and Title of Authorized Representative of Lessee (City, School, or Special District)

Name of Lessee (City, School District, or Special District)

Telephone: _____

E-Mail: _____

AGENDA ITEM REPORT

Item: 1

Meeting Date: March 13, 2017

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Dennis Burn

Amount: \$N/A

Reviewed By: City Manager City Secretary City Attorney

Accountant

Other: Code – Mike Dooly

Attachments:

1. Ordinance 2017-02
2. Red-lined revisions
3. Existing Ordinance 2016-001

Agenda Item / Topic:

ITEM 1. **DISCUSSION/ACTION** – Consideration of and action on adoption of Ordinance No. 2017-02, of the City of Ovilla, Texas, amending Chapter 8, Article 8.2 “Nuisances” of the Code of Ordinances of the City of Ovilla, Texas.

Discussion / Justification:

The City Council approved Ordinance 2016-001 in January 2016. This ordinance repealed Article 8.02 in its entirety and was replaced with a new Article 8.02. In order to eliminate any confusion or misinterpretation of this ordinance by city staff and the prosecuting attorney, a new Article 8.02 has been prepared by the city attorney.

In your packet is the existing Article 8.02, a red-lined version of 8.02 showing the changes to existing Article 8.02 and the new ordinance defining Article 8.02

Recommendation / Staff Comments:

Staff recommends Council approval and adoption of Ordinance No. 2017-02

Sample Motion(s):

I move that Council approve and adopt of Ordinance No. 2017-02, of the City of Ovilla, Texas, amending Chapter 8, Article 8.2 “Nuisances” of the Code of Ordinances of the City of Ovilla, Texas.

ORDINANCE NO. 2017-02

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING ARTICLE 8.02 OF THE OVILLA CODE OF ORDINANCES; PROVIDING ENHANCED ENFORCEMENT PROVISIONS INCLUDING THE IMPOSITION OF CRIMINAL PENALTIES, CIVIL ACTIONS UNDER CHAPTER 54 OF THE TEXAS LOCAL GOVERNMENT CODE, AND ADMINISTRATIVE ENFORCEMENT THROUGH THE ABATEMENT OF NUISANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE OVILLA CODE OF ORDINANCES; PROVIDING FOR IMMEDIATE EFFECT; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City Council of the City of Ovilla, Texas, finds and determines that it is in the best interest of the citizens of the City of Ovilla to promote and preserve the aesthetic appeal of the City; and

WHEREAS, the City Council further finds and determines that certain conditions of property can constitute a nuisance which substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities attempting to use and enjoy land and can detrimentally affect the aesthetic appeal of the City; and

WHEREAS, the City Council further finds and determines that the City's current nuisance ordinance should be amended to provide enhanced and non-exclusive enforcement provisions in order to serve and protect the health, safety and welfare of the citizens of the City of Ovilla.

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

SECTION 1. AMENDMENT OF ARTICLE 8.02 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA

Article 8.02 of the Code of Ordinances of the City of Ovilla is hereby amended to read as follows:

ARTICLE 8.02 NUISANCES

Division 1. Nuisances Prohibited; Criminal and Civil Enforcement

Sec. 8.02.001 Purpose

The purpose of this article is to:

- (1) Promote the public health, safety and welfare by requiring a minimum level of maintenance of private property to protect the livability, appearance, and economic stability of the city.
- (2) Protect the public from the health and safety hazards and the impairment of property values that result from the neglect and deterioration of property.
- (3) Eliminate property conditions that contribute to blighted neighborhoods.
- (4) Prevent the spread of disease.
- (5) Safeguard the health, safety and welfare of the people by maintaining property in a safe condition.
- (6) Reduce the threat to health, safety, welfare, and reduced economic value due to the decline in property conditions by delineating the circumstances under which such conditions may be considered illegal nuisances and or blight.

ORDINANCE NO. 2017-02

- (7) Provide for enforcement of this article through the issuance of citations for violations, civil enforcement under Chapter 54 of the Texas Local Government Code, and/or by abatement of nuisances, in order to serve the best interest of the health, safety and welfare of the residents of the city.

Sec. 8.02.002 Violations; Criminal and Civil Enforcement and Remedies

- (a) It shall be an offense, punishable by a fine upon conviction in the municipal court, for any person firm or entity to cause, create or maintain a nuisance in the City of Ovilla as set forth in this Division 1 or violate any provision of this Article 8.02.
- (b) Unless otherwise specified herein, no culpable mental state is required for the commission of an offense under this article.
- (c) In addition to imposing a criminal penalty, the City shall have the power to enforce any other provision of this article, including abatement as set forth in Division 2, and any applicable civil enforcement provisions of subchapters B and C of chapter 54 of the Texas Local Government Code. No enforcement remedy shall be exclusive of any other remedy the City may have under state law, this ordinance, or any other City ordinance.

Sec. 8.02.003 Nuisance Defined; Generally

For purposes of this article, a nuisance is generally defined as follows:

- (1) A public nuisance known and established at common law or in equity jurisprudence.
- (2) Any attractive nuisance known at common law or in equity jurisprudence including without limitation, any abandoned wells, shafts, basements or excavations, inoperable motor vehicles, or any structurally unsound fences or structures, or any lumber, trash, fence, debris or vegetation which are or may be hazardous to children.
- (3) Whatever is dangerous to human life or is detrimental to health, and is contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
- (4) Overcrowding a room with occupants, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
- (5) Insufficient ventilation or illumination, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
- (6) Inadequate or unsanitary sewage or plumbing facilities, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
- (7) Uncleanliness, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
- (8) Whatever renders air, food, or drink unwholesome or detrimental to the health of human beings, and is contrary to the public health, safety or welfare in violation of the codes and ordinance of the city.

ORDINANCE NO. 2017-02

- (9) A live tree, shrub or other similar plant of any description which creates a hazard or risk of damage or destruction to persons or property, contrary to the public health, safety or welfare or in violation of the code and ordinances of the city.
- (10) The existence of any one or more of the conditions or activities described in Section 8.02.004 constitutes property nuisance.
- (11) A building, structure or premises is in a state of disrepair when any nuisance enumerated in section 8.02.004 exists.
- (12) Any other nuisance or public nuisance as set forth in this article or the codes and ordinances of the city.

Sec. 8.02.004 Prohibited

- (a) No person, whether as owner, agent, manager, operator, lessee, tenant, sublessee, or occupant in possession of a property, shall maintain a blighted or nuisance property or cause or permit property to be maintained as a blighted or nuisance property.
- (b) No person, whether as owner, agent, manager, operator, lessee, sublessee, tenant or occupant of a property, shall take any action or allow any action to be taken at that property in violation of any provision of this article or any order issued pursuant to the provisions of this article.

Sec. 8.02.005 Nuisances enumerated

The following shall constitute nuisances when caused, allowed, maintained, or suffered to exist within the jurisdiction of the city, including but not limited to any front, side or rear yard in public view or view from an adjacent or neighboring property; any property, public or private; buildings of any character; carports; unfinished enclosures; sheds; stables; pens; grounds; cellars; lots; alleys; vaults; drains; bar ditches; swimming pools; wells; cisterns; privies; or sewers where:

- (1) Graffiti. Any part of the property, including any building or structure located on the property that is visible from a street or neighboring property that contains graffiti. Any property containing personal property items which contain graffiti and which may be viewed from the public street, road or a neighboring property constitutes property blight.
- (2) Unclean premises. Accumulations of containers of any type, including trash receptacles, outside storage of miscellaneous items, miscellaneous industrial equipment, miscellaneous items cluttering driveways, front or side entry carports or unfinished enclosures visible from the street or neighboring property when not screened by a screening fence, litter, refuse, garbage, rubbish, trash, fallen trees, brush pile, junk, dead carcasses, decaying flesh, fish, fowls, rotting vegetables, stagnant water, or other stagnant fluids, flammable liquids not properly stored, slops, or other deposits or substances of any and every character, which are likely to or do become unwholesome, unclean, filthy, unsightly, offensive, or unsanitary or likely to create or engender disease constitutes nuisance and property blight.
- (3) Unclean premises shall also be areas or conditions that harbor rodents or parasitic insects, or promotes mosquito breeding; or areas with dilapidated fences, or poison oak or poison ivy or other poisonous plants within fifty (50') feet of a public street, road, structure or fence line and constitute nuisance and property blight.

ORDINANCE NO. 2017-02

(4) Stagnant, foul and offensive water. Any stagnant, foul or offensive water upon any lot or other premises or under the floor of any building constitutes property blight.

(5) Animals. Keeping, breeding or raising animals in or about any place or premises in such numbers or in such manner that the same may become annoying, offensive or disturbing to the adjacent residents of or those passing by such places or premises or which by reason of numbers create filth in or about such premises or premises adjacent thereto constitute property blight.

(6) High weeds. Weeds, brush or any vegetation including wild flowers which is unsightly, unclean, strewn with litter, unsanitary or unsafe growing to a height greater than nine (9") inches upon any property is a nuisance. It shall be the duty of all persons to keep the area from the line of their property to the curb line, edge of asphalt, concrete or point at which the roadway begins, regardless of the type of said roadway adjacent to the property, free and clear of the matter referenced above. Bushes, shrubs and vegetation of any type which blocks the view at intersections shall be removed or trimmed low enough for shrubs and high enough for trees as not to obstruct the view from any vehicle. All vegetation not regularly cultivated which exceeds nine (9") inches in height shall be presumed to be objectionable, unsanitary and unsightly. Each condition hereof constitutes property blight. It is an affirmative defense to prosecution that the flowers, weeds, bushes or vegetation which is growing to a height greater than nine (9") inches is a manicured flower bed, manicured flower garden, food garden, a State Exempt Natural Habitat Preservation Area, a manicured hedge, a manicured bush or agricultural crop or a decorative garden unless the aforementioned obstructs the view at intersections of oncoming traffic.

(7) Household appliances. Any broken, discarded or abandoned refrigerator, freezer, water heater, dishwasher, range, oven, trash compactor, washing machine, clothes dryer or similar appliance located in the front, rear or side yard, including porches, covered porches, carports, unfinished enclosures and unsecured garages, of any premises used as a residence regardless of zoning, or on any vacant lot constitutes property blight.

(8) Landscape in an unsafe state of disrepair. Any vegetation, landscape, trees, bushes, shrubs, vines, brush, weeds or ground cover plants that due to lack of trimming, pruning, or shaping or other neglect are in a state of disrepair. It shall be the duty of all persons, whether as owner, agent, manager, operator, lessee, sublessee, tenant or occupant of a property of any real property within the city to keep the area from the line of their property to the curb line, edge of asphalt, concrete or point at which the roadway begins, regardless of the type of said roadway adjacent to the property, to keep bushes and trees, on residential property including bushes and trees in the right-of-way trimmed not less than four (4') feet back from the edge of the street, road or thoroughfare. Bushes and trees with limbs overhanging streets shall be trimmed not less than sixteen (16') feet above the center of the street, road or thoroughfare. It shall be an affirmative defense if a tree trunk larger than six (6") inches is closer than four (4') feet to the edge of the street, and if the trunk is trimmed bare of limbs to a height of not less than sixteen (16') feet above the center of the street, road or thoroughfare. Landscape in an unsafe state of disrepair may include trees or shrubs or vines or brush or ground cover that presents a safety hazard due to death or disease or damage, including damage to passing vehicles and constitute property nuisance and blight.

(9) Nuisance outside storage. Storage or accumulation outside of an enclosed structure including the storage or accumulation under a front or side entry carport or covered patio or unfinished enclosure or other projecting overhang on any lot, tract or parcel of land or portion thereof of any objectionable, cluttered, impure, unwholesome, filthy, or unsanitary matter including the storage or accumulation of the following items that present health or safety hazards:

ORDINANCE NO. 2017-02

- (A) New, broken, inoperable, deteriorated, dismantled or discarded indoor (non-weather resistant) furniture, appliances, machines, tools, boxes, tool boxes, cartons, lawn maintenance equipment, fertilizer, lawn mulch, and flower or flowerbed additives;
- (B) New, used, deteriorated or discarded building materials, including, but not limited to loose bricks, stones, fence material or supplies;
- (C) Wet, broken or leaking barrels or boxes;
- (D) New, used, discarded, or broken automotive, truck, lawn maintenance, industrial equipment tools or boat parts or equipment including engines, transmissions, electrical parts, suspension parts, vehicle body parts, batteries, tires, wheels, hubcaps and other motor vehicle parts, discarded boats, discarded tractors, discarded trailers, discarded industrial equipment;
- (E) Trash, garbage or other refuse;
- (F) Any other material, which tends to decay or become putrid or provides harborage for rodents and other vermin; or
- (G) Vacant or uninhabited residences, barns, sheds, buildings including commercial buildings shall keep all doors, windows, garage entrances closed and locked to prevent injurious conditions detrimental to the health, safety or welfare of the general public. Inoperable locks, broken doors permitting entrance or broken glass shall be repaired within ten (10) days of verbal or written notification by the city manager or their designee. Failure to adhere to the aforementioned is a public nuisance.

Sec. 8.02.006 Exceptions and affirmative defenses; outside storage

(a) The following are exceptions to nuisance outside storage:

- (1) Building materials stored in a workmanlike manner as part of and in conjunction with, an active building permit and is in compliance with all other city ordinances.
- (2) Nonhazardous materials or items of any kind:
 - (A) Awaiting for city trash service;
 - (B) In a container or bag approved by the city; or
 - (C) In an approved location for the city trash service or other trash service pick-up. (b)

The following is an affirmative defense for nuisance outside storage:

Outside storage with a legal land use and is in compliance with all other city ordinances.

ORDINANCE NO. 2017-02

Sec. 8.02.007 Penalties

- (a) Any person, firm or entity, whether as owner, agent or lessee or other person having charge or control of any property in the city, who causes, creates or maintains any nuisance in violation of this article involving the dumping of refuse shall be fined not more than four thousand dollars (\$4,000.00) for each offense.
- (b) Any person, firm or entity, whether as owner, agent or lessee or other person having charge or control of any property in the city, who causes, creates or maintains any nuisance in violation of this article involving fire safety, zoning, or public health and sanitation, other than the dumping of refuse, shall be fined not more than two thousand dollars (\$2,000.00) for each offense.
- (c) Any person, firm or entity, whether as owner, agent or lessee or other person having charge or control of any property in the city, who causes, creates or maintains any nuisance in violation of this article other than a violation involving fire safety, zoning, or public health and sanitation, or dumping of refuse, shall be fined not more than five hundred dollars (\$500.00) for each offense.
- (d) Each and every instance of a violation of this Ordinance shall constitute a separate offense and shall be punishable by separate fines for each offense.

Division 2. Administrative Enforcement; Abatement of Nuisances

Sec. 8.02.008 Notice of nuisance and abatement

Whenever the code enforcement officer or his authorized designee finds, upon the recommendation of a duly authorized employee involved in code enforcement, that a nuisance as defined in this article exists in or on any building, structure or property within the city, he may, in addition to issuing a citation under Division 1, advise the property owner, occupant, mortgagee or other person in control of the property of the nuisance and direct him or her to abate the nuisance. If a notice is issued under this Section, the notification will be in writing and shall detail the violations and establish a reasonable abatement period. Notification shall be made by certified mail, return receipt requested if a mailing address is known, and by posting a copy of the notice in a conspicuous place at the subject property. Posting notice on the property shall constitute official notification for purposes of this section. If the letter or written notice is returned by the United States Postal Service as refused or unclaimed, the validity of the notice is not affected, and the notice is considered as delivered.

Sec. 8.02.009 Extension of time

Whenever a notice of nuisance and abatement has been given by the code enforcement officer or his authorized designee to abate or remove any nuisance that may exist upon any lot or premises, under the provisions of this article, the owner thereof shall have the right, within the period of time given in the order of abatement, to appear at the office of the code enforcement officer or his designee to show cause why such order should not or cannot be complied with, and the code enforcement officer or his designee may, at his discretion, revoke the notice of nuisance and abatement or give such a specific extension of time in a signed written agreement with the city for the abatement or removal of such nuisance as maybe necessary, provided that there is no immediate danger to the public health.

Sec. 8.02.010 Voluntary abatement

The owner of any building, structure or property found to be a nuisance under the provisions of this Article may abate the nuisance at any time within the abatement period by repair or removal. The code enforcement officer shall be advised of the abatement and shall inspect the premises to ensure that the nuisance has been abated. Should any of the items which constitute a nuisance be placed on other public or private property without consent from the owner or person in control of such property, such action will constitute a separate violation and appropriate enforcement action shall be taken by the code enforcement officer.

Sec. 8.02.011 City abatement procedure

If a nuisance is not properly abated within the period established under the provisions of this Division, the city council shall hold a public hearing to determine if the nuisance should be abated under the police powers of the city.

Sec. 8.02.012 Notice of public hearing

A written notice of the public hearing before the city council shall be served on the property owner at least ten (10) days prior to the date set for the public hearing. Service shall be made upon the owner by personal service, or by certified or registered mail. If there is no known address for the owner, the notice shall be sent in care of the property address, and notice of the hearing shall be published in a newspaper of general circulation in the city at least ten (10) calendar days before the hearing. The failure of any person to receive such notice shall not affect the validity of the proceedings.

Sec. 8.02.013 Hearing by the city council

At the public hearing, the city council shall hear and consider all relevant evidence, objections or protests and shall receive testimony from owners, witnesses, city personnel and interested persons relative to such alleged public nuisance and to propose abatement measures. The hearing may be continued from time to time.

Sec. 8.02.014 Decision of the city council

Following the public hearing, the city council shall consider all evidence and determine whether the property or any part thereof, constitutes a public nuisance as alleged. If the city council finds that a public nuisance does exist and that there is sufficient cause to abate the nuisance, the city council shall make a written order setting forth the findings and ordering the owner or other person having charge or control of the property to abate the nuisance by repair or removal in the manner and by the means specifically set forth in that order. The order shall set forth the times within which the abatement shall be completed.

Sec. 8.02.015 Service of abatement order

Within five (5) days following the decision of the city council, the property owner or the person having charge or control of the premises shall be served with a copy of the written order in the manner provided in section 8.02.012.

Sec. 8.02.016 Appeal; judicial review

Any owner, lienholder, or mortgagee of record of property jointly or severally aggrieved by an abatement

ORDINANCE NO. 2017-02

order of the city council may file in district court a verified petition setting forth that the decision is of the city council is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be filed by an owner, lienholder, or mortgagee within 30 calendar days after the respective dates a copy of the abatement order is personally delivered to them, mailed to them by first class mail with certified return receipt requested, or delivered to them by the United States Postal Service using signature confirmation service, or such abatement order shall become final as to each of them upon the expiration of each such 30 calendar day period.

Sec. 8.02.017 Abatement by property owner

The property owner, or person having charge or control of the property, may, at his own expense, abate the nuisance as prescribed by the abatement order of the city council prior to the expiration of the period set forth in section 8.02.016. If the nuisance has been inspected by the code enforcement officer and has been abated in accordance with the order, the proceedings shall be terminated.

Sec. 8.02.018 Abatement by city

If a nuisance is not completely abated within the time prescribed in section 8.02.016, the code enforcement officer, city manager, or other designated city official is authorized and directed to cause the nuisance to be abated by city forces or private contract. In furtherance of this section, the code enforcement officer, city manager, or their designated agent or private contractor is expressly authorized to enter upon the property to abate the nuisance.

Sec. 8.02.019 Record of abatement costs

(a) The code enforcement officer, city manager, or designee shall keep an account of the costs (including incidental expenses) of abating the nuisance on each separate lot or parcel of land where the work is done and shall report to the building advisory and appeals board showing the cost of abatement of said nuisance, including any salvage value relating thereto.

(b) The term "incidental expenses" shall include, but not be limited to, the actual expenses and costs of the city in the preparation of notices, specifications and contracts, inspection of work and costs of printing, mailing and publication required hereunder.

Sec. 8.02.020 Assessment of costs against property lien

(a) The total cost of abating such nuisance shall constitute a special assessment against the respective lot or parcel of land to which it relates, and, upon recordation in the office of the county clerk of a notice of lien, as so made and confirmed, shall constitute a lien on said property for the amount of such assessment.

(b) After such confirmation and recordation, a copy of the notice of lien may be turned over to the city tax office, whereupon it shall be the duty of the tax collector to add the amounts of the respective assessments to the next regular city tax bills for said respective lots and parcels of land, and thereafter, said amounts shall be collected at the same time and in the same manner as ad valorem taxes are collected and shall be subject to the same penalties and the same procedure under foreclosure and sale as in the case of delinquent ad valorem taxes.

(c) At any time after recordation, such lien may be foreclosed by judicial or other sale in the manner and means provided by law.

ORDINANCE NO. 2017-02

Sec. 8.02.021 Disposition of certain articles of personal property

- (a) The code enforcement officer or designee shall hold any articles of personal property, except motor vehicles, removed during nuisance abatement proceedings, which are still usable for the purpose for which they were originally intended. Any such items which remain in the custody of the city for a period of thirty (30) days without being claimed by the owner, whether known or unknown, may be sold by the city purchasing agent at public auction. Any proceeds from such a sale shall be credited first to costs of abatement of the nuisance and the public auction, if any, and any excess shall be returned to the owner.
- (b) Any such articles of personal property which are claimed by the owner from the code enforcement officer or designee during such thirty-day period shall be returned only if the owner gives adequate signed written assurances that such property will not continue to be used or stored in such a manner as to constitute a nuisance.
- (c) Any articles of personal property which are not usable for the purpose for which they were originally intended may be disposed of by the code enforcement officer or designee.

SECTION 2. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 3. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION 5. EFFECTIVE DATE

Because of the nature of interest and safeguard sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

SECTION 6. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

ORDINANCE NO. 2017-02

PASSED, ADOPTED AND APPROVED by the City Council of Ovilla, Texas on this the

____ Day of _____, 2017.

Richard Dormier, Mayor

ATTEST:

Pamela Woodall, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney

ARTICLE 8.02 NUISANCES GENERALLY

Division 1. Nuisances Prohibited; Criminal and Civil Enforcement

Sec. 8.02.001 Purpose

The purpose of this article is to:

- (1) Promote the public health, safety and welfare by requiring a minimum level of maintenance of private property to protect the livability, appearance, and economic stability of the city.
- (2) Protect the public from the health and safety hazards and the impairment of property values that result from the neglect and deterioration of property.
- (3) Eliminate property conditions that contribute to blighted neighborhoods.
- (4) Prevent the spread of disease.
- (5) Safeguard the health, safety and welfare of the people by maintaining property in a safe condition.
- (6) Reduce the threat to health, safety, welfare, and reduced economic value due to the decline in property conditions by delineating the circumstances under which such conditions may be considered illegal nuisances and or blight ~~and therefore abated~~.

- (7) **Provide for enforcement of this article through the issuance of citations for violations, civil enforcement under Chapter 54 of the Texas Local Government Code, and/or by abatement of Abate nuisances, in order to serve the best interest of the health, safety and welfare of the residents of the city because use and enjoyment of property or premises in proximity to one another depends upon maintenance of those properties free of nuisance conditions, and to provide for the administration and enforcement of this article and to provide penalties for violations thereof.**

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Sec. 8.02.002 Violations; Criminal and Civil Enforcement and Remedies

- (a) It shall be an offense, punishable by a fine upon conviction in the municipal court, for any person firm or entity to cause, create or maintain a nuisance in the City of Ovilla as set forth in this Division 1 or violate any provision of this Article 8.02.
- (b) Unless otherwise specified herein, no culpable mental state is required for the commission of an offense under this article.
- (c) In addition to imposing a criminal penalty, the City shall have the power to enforce any other provision of this article, including abatement as set forth in Division 2, and any applicable civil enforcement provisions of subchapters B and C of chapter 54 of the Texas Local Government

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Code. No enforcement remedy shall be exclusive of any other remedy the City may have under state law, this ordinance, or any other City ordinance.

Sec. 8.02.002003 Nuisance Defined; Generally

For purposes of this article, a nuisance is generally defined as follows:

- (1) A public nuisance known and established at common law or in equity jurisprudence.
- (2) Any attractive nuisance known at common law or in equity jurisprudence including without limitation, any abandoned wells, shafts, basements or excavations, inoperable motor vehicles, or any structurally unsound fences or structures, or any lumber, trash, fence, debris or vegetation which are or may be hazardous to children.
- (3) Whatever is dangerous to human life or is detrimental to health, and is contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
- (4) Overcrowding a room with occupants, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
- (5) Insufficient ventilation or illumination, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
- (6) Inadequate or unsanitary sewage or plumbing facilities, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
- (7) Uncleanliness, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
- (8) Whatever renders air, food, or drink unwholesome or detrimental to the health of human beings, and is contrary to the public health, safety or welfare in violation of the codes and ordinance of the city.
- (9) A live tree, shrub or other similar plant of any description which creates a hazard or risk of damage or destruction to persons or property, contrary to the public health, safety or welfare or in violation of the code and ordinances of the city.
- (10) The existence of any one or more of the conditions or activities described in ~~section~~ Section 8.02.004 constitutes property nuisance.
- (11) A building, structure or premises is in a state of disrepair when any nuisance enumerated in section 8.02.004 exists.
- (12) Any other nuisance or public nuisance as set forth in this article or the codes and ordinances of the city.

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Sec.8.02.~~003~~004 Prohibited

(a) No person, whether as owner, agent, manager, operator, lessee, tenant, sublessee, or occupant in possession of a property, shall maintain a blighted or nuisance property or cause or permit property to be maintained as a blighted or nuisance property.

(b) No person, whether as owner, agent, manager, operator, lessee, sublessee, tenant or occupant of a property, shall take any action or allow any action to be taken at that property in violation of any provision of this article or any order issued pursuant to the provisions of this article.

Sec. 8.02.~~004~~005 Nuisances enumerated

The following shall constitute nuisances when caused, allowed, maintained, or suffered to exist within the jurisdiction of the city, including but not limited to any front, side or rear yard in public view or view from an adjacent or neighboring property; any property, public or private; buildings of any character; carports; unfinished enclosures; sheds; stables; pens; grounds; cellars; lots; alleys; vaults; drains; bar ditches; swimming pools; wells; cisterns; privies; or sewers where:

(1) Graffiti. Any part of the property, including any building or structure located on the property that is visible from a street or neighboring property that contains graffiti. Any property containing personal property items which contain graffiti and which may be viewed from the public street, road or a neighboring property constitutes property blight.

(2) Unclean premises. Accumulations of containers of any type, including trash receptacles, outside storage of miscellaneous items, miscellaneous industrial equipment, miscellaneous items cluttering driveways, front or side entry carports or unfinished enclosures visible from the street or neighboring property when not screened by a screening fence, litter, refuse, garbage, rubbish, trash, fallen trees, brush pile, junk, dead carcasses, decaying flesh, fish, fowls, rotting vegetables, stagnant water, or other stagnant fluids, flammable liquids not properly stored, slops, or other deposits or substances of any and every character, which are likely to or do become unwholesome, unclean, filthy, unsightly, offensive, or unsanitary or likely to create or engender disease constitutes nuisance and property blight.

(3) Unclean premises shall also be areas or conditions that harbor rodents or parasitic insects, or promotes mosquito breeding²; or with dilapidated fences, or poison oak or poison ivy or other poisonous plants within fifty (50') feet of a public street, road, structure or fence line and constitute nuisance and property blight.

(4) Stagnant, foul and offensive water. Any stagnant, foul or offensive water upon any lot or other premises or under the floor of any building constitutes property blight.

(5) Animals. Keeping, breeding or raising animals in or about any place or premises in such numbers or in such manner that the same may become annoying, offensive or disturbing to the adjacent residents of or those passing by such places or premises or which by reason of numbers create filth in or about such premises or premises adjacent thereto constitute property blight.

(6) High weeds. Weeds, brush or any vegetation including wild flowers which is unsightly, unclean, strewn with litter, unsanitary or unsafe growing to a height greater than nine (9") inches upon any property is a nuisance. It shall be the duty of all persons to keep the area from the line of their property to the curb line, edge of asphalt, concrete or point at which the roadway begins, regardless of the type of said roadway adjacent to the property, free and clear of the matter referenced above. Bushes, shrubs and vegetation of any type which blocks the view at intersections shall be removed or trimmed low enough for shrubs and high enough for trees as not to obstruct the view from any vehicle. All vegetation not regularly cultivated which exceeds nine (9") inches in height shall be presumed to be objectionable, unsanitary and unsightly. Each condition hereof constitutes property blight. It is an affirmative defense to prosecution that the flowers, weeds, bushes or vegetation which is growing to a height greater than nine (9") inches is a manicured flower bed, manicured flower garden, food garden, a State Exempt Natural Habitat Preservation Area, a manicured hedge, a manicured bush or agricultural crop or a decorative garden unless the aforementioned obstructs the view at intersections of oncoming traffic.

(7) Household appliances. Any broken, discarded or abandoned refrigerator, freezer, water heater, dishwasher, range, oven, trash compactor, washing machine, clothes dryer or similar appliance located in the front, rear or side yard, including porches, covered porches, carports, unfinished enclosures and unsecured garages, of any premises used as a residence regardless of zoning, or on any vacant lot constitutes property blight.

(8) Landscape in an unsafe state of disrepair. Any vegetation, landscape, trees, bushes, shrubs, vines, brush, weeds or ground cover plants that due to lack of trimming, pruning, or shaping or other neglect is in a state of disrepair. It shall be the duty of all persons, whether as owner, agent, manager, operator, lessee, sublessee, tenant or occupant of a property of any real property within the city to keep the area from the line of their property to the curbline, edge of asphalt, concrete or point at which the roadway begins, regardless of the type of said roadway adjacent to the property, to keep bushes and trees, on residential property including bushes and trees in the right-of-way trimmed not less than four (4') feet back from the edge of the street, road or thoroughfare. Bushes and trees with limbs overhanging streets shall be trimmed not less than sixteen (16') feet above the center of the street, road or thoroughfare. It shall be an affirmative defense if a tree trunk larger than six (6") inches is closer than four (4') feet to the edge of the street, and if the trunk is trimmed bare of limbs to a height of not less than sixteen (16') feet above the center of the street, road or thoroughfare. Landscape in an unsafe state of disrepair may include trees or shrubs or vines or brush or ground cover that presents a safety hazard due to death or disease or damage, including damage to passing vehicles and constitute property nuisance and blight.

(9) Nuisance outside storage. Storage or accumulation outside of an enclosed structure including the storage or accumulation under a front or side entry carport or covered patio or unfinished enclosure or other projecting overhang on any lot, tract or parcel of land or portion thereof of any objectionable, cluttered, impure, unwholesome, filthy, or unsanitary matter including the storage or accumulation of the following items that present health or safety hazards:

(A) New, broken, inoperable, deteriorated, dismantled or discarded indoor (nonweather resistant) furniture, appliances, machines, tools, boxes, tool boxes,

cartons, lawn maintenance equipment, fertilizer, lawn mulch, and flower or flowerbed additives;

- (B) New, used, deteriorated or discarded building materials, including, but not limited to loose bricks, stones, fence material or supplies;
- (C) Wet, broken or leaking barrels or boxes;
- (D) New, used, discarded, or broken automotive, truck, lawn maintenance, industrial equipment tools or boat parts or equipment including engines, transmissions, electrical parts, suspension parts, vehicle body parts, batteries, tires, wheels, hubcaps and other motor vehicle parts, discarded boats, discarded tractors, discarded trailers, discarded industrial equipment;
- (E) Trash, garbage or other refuse;
- (F) Any other material, which tends to decay or become putrid or provides harborage for rodents and other vermin; or
- (G) Vacant or uninhabited residences, barns, sheds, buildings including commercial buildings shall keep all doors, windows, garage entrances closed and locked to prevent injurious conditions detrimental to the health, safety or welfare of the general public. Inoperable locks, broken doors permitting entrance or broken glass shall be repaired within ten (10) days of verbal or written notification by the city manager or their designee. Failure to adhere to the aforementioned is a public nuisance.

Sec. 8.02.~~005006~~ Exceptions and affirmative defenses; outside storage

(a) The following are exceptions to nuisance outside storage:

- (1) Building materials stored in a workmanlike manner as part of and in conjunction with, an active building permit and is in compliance with all other city ordinances.
- (2) Nonhazardous materials or items of any kind:
 - (A) Awaiting for city trash service;
 - (B) In a container or bag approved by the city; or
 - (C) In an approved location for the city trash service or other trash service pick-up. (b)

The following is an affirmative defense for nuisance outside storage:

Outside storage with a legal land use and is in compliance with all other city ordinances.

Sec. 8.02.007 Penalties

(a) Any person, firm or entity, whether as owner, agent or lessee or other person having charge or control of any property in the city, who causes, creates or maintains any nuisance in violation of this article involving the dumping of refuse shall be fined not more than four thousand dollars (\$4,000.00) for each offense.

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(b) Any person, firm or entity, whether as owner, agent or lessee or other person having charge or control of any property in the city, who causes, creates or maintains any nuisance in violation of this article involving fire safety, zoning, or public health and sanitation, other than the dumping of refuse, shall be fined not more than two thousand dollars (\$2,000.00) for each offense.

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(c) Any person, firm or entity, whether as owner, agent or lessee or other person having charge or control of any property in the city, who causes, creates or maintains any nuisance in violation of this article other than a violation involving fire safety, zoning, or public health and sanitation, or dumping of refuse, shall be fined not more than five hundred dollars (\$500.00) for each offense.

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(d) Each and every instance of a violation of this Ordinance shall constitute a separate offense and shall be punishable by separate fines for each offense.

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Division 2. Administrative Enforcement; Abatement of Nuisances

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Sec. 8.02.006008 Notice of nuisance and abatement

Whenever the code enforcement officer or his authorized designee finds, upon the recommendation of a duly authorized employee involved in code enforcement, that a nuisance as defined in this article exists in or on any building, structure or property within the city, he shall may, in addition to issuing a citation under Division 1, advise the property owner, occupant, mortgagee or other person in control of the property of the nuisance and direct him or her to abate the nuisance. If a notice is issued under this Section, the notification will be in writing. The property owner shall be notified of the existence of the nuisance in writing. Such notification and shall detail the violations and establish a reasonable abatement period. Notification shall be made by certified mail, return receipt requested if a mailing address is known, and by posting a copy of the notice in a conspicuous place at the subject property. Posting notice on the property shall constitute official notification for purposes of this section. If the letter or written notice is returned by the United States Postal Service as refused or unclaimed, the validity of the notice is not affected, and the notice is considered as delivered

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Sec. 8.02.007009 Extension of time

Whenever an order notice of nuisance and abatement has been given by the code enforcement officer or his authorized designee to abate or remove any nuisance that may exist upon any lot or premises, under the provisions of this article, the owner thereof shall have the right, within the period of time given in the order of abatement, to appear at the office of the code enforcement officer or his designee to show cause why such order should not or cannot be complied with, and the code enforcement officer or his designee may, at his discretion, revoke the order notice of

nuisance and abatement of abatement or give such a specific extension of time in a signed written agreement with the city for the abatement or removal of such nuisance as maybe necessary, provided that there is no immediate danger to the public health.

Sec. 8.02.008010 Voluntary abatement

The owner of any building, structure or property found to be a nuisance under the provisions of this ~~chapter Article~~ may abate the nuisance at any time within the abatement period by repair or removal. The code enforcement officer shall be advised of the abatement and shall inspect the premises to ensure that the nuisance has been abated. Should any of the items which constitute a nuisance be placed on other public or private property without consent from the owner or person in control of such property, such action will constitute a separate violation and appropriate enforcement action shall be taken by the code enforcement officer.

Sec. 8.02.009011 Failure to voluntarily abate nuisance City abatement procedure

If a nuisance is not properly abated within the period established under the provisions of this ~~article Division~~, the city council shall hold a public hearing to determine if the nuisance should be abated under the police powers of the city.

Sec. 8.02.010012 Notice of public hearing

A written notice of the public hearing before the city council shall be served on the property owner at least ten (10) days prior to the date set for the public hearing. Service shall be made upon the owner by personal service, or by certified or registered mail. If there is no known address for the owner, the notice shall be sent in care of the property address, and notice of the hearing shall be published in a newspaper of general circulation in the city at least ten (10) calendar days before the hearing. The failure of any person to receive such notice shall not affect the validity of the proceedings.

Sec. 8.02.011013 Hearing by the city council

At the public hearing, the city council shall hear and consider all relevant evidence, objections or protests and shall receive testimony from owners, witnesses, city personnel and interested persons relative to such alleged public nuisance and to propose abatement measures. The hearing may be continued from time to time.

Sec. 8.02.012014 Decision of the city council

Following the public hearing, the city council shall consider all evidence and determine whether the property or any part thereof, constitutes a public nuisance as alleged. If the city council finds that a public nuisance does exist and that there is sufficient cause to abate the nuisance, the city council shall make a written order setting forth the findings and ordering the owner or other person having charge or control of the property to abate the nuisance by repair or removal in the manner and by the means specifically set forth in that order. The order shall set forth the times within which the abatement shall be completed.

| **Sec. 8.02.~~013~~⁰¹⁵ Service of abatement order**

Within five (5) days following the decision of the city council, the property owner or the person having charge or control of the premises shall be served with a copy of the written order in the manner provided in section 8.02.~~010~~⁰¹².

| **Sec. 8.02.~~014~~⁰¹⁶ Appeal; judicial review**

Any owner, lienholder, or mortgagee of record of property jointly or severally aggrieved by an abatement order of the city council may file in district court a verified petition setting forth that the decision is of the city council is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be filed by an owner, lienholder, or mortgagee within 30 calendar days after the respective dates a copy of the abatement order is personally delivered to them, mailed to them by first class mail with certified return receipt requested, or delivered to them by the United States Postal Service using signature confirmation service, or such abatement order shall become final as to each of them upon the expiration of each such 30 calendar day period.

| **Sec. 8.02.~~015~~⁰¹⁷ Abatement by property owner**

The property owner, or person having charge or control of the property, may, at his own expense, abate the nuisance as prescribed by the abatement order of the city council prior to the expiration of the period set forth in section 8.02.~~014~~⁰¹⁶. If the nuisance has been inspected by the code enforcement officer and has been abated in accordance with the order, the proceedings shall be terminated.

| **Sec. 8.02.~~016~~⁰¹⁸ Abatement by city**

If a nuisance is not completely abated within the time prescribed in section 8.02.~~014~~⁰¹⁶, the code enforcement officer, city manager, or other designated city official is authorized and directed to cause the nuisance to be abated by city forces or private contract. In furtherance of this section, the code enforcement officer, city manager, or their designated agent or private contractor is expressly authorized to enter upon the property to abate the nuisance.

| **Sec. 8.02.~~017~~⁰¹⁹ Record of abatement costs**

(a) The code enforcement officer, city manager, or designee shall keep an account of the costs (including incidental expenses) of abating the nuisance on each separate lot or parcel of land where the work is done and shall report to the building advisory and appeals board showing the cost of abatement of said nuisance, including any salvage value relating thereto.

(b) The term "incidental expenses" shall include, but not be limited to, the actual expenses and costs of the city in the preparation of notices, specifications and contracts, inspection of work and costs of printing, mailing and publication required hereunder.

| **Sec. 8.02.~~018~~⁰²⁰ Assessment of costs against property lien**

(a) The total cost of abating such nuisance shall constitute a special assessment against the respective lot or parcel of land to which it relates, and, upon recitation in the office of the county clerk of a notice of lien, as so made and confirmed, shall constitute a lien on said property for the amount of such assessment.

(b) After such confirmation and recordation, a copy of the notice of lien may be turned over to the city tax office, whereupon it shall be the duty of the tax collector to add the amounts of the respective assessments to the next regular city tax bills for said respective lots and parcels of land, and thereafter, said amounts shall be collected at the same time and in the same manner as ad valorem taxes are collected and shall be subject to the same penalties and the same procedure under foreclosure and sale as in the case of delinquent ad valorem taxes.

(c) At any time after recordation, such lien may be foreclosed by judicial or other sale in the manner and means provided by law.

Sec. 8.02.~~019~~021 Disposition of certain articles of personal property

(a) The code enforcement officer or designee shall hold any articles of personal property, except motor vehicles, removed during nuisance abatement proceedings, which are still usable for the purpose for which they were originally intended. Any such items which remain in the custody of the city for a period of thirty (30) days without being claimed by the owner, whether known or unknown, may be sold by the city purchasing agent at public auction. Any proceeds from such a sale shall be credited first to costs of abatement of the nuisance and the public auction, if any, and any excess shall be returned to the owner.

(b) Any such articles of personal property which are claimed by the owner from the code enforcement officer or designee during such thirty-day period shall be returned only if the owner gives adequate signed written assurances that such property will not continue to be used or stored in such a manner as to constitute a nuisance.

(c) Any articles of personal property which are not usable for the purpose for which they were originally intended may be disposed of by the code enforcement officer or designee.

See. 8.02.020—Penalties

(a) ~~Any person, firm or corporation who violates, disobeys or omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this chapter shall be fined not more than two thousand dollars (\$2,000.00) for each offense involving fire safety, zoning or public health and sanitation, including dumping of refuse, and shall be fined not more than one thousand dollars (\$1,000.00) for each offense for all other violations of this article.~~

(b) ~~Any person, firm or corporation, whether as owner, agent or lessee or other person having charge or control of any property in the city, who maintains any nuisance in violation of this article, or who violates any order of abatement served as provided herein, shall be fined not more~~

than two thousand dollars (\$2,000.00) for each offense involving fire safety, zoning or public health and sanitation, including dumping of refuse, and shall be fined not more than one thousand dollars (\$1,000.00) for each offense for any other violations of this article.

(e) Any person, firm or corporation who obstructs, impedes or interferes with a representative of the city, with a representative of a city department or with a person who has been ordered to abate a nuisance pursuant to this chapter and is lawfully engaged in such abatement, shall be fined not more than two hundred dollars (\$200.00) for each offense.

(d) Each day that a violation occurs or is permitted to exist shall constitute a separate offense.

ORDINANCE NO. 2016-001

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, REPEALING ARTICLE 8.02 OF THE OVILLA CODE OF ORDINANCES AND ADOPTING NEW PROVISIONS IN PLACE THEREOF; PROHIBITING THE CREATION OR EXISTENCES OF NUISANCES; PROVIDING FOR ENFORCEMENT; PROVIDING APPEAL PROCEDURES; PROVIDING FOR PENALTIES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE OVILLA CODE OF ORDINANCES; PROVIDING FOR IMMEDIATE EFFECT; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City Council of the City of Ovilla, Texas, finds and determines that it is in the best interest of the citizens of the City of Ovilla to promote and preserve the aesthetic appeal of the City; and

WHEREAS, the City Council further finds and determines that certain conditions of property can constitute a nuisance which substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities attempting to use and enjoy land and can detrimentally affect the aesthetic appeal of the City; and

WHEREAS, the City Council further finds and determines that it is in the best interest of the health, safety and welfare of the citizens of the City of Ovilla to adopt and enact comprehensive provisions prohibiting the creation and existence of conditions which constitute a nuisance.

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

SECTION 1. REPEAL OF ARTICLE 8.02 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA

Article 8.02 of the Code of Ordinances of the City of Ovilla is hereby repealed in its entirety.

SECTION 2. ADOPTION OF A NEW ARTICLE 8.02 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA

The following provisions are hereby adopted as Article 8.02 of the Code of Ordinances of the City of Ovilla:

ARTICLE 8.02 NUISANCES

Sec. 8.02.001 Purpose

The purpose of this Article is to:

1. Promote the public health, safety and welfare by requiring a minimum level of maintenance of private property to protect the livability, appearance, and economic stability of the City.
2. Protect the public from the health and safety hazards and the impairment of property values that result from the neglect and deterioration of property.
3. Eliminate property conditions that contribute to blighted neighborhoods.

ORDINANCE NO. 2016-001

4. Prevent the spread of disease.
5. Safeguard the health, safety and welfare of the people by maintaining property in a safe condition.
6. Reduce the threat to health, safety, welfare, and reduced economic value due to the decline in property conditions by delineating the circumstances under which such conditions may be considered illegal nuisances and or blight and therefore abated.
7. Abate nuisances in the best interest of the health, safety and welfare of the residents of the City of Ovilla because use and enjoyment of property or premises in proximity to one another depends upon maintenance of those properties free of nuisance conditions, and to provide for the administration and enforcement of this article and to provide penalties for violations thereof.

Sec. 8.02.002 Nuisance; Generally

For purposes of this Article, a nuisance is generally defined as follows:

1. A public nuisance known and established at common law or in equity jurisprudence.
2. Any attractive nuisance known at common law or in equity jurisprudence including without limitation, any abandoned wells, shafts, basements or excavations, inoperable motor vehicles, or any structurally unsound fences or structures, or any lumber, trash, fence, debris or vegetation which are or may be hazardous to children.
3. Whatever is dangerous to human life or is detrimental to health, and is contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
4. Overcrowding a room with occupants, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
5. Insufficient ventilation or illumination, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
6. Inadequate or unsanitary sewage or plumbing facilities, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
7. Uncleanliness, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
8. Whatever renders air, food, or drink unwholesome or detrimental to the health of human beings, and is contrary to the public health, safety or welfare in violation of the codes and ordinance of the city.
9. A live tree, shrub or other similar plant of any description which creates a hazard or risk of damage or destruction to persons or property, contrary to the public health, safety or welfare or in violation of the code and ordinances of the city.
10. The existence of any one or more of the conditions or activities described in Section 8.01.004 constitutes property nuisance.

ORDINANCE NO. 2016-001

11. A building, structure or premise is in a state of disrepair when any nuisance enumerated in Section 8.01.004 exists.

12. Any other nuisance or public nuisance as set forth in this Article or the codes and ordinances of the city.

Sec. 8.02.003 Nuisances Prohibited

1. No person, whether as owner, agent, manager, operator, lessee, tenant, sublessee, or occupant in possession of a property, shall maintain a blighted or nuisance property or cause or permit property to be maintained as a blighted or nuisance property.
2. No person, whether as owner, agent, manager, operator, lessee, sublessee, tenant or occupant of a property, shall take any action or allow any action to be taken at that property in violation of any provision of this Article or any order issued pursuant to the provisions of this Article.

Sec. 8.02.004 Nuisances Enumerated

The following shall constitute nuisances when caused, allowed, maintained, or suffered to exist within the jurisdiction of the City of Ovilla, including but not limited to any front, side or rear yard in public view or view from an adjacent or neighboring property; any property, public or private; buildings of any character; car ports; unfinished enclosures; sheds; stables; pens; grounds; cellars; lots; alleys; vaults; drains; bar ditches; swimming pools; wells; cisterns; privies; or sewers where:

1. Any part of the property, including any building or structure located on the property that is visible from a street or neighboring property that contains graffiti. Any property containing personal property items which contain graffiti and which may be viewed from the public street, road or a neighboring property constitutes property blight.
2. Accumulations of containers of any type, including trash receptacles, outside storage of miscellaneous items, miscellaneous industrial equipment, miscellaneous items cluttering driveways, front or side entry car ports or unfinished enclosures visible from the street or neighboring property when not screened by a screening fence, litter, refuse, garbage, rubbish, trash, fallen trees, brush pile, junk, dead carcasses, decaying flesh, fish, fowls, rotting vegetables, stagnant water, or other stagnant fluids, flammable liquids not properly stored, slops, or other deposits or substances of any and every character, which are likely to or do become unwholesome, unclean, filthy, unsightly, offensive, or unsanitary or likely to create or engender disease constitutes nuisance and property blight.
3. Unclean premises shall also be areas or conditions that harbor rodents or parasitic insects, or promotes mosquito breeding; or with dilapidated fences, or poison oak or poison ivy or other poisonous plants within fifty (50') feet of a public street, road, structure or fence line and constitute nuisance and property blight.
4. Stagnant, foul and offensive water: Any stagnant, foul or offensive water upon any lot or other premises or under the floor of any building constitutes property blight.
5. Animals: Keeping, breeding or raising animals in or about any place or premises in such numbers or in such manner that the same may become annoying, offensive or disturbing to the adjacent residents of or those passing by such places or premises or which by reason of numbers create filth in or about such premises or premises adjacent thereto constitute property blight.

6. Weeds, brush or any vegetation including wild flowers which is unsightly, unclean, strewn with litter, unsanitary or unsafe growing to a height greater than nine (9") inches upon any property is a nuisance. It shall be the duty of all persons to keep the area from the line of their property to the curb line, edge of asphalt, concrete or point at which the roadway begins, regardless of the type of said roadway adjacent to the property, free and clear of the matter referenced above. Bushes, shrubs and vegetation of any type which blocks the view at intersections shall be removed or trimmed low enough for shrubs and high enough for trees as not to obstruct the view from any vehicle. All vegetation not regularly cultivated which exceeds nine (9") inches in height shall be presumed to be objectionable, unsanitary and unsightly. Each condition hereof constitutes property blight. It is an affirmative defense to prosecution that the flowers, weeds, bushes or vegetation which is growing to a height greater than nine (9") inches is a manicured flower bed, manicured flower garden, food garden, a State Exempt Natural Habitat Preservation Area, a manicured hedge, a manicured bush or agricultural crop or a decorative garden unless the aforementioned obstructs the view at intersections of oncoming traffic.

7. Household Appliances: Any broken, discarded or abandoned refrigerator, freezer, water heater, dishwasher, range, oven, trash compactor, washing machine, clothes dryer or similar appliance located in the front, rear or side yard, including porches, covered porches, car ports, unfinished enclosures and unsecured garages, of any premises used as a residence regardless of zoning, or on any vacant lot constitutes property blight.

8. Landscape in an Unsafe State of Disrepair: Any vegetation, landscape, trees, bushes, shrubs, vines, brush, weeds or ground cover plants that due to lack of trimming, pruning, or shaping or other neglect is in a state of disrepair. It shall be the duty of all persons, whether as owner, agent, manager, operator, lessee, sublessee, tenant or occupant of a property of any real property within the city to keep the area from the line of their property to the curb line, edge of asphalt, concrete or point at which the roadway begins, regardless of the type of said roadway adjacent to the property, to keep bushes and trees, on residential property including bushes and trees in the right of way trimmed not less than four (4') feet back from the edge of the street, road or thoroughfare. Bushes and trees with limbs overhanging streets shall be trimmed not less than sixteen (16') feet above the center of the street, road or thoroughfare. It shall be an affirmative defense if a tree trunk larger than six (6") inches is closer than four (4') feet to the edge of the street, and if the trunk is trimmed bare of limbs to a height of not less than sixteen (16') feet above the center of the street, road or thoroughfare. Landscape in an unsafe state of disrepair may include trees or shrubs or vines or brush or ground cover that presents a safety hazard due to death or disease or damage, including damage to passing vehicles and constitute property nuisance and blight.

9. Nuisance Outside Storage: Storage or accumulation outside of an enclosed structure including the storage or accumulation under a front or side entry carport or covered patio or unfinished enclosure or other projecting overhang on any lot, tract or parcel of land or portion thereof of any objectionable, cluttered, impure, unwholesome, filthy, or unsanitary matter including the storage or accumulation of the following items that present health or safety hazards:

 A. New, broken, inoperable, deteriorated, dismantled or discarded indoor (non-weather resistant) furniture, appliances, machines, tools, boxes, tool boxes, cartons, lawn maintenance equipment, fertilizer, lawn mulch, and flower or flowerbed additives;

 B. New, used, deteriorated or discarded building materials, including, but not limited to loose bricks, stones, fence material or supplies;

ORDINANCE NO. 2016-001

C. Wet, broken or leaking barrels or boxes;

D. New, used, discarded, or broken automotive, truck, lawn maintenance, industrial equipment tools or boat parts or equipment including engines, transmissions, electrical parts, suspension parts, vehicle body parts, batteries, tires, wheels, hubcaps and other motor vehicle parts, discarded boats, discarded tractors, discarded trailers, discarded industrial equipment;

E. Trash, garbage or other refuse; or

F. Any other material, which tends to decay or become putrid or provides harborage for rodents and other vermin.

G. Vacant or uninhabited residences, barns, sheds, buildings including commercial buildings shall keep all doors, windows, garage entrances closed and locked to prevent injurious conditions detrimental to the health, safety or welfare of the general public. Inoperable locks, broken doors permitting entrance or broken glass shall be repaired within ten (10) days of verbal or written notification by the City Manager or their designee. Failure to adhere to the aforementioned is a public nuisance.

Sec. 8.02.005 Exceptions and Affirmative Defenses; Outside Storage

1. The following are exceptions to Nuisance Outside Storage:

A. Building materials stored in a workmanlike manner as part of and in conjunction with, an active building permit and is in compliance with all other city ordinances.

B. Non-hazardous materials or items of any kind:

- (i) awaiting for city trash service;
- (ii) in a container or bag approved by the city, or
- (iii) in an approved location for the city trash service or other trash service pick-up.

2. The following is an affirmative defense for Nuisance Outside Storage:

Outside storage with a legal land use and is in compliance with all other city ordinances.

Sec. 8.02.006 Notice of Nuisance and Abatement

Whenever the code enforcement officer or his authorized designee finds, upon the recommendation of a duly authorized employee involved in code enforcement, that a nuisance as defined in this Article exists in or on any building, structure or property within the city, he shall advise the property owner, occupant, mortgagee or other person in control of the property of the nuisance and direct him or her to abate the nuisance. The property owner shall be notified of the existence of the nuisance in writing. Such notification shall detail the violations and establish a reasonable abatement period. Notification shall be made by certified mail, return receipt requested if a mailing address is known, and by posting a copy of the notice in a conspicuous place at the subject property. Posting notice on the property shall constitute official notification for purposes of this section. If the letter or written notice is returned by the United States Postal Service as refused or unclaimed, the validity of the notice is not affected, and the notice is considered as delivered.

ORDINANCE NO. 2016-001

Sec. 8.02.007 Extension of Time

Whenever an order has been given by the code enforcement officer or his authorized designee to abate or remove any nuisance that may exist upon any lot or premises, under the provisions of this Article, the owner thereof shall have the right, within the period of time given in the order of abatement, to appear at the office of the code enforcement officer or his designee to show cause why such order should not or cannot be complied with, and the code enforcement officer or his designee may, at his discretion, revoke the order of abatement or give such a specific extension of time in a signed written agreement with the city for the abatement or removal of such nuisance as may be necessary, provided that there is no immediate danger to the public health.

Sec. 8.02.008 Voluntary Abatement

The owner of any building, structure or property found to be a nuisance under the provisions of this chapter may abate the nuisance at any time within the abatement period by repair or removal. The code enforcement officer shall be advised of the abatement and shall inspect the premises to ensure that the nuisance has been abated. Should any of the items which constitute a nuisance be placed on other public or private property without consent from the owner or person in control of such property, such action will constitute a separate violation and appropriate enforcement action shall be taken by the code enforcement officer.

Sec. 8.02.009 Failure to Voluntarily Abate Nuisance

If a nuisance is not properly abated within the period established under the provisions of this Article, the City Council shall hold a public hearing to determine if the nuisance should be abated under the police powers of the city.

Sec. 8.02.010 Notice of Public Hearing

A written notice of the public hearing before the City Council shall be served on the property owner at least ten (10) days prior to the date set for the public hearing. Service shall be made upon the owner by personal service, or by certified or registered mail. If there is no known address for the owner, the notice shall be sent in care of the property address, and notice of the hearing shall be published in a newspaper of general circulation in the city at least ten (10) calendar days before the hearing. The failure of any person to receive such notice shall not affect the validity of the proceedings.

Sec. 8.02.011 Hearing by the City Council

At the public hearing, the City Council shall hear and consider all relevant evidence, objections or protests and shall receive testimony from owners, witnesses, city personnel and interested persons relative to such alleged public nuisance and to proposed abatement measures. The hearing may be continued from time to time.

Sec. 8.02.012 Decision of the City Council

Following the public hearing, the City Council shall consider all evidence and determine whether the property or any part thereof, constitutes a public nuisance as alleged. If the City Council finds that a public nuisance does exist and that there is sufficient cause to abate the nuisance, the City Council shall make a written order setting forth the findings and ordering the owner or other person having charge or control of the property to abate the nuisance by repair or removal in the manner and by

ORDINANCE NO. 2016-001

the means specifically set forth in that order. The order shall set forth the times within which the abatement shall be completed.

Sec. 8.02.013 Service of Abatement Order.

Within five (5) days following the decision of the City Council, the property owner or the person having charge or control of the premises shall be served with a copy of the written order in the manner provided in section 8.02.010.

Sec. 8.02.014 Appeal; Judicial Review

Any owner, lienholder, or mortgagee of record of property jointly or severally aggrieved by an abatement order of the City Council may file in district court a verified petition setting forth that the decision is of the City Council is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be filed by an owner, lienholder, or mortgagee within 30 calendar days after the respective dates a copy of the Abatement Order is personally delivered to them, mailed to them by first class mail with certified return receipt requested, or delivered to them by the United States Postal Service using signature confirmation service, or such Abatement Order shall become final as to each of them upon the expiration of each such 30 calendar day period.

Sec. 8.02.015 Abatement by Property Owner

The property owner, or person having charge or control of the property, may, at his own expense, abate the nuisance as prescribed by the Abatement Order of the City Council prior to the expiration of the period set forth in section 8.02.014. If the nuisance has been inspected by the code enforcement officer and has been abated in accordance with the order, the proceedings shall be terminated.

Sec. 8.02.016 Abatement by City.

If a nuisance is not completely abated within the time prescribed in section 8.02.014, the code enforcement officer, City Manager, or other designated city official is authorized and directed to cause the nuisance to be abated by city forces or private contract. In furtherance of this section, the code enforcement officer, City Manager, or their designated agent or private contractor is expressly authorized to enter upon the property to abate the nuisance.

Sec. 8.02.017 Record of Abatement Costs

1. The code enforcement officer, City Manager, or designee shall keep an account of the costs (including incidental expenses) of abating the nuisance on each separate lot or parcel of land where the work is done and shall report to the building advisory and appeals board showing the cost of abatement of said nuisance, including any salvage value relating thereto.
2. The term "incidental expenses" shall include, but not be limited to, the actual expenses and costs of the city in the preparation of notices, specifications and contracts, inspection of work and costs of printing, mailing and publication required hereunder.

Sec. 8.02.018 Assessment of Costs Against Property Lien.

1. The total cost of abating such nuisance shall constitute a special assessment against the respective lot or parcel of land to which it relates, and, upon recitation in the office of the county clerk of a notice of lien, as so made and confirmed, shall constitute a lien on said property for the amount of such assessment.

ORDINANCE NO. 2016-001

2. After such confirmation and recordation, a copy of the notice of lien may be turned over to the city tax office, whereupon it shall be the duty of the tax collector to add the amounts of the respective assessments to the next regular city tax bills for said respective lots and parcels of land, and thereafter, said amounts shall be collected at the same time and in the same manner as ad valorem taxes are collected and shall be subject to the same penalties and the same procedure under foreclosure and sale as in the case of delinquent ad valorem taxes.
3. At any time after recordation, such lien may be foreclosed by judicial or other sale in the manner and means provided by law.

Sec. 8.02.019 Disposition of Certain Articles of Personal Property.

1. The code enforcement officer or designee shall hold any articles of personal property, except motor vehicles, removed during nuisance abatement proceedings, which are still usable for the purpose for which they were originally intended. Any such items which remain in the custody of the city for a period of thirty (30) days without being claimed by the owner, whether known or unknown, may be sold by the city purchasing agent at public auction. Any proceeds from such a sale shall be credited first to costs of abatement of the nuisance and the public auction, if any, and any excess shall be returned to the owner.
2. Any such articles of personal property which are claimed by the owner from the code enforcement officer or designee during such thirty-day period shall be returned only if the owner gives adequate signed written assurances that such property will not continue to be used or stored in such a manner as to constitute a nuisance.
3. Any articles of personal property which are not usable for the purpose for which they were originally intended may be disposed of by the code enforcement officer or designee.

Sec. 8.02.020 Penalties

1. Any person, firm or corporation who violates, disobeys or omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this chapter shall be fined not more than two thousand dollars (\$2,000.00) for each offense involving fire safety, zoning or public health and sanitation, including dumping of refuse, and shall be fined not more than one thousand dollars (\$1,000.00) for each offense for all other violations of this article.
2. Any person, firm or corporation, whether as owner, agent or lessee or other person having charge or control of any property in the city, who maintains any nuisance in violation of this Article, or who violates any order of abatement served as provided herein, shall be fined not more than two thousand dollars (\$2,000.00) for each offense involving fire safety, zoning or public health and sanitation, including dumping of refuse, and shall be fined not more than one thousand dollars (\$1,000.00) for each offense for any other violations of this article.
3. Any person, firm or corporation who obstructs, impedes or interferes with a representative of the city, with a representative of a city department or with a person who has been ordered to abate a nuisance pursuant to this chapter and is lawfully engaged in such abatement, shall be fined not more than two hundred dollars (\$200.00) for each offense.
4. Each day that a violation occurs or is permitted to exist shall constitute a separate offense.

ORDINANCE NO. 2016-001

SECTION 4. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 5. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 6. INCORPORATION INTO THE CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION 7. EFFECTIVE DATE

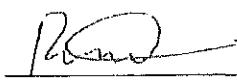
Because of the nature of interest and safeguard sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

SECTION 8. PUBLICATION

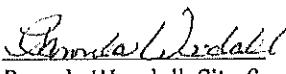
The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereto as an alternative method of publication provided by law.

PASSED, ADOPTED AND APPROVED by the City Council of Ovilla, Texas on this the

11 day of JANUARY, 2016.

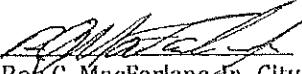

Richard Dormier, Mayor

ATTEST:


Pamela Woodall, City Secretary



APPROVED AS TO FORM:


Rolf G. MacFarlane, Jr., City Attorney

AGENDA ITEM REPORT

Item 2

Meeting Date: March 13, 2017

Discussion Action

Submitted By: Dennis Burn

Reviewed By: Dennis Burn, CM
 Accountant

Department: Administration

Budgeted Expense: YES NO N/A

Amount: \$6825.82

City Secretary City Attorney
 Other: Public Works Director

Attachments:

1. Final Plat Application /Final Plat
2. City engineer letter of approval
3. Tax Certificate
4. Final Plat Waiver
5. Sardis Lone Elm Email
6. Planning & Zoning Recommendation Sheet

Agenda Item / Topic:

ITEM 2. DISCUSSION/ACTION – Receive recommendation from the Planning and Zoning Commission to consider and take action on the final plat application filed by Massey Shaw for the residential development of Bryson Manor Subdivision Phase 2 Final Plat located at the NE corner of Bryson Lane and Shiloh Road.

Discussion / Justification:

FINAL PLAT PHASE 2

SUBDIVISION NAME: Bryson Manor Subdivision (formerly Sandarach Forest)

AUTHORIZED AGENT OF RECORD: Shaw Development (Massey Shaw)

ENGINEER/LAND PLANNER Atlas Associates, Inc.

ORIGINAL DATE FILED WITH CITY: February 22, 2017

LOCATION: Northeast corner of Shiloh Road and Bryson Lane

UTILITIES: City Sewer / Sardis Water

ZONING: R15

PROPOSED LAND USE: Residential Subdivision

NEAREST MAJOR THOROUGHFARE: Highway 664 Ovilla Road

APPLICANT'S PROPOSAL: To receive approval for the development of Bryson Manor, Phase 2, consisting of 30 residential lots on 35.213 acres of residential home sites.

Total area for this section in the subdivision is 14.602 acres in the city limits of Ovilla.

BACKGROUND: The Bryson Manor Preliminary Plat application for the entire subdivision was presented the Planning and Zoning Commission on May 06, 2013, and recommended to Council for approval. The City Council approved the preliminary plat at their May 13, 2013 Council meeting. In April 2014, an extension was filed and approved by Council on May 12, 2014. Bryson Manor is expected to be developed in three phases. The Bryson Manor Phase 2 preliminary plat was approved by the City Council May 9, 2016.

The total area in the entire development is 124.879 acres (185 lots) in the city limits of Ovilla.

Recommendation / Staff Comments:
Staff recommends approval of the Final Plat for Bryson Manor Phase 2.
Sample Motion(s):
I move that Council approve the final plat application filed by Massey Shaw for the residential development of Bryson Manor Subdivision Phase 2 Final Plat located at the NE corner of Bryson Lane and Shiloh Road as presented.

CITY OF OVILLA
APPLICATION FOR FINAL PLAT APPROVAL



x Final Plat

Applicant Shaw Development Group, LLC Phone 214-803-4939

Mailing Address 11015 Royalshire Drive Dallas, Texas 75230

Applicant's Interest in Property owner
(owner, agent, lessee, option to buy, etc.)

Engineer or Land Planner Atlas Associates, Inc Phone 972-921-4206

Mailing Address PO Box 185 Milford, Texas 76670

Location of Property NE Corner of Bryson Lane and Shiloh Road

x City Limits Extraterritorial Jurisdiction (ETJ)

Subdivision Name Bryson Manor Phase 2

Area in Subdivision: 14.602 Total Acres 30 Number of Lots 17,162 sf Average Lot Size

Fee Due City for Application \$ 1,900 calculated as follows:

Final Plat

\$ 400 Application Fee

\$ 50 per lot X 30 total number of lots, plus

\$ 50 per acre X 0 each acre not designated as a subdivision lot (not to include streets)

- Plus \$50 per acre not designated as a subdivision lot (Residential)
- Plus 100% of engineering costs associated with review in excess of amount paid in initial fees.

Inspection Fees (inspection of utilities, infrastructure, etc.) Calculated by multiplying the cost estimate of the subdivision improvements by the applicable percentage.

Subdivision Improvements Cost Estimate	Applicable Percentage
\$200,000 or less	3.20
\$200,001 to \$400,000	3.10
\$400,001 to \$600,000	3.00
More than \$600,000	2.90

CITY OF OVILLA
APPLICATION FOR FINAL PLAT APPROVAL



Minimum Fee:

1. Standard subdivision procedure:	\$3,750.00
2. Short form procedure:	\$400.00

Plat amendment:

1. Application fee:	\$400.00
2. Engineering fee:	\$50.00 per lot residential \$50.00 per lot non residential

(Plus, 100% of engineering costs associated with review in excess of amount paid above)

Plat vacation: \$275.00

Traffic impact analysis review: \$450.00
(Plus, 100% of engineering costs associated with TIA)

Tree plan review: \$25.00 per lot

County filing fee – actual cost

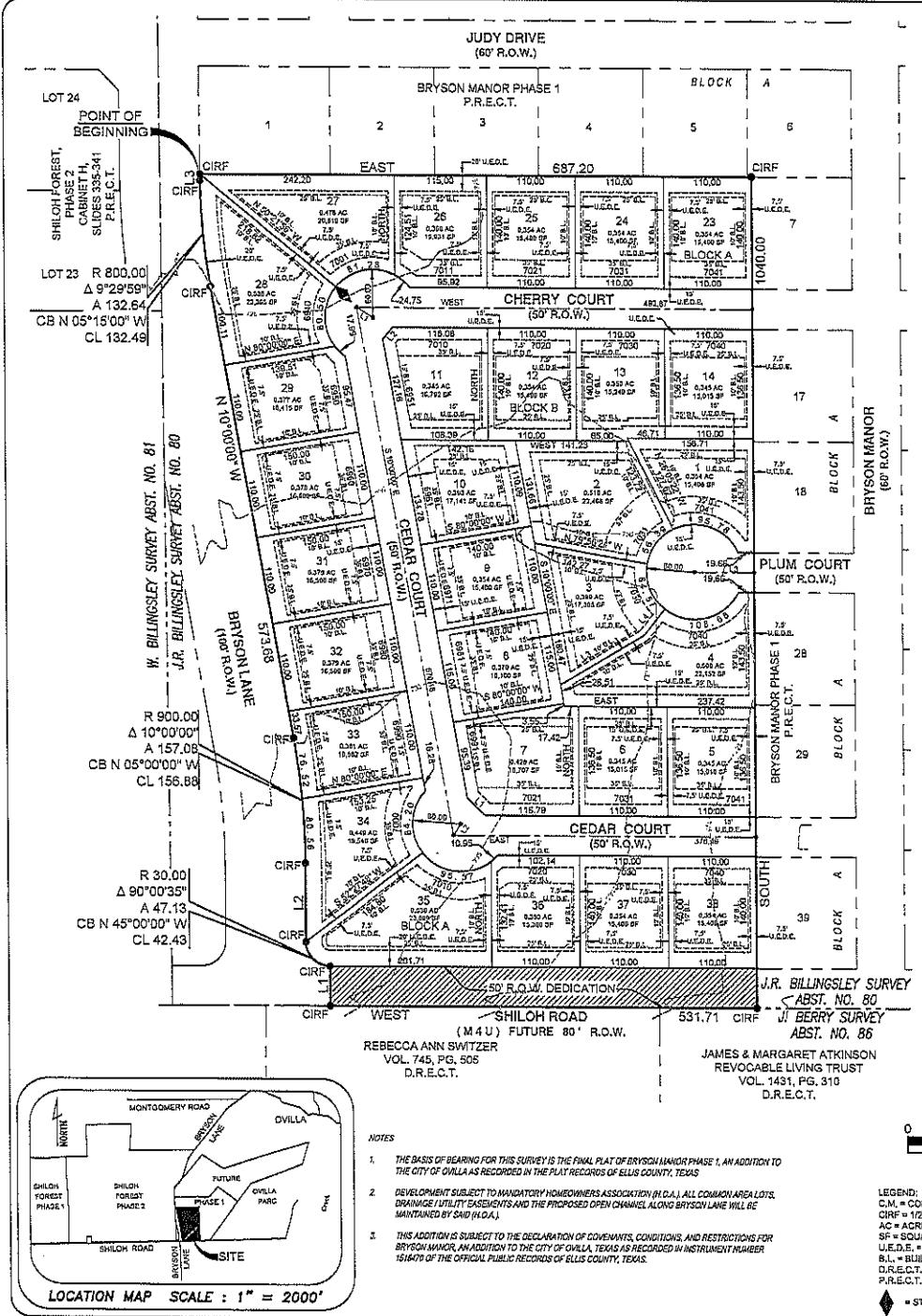
Variance request (per item) \$150.00

Shel C
2-22-17

Received on FEB. 22, 2017

Official Filing Date FEB. 28, 2017

City of Ovilla
105 S. Cockrell Hill Road
Ovilla, TX 75154
972.617.7262
FAX: 972.515.3221



OWNERS CERTIFICATE

STATE OF TEXAS:
COUNTY OF ELLIS:

That We, SHAW DEVELOPMENT GROUP, L.L.C., being the owners of that certain tract of land hereinabove described as a Final Plat of BRYSON MANOR, PHASE 2, an addition to the City of Ovilla, Texas, and do hereby dedicate the same to the City of Ovilla in fee simple forever for public right of ways shown thereon, to be used and maintained by the City of Ovilla for the public convenience and safety of the inhabitants of the same, and for the purposes as indicated. The utility and drainage easements shall be open and available for public utility companies to use the same, and for the purpose of paving on the utility and drainage easements is the responsibility of the property owner/homeowner association (HOA). No buildings or other improvements or growths, except fences, low-lying vegetation, driveways, and sidewalks shall be constructed or placed upon, over or across the easements shown, except driveways, sidewalks, and other structures in the flow of water may be constructed and placed in such driveways, easements, easements being hereby restricted to the use and maintenance of all public utilities using or claiming to use the same. All and any public utility shall have the right to remove and keep removed all or parts of the encroachments allowed above which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utility shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of inspection, maintenance, repair, or removal of all or parts of the encroachments allowed above.

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENT:

That We, SHAW DEVELOPMENT GROUP, L.L.C., do hereby adopt this plat designating the hereinabove described property as a Final Plat of BRYSON MANOR, PHASE 2, an addition to the City of Ovilla, Texas, and do hereby dedicate the same to the City of Ovilla in fee simple forever for public right of ways shown thereon, to be used and maintained by the City of Ovilla for the public convenience and safety of the inhabitants of the same, and for the purposes as indicated. The utility and drainage easements shall be open and available for public utility companies to use the same, and for the purpose of paving on the utility and drainage easements is the responsibility of the property owner/homeowner association (HOA). No buildings or other improvements or growths, except fences, low-lying vegetation, driveways, and sidewalks shall be constructed or placed upon, over or across the easements shown, except driveways, sidewalks, and other structures in the flow of water may be constructed and placed in such driveways, easements, easements being hereby restricted to the use and maintenance of all public utilities using or claiming to use the same. All and any public utility shall have the right to remove and keep removed all or parts of the encroachments allowed above which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utility shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of inspection, maintenance, repair, or removal of all or parts of the encroachments allowed above.

NO HOUSE, DWELLING UNIT OR OTHER STRUCTURE SHALL BE CONSTRUCTED ON ANY LOT IN THIS ADDITION BY THE OWNER UNTIL:

1. Such time as the developer and/or owner has complied with requirements of the platting ordinance of the City of Ovilla regarding improvements with respect to the entire block on the street and/or streets on which the property abuts, including the actual installation of streets with the required base and paving, curb and gutter, all utility lines, structures, and storm sewers and alleys, all according to the specifications and standards of the City of Ovilla and such improvements have been inspected by the City of Ovilla and accepted for use, use and maintenance, or

2. Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the City Engineer, computed on a private commercial rate basis, has been made with the City as accepted by an agreement signed by the developer and/or owner, authorizing the City to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself, unless the developer and/or owner fails to do so within the time as stated in the agreement to cover increases in cost of materials and/or surplus labor, which shall be paid to the developer and/or owner. Such deposit may be used by the developer and/or owner as progress payment as the work progresses in making such improvements by making certified requisitions to the City, supported by evidence of work completed, or

3. Until the developer and/or owner files a corporate surety bond with the City in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the City Council;

4. The requirements with respect to streets, drainage and utility improvements are made to insure the installation of such street improvements and to allow for each owner and each prospective owner of lots in this subdivision that an house or building can be constructed on any lot in this subdivision until such street improvements are actually made or provided for on the entire block on the street and/or streets on which the property abuts as described herein.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Ovilla, Texas.

SHAW DEVELOPMENT GROUP, L.L.C.

STATE OF TEXAS
COUNTY OF ELLIS

Before me, the undersigned notary, on this day personally appeared _____ 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 purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____ 2017.

Notary Public in and for the State of Texas

LOT LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 45°03'12" E	31.53
L2	N 45°03'12" E	19.26
L3	S 57°03'28" W	122.05
L4	S 39°24'14" W	41.61

BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
L1	NORTH	50.01
L2	NORTH	99.94
L3	N 00°30'00" W	7.87

CENTERLINE LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 57°56'44" W	24.11
L2	S 32°08'18" W	18.72
L3	EAST	74.20

FINAL PLAT OF
BRYSON MANOR PHASE 2

AN ADDITION TO THE CITY OF OVILLE,
ELLIS COUNTY, TEXAS,
SITUATED IN

J. R. BILLINGSLEY SURVEY, ABSTRACT NO. 81
ELLIS COUNTY, TEXAS
CONTAINING 14.602 ACRES TOTAL
30 RESIDENTIAL LOTS

ENGINEER:

ATLAS ASSOCIATES, INC.
P.O. Box 185
Midford, Texas 76670
(972) 921-4206
Firm Reg. No. P-9577

OWNER:

SHAW DEVELOPMENT GROUP, L.L.C.
6515 Bandem Avenue
Dallas, Texas 75225
(214) 803-4939

SURVEYOR:

MADDUX SURVEYING & MAPPING, INC.
P.O. Box 2108
Forney, Texas 75128
Phone: (972) 564-4416
Firm Reg. No. 10013200

February 23, 2017

1"=100'

Sheet 1 of 1

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Phone (214) 361-7900

www.bhcllp.com

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.
JOSEPH T. GRAJEWSKI, III, P.E.
DEREK B. CHANEY, P.E.
CRAIG M. KERKHOFF, P.E.

February 28, 2017

Mr. Dennis Burn, P.E.
City of Ovilla
City Manager

105 S. Cockrell Hill Road
Ovilla, Texas 75154

Re: Bryson Manor - Phase 2
Final Plat & Construction Plans

Dear Mr. Burn:

We have completed our review of the February 23, 2017 Grading Plan and Drainage Area Map for the Bryson Manor – Phase 2 Addition. Our review is for compliance with the City's Subdivision Ordinances and Good Engineering Practice, and does not relieve the Design Engineer of record of their responsibilities under the Texas Engineering Practice Act.

We offer no further comments on the Final Plat and Construction Plans. We are available at your convenience to discuss any questions that you may have with our review.

Sincerely,



John W. Birkhoff, P.E.

TAX CERTIFICATE



JOHN BRIDGES RTA, CTA, CSTA
ELLIS COUNTY TAX OFFICE TAX ASSESSOR - COLLECTOR
P.O. DRAWER 188 109 S. JACKSON RM T125
WAXAHACHIE, TX 75168

Issued To:
MASSEY DEVELOPMENT LLC
11015 ROYALSHIRE
DALLAS, TX 75230

Legal Description
80 J R BILLINGSLEY 14.17 ACRES

Fiduciary Number: 25397533

Parcel Address: SHILOH RD

<-->

Legal Acres: 14.1700

<-->

Account Number: 263662

Print Date: 02/28/2017

Certificate No: 233343856

Paid Date: 02/28/2017

Certificate Fee: \$10.00

Issue Date: 02/28/2017

Operator ID: BECKYB

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2016. ALL TAXES ARE PAID IN FULL.

Exemptions:

Certified Owner:

SHAW DEVELOPMENT GROUP LLC
11015 ROYALSHIRE
DALLAS, TX 75230

<u>2016 Value:</u>	242,310
<u>2016 Levy:</u>	\$6,429.93
<u>2016 Levy Balance:</u>	\$0.00
<u>Prior Year Levy Balance:</u>	\$0.00
<u>Total Levy Due:</u>	\$0.00
<u>P&I + Attorney Fee:</u>	\$0.00
<u>Total Amount Due:</u>	\$0.00

Certified Tax Unit(s):

70 ELLIS COUNTY
170 LTRD
208 MIDLOTHIAN ISD
362 CITY OF OVILLA

DUE TO ITS ASSIGNED USAGE, THE ABOVE LEGAL PROPERTY MAY HAVE RECEIVED SPECIAL VALUATION, AND ADDITIONAL ROLLCBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL VALUATION.

Reference (GF) No: N/A

Issued By:


JOHN BRIDGES RTA, CTA, CSTA
ELLIS COUNTY TAX OFFICE TAX ASSESSOR - COLLECTOR

FINAL PLAT WAIVER

PLEASE CHECK ONE:

I hereby request that this plat not be placed on a Planning and Zoning Commission agenda until all staff & engineering comments have been addressed.

I hereby request that this plat be placed on the agenda for action at the first available Planning and Zoning Commission meeting even if staff comments have not been addressed and the plat is not in compliance with City Code. I realize this will likely result in a disapproval of my application and I will be required to pay new filing fees. If this option is chosen, the following is required with this application:

- a. 15 Copies of the Revised Preliminary Plat based on City Engineer's Comments
- b. 1 Copy of reproducible transparent drawing
- c. 1 Copy of AutoCAD readable diskette of the Final Plat
- d. 1 Copy of Protective or Restrictive Covenants (If Applicable)
- e. 1 Copy of Homeowners Agreement (If Applicable) • Filing Fee Check made payable to City of Ovilla.

I AM THE OWNER OR AGENT AUTHORIZED TO MAKE THE STATEMENTS AND REPRESENTATIONS HEREIN ON BEHALF OF THE OWNER.

PRINT NAME: Shah Karan



SIGN NAME: Shah

Shah
OWNER/AUTHORIZED AGENT OWNER/AUTHORIZED AGENT

TITLE & COMPANY NAME DATE



Planning & Zoning Commission CERTIFICATE OF APPROVAL

Case No. PZ17.01 - Review and consideration of a final plat application filed by Massey Shaw for Bryson Manor Phase II Subdivision, located at the NE corner of Bryson Lane and Shiloh Road and forward recommendation to the Ovilla City Council.

PLANNING AND ZONING Members present, and upon a record vote of:

PL1 Jungman AYE
PL2 Yordy AYE
PL3 Lynch AYE
PL4 Whittaker AYE

PL5 Zabojnik AYE
PL6 Hart AYE
PL7 Zimmermann AYE

7 FOR

0 AGAINST

0 ABSTAIN

O. Lynch
Presiding Officer of P&Z

3/9/17
Date

J. Miller
Board Secretary

3.7.2017
Date

AGENDA ITEM REPORT

Item 3

Meeting Date: March 13, 2017

Discussion Action

Submitted By: Dennis Burn, CM

Reviewed By: City Manager City Secretary City Attorney

Accountant

Department: Public Works

Budgeted Expense: YES NO N/A

Amount: \$23,600

Other: Public Works Director B. Piland

Attachments:

1. Calendar for Impact Fee update process

Agenda Item / Topic:

ITEM 3. **DISCUSSION/ACTION** –Receive a recommendation from the Planning and Zoning Commission Advisory Committee on the update of the Impact Fees and set a date for the public hearing for final consideration.

Discussion / Justification:

BACKGROUND:

Water and Wastewater (Sewer) Impact Fees are an assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to new development. Any developer seeking a building permit for a new development (residential or commercial) that will generate additional use of utility resources will be responsible for paying Impact Fees.

Texas Local Government Code Chapter 395.054 provides for the process to review and amend the Impact Fees adopted by City Council.

The City Council authorized in June 2016, the Planning and Zoning Commission to act as the Advisory Committee and again in November 2016 for the replacement of an ad-hoc member. The Committee's purpose was to review and advise the governmental body of the need to update or revise the Impact Fees.

Upon Council direction, staff is prepared to schedule the public hearing and an ordinance for final consideration of the update of the Water and Wastewater Impact Fees.

Recommendation / Staff Comments:

Staff recommends City Council consider the recommendation from the Advisory Committee and direct staff to set a public hearing date to receive citizen input on the update of the Water and Wastewater Impact Fees.

Sample Motion(s):

I make a motion to APPROVE/DENY the setting of a public hearing date to be MAY 08, 2017, of the City Council, following the guidelines required according to the Local Government Code, to receive citizen comment for the update of the City of Ovilla Water and Wastewater Impact Fees as recommended by the Planning & Zoning Commission Advisory Committee.

Preliminary schedule of Meetings, Agendas and Public Notices for the City of Ovilla's Water and Sewer Impact Fee Update process.

Advisory Committee (P&Z) Meetings	City Council Meeting	City Staff	Meeting/Action	Agenda and Action Required
		September 7 (1 st Wednesday)	City Staff	<ul style="list-style-type: none"> • Kick-off Meeting for Impact Fee Process
		September 16 (3 rd Friday)	City Staff	<ul style="list-style-type: none"> • Obtain Information from City for Impact Fee Update
October 3 (1 st Monday)			Advisory Committee	<ul style="list-style-type: none"> • 1st Land Use Assumptions and 1st Water & Sewer CIP to Advisory Committee (Draft)
December 5 (1 st Monday)			Advisory Committee	<ul style="list-style-type: none"> • 2nd Land Use Assumption and 2nd Water & Sewer CIP to P&Z Advisory (Final). Advisory Committee Written Recommendation to Council
	December 12 (2 nd Monday)		City Council	<ul style="list-style-type: none"> • Set Public Hearing Date for Impact Fee Land Use Assumptions and Water & Sewer CIP (February 13, 2017)
		December 16 (3 rd Friday)	City Staff	<ul style="list-style-type: none"> • Publish Notice for Land Use and Water & Sewer CIP Public Hearing • Land Use Assumptions and Water & Sewer CIP for Impact Fees (Finals) Available for Public Review
	February 13 (2 nd Monday)		City Council	<ul style="list-style-type: none"> • Land Use Assumptions and Water & Sewer CIP Public Hearing • Adopt Land Use Assumptions and Water & Sewer CIP
March 6 (1 st Monday)			Advisory Committee	<ul style="list-style-type: none"> • Water and Sewer Impact Fees to Advisory Committee (Written Recommendation to Council)

Advisory Committee (P&Z) Meetings	City Council Meeting	City Staff	Meeting/Action	Agenda and Action Required
	March 13 (2 nd Monday)		City Council	<ul style="list-style-type: none"> • Set Public Hearing date for Water & Sewer Impact Fee Update (May 8, 2017)
		March 17 (3 rd Friday)	City Staff	<ul style="list-style-type: none"> • Publish Notice for Water & Sewer Impact Fee Update Public Hearing • Water & Sewer Impact Fee Update Report Available for Public Review
	May 8 (2 nd Monday)		City Council	<ul style="list-style-type: none"> • Public Hearing for Water & Sewer Impact Fee Update • Adopt Updated Water & Sewer Impact Fee Update

AGENDA ITEM REPORT

Item: 4

Meeting Date: March 13, 2017

Department: Administration/EDC

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Dennis Burn

Amount: \$25,500

Reviewed By: City Manager City Secretary City Attorney

Accountant

Other: Public Works Director B. Piland

Attachments:

1. Strategic Plan

Agenda Item / Topic:

ITEM 4. **DISCUSSION** – Receive presentation from Jack Thompson from Orasi and an Ovilla Economic Development Corporation representative to review and discuss the proposed Strategic Plan.

Discussion / Justification:

Since the adoption of the Strategic Guide in 2013, staff and the OEDC has been working to establish a Strategic Plan.

Jack Thompson, representative with Orasi spoke with Council and staff on Thursday, August 06, 2016 during the Budget Workshop, summarizing Orasi's ability and expertise to analyze Ovilla's resources, including the surrounding areas and to develop a plan to execute specific needs relative to economic development for Ovilla. Following recommendation from the OEDC, Council approved an agreement on August 10, 2015 with ORASI, Inc. to assist in the development of a Plan – once the Comprehensive Land Use Plan Update was complete.

During the January 17, 2017 OEDC Meeting, a draft Strategic Plan was presented, noted for corrections and/or revisions and was returned to the EDC for review at their February 21, 2017 meeting. The EDC was pleased with the plan and forwards recommendation to the Council for review, approval and adoption.

Because this Plan covers a considerable amount of information, staff is presenting this for discussion only and with Council direction, will return with this item for consideration and action.

Recommendation / Staff Comments:

None.

Sample Motion(s):

Discussion only.

Ovilla Economic Development Corporation

Strategic Plan

Draft

February 2017



Executive Summary

The City of Ovilla has a great country feel that residents seriously value about the community. It is important that Ovilla maintain the country, family oriented and quiet town essence. However, new development in the region and the cost of maintaining city services makes it necessary for the City to grow the tax base to pay for these services without putting the costs solely on the resident. There is desire to have some local shops, restaurants and public space in the city.

The Ovilla Economic Development Corporation hired Orasi Development, LLC to develop an economic strategic plan that will balance maintaining the high quality of life and attract retail and restaurants to the city.

The Economic Development Strategic Plan serves as a guide for the city's economic development efforts with the goals of sustaining and increasing the city's tax base, developing new investments, broadening opportunities for public/private partnerships, job creation in appropriate business sectors, and maximizing economic growth while preserving Ovilla's uniqueness as a community. The framework of the strategy answers three primary questions:

1. Who are we? (Profile)
2. Where do we want to go? (Vision)
3. How do we get there? (Strategic Plan)

The strategic plan serves to answer these questions and provide the city with a blueprint to drive its future success and foster its sustainability. The creation of an economic development strategy is the first step in the city becoming a true competitor in the region.

Orasi Development has identified the following vision for the future of the City:

Ovilla will be known as a growing, thriving, rural community with successful businesses, vibrant downtown, and user-friendly public parks and trails. The City of Ovilla will be the rural example in environmentally and socially sustainable growth with a diverse business economy.

The strategic direction is made operational through the following four goals, which are defined by objectives and major actions included in the plan.

1. Creating a vibrant and active downtown that:
 - a. Gives Ovilla a sense of place
 - b. Generates commercial tax revenues for the city
 - c. Enhances the quality of life for Ovilla residents
 - d. Builds a strong park system

Introduction

Cities will experience development and change with or without a plan. However, an economic development strategic plan can influence the type and quality of development that occurs in a community.

The City of Ovilla is part of a metro area that is experiencing strong growth and development activity. Also, neighboring communities within this same region are experiencing strong growth as well, which will impact the City of Ovilla. Due to the region's continuous growth, the use of emergency services, aging roads and infrastructure will put financial pressure on the City to bear the costs of maintenance and operations.

Ovilla residents enjoy large residential lots, a country living atmosphere, and the small-town feel, just minutes away from the big city. Residents do not want to lose any of these attributes, but recognize a need for commercial development to support essential city services and enhance the community's quality of life.

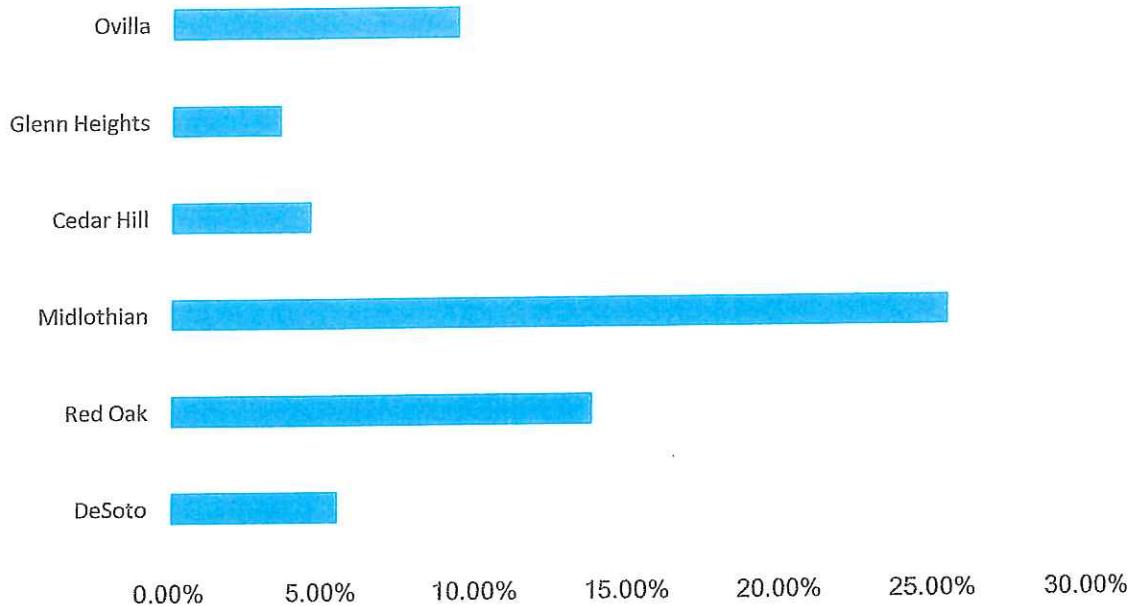
Although, zoning regulations ensure appropriate lot sizes and the location of various development types, this strategic plan is necessary and was developed to assist the Ovilla Economic Development Corporation (EDC) in attracting and developing the city, increase the tax base while maintaining and enhancing the essence of the community.

The Region, Growth, Growth and More Growth

Ovilla's neighboring cities of Cedar Hill, DeSoto, Glenn Heights, Red Oak, and Midlothian are continuing to experience strong growth.

Cedar Hill and DeSoto have a more mature and steady growth while Glenn Heights, Red Oak, and Midlothian are having more aggressive growth and available land.

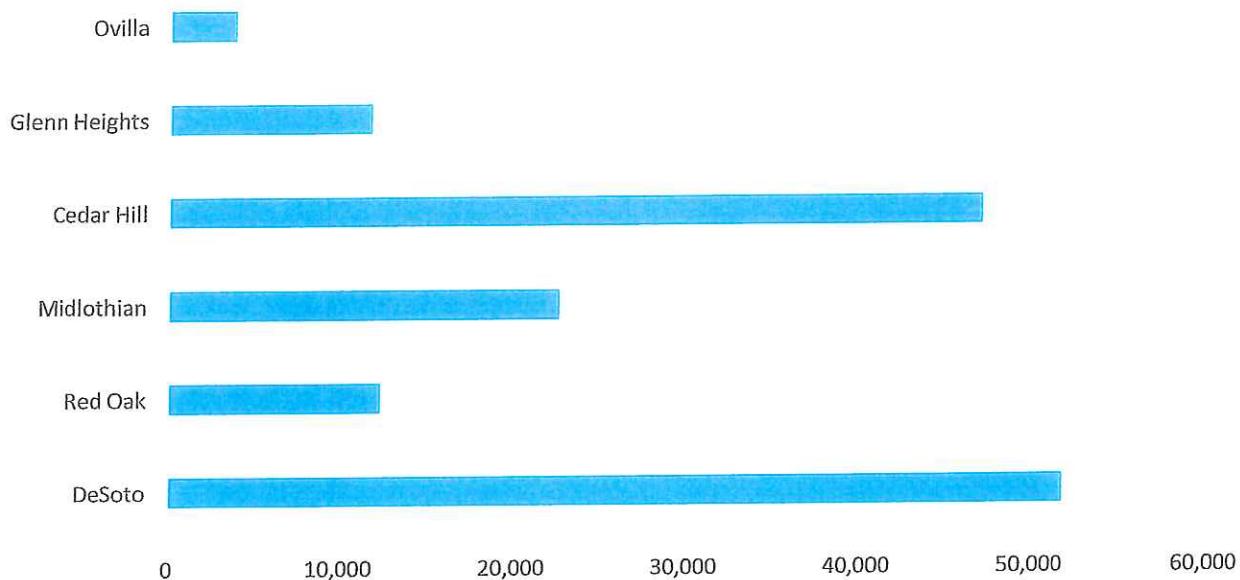
Percentage Growth



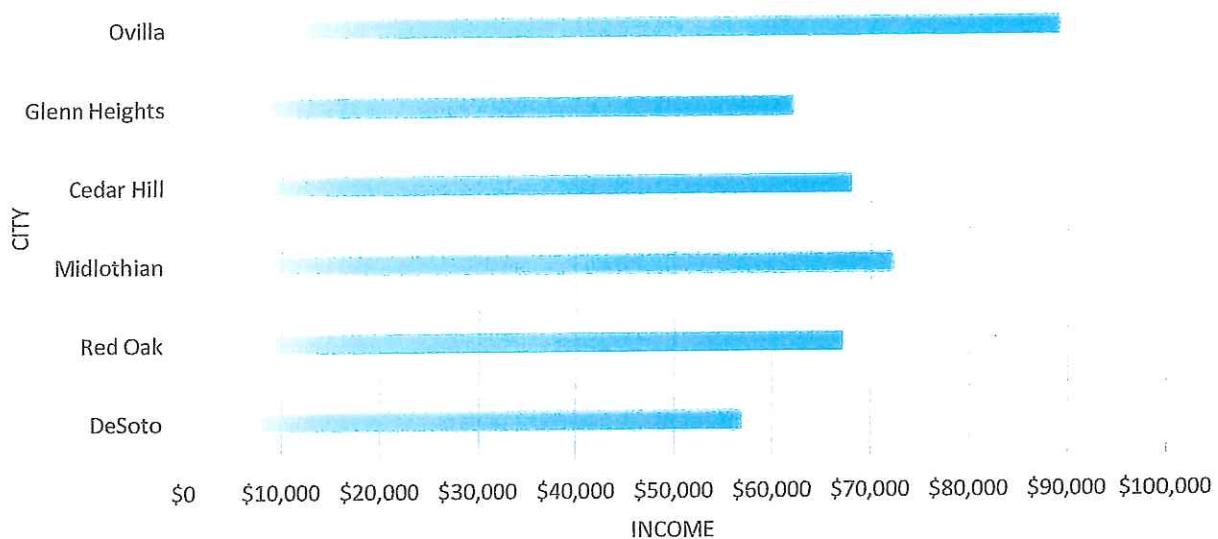
The growth of the five cities surrounding Ovilla will enable the city to maintain its low density residential development, but still be attractive for some commercial development. Although, the largest commercial development has occurred and will continue in Cedar Hill, DeSoto and Midlothian and to a lesser extent Red Oak, there are enough commercial development opportunities in Ovilla to take some of the tax burden off of the residents.

Ovilla is the smallest of the six cities in the region, but the city has the highest median household incomes of the six.

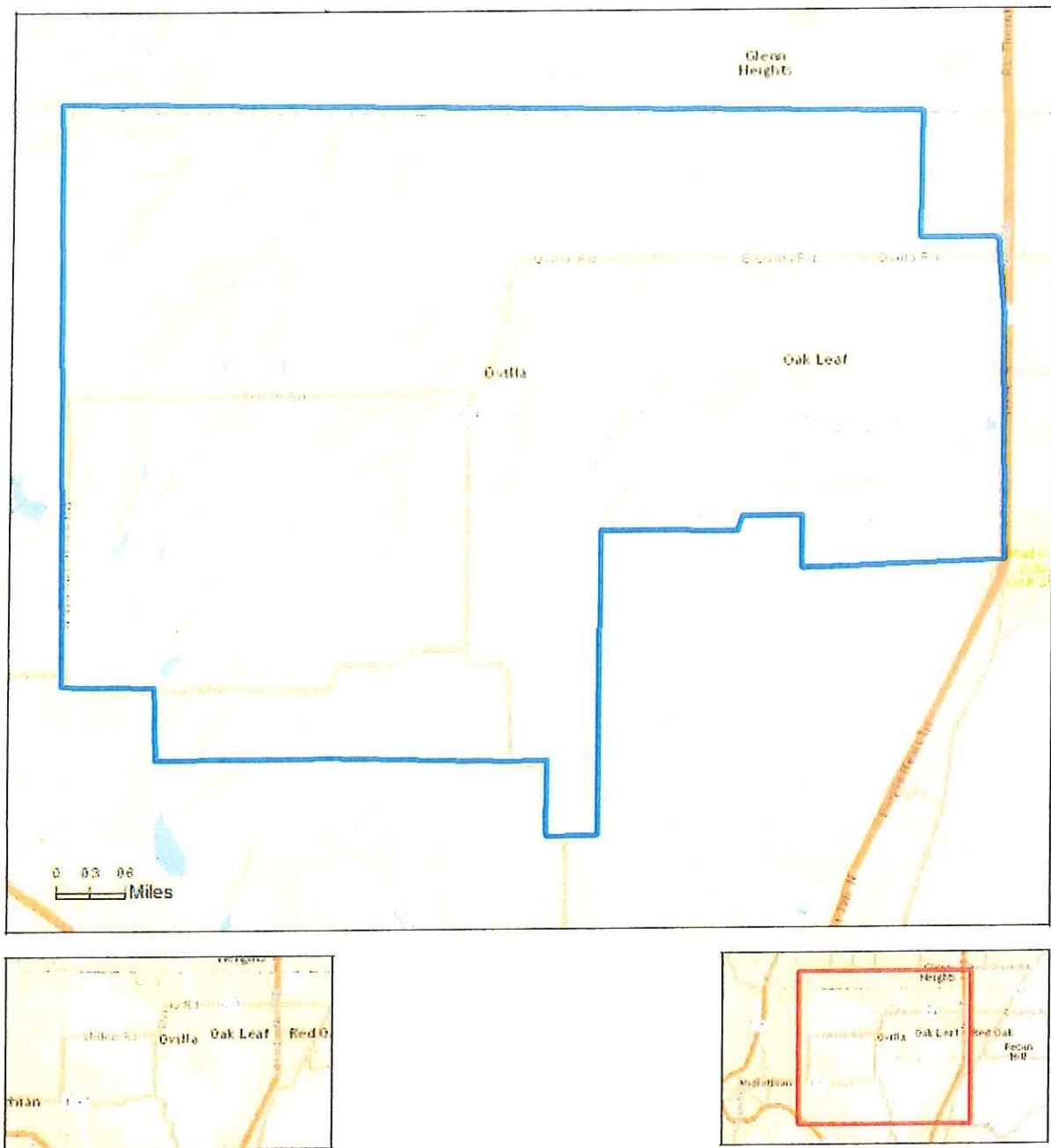
2016 Population



MEDIAN HOUSEHOLD INCOME



Trade Area



This trade area is similar to a prior retail analysis conducted for the EDC and is a good representation of the market that serves Ovilla. See Appendix A for the full demographic, psychographic, and retail leakage reports.

The most popular fast food restaurants are:

- Chick-fil-A
- McDonald's
- Panera Bread
- Starbucks

Spending at sit down restaurants is strong for the trade area. The average spent at a family restaurant/steak house in the last six months of \$300+, which is the highest spending category had the highest MPI followed by the next level down that is \$201-\$300.

Product/Consumer Behavior	MPI
Spent at family rest/steak house last six months <\$31	79
Spent at family rest/steak house last six months \$31-\$50	99
Spent at family rest/steak house last six months \$51-\$100	107
Spent at family rest/steak house last six months \$101-\$200	129
Spent at family rest/steak house last six months \$201-\$300	142
Spent at family rest/steak house last six months \$300+	145

Note: An MPI measures the relative likelihood of adults in the specified trade area to exhibit consumer behavior or purchasing patterns compared to the U.S. An MPI of 100 represents the U.S. average

Spending at fast food restaurants was the highest at the top spending categories.

Product/Consumer Behavior	MPI
Spent at fast food/drive-in last six months <\$11	86
Spent at fast food/drive-in last six months \$11-\$20	83
Spent at fast food/drive-in last six months \$21-\$40	94
Spent at fast food/drive-in last six months \$41-\$50	101
Spent at fast food/drive-in last six months \$51-\$100	108
Spent at fast food/drive-in last six months \$101-\$200	116
Spent at fast food/drive-in last six months \$201+	128

Psychographics

What are psychographics? Demographics show “who” your buyer is while psychographic explains “why” or “what” they buy.

There are five segments that comprise approximately 90% of the Ovilla trade area. These five by order of rank are:

1. Up and Coming Families
2. Savvy Suburbanites
3. Green Acres
4. Soccer Moms
5. Professional Pride

All five segments have strong incomes, are very physically active, and spend more on entertainment than other segments.

Up and Coming Families

Households in U.S.	2,562,000
Average Household Size	3.10
Median Age	30.7
Median Household Income	\$64,000

Who are we?

Up and Coming Families is a market in transition – residents are younger and more mobile and ethnically diverse than the previous generation. They are ambitious, working hard to get ahead, and willing to take some risks to achieve their goals. The recession has impacted their financial well-being, but they are optimistic. Their homes are new, their families are young, and this is one of the fastest-growing markets in the country.

Soccer Moms

Households in the U.S.	3,327,000
Average Household Size	2.96
Median Age	36.6
Median Household Income	\$84,000

Who are we?

Soccer Moms are an affluent, family-oriented market with country flavor. Residents are partial to new housing away from the bustle of city but close enough to commute to professional job centers. Life in this suburban wilderness offsets the hectic pace of two working parents with growing children. They favor time-saving devices, like banking online or housekeeping services, and family-oriented pursuits.

Professional Pride

Households in the U.S.	1,878,000
Average Household Size	3.11
Median Age	40.5
Median Household Income	\$127,000

Who are we?

Professional Pride consumers are well-educated career professionals that have prospered through the Great Recession. To maintain their upscale suburban lifestyles, these goal oriented couples work, often commuting far and working long hours. However, their schedules are fine-tuned to meet the needs of their school age children. They are financially savvy; they invest wisely and benefit from interest and dividend income. So far, these established families have accumulated an average of 1.5 million dollars in net worth, and their annual household income runs at more than twice the U.S. level. They take pride in their newer homes and spend valuable time and energy upgrading. Their homes are furnished basements equipped with home gyms and in-home theatres.

Please see Appendix A for a complete analysis on each segment.

SWOT Analysis

A SWOT (Strengths, Weaknesses, Opportunities and Threats) Analysis is a very helpful tool when evaluating a community. This analysis is basically broken down into two categories, things that an organization can influence (Strengths and Weaknesses) and things that can impact the organization, but is beyond its control (Threats and Opportunities).

The information learned from conducting the SWOT Analysis and the type of development the community would like to see in their city will help lay the foundation of the strategic plan.

<p>Strengths</p> <ul style="list-style-type: none"> ● High Income Levels ● Active EDC ● Existing Downtown ● Good location ● Park land in Downtown ● New residential development ● Strategic Comprehensive Plan ● Accessibility ● Available land for development ● Mix of city/country living ● Highly educated workforce ● Low Crime Rate ● Quiet community ● Open Space ● Oldest city in Ellis County 	<p>Weaknesses</p> <ul style="list-style-type: none"> ● Dry, no alcohol sales ● Low density ● No entertainment options within the City ● Lack of infrastructure in Downtown ● Downtown businesses are struggling ● Limited commercial tax base ● Community is used as a pass through to other places ● Limited sense of place ● Lack of designated trails/sidewalks in Downtown area ● Most residents work outside the city ● Limited retail ● Low daytime population
<p>Opportunities</p> <ul style="list-style-type: none"> ● Strong residential growth in the area ● Expansion of Ovilla Rd. ● Economic strength of D/FW ● Population growth of the area ● Strong commercial development activity in the region 	<p>Threats</p> <ul style="list-style-type: none"> ● Strong commercial growth in the area ● Expansion of Ovilla Rd. ● Increased traffic through the city ● Rapid development in the area ● Active and aggressive EDC's in the region ● Economic downturn

Goals and Action Steps

Goal 1: Create a dynamic and vibrant downtown

Suburban cities across the country are creating vibrant downtowns to enhance their quality of life and create a sense of place. What is a sense of place? For the purposes of this plan the definition of a sense of place is an area that people want and like to gather for social purposes, shopping, eating, working; a place with a special feel. A strong sense of place will create or enhance community pride. A sense of place is unique in its feel and sets apart a community from other surrounding cities.

Ovilla has the foundation of a downtown with several small businesses operating on W. Main Street. However, those businesses are struggling to survive. There are several factors why the businesses are struggling and why new businesses are not locating to downtown. These factors are:

1. No official downtown designated area.
2. Not pedestrian friendly. Need sidewalks, street lighting, and public furniture.
3. No directional signage or entry on Ovilla Road and W. Main Street identifying the downtown area.
4. No gathering areas to sit and socialize.
5. Limited Parking.
6. Very limited inventory of available lease space.
7. Limited development opportunities on W. Main Street.
8. Restaurant(s) have a hard time with a very limited lunch crowd, forcing them to make the majority of their revenues from dinner.

None of these challenges are insurmountable, but they must be addressed if Ovilla is to have a vibrant and thriving downtown. This strategic plan will assist the Ovilla EDC to navigate through these challenges.

First, Ovilla must create attractions that will bring people to the area and help stabilize the existing businesses while acting as a lure for new establishments to locate downtown.



Action 1.2. Create a Central Park and Plaza.

Creating a successful downtown with thriving businesses includes a major downtown attraction. With power shopping and life style centers, retailers such as Target and Home Depot are the draw that supports all of the smaller tenants. Currently, there is not enough density to support these retailers and with the residents desiring to keep Ovilla "unique", the best option to draw people to the area is with the creation of a large central park and plaza. All notable cities have great community gathering spaces. What should be created in Ovilla is a great third space.

What is a third space? A first place is home, second place is most often work, and the third place is where people like to be and hang out. That's the definition for Ovilla's central park; a place where people will want to go and gather as a family, friends, and community.

What type of amenities are necessary to create this community space? The amenities and park design will need to draw both large and small groups on a continual basis. The type of events will range from concerts, family reunions or a mom taking her kids to the park. The park amenities will include:

- Stage
- Pavilion
- Open park space
- Farmer's market space
- Food truck parking spaces
- Walking trails

Specifically, the type of events for a central park would be:

- Concerts
- Movies in the park
- Weekend farmer's market
- Pavilion
 - Weddings
 - Family reunions
 - Birthday parties
- Camp Gladiator or similar type of workout classes
- Yoga classes
- Art classes



The events will continually bring individuals, small groups or large groups to the park. The steady traffic in turn will help support the existing businesses and make the downtown area more attractive to further development.



There are several action steps that need to be taken within the development of the park beginning with City Council approval.

1.2.1. Develop a Request for Qualifications for a park planner/design firm.

Hiring the right firm is critical in planning and designing the park. The amenities and design will ensure this park is successful in creating a third space that attracts people and enhances the essence of Ovilla.

Action 1.3. Create a downtown design plan. This includes the engineering of sidewalks, street lighting, parking, curb and gutter, public furniture, and art.

Creating a cohesive downtown that is easy to walk and appealing for people to stop, park and shop and/or eat, requires the necessary infrastructure. This infrastructure includes sidewalks, curb and gutters, street lights, both pedestrian and vehicular directional signage, outdoor seating areas, bike lanes, landscaping, and public art.

Downtown's current condition is not attractive for people to park and walk to the different shops and businesses. There is a strong sense of vulnerability walking along the street to the different businesses downtown.

A walkable downtown demonstrates to developers the City's commitment to making a viable business district. This commitment will encourage developers and business owners to take risks by investing in downtown. Part of the job of economic developers and City Staff is to mitigate the risk of failure and one way to accomplish this is to have the necessary infrastructure in place.



- **Ovilla EDC Debt** - The EDC could elect to issue debt to pay for some of the improvements.
- **North Central Texas Council of Governments** - NCTCOG could have funds available to participate in some infrastructure improvements.

1.3.4. Determine phasing of the projects.

It is unlikely the EDC will complete all the improvements at one time, so a phasing of the project will be necessary. Parts of the phasing schedule will be determined by engineering and by the desire of the residents, City Staff, EDC Board, and City Council.

1.3.5. Promote the Vision of the Redevelopment of Downtown

Promoting the vision of downtown redevelopment accomplishes a couple of things. First, it shows the seriousness and commitment of the City and EDC about the redevelopment and success of downtown. This will encourage businesses and developers to invest in Ovilla. Second, it keeps the residents excited and engaged with the city through public meetings and word-of-mouth about all the changes occurring in their city.

There are several promotional vehicles to use in promoting the downtown improvements such as:

- Facebook
- Twitter
- Instagram
- You Tube
- City's Website
- EDC Website, if one is created
- Public relations

leagues. Also, the potential of adding soccer fields becomes a possibility. By adding and improving ballfields the city could host various baseball and softball tournaments.

With the complex near downtown, people attending the tournaments can shop and eat at downtown shops and restaurants. This becomes another mechanism for drawing people to Ovilla to dine, shop and play.

The recommended location for the ballfields is approximately 45 acres on Bryson Lane. This site's location is very attractive and beneficial with:

- It's location to downtown
- The proximity to the new central park and Heritage Park. A hiking, biking and walking trail could loop the downtown area running through all three parks.



Steps for developing ballfields:

1.7.1 Create a non-profit athletic association

This entity will assist in raising funds for the acquisition of land, plans and construction of the ballfield complex. Once construction is completed, the association will run the operations of the fields.

1.7.2 Identify other funding sources

Potential funding sources or combination of sources includes:

- Texas Parks and Wildlife
- EDC funds
 - Cash
 - Debt issue
- Private donations/fund raisers
- City debt
- Other grant programs

1.7.3 Purchase land for ballfields complex

If the 45 acres on Bryson Lane cannot be purchased, there is approximately 20 acres on Ovilla Road just south of the W. Main Street intersection that is a good location for ballfields. Though the site is not large enough to support as much activity as the 45 acres' site, it is still large enough to accommodate youth association league play.

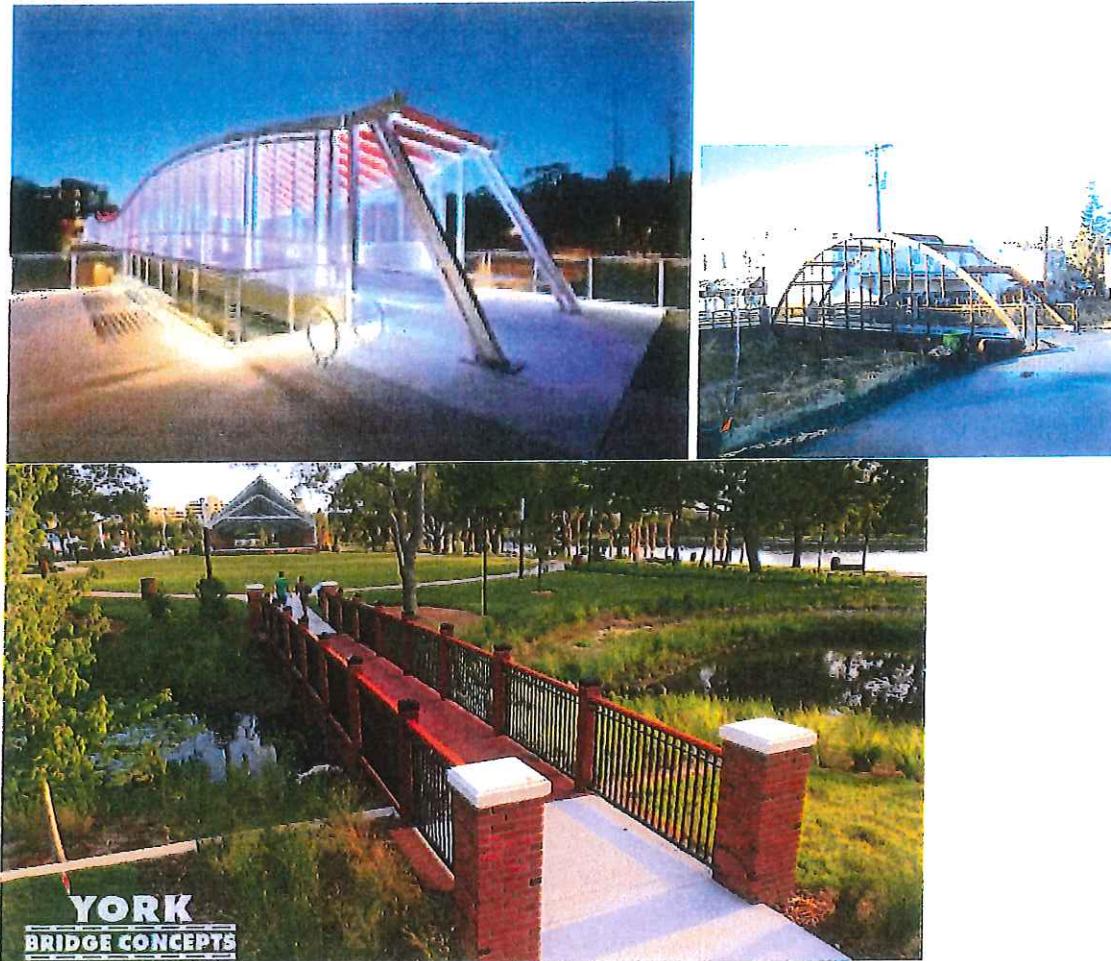
1.7.4 Hire architect/park planner

1.7.5 Begin construction

Once enough funding has been raised, construction on all or a portion of the ball fields can begin.



facing Ovilla Road. These bridges would add an upscale element to the creek walk.



Steps to implementing Action 1.8

1.8.1 Purchase approximately 12-acre commercial site on Ovilla Road

This property is currently for sale and would be the starting point of the creek walk trail on the north end. The purpose of purchasing this property is to ensure a quality development uses access to Ovilla Road and the creek walk trail. Controlling the property allows the EDC to find a partner to build a mixed-use development on the site utilizing its strengths. Owning the property also gives the EDC flexibility on how much it would sell the land to the developer or use it as an incentive.

1.8.2 Hire an engineering firm/park planner to design the creek walk.

The EDC should also explore part(s) of the creek retaining more water so there is always water flowing through the creek.

1.8.3 Explore funding mechanisms to pay for the creek walk.

Funding mechanisms the EDC can use to fund the creek walk are:

- EDC cash
- EDC debt
- City cash
- City debt
- Texas Capital Fund
- Texas Leverage Fund
- Texas Parks and Wildlife Department Grants
- North Central Texas Council of Government Grants

1.8.4 Construct creek walk

Construction of the creek walk can be accomplished in phases or all at one time. The cost of construction and the availability of funds will determine how much and when the creek walk can be completed.

Action 1.9 Purchase additional land for Heritage Park

There is an approximate 1.5-acre tract of land adjacent to Heritage Park that the EDC or City should purchase. The purpose for purchasing the land is to expand Heritage Park and add more active playground equipment. As the plans for the central park are designed, the additional land of Heritage Park gives more flexibility to the amenities offered at both parks.

Action 1.10 Purchase land in the downtown district

One of the most frustrating aspects of economic development is the lack of control of the process. In order to gain more control, the EDC should acquire land and control strategic pieces of property throughout the downtown district. This can be done incrementally as the opportunity or need arises. As the EDC controls more property in the downtown district, partnerships with private developers will be made to develop or redevelop the acquired land. Owning this property can also speed up the timeframe for development and redevelopment. Through a development agreement, the EDC could start a development partnership with the City owned property on the corner of Cockrell Hill and W. Main Street across from City Hall.

Action 2.1 Contact the property owners

It is important to know what the property owners would like to do with this property and what price they are willing to sell the property.

Action 2.2 Create a developer database

Ovilla EDC should create a database of developers to promote the site. Developers such as John Weber Company in Dallas and Trademark Development in Fort Worth are development companies that have strong ties with a multitude of retailers and restaurants that could be a good fit for Ovilla. Both are known for their quality developments that would make any city proud to have one of their projects.

The database can be developed by looking at who is developing in nearby cities, through the International Council of Shopping Centers (ICSC) membership directory, and when a board member, city council member, or city staff sees a development they like, find out who the developer is and add them to the database.

Action 2.3 Determine incentives

The EDC needs to determine what, if any, types of incentives will be offered to potential developers and/or retailers and restaurants. Section 380 grants of rebated sales tax are often a popular incentive tool for a retail project.

Action 2.4 Develop marketing materials

With the database of targeted developers, the EDC will need a marketing brochure on the property to send to prospects.

Action 2.5 Actively market and promote the property

Developers are always looking for projects - it's how they make money and stay in business. The EDC must be aggressive in sending out the marketing material and following up with phone calls.

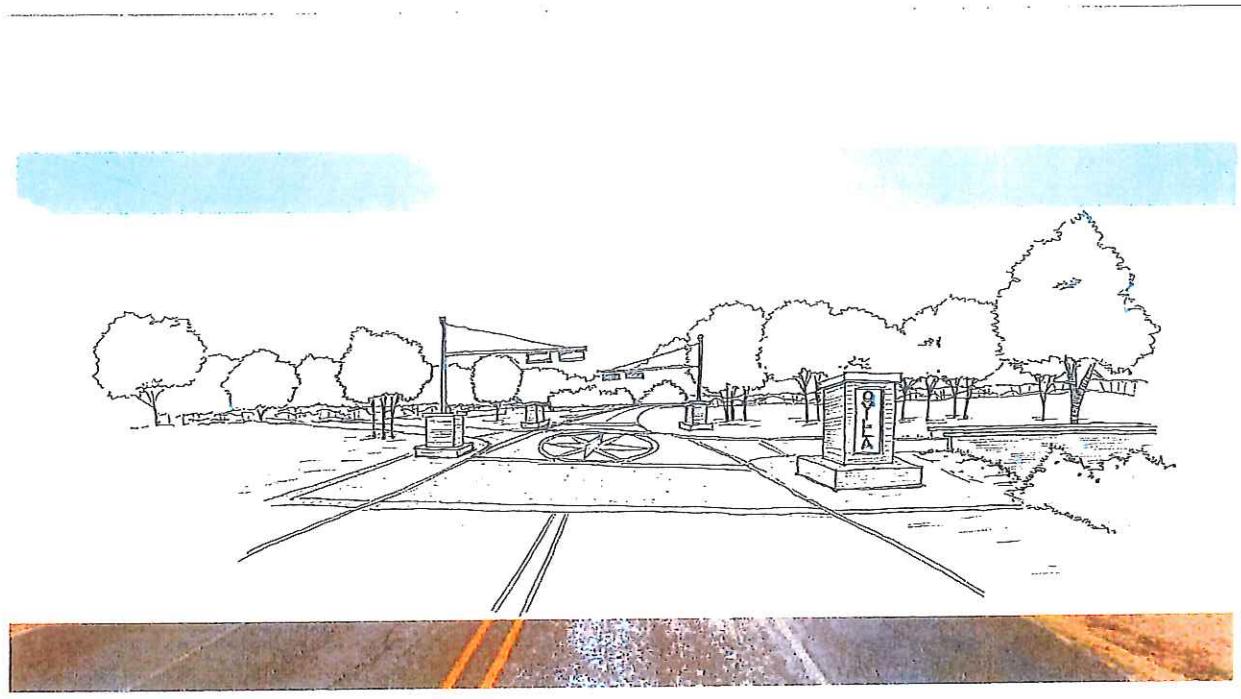
Action 2.6 Attend retail conferences

Every October/November, ICSC has the annual Texas Dealmakers Conference in Dallas. This is a great opportunity for Ovilla to meet with prospective developers to show the property and build relationships with the development community. The EDC will need to join ICSC.

Action 3.2 Intersection Improvements to W. Main Street and Ovilla Road

This intersection is the gateway to the downtown district. It is important that people know this is where downtown is located and to turn on W. Main Street.

Enhancing the intersection with a texture change in the road, decorative signal lights, and an entry feature will upgrade the look and attract attention to downtown. The W. Main Street bridge going into downtown needs to be improved and widened to better accommodate traffic.



Other ways to promote Ovilla are:

- Twitter
- Instagram
- Direct Mail
- Billboards
- You Tube

Action 4.4 Be active in trade organizations

Economic development is a lot about relationships and one of the best way to build relationships is to be active in industry organizations. Such organizations are:

- International Council of Shopping Centers
- Urban Land Institute (ULI)
- Attend retail/restaurant related Bisnow functions
- Dallas Regional Chamber

The EDC should designate either a board member, City Staff or representative to attend meetings and events held by these organizations.

1. **Downtown Revitalization and Main St. Funds** address the objective of eliminating slum or blight conditions in the downtown area of the community by the following objectives. The assistance must be for public infrastructure improvements, which will aid in the elimination of a slum or blighted area.

Downtown Revitalization applicants are non-entitlement general purpose units of local government including cities and counties that are not participating or designated as eligible to participate in the entitlement portion of the federal Community Development Block Grant Program (TxCDBG). Eligible applicants must be an incorporated municipality and not be designated as an official Texas Historical Commission Main Street City.

TxCDBG Eligible Activities include:

- Water System Improvements
- Wastewater System Improvements
- Drainage Improvements
- Housing Rehabilitation
- Gas System Improvements
- Road/Street Improvements
- Fire Protection Facilities Accessibility Improvements to Public Buildings
- Solid Waste Disposal/Landfills/Transfer Stations
- Community/Senior/Social Service Centers
- Shelters for Persons with Special Needs

The city is responsible for the administration and success of the project throughout the term of the contract. All proposed infrastructure improvements to be funded by the TxCDBG Program must be located on public property within the designated downtown district. Typically, a downtown district will meet 2 or more of the following criteria:

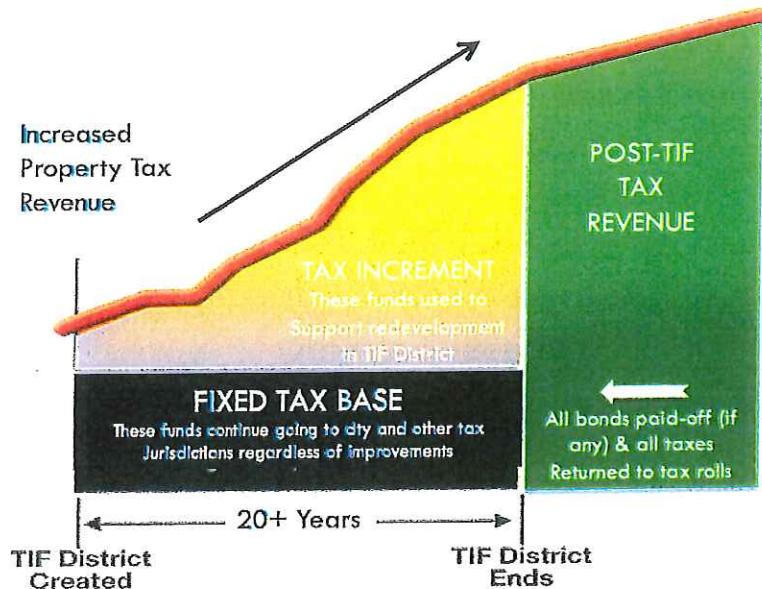
- 1) The city's historic area of commerce
- 2) May be the area around the courthouse or city square;
- 3) Commercial area for the community
- 4) Buildings of historical significance, but not primarily residential
- 5) Must be areas included in or contiguous to the economic center of the community; and
- 6) The retail area for the community that does not include single-family dwellings.

Private Crowd Funding such as Kickstarter

Crowdfunding is a method of raising capital through the collective effort of friends, family, customers, and individual investors. This approach taps into the collective efforts of a large pool of individuals—primarily online via social media and crowdfunding platforms—and leverages their networks for greater reach and exposure.

Tax Increment Financing District

A TIF works within a specified area – a Tax Increment Reinvestment Zone (TIRZ) – to generate economic development funds. A TIF generates funds for development by directing the taxes on increasing property values in the TIRZ towards specific projects within the TIRZ boundary to fund or reimburse infrastructure or other development needs. So as an area within a TIRZ increases in value, the more funds become available to finance development projects. A TIF would be a crucial tool for Ovilla's downtown district and the commercial development site for Westmoreland and Ovilla Rd.



Estimated Timeline for Projects

Appendix A

Demographics

7A

LifeMode Group: Ethnic Enclaves

Up and Coming Families

Households: 2,562,000

Average Household Size: 3.10

Median Age: 30.7

Median Household Income: \$64,000



WHO ARE WE?

Up and Coming Families is a market in transition—residents are younger and more mobile and ethnically diverse than the previous generation. They are ambitious, working hard to get ahead, and willing to take some risks to achieve their goals. The recession has impacted their financial well-being, but they are optimistic. Their homes are new; their families are young. And this is one of the fastest-growing markets in the country.

OUR NEIGHBORHOOD

- New suburban periphery: new families in new housing subdivisions.
- Building began in the housing boom of the 2000s and continues in this fast-growing market.
- Single-family homes with a median value of \$174,000 and a lower vacancy rate.
- The price of affordable housing: longer commute times (Index 116).

SOCIOECONOMIC TRAITS

- Education: 66% have some college education or degree(s).
- Hard-working labor force with a participation rate of 71% (Index 114) and low unemployment at 7% (Index 81).
- Most households (63%) have 2 or more workers.
- Careful shoppers, aware of prices, willing to shop around for the best deals and open to influence by others' opinions.
- Seek the latest and best in technology.
- Young families still feathering the nest and establishing their style.



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Note: The Index represents the ratio of the segment rate to the US rate multiplied by 100. Consumer preferences are estimated from data by GfK MRI. © 2012 Esri. All rights reserved. Esri is a registered trademark of Esri.

7A Up and Coming Families

LifeMode Group: Ethnic Enclaves

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MARKET PROFILE

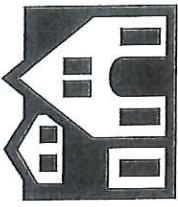
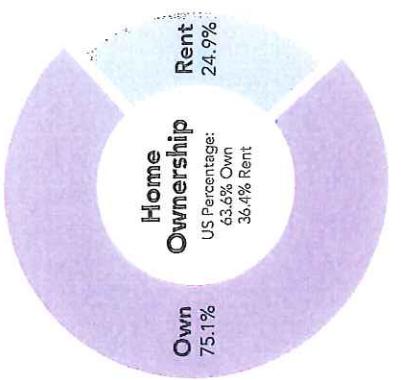
(Consumer preferences are estimated from data by GfK MRI)

- Rely on the Internet for entertainment, information, shopping, and banking.
- Prefer imported SUVs or compact cars, late models.
- Carry debt from credit card balances to student loans and mortgages, but also maintain retirement plans and make charitable contributions.

- Busy with work and family; use home and landscaping services to save time.
- Find leisure in family activities, movies at home, trips to theme parks or the zoo, and sports, from backpacking and baseball to weight lifting and yoga.

HOUSING

Median home value is displayed for markets that are primarily owner occupied; average rent is shown for renter-occupied markets. Tenure and home value are estimated by Esri. Housing type and average rent are from the Census Bureau's American Community Survey.

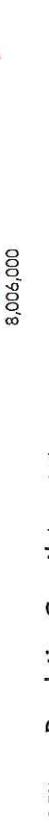


Typical Housing:
Single Family

Median Value:
\$174,000
US Median: \$177,000

POPULATION CHARACTERISTICS

Total population, average annual population change since Census 2010, and average density (population per square mile) are displayed for the market relative to the size and change among all Tapestry markets. Data estimated by Esri.



ESRI INDEXES

Esri developed three indexes to display average household wealth, socioeconomic status, and housing affordability for the market relative to US standards.



LifeMode Group: Affluent Estates

Savvy Suburbanites

1D

Households: 3,543,000

Average Household Size: 2.83

Median Age: 44.1

Median Household Income: \$104,000



WHO ARE WE?

Savvy Suburbanites residents are well educated, well read, and well capitalized. Families include empty nesters and empty nester wannabes, who still have adult children at home. Located in older neighborhoods outside the urban core, their suburban lifestyle includes home remodeling and gardening plus the active pursuit of sports and exercise. They enjoy good food and wine, plus the amenities of the city's cultural events.

OUR NEIGHBORHOOD

- Established neighborhoods (most built between 1970 and 1990) found in the suburban periphery of large metropolitan markets.
- Married couples with no children or older children; average household size is 2.83.
- 91% owner occupied; 71% mortgaged (Index 156).

- Primarily single-family homes, with a median value of \$311,000 (Index 175).
- Low vacancy rate at 4.5%.

SOCIOECONOMIC TRAITS

- Education: 48.1% college graduates; 76.1% with some college education.
- Low unemployment at 5.8% (Index 67); higher labor force participation rate at 68.5% (Index 109) with proportionately more 2-worker households at 65.4%, (Index 122).
- Well-connected consumers that appreciate technology and make liberal use of it for everything from shopping and banking to staying current and communicating.
- Informed shoppers that do their research prior to purchasing and focus on quality.

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Note: The Index represents the ratio of the segment rate to the US rate multiplied by 100.
Consumer preferences are estimated from data by GfK MRI.

1D Savvy Suburbanites

LifeMode Group: Affluent Estates

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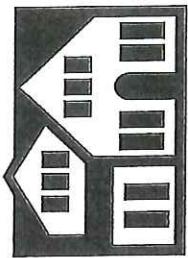
MARKET PROFILE

(Consumer preferences are estimated from data by GfK MRI)

- Residents prefer late model, family-oriented vehicles: SUVs, minivans, and station wagons.
- Gardening and home remodeling are priorities, usually DIY. Riding mowers and power tools are popular, although they also hire contractors for the heavy lifting.
- There is extensive use of housekeeping and personal care services.
- Foodies: They like to cook and prefer natural or organic products.
- These investors are financially active, using a number of resources for informed investing. They are not afraid of debt; many households carry first and second mortgages, plus home equity credit lines.
- Physically fit, residents actively pursue a number of sports, from skiing to golf, and invest heavily in sports gear and exercise equipment.

HOUSING

Median home value is displayed for markets that are primarily owner occupied; average rent is shown for renter-occupied markets. Tenure and home value are estimated by Esri. Housing type and average rent are from the Census Bureau's American Community Survey.



Typical Housing:

Single Family

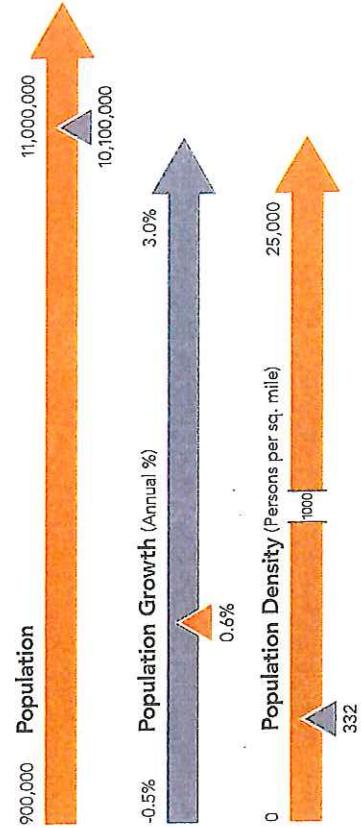
Median Value:

\$311,000

US Median: \$177,000

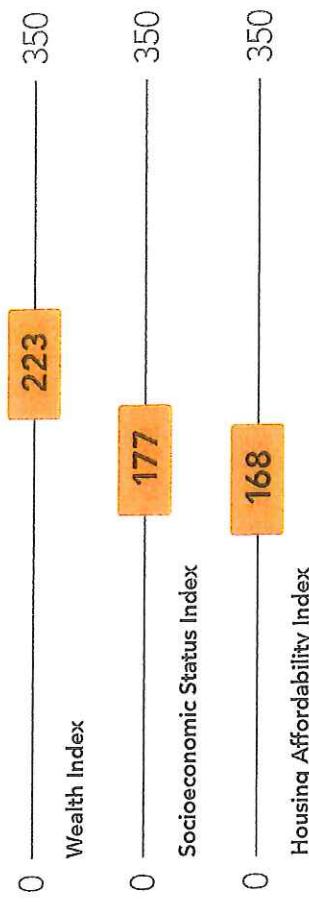
POPULATION CHARACTERISTICS

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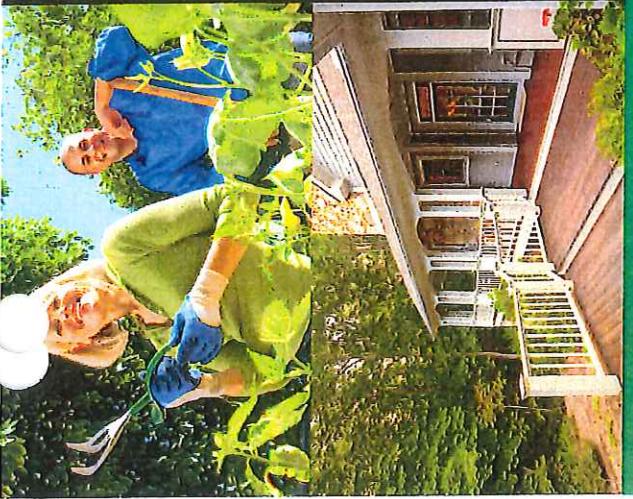
LifeMode Group: Cozy Country Living **Green Acres**

Households: 3,794,000

Average Household Size: 2.69

Median Age: 43.0

Median Household Income: \$72,000



WHO ARE WE?

The Green Acres lifestyle features country living and self-reliance. They are avid do-it-yourselfers, maintaining and remodeling their homes, with all the necessary power tools to accomplish the jobs. Gardening, especially growing vegetables, is also a priority, again with the right tools, tillers, tractors, and riding mowers. Outdoor living also features a variety of sports: hunting and fishing, motorcycling, hiking and camping, and even golf. Self-described conservatives, residents of Green Acres remain pessimistic about the near future yet are heavily invested in it.

OUR NEIGHBORHOOD

- Rural enclaves in metropolitan areas, primarily (not exclusively) older homes with acreage; new housing growth in the past 10 years.
- Single-family, owner-occupied housing, with a median value of \$197,000.
- An older market, primarily married couples, most with no children.

SOCIOECONOMIC TRAITS

- Education: 60% are college educated.
- Unemployment is low at 6% (Index 70); labor force participation rate is high at 67.4% (Index 108).
- Income is derived not only from wages and salaries but also from self-employment (more than 15% of households), investments (30% of households), and increasingly, from retirement.
- They are cautious consumers with a focus on quality and durability.
- Comfortable with technology, more as a tool than a trend: banking or paying bills online is convenient; but the Internet is not viewed as entertainment.
- Economic outlook is professed as pessimistic, but consumers are comfortable with debt, primarily as home and auto loans, and investments.

Note: The Index represents the ratio of the segment rate to the US rate multiplied by 100.
Consumer preferences are estimated from data by GfK MRI.



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6A Green Acres

LifeMode Group: Cozy Country Living



MARKET PROFILE

(Consumer preferences are estimated from data by GfK MRI)

- Purchasing choices reflect Green Acres' residents country life, including a variety of vehicles from trucks and SUVs to ATVs and motorcycles, preferably late model.
- Homeowners favor DIY home improvement projects and gardening.
- Media of choice are provided by satellite service, radio, and television, also with an emphasis on country and home and garden.
- Green Acres residents pursue physical fitness vigorously, from working out on home exercise equipment to playing a variety of sports.
- Residents are active in their communities and a variety of social organizations, from fraternal orders to veterans' clubs.

HOUSING

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Typical Housing:

Single Family

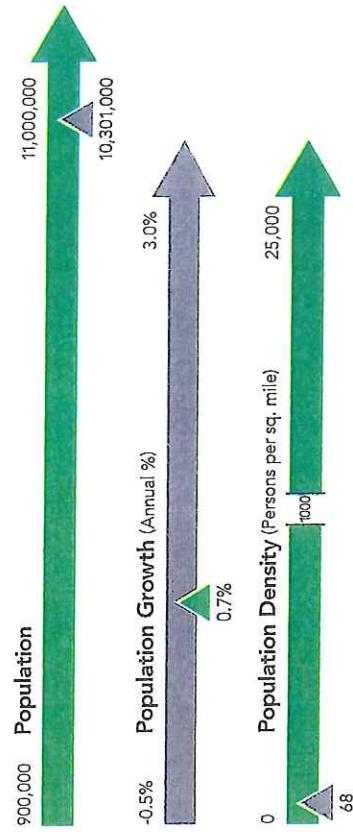
Median Value:

\$197,000

US Median: \$177,000

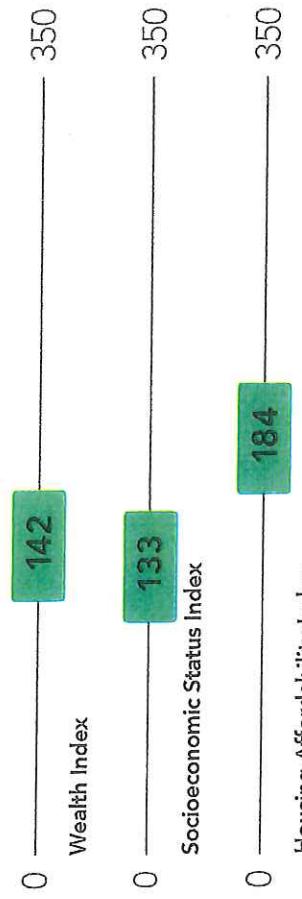
POPULATION CHARACTERISTICS

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LifeMode Group: Family Landscapes

Soccer Moms

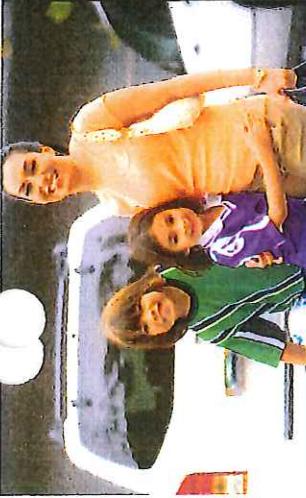
4A

Households: 3,327,000

Average Household Size: 2.96

Median Age: 36.6

Median Household Income: \$84,000



WHO ARE WE?

Soccer Moms is an affluent, family-oriented market with a country flavor. Residents are partial to new housing away from the bustle of the city but close enough to commute to professional job centers. Life in this suburban wilderness offsets the hectic pace of two working parents with growing children. They favor time-saving devices, like banking online or housekeeping services, and family-oriented pursuits.

OUR NEIGHBORHOOD

- Soccer Moms residents prefer the suburban periphery of metropolitan areas.
- Predominantly single family, homes are in newer neighborhoods, 36% built in the 1990s (Index 253), 31% built since 2000.
- Owner-occupied homes have high rate of mortgages at 74% (Index 163), and low rate vacancy at 5%.
- Median home value is \$226,000.
- Most households are married couples with children; average household size is 2.96.
- Most households have 2 or 3 vehicles; long travel time to work including a disproportionate number commuting from a different county (Index 133).

SOCIOECONOMIC TRAITS

- Education: 37.7% college graduates; more than 70% with some college education.
- Low unemployment at 5.9%; high labor force participation rate at 72%; 2 out of 3 households include 2+ workers (Index 124).
- Connected, with a host of wireless devices from iPods to tablets—anything that enables convenience, like banking, paying bills, or even shopping online.
- Well insured and invested in a range of funds, from savings accounts or bonds to stocks.
- Carry a higher level of debt, including first (Index 159) and second mortgages (Index 154) and auto loans (Index 151).



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Note: The Index represents the ratio of the segment rate to the US rate multiplied by 100. Consumer preferences are estimated from data by GfK MRI.

4A Soccer Moms

LifeMode Group: Family Landscapes

TAPESTRY SEGMENTATION

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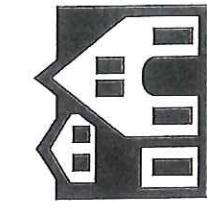
MARKET PROFILE

(Consumer preferences are estimated from data by GfK MRI)

- Most households own at least 2 vehicles; the most popular types are minivans and SUVs.
- Family-oriented purchases and activities dominate, like 4+ televisions (Index 165), movie purchases or rentals, children's apparel and toys, and visits to theme parks or zoos.
- Outdoor activities and sports are characteristic of life in the suburban periphery, like bicycling, jogging, golfing, boating, and target shooting.
- Home maintenance services are frequently contracted, but these families also like their gardens and own the tools for minor upkeep, like riding mowers and tillers.

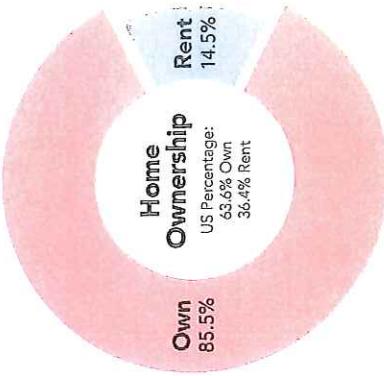
HOUSING

Median home value is displayed for markets that are primarily owner occupied; average rent is shown for renter-occupied markets. Tenure and home value are estimated by Esri. Housing type and average rent are from the Census Bureau's American Community Survey.



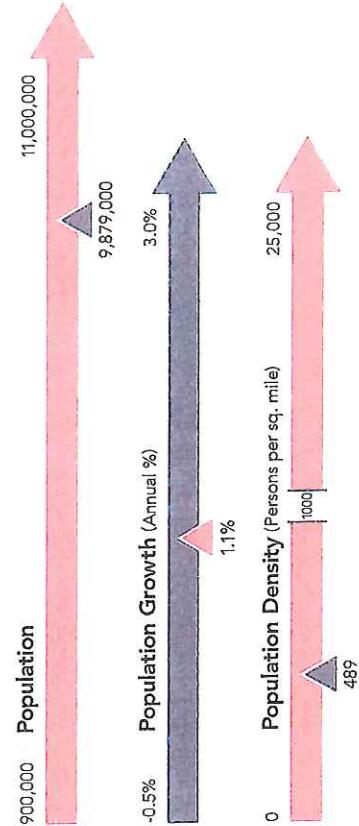
Typical Housing:
Single Family

Median Value:
\$226,000
US Median: \$177,000



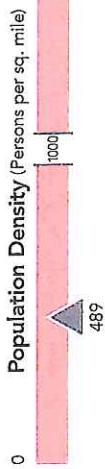
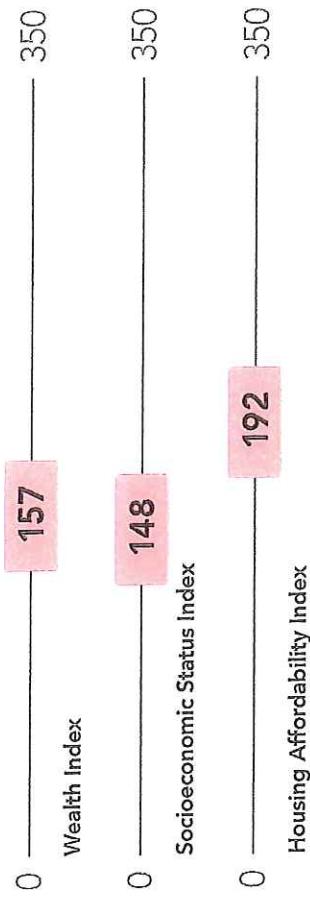
POPULATION CHARACTERISTICS

Total population, average annual population change since Census 2010, and average density (population per square mile) are displayed for the market relative to the size and change among all Tapestry markets. Data estimated by Esri.



ESRI INDEXES

Esri developed three indexes to display average household wealth, socioeconomic status, and housing affordability for the market relative to US standards.



489



Demographic and Income Profile

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

Summary	Census 2010	2016	2021	
Population	17,401	20,485	22,672	
Households	5,680	6,632	7,312	
Families	4,912	5,719	6,293	
Average Household Size	3.06	3.09	3.10	
Owner Occupied Housing Units	5,136	5,899	6,475	
Renter Occupied Housing Units	544	733	837	
Median Age	37.8	39.1	38.8	
Trends: 2016 - 2021 Annual Rate	Area	State	National	
Population	2.05%	1.63%	0.84%	
Households	1.97%	1.58%	0.79%	
Families	1.93%	1.52%	0.72%	
Owner HHs	1.88%	1.52%	0.73%	
Median Household Income	1.77%	1.86%	1.89%	
		2016	2021	
Households by Income		Number	Percent	
<\$15,000		254	3.8%	
\$15,000 - \$24,999		233	3.5%	
\$25,000 - \$34,999		289	4.4%	
\$35,000 - \$49,999		486	7.3%	
\$50,000 - \$74,999		1,130	17.0%	
\$75,000 - \$99,999		1,377	20.8%	
\$100,000 - \$149,999		1,531	23.1%	
\$150,000 - \$199,999		675	10.2%	
\$200,000+		658	9.9%	
Median Household Income		\$89,808	\$98,032	
Average Household Income		\$111,521	\$120,944	
Per Capita Income		\$36,488	\$39,421	
	Census 2010	2016	2021	
Population by Age	Number	Percent	Number	Percent
0 - 4	975	5.6%	1,131	5.5%
5 - 9	1,342	7.7%	1,327	6.5%
10 - 14	1,734	10.0%	1,714	8.4%
15 - 19	1,520	8.7%	1,666	8.1%
20 - 24	758	4.4%	1,291	6.3%
25 - 34	1,648	9.5%	2,102	10.3%
35 - 44	2,699	15.5%	2,743	13.4%
45 - 54	3,097	17.8%	3,398	16.6%
55 - 64	2,122	12.2%	2,898	14.1%
65 - 74	1,026	5.9%	1,551	7.6%
75 - 84	379	2.2%	531	2.6%
85+	100	0.6%	131	0.6%
	Census 2010	2016	2021	
Race and Ethnicity	Number	Percent	Number	Percent
White Alone	14,079	80.9%	16,092	78.6%
Black Alone	2,087	12.0%	2,673	13.0%
American Indian Alone	97	0.6%	137	0.7%
Asian Alone	145	0.8%	225	1.1%
Pacific Islander Alone	6	0.0%	11	0.1%
Some Other Race Alone	653	3.8%	874	4.3%
Two or More Races	334	1.9%	471	2.3%
Hispanic Origin (Any Race)	2,190	12.6%	2,937	14.3%

Data Note: Income is expressed in current dollars.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2016 and 2021.

Population

2000 Population	11,026
2010 Population	17,401
2016 Population	20,485
2021 Population	22,672
2000-2010 Annual Rate	4.67%
2010-2016 Annual Rate	2.65%
2016-2021 Annual Rate	2.05%
2016 Male Population	49.4%
2016 Female Population	50.6%
2016 Median Age	39.1

In the identified area, the current year population is 20,485. In 2010, the Census count in the area was 17,401. The rate of change since 2010 was 2.65% annually. The five-year projection for the population in the area is 22,672 representing a change of 2.05% annually from 2016 to 2021. Currently, the population is 49.4% male and 50.6% female.

Median Age

The median age in this area is 39.1, compared to U.S. median age of 38.0.

Race and Ethnicity

2016 White Alone	78.6%
2016 Black Alone	13.0%
2016 American Indian/Alaska Native Alone	0.7%
2016 Asian Alone	1.1%
2016 Pacific Islander Alone	0.1%
2016 Other Race	4.3%
2016 Two or More Races	2.3%
2016 Hispanic Origin (Any Race)	14.3%

Persons of Hispanic origin represent 14.3% of the population in the identified area compared to 17.9% of the U.S. population. Persons of Hispanic Origin may be of any race. The Diversity Index, which measures the probability that two people from the same area will be from different race/ethnic groups, is 52.1 in the identified area, compared to 63.5 for the U.S. as a whole.

Households

2000 Households	3,585
2010 Households	5,680
2016 Total Households	6,632
2021 Total Households	7,312
2000-2010 Annual Rate	4.71%
2010-2016 Annual Rate	2.51%
2016-2021 Annual Rate	1.97%
2016 Average Household Size	3.09

The household count in this area has changed from 5,680 in 2010 to 6,632 in the current year, a change of 2.51% annually. The five-year projection of households is 7,312, a change of 1.97% annually from the current year total. Average household size is currently 3.09, compared to 3.06 in the year 2010. The number of families in the current year is 5,719 in the specified area.



Household Budget Expenditures

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

Demographic Summary

		2016	2021
Population		20,485	22,672
Households		6,632	7,312
Families		5,719	6,293
Median Age		39.1	38.8
Median Household Income		\$89,808	\$98,032

	Spending Potential Index	Average Amount Spent	2016	2021
			Total	Percent
Total Expenditures	142	\$93,697.69	\$621,403,112	100.0%
Food	137	\$11,032.80	\$73,169,533	11.8%
Food at Home	134	\$6,670.79	\$44,240,684	7.1%
Food Away from Home	141	\$4,362.01	\$28,928,850	4.7%
Alcoholic Beverages	140	\$715.83	\$4,747,417	0.8%
Housing	140	\$28,551.06	\$189,350,625	30.5%
Shelter	141	\$22,002.07	\$145,917,724	23.5%
Utilities, Fuel and Public Services	134	\$6,548.99	\$43,432,901	7.0%
Household Operations	148	\$2,544.88	\$16,877,662	2.7%
Housekeeping Supplies	137	\$964.32	\$6,395,367	1.0%
Household Furnishings and Equipment	145	\$2,566.44	\$17,020,619	2.7%
Apparel and Services	141	\$2,832.81	\$18,787,165	3.0%
Transportation	138	\$11,141.17	\$73,888,264	11.9%
Travel	154	\$2,866.95	\$19,013,586	3.1%
Health Care	139	\$7,357.68	\$48,796,144	7.9%
Entertainment and Recreation	143	\$4,165.44	\$27,625,170	4.4%
Personal Care Products & Services	142	\$1,040.59	\$6,901,169	1.1%
Education	146	\$2,068.59	\$13,718,870	2.2%
Smoking Products	110	\$448.78	\$2,976,307	0.5%
Lotteries & Pari-mutuel Losses	130	\$81.91	\$543,216	0.1%
Legal Fees	139	\$216.93	\$1,438,695	0.2%
Funeral Expenses	114	\$98.07	\$650,384	0.1%
Safe Deposit Box Rentals	134	\$5.26	\$34,876	0.0%
Checking Account/Banking Service Charges	123	\$40.90	\$271,272	0.0%
Cemetery Lots/Vaults/Maintenance Fees	139	\$14.41	\$95,567	0.0%
Accounting Fees	146	\$130.93	\$868,317	0.1%
Miscellaneous Personal Services/Advertising/Fine	151	\$91.05	\$603,874	0.1%
Occupational Expenses	152	\$102.05	\$676,777	0.1%
Expenses for Other Properties	183	\$252.59	\$1,675,207	0.3%
Credit Card Membership Fees	143	\$5.51	\$36,562	0.0%
Shopping Club Membership Fees	154	\$25.65	\$170,107	0.0%
Support Payments/Cash Contributions/Gifts in Kind	144	\$3,337.59	\$22,134,877	3.6%
Life/Other Insurance	149	\$617.62	\$4,096,047	0.7%
Pensions and Social Security	153	\$10,379.89	\$68,839,436	11.1%

Data Note: The Spending Potential Index (SPI) is household-based, and represents the amount spent for a product or service relative to a national average of 100. Detail may not sum to totals due to rounding.

Source: Esri forecasts for 2016 and 2021; Consumer Spending data are derived from the 2013 and 2014 Consumer Expenditure Surveys, Bureau of Labor Statistics.



House and Home Expenditures

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

	Spending Potential Index	Average Amount Spent	Total
Utilities, Fuels, Public Services			
Bottled Gas	134	\$6,548.99	\$43,432,901
Electricity	108	\$73.26	\$485,832
Fuel Oil	130	\$2,423.79	\$16,074,592
Natural Gas	113	\$121.69	\$807,018
Phone Services	141	\$747.37	\$4,956,568
Water and Other Public Services	134	\$2,193.02	\$14,544,102
Coal/Wood/Other Fuel	148	\$978.97	\$6,492,508
Housekeeping Supplies			
Laundry and Cleaning Supplies	100	\$10.90	\$72,281
Postage and Stationery	137	\$964.32	\$6,395,367
Other HH Products (2)	132	\$253.42	\$1,680,675
Household Textiles			
Bathroom Linens	140	\$240.99	\$1,598,255
Bedroom Linens	138	\$469.91	\$3,116,436
Kitchen, Dining Room and other Linens	142	\$124.03	\$822,582
Curtains and Draperies	138	\$17.73	\$117,582
Slipcovers, Decorative Pillows	144	\$64.46	\$427,486
Furniture			
Mattresses and Box Springs	157	\$11.93	\$79,144
Other Bedroom Furniture	144	\$22.87	\$151,689
Sofas	140	\$7.04	\$46,681
Living Room Chairs	144	\$712.21	\$4,723,406
Living Room Tables	146	\$124.99	\$828,962
Kitchen, Dining Room Furniture	139	\$118.69	\$787,164
Infant Furniture	140	\$187.28	\$1,242,026
Outdoor Furniture	143	\$62.76	\$416,237
Wall Units, Cabinets, Other Furniture (3)	146	\$21.38	\$141,764
Major Appliances			
Clothes Washers & Dryers	152	\$62.10	\$411,849
Cooking Stoves and Ovens	146	\$16.73	\$110,959
Microwave Ovens	162	\$46.69	\$309,676
Dishwashers and Disposals	154	\$71.59	\$474,769
Refrigerators and Freezers	149	\$421.33	\$2,794,287
Window Air Conditioners	160	\$39.97	\$265,052
Electric Floor Cleaning Equipment	151	\$120.99	\$802,383
Sewing Machines and Miscellaneous Appliances	147	\$109.01	\$722,969
	154	\$62.21	\$412,587
	129	\$22.08	\$146,426
	127	\$9.47	\$62,832
	148	\$31.47	\$208,696
	146	\$26.14	\$173,341

Data Note: The Spending Potential Index (SPI) is household-based, and represents the amount spent for a product or service relative to a national average of 100. Detail may not sum to totals due to rounding.

Source: Esri forecasts for 2016 and 2021; Consumer Spending data are derived from the 2013 and 2014 Consumer Expenditure Surveys, Bureau of Labor Statistics.



Market Profile

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

Population Summary

2000 Total Population	11,026
2010 Total Population	17,401
2016 Total Population	20,485
2016 Group Quarters	5
2021 Total Population	22,672
2016-2021 Annual Rate	2.05%
2016 Total Daytime Population	11,445
Workers	1,675
Residents	9,770

Household Summary

2000 Households	3,585
2000 Average Household Size	3.08
2010 Households	5,680
2010 Average Household Size	3.06
2016 Households	6,632
2016 Average Household Size	3.09
2021 Households	7,312
2021 Average Household Size	3.10
2016-2021 Annual Rate	1.97%
2010 Families	4,912
2010 Average Family Size	3.28
2016 Families	5,719
2016 Average Family Size	3.32
2021 Families	6,293
2021 Average Family Size	3.33
2016-2021 Annual Rate	1.93%

Housing Unit Summary

2000 Housing Units	3,687
Owner Occupied Housing Units	88.9%
Renter Occupied Housing Units	8.4%
Vacant Housing Units	2.8%
2010 Housing Units	5,931
Owner Occupied Housing Units	86.6%
Renter Occupied Housing Units	9.2%
Vacant Housing Units	4.2%
2016 Housing Units	6,860
Owner Occupied Housing Units	86.0%
Renter Occupied Housing Units	10.7%
Vacant Housing Units	3.3%
2021 Housing Units	7,561
Owner Occupied Housing Units	85.6%
Renter Occupied Housing Units	11.1%
Vacant Housing Units	3.3%

Median Household Income

2016	\$89,808
2021	\$98,032

Median Home Value

2016	\$213,774
2021	\$230,689

Per Capita Income

2016	\$36,488
2021	\$39,421

Median Age

2010	37.8
2016	39.1
2021	38.8

Data Note: Household population includes persons not residing in group quarters. Average Household Size is the household population divided by total households. Persons in families include the householder and persons related to the householder by birth, marriage, or adoption. Per Capita Income represents the income received by all persons aged 15 years and over divided by the total population.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2016 and 2021. Esri converted Census 2000 data into 2010 geography.

2010 Population by Age

Total	17,404
0 - 4	5.6%
5 - 9	7.7%
10 - 14	10.0%
15 - 24	13.1%
25 - 34	9.5%
35 - 44	15.5%
45 - 54	17.8%
55 - 64	12.2%
65 - 74	5.9%
75 - 84	2.2%
85 +	0.6%
18 +	70.8%

2016 Population by Age

Total	20,483
0 - 4	5.5%
5 - 9	6.5%
10 - 14	8.4%
15 - 24	14.4%
25 - 34	10.3%
35 - 44	13.4%
45 - 54	16.6%
55 - 64	14.1%
65 - 74	7.6%
75 - 84	2.6%
85 +	0.6%
18 +	74.6%

2021 Population by Age

Total	22,672
0 - 4	5.7%
5 - 9	6.0%
10 - 14	7.2%
15 - 24	13.0%
25 - 34	13.5%
35 - 44	12.3%
45 - 54	14.3%
55 - 64	14.5%
65 - 74	9.1%
75 - 84	3.6%
85 +	0.8%
18 +	76.6%

2010 Population by Sex

Males	8,618
Females	8,783

2016 Population by Sex

Males	10,120
Females	10,364

2021 Population by Sex

Males	11,187
Females	11,485



Market Profile

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

2016 Population 25+ by Educational Attainment

Total	13,355
Less than 9th Grade	3.3%
9th - 12th Grade, No Diploma	4.8%
High School Graduate	20.1%
GED/Alternative Credential	4.0%
Some College, No Degree	27.9%
Associate Degree	7.3%
Bachelor's Degree	22.6%
Graduate/Professional Degree	10.1%

2016 Population 15+ by Marital Status

Total	16,312
Never Married	23.7%
Married	65.4%
Widowed	2.7%
Divorced	8.2%

2016 Civilian Population 16+ in Labor Force

Civilian Employed	97.3%
Civilian Unemployed	2.7%

2016 Employed Population 16+ by Industry

Total	10,898
Agriculture/Mining	2.2%
Construction	8.1%
Manufacturing	9.7%
Wholesale Trade	2.5%
Retail Trade	12.6%
Transportation/Utilities	5.3%
Information	2.5%
Finance/Insurance/Real Estate	9.7%
Services	42.2%
Public Administration	5.2%

2016 Employed Population 16+ by Occupation

Total	10,899
White Collar	68.1%
Management/Business/Financial	18.7%
Professional	20.5%
Sales	13.2%
Administrative Support	15.6%
Services	12.1%
Blue Collar	19.8%
Farming/Forestry/Fishing	1.0%
Construction/Extraction	5.9%
Installation/Maintenance/Repair	4.2%
Production	3.8%
Transportation/Material Moving	5.0%

2010 Population By Urban/ Rural Status

Total Population	17,401
Population Inside Urbanized Area	88.5%
Population Inside Urbanized Cluster	0.0%
Rural Population	11.5%

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2016 and 2021 Esri converted Census 2000 data into 2010 geography.



Market Profile

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

Top 3 Tapestry Segments

1. Up and Coming Families
2. Savvy Suburbanites (1D)
3. Green Acres (6A)

2016 Consumer Spending

Apparel & Services: Total \$	\$18,787,165
Average Spent	\$2,832.81
Spending Potential Index	141
Education: Total \$	\$13,718,870
Average Spent	\$2,068.59
Spending Potential Index	146
Entertainment/Recreation: Total \$	\$27,625,170
Average Spent	\$4,165.44
Spending Potential Index	143
Food at Home: Total \$	\$44,240,684
Average Spent	\$6,670.79
Spending Potential Index	134
Food Away from Home: Total \$	\$28,928,850
Average Spent	\$4,362.01
Spending Potential Index	141
Health Care: Total \$	\$48,796,144
Average Spent	\$7,357.68
Spending Potential Index	139
HH Furnishings & Equipment: Total \$	\$17,020,619
Average Spent	\$2,566.44
Spending Potential Index	145
Personal Care Products & Services: Total \$	\$6,901,169
Average Spent	\$1,040.59
Spending Potential Index	142
Shelter: Total \$	\$145,917,724
Average Spent	\$22,002.07
Spending Potential Index	141
Support Payments/Cash Contributions/Gifts in Kind: Total \$	\$22,134,877
Average Spent	\$3,337.59
Spending Potential Index	144
Travel: Total \$	\$19,013,586
Average Spent	\$2,866.95
Spending Potential Index	154
Vehicle Maintenance & Repairs: Total \$	\$9,576,981
Average Spent	\$1,444.06
Spending Potential Index	139

Data Note: Consumer spending shows the amount spent on a variety of goods and services by households that reside in the area. Expenditures are shown by broad budget categories that are not mutually exclusive. Consumer spending does not equal business revenue. Total and Average Amount Spent Per Household represent annual figures. The Spending Potential Index represents the amount spent in the area relative to a national average of 100.

Source: Consumer Spending data are derived from the 2013 and 2014 Consumer Expenditure Surveys, Bureau of Labor Statistics. Esri.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2016 and 2021. Esri converted Census 2000 data into 2010 geography.



Restaurant Market Potential

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

Demographic Summary

	2016	2021
Population	20,485	22,672
Population 18+	15,277	17,356
Households	6,632	7,312
Median Household Income	\$89,808	\$98,032

Product/Consumer Behavior

	Expected Number of Adults	Percent	MPI
Went to family restaurant/steak house in last 6 mo	12,455	81.5%	109
Went to family restaurant/steak house 4+ times/mo	4,790	31.4%	114
Spent at family rest/steak hse last 6 months: <\$31	854	5.6%	79
Spent at family rest/steak hse last 6 months: \$31-50	1,242	8.1%	99
Spent at family rest/steak hse last 6 months: \$51-100	2,467	16.1%	107
Spent at family rest/steak hse last 6 months: \$101-200	2,345	15.3%	129
Spent at family rest/steak hse last 6 months: \$201-300	1,176	7.7%	142
Spent at family rest/steak hse last 6 months: \$301+	1,629	10.7%	145
Family restaurant/steak house last 6 months: breakfast	2,110	13.8%	110
Family restaurant/steak house last 6 months: lunch	3,129	20.5%	109
Family restaurant/steak house last 6 months: dinner	8,692	56.9%	122
Family restaurant/steak house last 6 months: snack	223	1.5%	77
Family restaurant/steak house last 6 months: weekday	5,556	36.4%	120
Family restaurant/steak house last 6 months: weekend	7,597	49.7%	120
Fam rest/steak hse/6 months: Applebee's	3,981	26.1%	110
Fam rest/steak hse/6 months: Bob Evans Farms	538	3.5%	96
Fam rest/steak hse/6 months: Buffalo Wild Wings	1,732	11.3%	133
Fam rest/steak hse/6 months: California Pizza Kitchen	633	4.1%	123
Fam rest/steak hse/6 months: Carrabba's Italian Grill	690	4.5%	145
Fam rest/steak hse/6 months: The Cheesecake Factory	1,338	8.8%	134
Fam rest/steak hse/6 months: Chili's Grill & Bar	2,505	16.4%	135
Fam rest/steak hse/6 months: CiCi's Pizza	538	3.5%	90
Fam rest/steak hse/6 months: Cracker Barrel	1,838	12.0%	120
Fam rest/steak hse/6 months: Denny's	1,372	9.0%	97
Fam rest/steak hse/6 months: Golden Corral	1,043	6.8%	85
Fam rest/steak hse/6 months: IHOP	2,033	13.3%	119
Fam rest/steak hse/6 months: Logan's Roadhouse	489	3.2%	94
Fam rest/steak hse/6 months: LongHorn Steakhouse	979	6.4%	134
Fam rest/steak hse/6 months: Old Country Buffet	236	1.5%	89
Fam rest/steak hse/6 months: Olive Garden	3,404	22.3%	129
Fam rest/steak hse/6 months: Outback Steakhouse	1,990	13.0%	137
Fam rest/steak hse/6 months: Red Lobster	2,052	13.4%	112
Fam rest/steak hse/6 months: Red Robin	1,454	9.5%	156
Fam rest/steak hse/6 months: Ruby Tuesday	1,082	7.1%	117
Fam rest/steak hse/6 months: Texas Roadhouse	1,632	10.7%	141
Fam rest/steak hse/6 months: T.G.I. Friday's	1,288	8.4%	112
Fam rest/steak hse/6 months: Waffle House	781	5.1%	97
Went to fast food/drive-in restaurant in last 6 mo	14,073	92.1%	102
Went to fast food/drive-in restaurant 9+ times/mo	6,584	43.1%	109
Spent at fast food/drive-in last 6 months: <\$11	563	3.7%	86
Spent at fast food/drive-in last 6 months: \$11-\$20	941	6.2%	83
Spent at fast food/drive-in last 6 months: \$21-\$40	1,700	11.1%	94
Spent at fast food/drive-in last 6 months: \$41-\$50	1,161	7.6%	101
Spent at fast food/drive-in last 6 months: \$51-\$100	2,743	18.0%	108
Spent at fast food/drive-in last 6 months: \$101-\$200	2,127	13.9%	116
Spent at fast food/drive-in last 6 months: \$201+	2,370	15.5%	128

Data Note: An MPI (Market Potential Index) measures the relative likelihood of the adults in the specified trade area to exhibit certain consumer behavior or purchasing patterns compared to the U.S. An MPI of 100 represents the U.S. average.

Source: These data are based upon national propensities to use various products and services, applied to local demographic composition. Usage data were collected by GfK MRI in a nationally representative survey of U.S. households. Esri forecasts for 2016 and 2021.



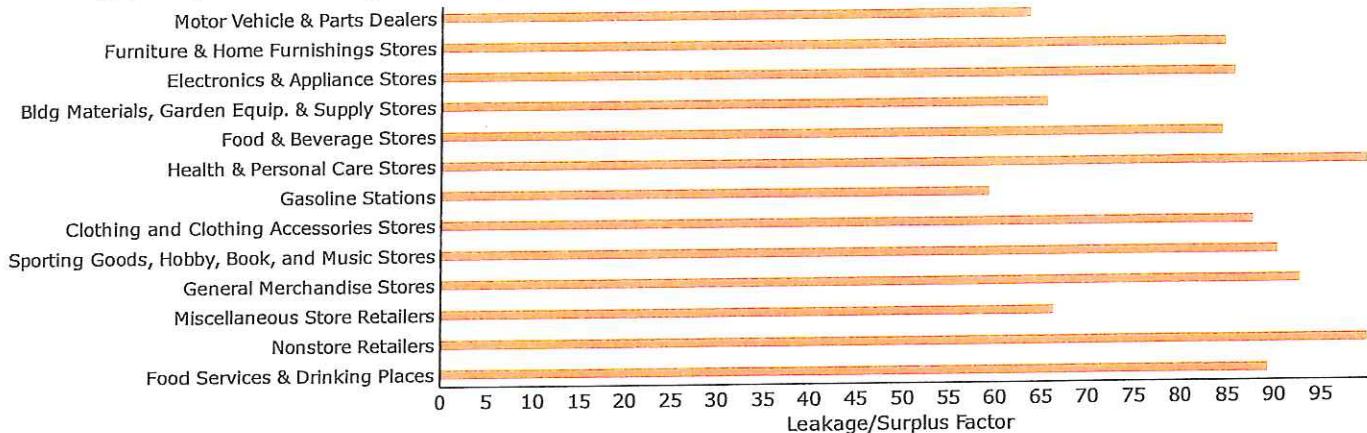
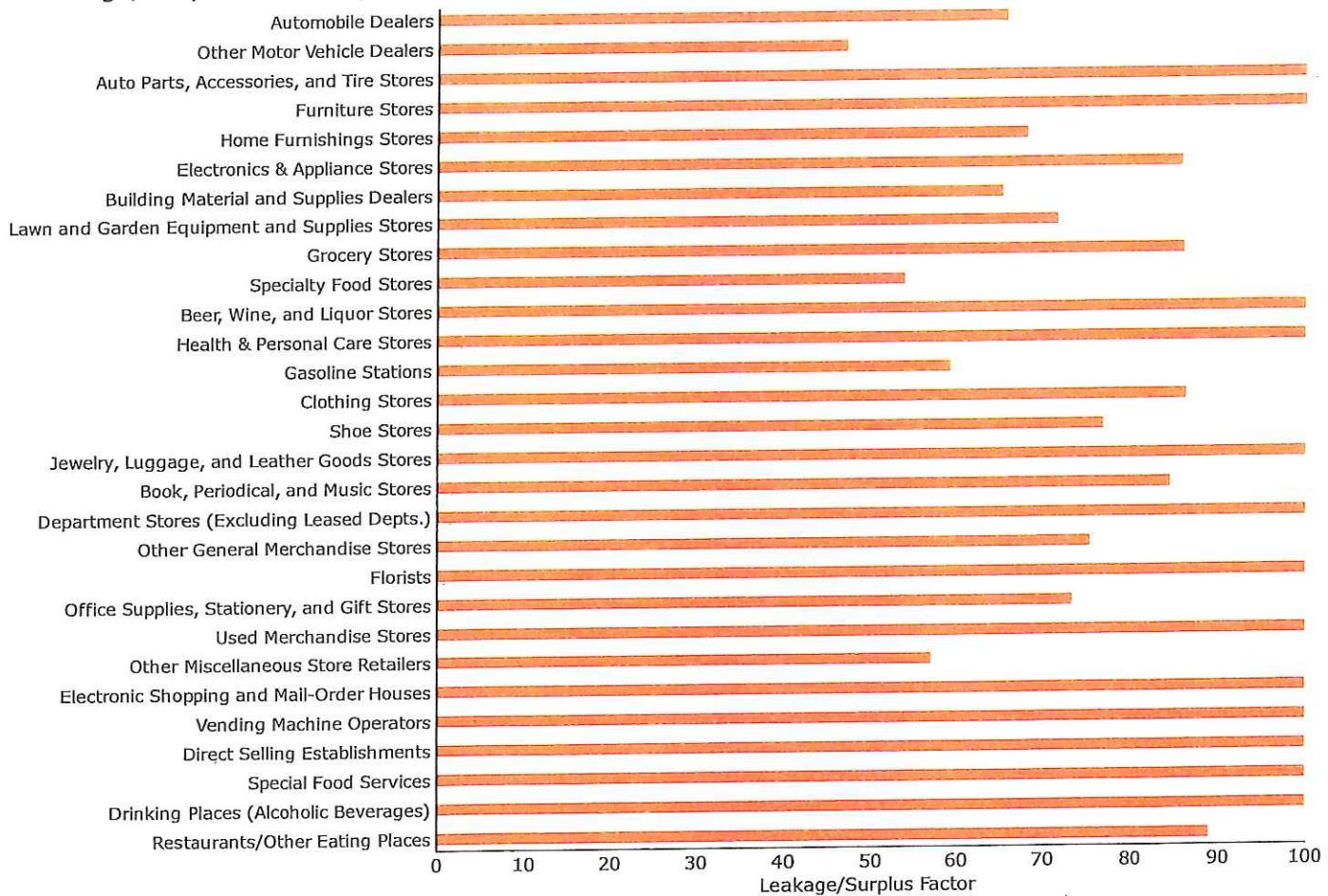
Restaurant Market Potential

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

Went to fine dining restaurant last month	2,286	15.0%	133
Went to fine dining restaurant 3+ times last month	550	3.6%	115
Spent at fine dining rest in last 6 months: <\$51	342	2.2%	110
Spent at fine dining rest in last 6 months: \$51-\$100	647	4.2%	115
Spent at fine dining rest in last 6 months: \$101-\$200	805	5.3%	142
Spent at fine dining rest in last 6 months: \$201+	809	5.3%	134

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Source: These data are based upon national propensities to use various products and services, applied to local demographic composition. Usage data were collected by GfK MRI in a nationally representative survey of U.S. households. Esri forecasts for 2016 and 2021.

Leakage/Surplus Factor by Industry Subsector

Leakage/Surplus Factor by Industry Group




Retail Market Potential

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

Product/Consumer Behavior	Expected Number of Adults/HHs	Percent of Adults/HHs	MPI
Convenience Stores (Adults)			
Shopped at convenience store in last 6 mos	8,529	55.8%	110
Bought brewed coffee at convenience store in last 30 days	2,456	16.1%	102
Bought cigarettes at convenience store in last 30 days	1,310	8.6%	69
Bought gas at convenience store in last 30 days	5,365	35.1%	106
Spent at convenience store in last 30 days: <\$20	1,469	9.6%	119
Spent at convenience store in last 30 days: \$20-\$39	1,443	9.4%	104
Spent at convenience store in last 30 days: \$40-\$50	1,213	7.9%	104
Spent at convenience store in last 30 days: \$51-\$99	652	4.3%	96
Spent at convenience store in last 30 days: \$100+	3,421	22.4%	98
Entertainment (Adults)			
Attended a movie in last 6 months	10,339	67.7%	114
Went to live theater in last 12 months	2,341	15.3%	118
Went to a bar/night club in last 12 months	2,804	18.4%	110
Dined out in last 12 months	8,250	54.0%	120
Gambled at a casino in last 12 months	2,516	16.5%	120
Visited a theme park in last 12 months	3,622	23.7%	135
Viewed movie (video-on-demand) in last 30 days	3,424	22.4%	132
Viewed TV show (video-on-demand) in last 30 days	2,522	16.5%	128
Watched any pay-per-view TV in last 12 months	2,567	16.8%	128
Downloaded a movie over the Internet in last 30 days	1,175	7.7%	107
Downloaded any individual song in last 6 months	3,825	25.0%	123
Watched a movie online in the last 30 days	2,473	16.2%	101
Watched a TV program online in last 30 days	2,467	16.1%	108
Played a video/electronic game (console) in last 12 months	1,578	10.3%	99
Played a video/electronic game (portable) in last 12 months	691	4.5%	99
Financial (Adults)			
Have home mortgage (1st)	6,890	45.1%	145
Used ATM/cash machine in last 12 months	8,850	57.9%	118
Own any stock	1,614	10.6%	138
Own U.S. savings bond	997	6.5%	123
Own shares in mutual fund (stock)	1,606	10.5%	145
Own shares in mutual fund (bonds)	1,119	7.3%	151
Have interest checking account	5,534	36.2%	129
Have non-interest checking account	4,677	30.6%	108
Have savings account	9,934	65.0%	120
Have 401K retirement savings plan	3,138	20.5%	141
Own/used any credit/debit card in last 12 months	12,676	83.0%	111
Avg monthly credit card expenditures: <\$111	1,907	12.5%	108
Avg monthly credit card expenditures: \$111-\$225	1,193	7.8%	113
Avg monthly credit card expenditures: \$226-\$450	1,141	7.5%	118
Avg monthly credit card expenditures: \$451-\$700	1,035	6.8%	127
Avg monthly credit card expenditures: \$701-\$1,000	903	5.9%	137
Avg monthly credit card expenditures: \$1,001+	1,968	12.9%	142
Did banking online in last 12 months	7,291	47.7%	134
Did banking on mobile device in last 12 months	2,993	19.6%	140
Paid bills online in last 12 months	8,195	53.6%	125

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Retail Market Potential

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

Product/Consumer Behavior	Expected Number of Adults/HHs	Percent of Adults/HHs	MPI
Restaurants (Adults)			
Went to family restaurant/steak house in last 6 months	12,455	81.5%	109
Went to family restaurant/steak house: 4+ times a month	4,790	31.4%	114
Went to fast food/drive-in restaurant in last 6 months	14,073	92.1%	102
Went to fast food/drive-in restaurant 9+ times/mo	6,584	43.1%	109
Fast food/drive-in last 6 months: eat in	6,060	39.7%	109
Fast food/drive-in last 6 months: home delivery	1,172	7.7%	100
Fast food/drive-in last 6 months: take-out/drive-thru	7,997	52.3%	113
Fast food/drive-in last 6 months: take-out/walk-in	3,241	21.2%	109
Television & Electronics (Adults/Households)			
Own any e-reader/tablet	6,528	42.7%	135
Own e-reader/tablet: iPad	3,511	23.0%	150
Own any portable MP3 player	6,041	39.5%	128
HH owns 1 TV	887	13.4%	65
HH owns 2 TVs	1,597	24.1%	93
HH owns 3 TVs	1,641	24.7%	116
HH owns 4+ TVs	1,794	27.1%	143
HH subscribes to cable TV	3,180	47.9%	97
HH subscribes to fiber optic	769	11.6%	152
HH has satellite dish	1,943	29.3%	115
HH owns DVD/Blu-ray player	4,589	69.2%	114
HH owns camcorder	1,380	20.8%	149
HH owns portable GPS navigation device	2,498	37.7%	137
HH purchased video game system in last 12 mos	578	8.7%	110
HH owns Internet video device for TV	666	10.0%	142
Travel (Adults)			
Domestic travel in last 12 months	9,758	63.9%	128
Took 3+ domestic non-business trips in last 12 months	2,416	15.8%	142
Spent on domestic vacations in last 12 months: <\$1,000	1,961	12.8%	120
Spent on domestic vacations in last 12 months: \$1,000-\$1,499	1,133	7.4%	127
Spent on domestic vacations in last 12 months: \$1,500-\$1,999	766	5.0%	140
Spent on domestic vacations in last 12 months: \$2,000-\$2,999	913	6.0%	153
Spent on domestic vacations in last 12 months: \$3,000+	1,356	8.9%	161
Domestic travel in the 12 months: used general travel website	1,449	9.5%	140
Foreign travel in last 3 years	4,872	31.9%	132
Took 3+ foreign trips by plane in last 3 years	909	6.0%	132
Spent on foreign vacations in last 12 months: <\$1,000	929	6.1%	146
Spent on foreign vacations in last 12 months: \$1,000-\$2,999	542	3.5%	109
Spent on foreign vacations in last 12 months: \$3,000+	1,081	7.1%	142
Foreign travel in last 3 years: used general travel website	1,109	7.3%	130
Nights spent in hotel/motel in last 12 months: any	8,139	53.3%	131
Took cruise of more than one day in last 3 years	1,831	12.0%	143
Member of any frequent flyer program	3,913	25.6%	157
Member of any hotel rewards program	3,427	22.4%	159

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Sports and Leisure Market Potential

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

Demographic Summary	2016	2021		
Population	20,485	22,672		
Population 18+	15,277	17,356		
Households	6,632	7,312		
Median Household Income	\$89,808	\$98,032		
Product/Consumer Behavior	Expected	Number of Adults/HHs	Percent	MPI
Participated in aerobics in last 12 months	1,618	1,618	10.6%	125
Participated in archery in last 12 months	459	459	3.0%	111
Participated in backpacking in last 12 months	523	523	3.4%	112
Participated in baseball in last 12 months	757	757	5.0%	108
Participated in basketball in last 12 months	1,282	1,282	8.4%	102
Participated in bicycling (mountain) in last 12 months	828	828	5.4%	140
Participated in bicycling (road) in last 12 months	1,886	1,886	12.3%	124
Participated in boating (power) in last 12 months	1,004	1,004	6.6%	123
Participated in bowling in last 12 months	1,616	1,616	10.6%	112
Participated in canoeing/kayaking in last 12 months	1,077	1,077	7.0%	126
Participated in fishing (fresh water) in last 12 months	2,000	2,000	13.1%	106
Participated in fishing (salt water) in last 12 months	686	686	4.5%	113
Participated in football in last 12 months	717	717	4.7%	100
Participated in Frisbee in last 12 months	723	723	4.7%	110
Participated in golf in last 12 months	2,001	2,001	13.1%	143
Participated in hiking in last 12 months	1,931	1,931	12.6%	127
Participated in horseback riding in last 12 months	407	407	2.7%	108
Participated in hunting with rifle in last 12 months	719	719	4.7%	104
Participated in hunting with shotgun in last 12 months	657	657	4.3%	110
Participated in ice skating in last 12 months	475	475	3.1%	127
Participated in jogging/running in last 12 months	2,664	2,664	17.4%	132
Participated in motorcycling in last 12 months	477	477	3.1%	107
Participated in Pilates in last 12 months	506	506	3.3%	120
Participated in skiing (downhill) in last 12 months	588	588	3.8%	142
Participated in soccer in last 12 months	657	657	4.3%	113
Participated in softball in last 12 months	565	565	3.7%	108
Participated in swimming in last 12 months	2,878	2,878	18.8%	122
Participated in target shooting in last 12 months	868	868	5.7%	120
Participated in tennis in last 12 months	754	754	4.9%	124
Participated in volleyball in last 12 months	523	523	3.4%	105
Participated in walking for exercise in last 12 months	4,924	4,924	32.2%	121
Participated in weight lifting in last 12 months	2,014	2,014	13.2%	133
Participated in yoga in last 12 months	1,321	1,321	8.6%	123
Spent on sports/rec equip in last 12 months: \$1-99	1,025	1,025	6.7%	117
Spent on sports/rec equip in last 12 months: \$100-\$249	1,096	1,096	7.2%	117
Spent on sports/rec equip in last 12 months: \$250+	1,582	1,582	10.4%	142
Attend sports events	4,614	4,614	30.2%	132
Attend sports events: baseball game - MLB reg seas	2,032	2,032	13.3%	145
Attend sports events: basketball game (college)	568	568	3.7%	129
Attend sports events: basketball game-NBA reg seas	608	608	4.0%	135
Attend sports events: football game (college)	1,210	1,210	7.9%	139
Attend sports events: football game-NFL Mon/Thurs	549	549	3.6%	132
Attend sports events: football game - NFL weekend	1,032	1,032	6.8%	146
Attend sports events: high school sports	867	867	5.7%	119

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Sports and Leisure Market Potential

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

Product/Consumer Behavior	Expected Number of Adults/HHs	Percent	MPI
Member of AARP	1,869	12.2%	104
Member of charitable organization	800	5.2%	122
Member of church board	487	3.2%	104
Member of fraternal order	451	3.0%	113
Member of religious club	609	4.0%	106
Member of union	615	4.0%	108
Member of veterans club	386	2.5%	113
Attended adult education course in last 12 months	1,145	7.5%	110
Went to art gallery in last 12 months	1,182	7.7%	104
Attended auto show in last 12 months	1,324	8.7%	113
Did baking in last 12 months	3,853	25.2%	117
Went to bar/night club in last 12 months	2,804	18.4%	110
Went to beach in last 12 months	4,693	30.7%	123
Played billiards/pool in last 12 months	1,208	7.9%	102
Played bingo in last 12 months	653	4.3%	106
Did birdwatching in last 12 months	738	4.8%	111
Played board game in last 12 months	2,469	16.2%	127
Read book in last 12 months	6,049	39.6%	116
Participated in book club in last 12 months	474	3.1%	110
Went on overnight camping trip in last 12 months	2,297	15.0%	126
Played cards in last 12 months	2,560	16.8%	108
Played chess in last 12 months	440	2.9%	89
Played computer game (offline w/software)/12 months	1,111	7.3%	110
Played computer game (online w/software)/12 months	1,090	7.1%	104
Played computer game (online w/o software)/12 months	1,480	9.7%	107
Cooked for fun in last 12 months	3,851	25.2%	110
Did crossword puzzle in last 12 months	1,640	10.7%	100
Danced/went dancing in last 12 months	1,220	8.0%	100
Attended dance performance in last 12 months	784	5.1%	115
Dined out in last 12 months	8,250	54.0%	120
Participated in fantasy sports league last 12 months	851	5.6%	134
Did furniture refinishing in last 12 months	641	4.2%	125
Gambled at casino in last 12 months	2,516	16.5%	120
Gambled in Atlantic City in last 12 months	248	1.6%	71
Gambled in Las Vegas in last 12 months	828	5.4%	137
Participate in indoor gardening/plant care	1,563	10.2%	110
Attended horse races in last 12 months	396	2.6%	100
Participated in karaoke in last 12 months	478	3.1%	91
Bought lottery ticket in last 12 months	6,057	39.6%	106
Played lottery 6+ times in last 30 days	1,744	11.4%	96
Bought lottery ticket in last 12 months: Daily Drawing	546	3.6%	94
Bought lottery ticket in last 12 months: Instant Game	2,650	17.3%	95
Bought lottery ticket in last 12 months: Mega Millions	3,092	20.2%	113
Bought lottery ticket in last 12 months: Powerball	3,826	25.0%	117
Attended a movie in last 6 months	10,339	67.7%	114
Attended movie in last 90 days: once/week or more	335	2.2%	91
Attended movie in last 90 days: 2-3 times a month	1,086	7.1%	122
Attended movie in last 90 days: once a month	1,781	11.7%	115
Attended movie in last 90 days: < once a month	6,389	41.8%	118
Movie genre seen at theater/6 months: action	4,566	29.9%	116

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Sports and Leisure Market Potential

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

Product/Consumer Behavior	Expected Number of Adults/HHs	Percent	MPI
Rented/purch DVD/Blu-ray/30 days: from amazon.com	727	4.8%	118
Rented DVD/Blu-ray/30 days: from netflix.com	2,110	13.8%	120
Rented/purch DVD/Blu-ray/30 days: from Redbox	3,576	23.4%	124
HH owns ATV/UTV	381	5.7%	116
Bought any children's toy/game in last 12 months	5,538	36.3%	112
Spent on toys/games for child last 12 months: <\$50	882	5.8%	98
Spent on toys/games for child last 12 months: \$50-99	446	2.9%	108
Spent on toys/games for child last 12 months: \$100-199	992	6.5%	102
Spent on toys/games for child last 12 months: \$200-499	1,698	11.1%	121
Spent on toys/games for child last 12 months: \$500+	992	6.5%	137
Bought any toys/games online in last 12 months	1,445	9.5%	133
Bought infant toy in last 12 months	1,206	7.9%	119
Bought pre-school toy in last 12 months	1,217	8.0%	117
Bought for child last 12 months: boy action figure	1,180	7.7%	106
Bought for child last 12 months: girl action figure	522	3.4%	112
Bought for child last 12 months: action game	378	2.5%	98
Bought for child last 12 months: bicycle	1,171	7.7%	115
Bought for child last 12 months: board game	1,875	12.3%	124
Bought for child last 12 months: builder set	772	5.1%	118
Bought for child last 12 months: car	1,468	9.6%	106
Bought for child last 12 months: construction toy	845	5.5%	115
Bought for child last 12 months: fashion doll	770	5.0%	110
Bought for child last 12 months: large/baby doll	998	6.5%	98
Bought for child last 12 months: doll accessories	643	4.2%	115
Bought for child last 12 months: doll clothing	706	4.6%	123
Bought for child last 12 months: educational toy	2,102	13.8%	121
Bought for child last 12 months: electronic doll/animal	374	2.4%	95
Bought for child last 12 months: electronic game	1,469	9.6%	123
Bought for child last 12 months: mechanical toy	553	3.6%	104
Bought for child last 12 months: model kit/set	424	2.8%	113
Bought for child last 12 months: plush doll/animal	1,136	7.4%	102
Bought for child last 12 months: sound game	244	1.6%	81
Bought for child last 12 months: water toy	1,646	10.8%	118
Bought for child last 12 months: word game	393	2.6%	86

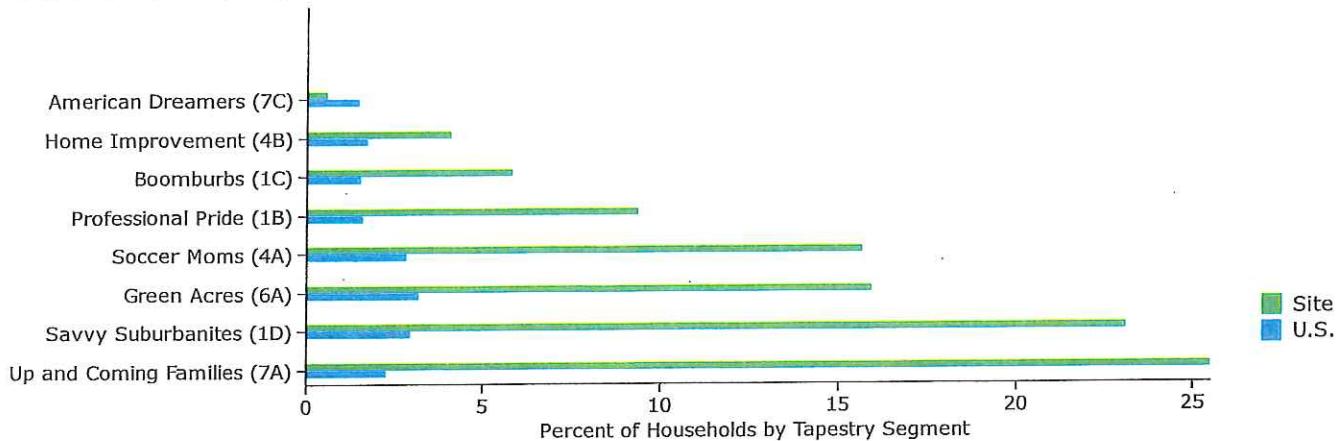
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Top Twenty Tapestry Segments

Rank	Tapestry Segment	2016 Households		2016 U.S. Households		Index
		Percent	Cumulative Percent	Percent	Cumulative Percent	
1	Up and Coming Families (7A)	25.5%	25.5%	2.3%	2.3%	1115
2	Savvy Suburbanites (1D)	23.1%	48.6%	3.0%	5.3%	776
3	Green Acres (6A)	15.9%	64.5%	3.2%	8.5%	499
4	Soccer Moms (4A)	15.7%	80.2%	2.8%	11.3%	550
5	Professional Pride (1B)	9.4%	89.6%	1.6%	12.9%	584
Subtotal		89.6%		12.9%		
6	Boomburbs (1C)	5.9%	95.5%	1.5%	14.4%	379
7	Home Improvement (4B)	4.1%	99.6%	1.7%	16.1%	239
8	American Dreamers (7C)	0.6%	100.2%	1.5%	17.6%	38
Subtotal		10.6%		4.7%		
Total		100.0%		17.6%		567

Top Ten Tapestry Segments Site vs. U.S.



Data Note: This report identifies neighborhood segments in the area, and describes the socioeconomic quality of the immediate neighborhood. The index is a comparison of the percent of households or Total Population 18+ in the area, by Tapestry segment, to the percent of households or Total Population 18+ in the United States, by segment. An index of 100 is the US average.

Source: Esri



Tapestry Segmentation Area Profile

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

Tapestry LifeMode Groups	2016 Households			2016 Adult Population		
	Number	Percent	Index	Number	Percent	Index
Total:	6,632	100.0%		15,278	100.0%	
1. Affluent Estates	2,539	38.3%	391	5,881	38.5%	371
Top Tier (1A)	0	0.0%	0	0	0.0%	0
Professional Pride (1B)	621	9.4%	584	1,422	9.3%	523
Boomburbs (1C)	388	5.9%	379	983	6.4%	393
Savvy Suburbanites (1D)	1,530	23.1%	776	3,476	22.8%	711
Exurbanites (1E)	0	0.0%	0	0	0.0%	0
2. Upscale Avenues	0	0.0%	0	0	0.0%	0
Urban Chic (2A)	0	0.0%	0	0	0.0%	0
Pleasantville (2B)	0	0.0%	0	0	0.0%	0
Pacific Heights (2C)	0	0.0%	0	0	0.0%	0
Enterprising Professionals (2D)	0	0.0%	0	0	0.0%	0
3. Uptown Individuals	0	0.0%	0	0	0.0%	0
Laptops and Lattes (3A)	0	0.0%	0	0	0.0%	0
Metro Renters (3B)	0	0.0%	0	0	0.0%	0
Trendsetters (3C)	0	0.0%	0	0	0.0%	0
4. Family Landscapes	1,311	19.8%	267	3,214	21.0%	274
Soccer Moms (4A)	1,039	15.7%	550	2,602	17.0%	562
Home Improvement (4B)	272	4.1%	239	612	4.0%	217
Middleburg (4C)	0	0.0%	0	0	0.0%	0
5. GenXurban	0	0.0%	0	0	0.0%	0
Comfortable Empty Nesters (5A)	0	0.0%	0	0	0.0%	0
In Style (5B)	0	0.0%	0	0	0.0%	0
Parks and Rec (5C)	0	0.0%	0	0	0.0%	0
Rustbelt Traditions (5D)	0	0.0%	0	0	0.0%	0
Midlife Constants (5E)	0	0.0%	0	0	0.0%	0
6. Cozy Country Living	1,057	15.9%	131	2,325	15.2%	128
Green Acres (6A)	1,057	15.9%	499	2,325	15.2%	462
Salt of the Earth (6B)	0	0.0%	0	0	0.0%	0
The Great Outdoors (6C)	0	0.0%	0	0	0.0%	0
Prairie Living (6D)	0	0.0%	0	0	0.0%	0
Rural Resort Dwellers (6E)	0	0.0%	0	0	0.0%	0
Heartland Communities (6F)	0	0.0%	0	0	0.0%	0
7. Ethnic Enclaves	1,725	26.0%	374	3,858	25.3%	313
Up and Coming Families (7A)	1,688	25.5%	1,115	3,767	24.7%	1,024
Urban Villages (7B)	0	0.0%	0	0	0.0%	0
American Dreamers (7C)	37	0.6%	38	91	0.6%	36
Barrios Urbanos (7D)	0	0.0%	0	0	0.0%	0
Valley Growers (7E)	0	0.0%	0	0	0.0%	0
Southwestern Families (7F)	0	0.0%	0	0	0.0%	0

Data Note: This report identifies neighborhood segments in the area, and describes the socioeconomic quality of the immediate neighborhood. The index is a comparison of the percent of households or Total Population 18+ in the area, by Tapestry segment, to the percent of households or Total Population 18+ in the United States, by segment. An index of 100 is the US average.

Source: Esri



Tapestry Segmentation Area Profile

Ovilla Trade Area
Area: 28.46 square miles

Prepared by Orasi

Tapestry Urbanization Groups	2016 Households			2016 Adult Population		
	Number	Percent	Index	Number	Percent	Index
Total:	6,632	100.0%		15,278	100.0%	
1. Principal Urban Center	0	0.0%	0	0	0.0%	0
Laptops and Lattes (3A)	0	0.0%	0	0	0.0%	0
Metro Renters (3B)	0	0.0%	0	0	0.0%	0
Trendsetters (3C)	0	0.0%	0	0	0.0%	0
Downtown Melting Pot (8D)	0	0.0%	0	0	0.0%	0
City Strivers (11A)	0	0.0%	0	0	0.0%	0
NeWest Residents (13C)	0	0.0%	0	0	0.0%	0
Fresh Ambitions (13D)	0	0.0%	0	0	0.0%	0
High Rise Renters (13E)	0	0.0%	0	0	0.0%	0
2. Urban Periphery	37	0.6%	3	91	0.6%	3
Pacific Heights (2C)	0	0.0%	0	0	0.0%	0
Rustbelt Traditions (5D)	0	0.0%	0	0	0.0%	0
Urban Villages (7B)	0	0.0%	0	0	0.0%	0
American Dreamers (7C)	37	0.6%	38	91	0.6%	36
Barrios Urbanos (7D)	0	0.0%	0	0	0.0%	0
Southwestern Families (7F)	0	0.0%	0	0	0.0%	0
City Lights (8A)	0	0.0%	0	0	0.0%	0
Bright Young Professionals (8C)	0	0.0%	0	0	0.0%	0
Metro Fusion (11C)	0	0.0%	0	0	0.0%	0
Family Foundations (12A)	0	0.0%	0	0	0.0%	0
Modest Income Homes (12D)	0	0.0%	0	0	0.0%	0
International Marketplace (13A)	0	0.0%	0	0	0.0%	0
Las Casas (13B)	0	0.0%	0	0	0.0%	0
3. Metro Cities	0	0.0%	0	0	0.0%	0
In Style (5B)	0	0.0%	0	0	0.0%	0
Emerald City (8B)	0	0.0%	0	0	0.0%	0
Front Porches (8E)	0	0.0%	0	0	0.0%	0
Old and Newcomers (8F)	0	0.0%	0	0	0.0%	0
Hardscrabble Road (8G)	0	0.0%	0	0	0.0%	0
Retirement Communities (9E)	0	0.0%	0	0	0.0%	0
Social Security Set (9F)	0	0.0%	0	0	0.0%	0
Young and Restless (11B)	0	0.0%	0	0	0.0%	0
Set to Impress (11D)	0	0.0%	0	0	0.0%	0
City Commons (11E)	0	0.0%	0	0	0.0%	0
Traditional Living (12B)	0	0.0%	0	0	0.0%	0
College Towns (14B)	0	0.0%	0	0	0.0%	0
Dorms to Diplomas (14C)	0	0.0%	0	0	0.0%	0

Data Note: This report identifies neighborhood segments in the area, and describes the socioeconomic quality of the immediate neighborhood. The index is a comparison of the percent of households or Total Population 18+ in the area, by Tapestry segment, to the percent of households or Total Population 18+ in the United States, by segment. An index of 100 is the US average.

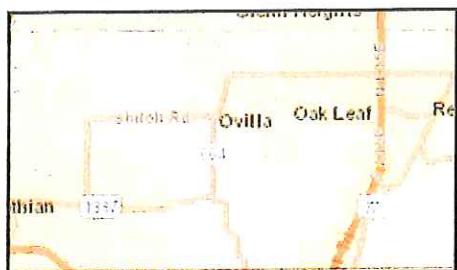
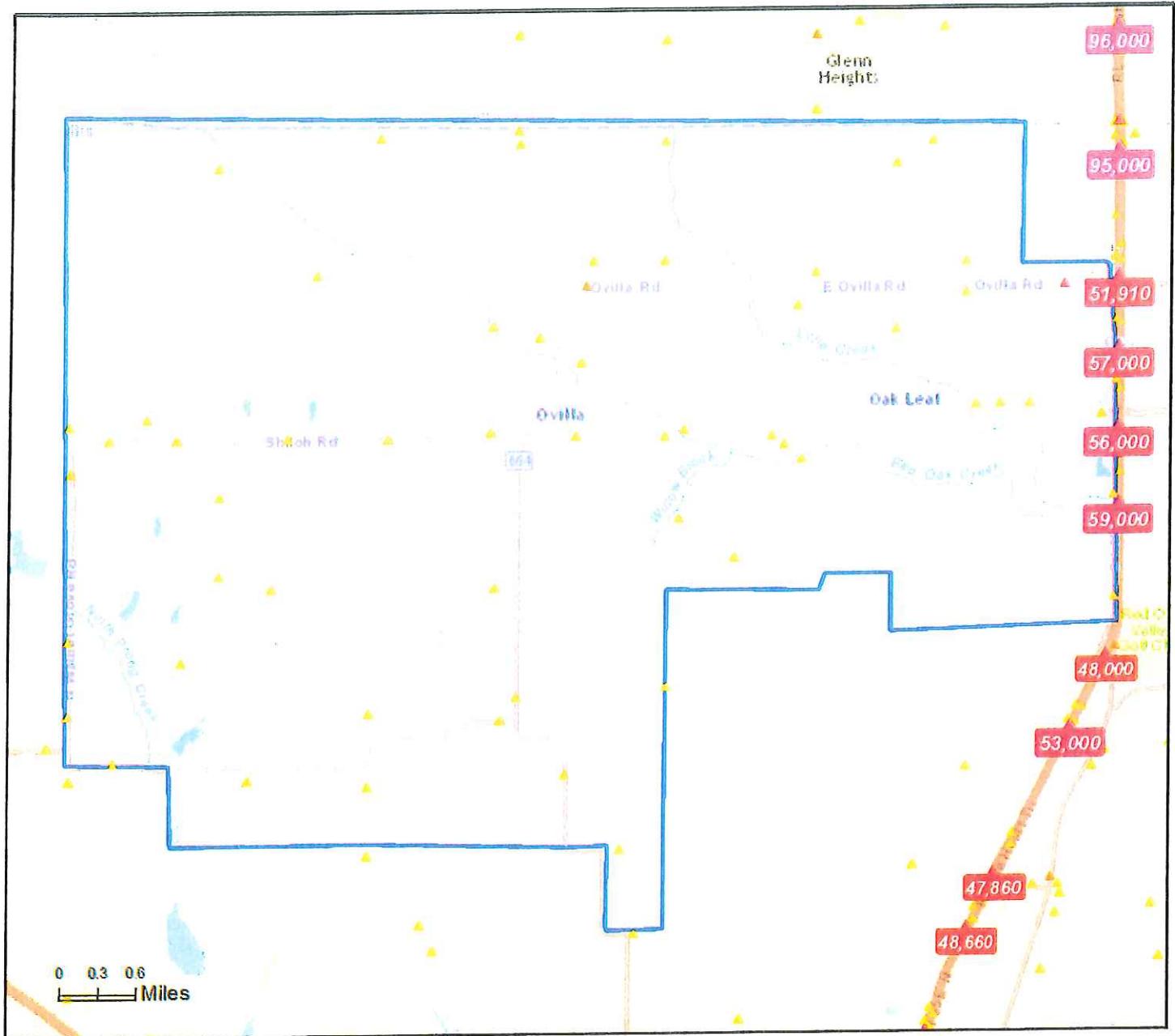
Source: Esri



Traffic Count Map

Ovilla Trade Area
Area: 28.46 square miles

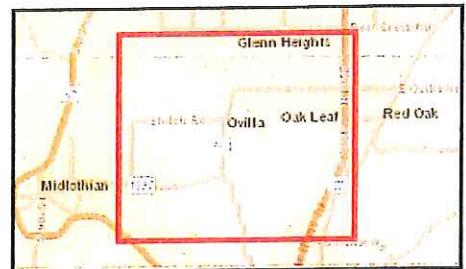
Prepared by Orasi



Average Daily Traffic Volume

- Up to 6,000 vehicles per day
- 6,001 - 15,000
- 15,001 - 30,000
- 30,001 - 50,000
- 50,001 - 100,000
- More than 100,000 per day

Source: ©2016 Kalibrate Technologies



March 02, 2017

AGENDA ITEM REPORT

Item: 5

Meeting Date: March 13, 2017

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Dennis Burn

Amount: \$N/A

Reviewed By: City Manager City Secretary City Attorney

Accountant

Other: _____

Attachments:

1. Ordinance No. 2017-03
2. Excerpt from Code on current term renewals

Agenda Item / Topic:

ITEM 5. **DISCUSSION/ACTION** – Consideration of and Action on Ordinance No. 2017-03, of the City of Ovilla, Texas, amending Chapter 15, Article 15.02, Section 15.02.003, of the Ovilla Code of Ordinances; providing revised terms of office for members of the Park Board, providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

Discussion / Justification:

To maintain uniformity with most city boards/commissions and to support the efficiency of proper record keeping, staff is presenting an ordinance that revises only the Park Board term renewal dates to coincide with other city boards.

Under the current Code, Park Board term renewals are two years from the date of appointment for all members, which are currently five. The presented revision will have term renewals to read as follows:

... After the expiration of a two-year term of office, a member shall serve until a successor is appointed. The terms of odd-numbered places shall expire the last day in June in the odd-numbered years, and the terms of even-numbered places shall expire the last day in June in the even-numbered years. Members may be re-appointed for additional terms. Vacancies shall be filled for unexpired terms by the City Council in the same manner that the original appointment was made. Members serve at the pleasure of the City Council and may be removed from the Board at any time by a majority vote of the City Council. . .

Recommendation / Staff Comments:

Staff recommends approval of Ordinance No. 2107-03

Sample Motion(s):

I move that Council APPROVE/DENY Ordinance No. 2017-03, of the City of Ovilla, Texas, amending Chapter 15, Article 15.02, Section 15.02.003, of the Ovilla Code of Ordinances; providing revised terms of office for members of the Park Board, providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

ORDINANCE NO. 2017-03

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING CHAPTER 15, ARTICLE 15.02, SECTION 15.02.003, OF THE OVILLA CODE OF ORDINANCES; PROVIDING REVISED TERMS OF OFFICE FOR MEMBERS OF THE PARK BOARD; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE OVILLA CODE OF ORDINANCES; PROVIDING FOR IMMEDIATE EFFECT; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City Council of the City of Ovilla adopted Ordinance 2014-012 creating and establishing a Park Board; and

WHEREAS, Ordinance 2014-012 is or shall be codified as Chapter 15 of the Ovilla Code of Ordinances; and

WHEREAS, Chapter 15, Article 15.02, Section 15.02.003 of the Ovilla Code of Ordinances established term limits for members of the Parks Board; and

WHEREAS, the City Council of the City of Ovilla, Texas, finds and determines that it is in the best interest of the citizens of the City of Ovilla to amend Chapter 15, Article 15.02, Section 15.02.003 of the Ovilla Code of Ordinances to provide term limits for Park Board members that are the same or similar to the members of other boards and commissions of the City of Ovilla.

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

SECTION 1. AMENDMENT OF CHAPTER 15, ARTICLE 15.02, SECTION 15.02.003 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA

Chapter 15, Article 15.02, Section 15.02.003 of the Code of Ordinances of the City of Ovilla is hereby amended to read as follows:

Sec. 15.02.003 Term of members; removal

The term of office of members of the Board shall be two (2) years. The members of the Board shall be identified by place numbers. After the expiration of a two-year term of office, a member shall serve until a successor is appointed. The terms of odd-numbered places shall expire the last day in June in the odd-numbered years, and the terms of even-numbered places shall expire the last day in June in the even-numbered years. Members may be re-appointed for additional terms. Vacancies shall be filled for unexpired terms by the City Council in the same manner that the original appointment was made. Members serve at the pleasure of the City Council and may be removed from the Board at any time by a majority vote of the City Council.

SECTION 2. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 3. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

ORDINANCE NO. 2017-03

SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION 5. EFFECTIVE DATE

Because of the nature of interest and safeguard sought to be protected by this Ordinance and in the interest of the citizens of the City of Ovilla, Texas, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

SECTION 6. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, ADOPTED AND APPROVED by the City Council of Ovilla, Texas on this _____ day of _____, 2016.

Richard Dormier, Mayor

ATTEST:

Pamela Woodall, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney

Excerpt from the Ovilla Code of Ordinances
PARK BOARD

Sec. 1.09.123 Term of members; removal

The term of office of members of the board shall be two (2) years from the date of their appointment. Members may be re-appointed for additional terms. Each member shall serve on the board until removed by the city council or until expiration of the member's term, whichever occurs first. Members serve at the pleasure of the city council and may be removed from the board at any time by a majority vote of the city council.

AGENDA ITEM REPORT

Item: 6

Meeting Date: March 13, 2017

Discussion Action

Submitted By: Dennis Burn

Department: Municipal Court/Finance

Budgeted Expense: YES NO N/A

Amount: \$N/A

Reviewed By: City Manager City Secretary Municipal Court Judge

Accountant

Other: Municipal Court Clerk, J. Foresman

Attachments:

1. Resolution R2017-06
2. Traffic Payment Service Agreement
3. The Payment Group presentation to Ovilla Municipal Court

Agenda Item / Topic:

ITEM 6. **DISCUSSION/ACTION** – Consideration of and Action on Resolution R2017-06 of the City of Ovilla, Texas, to approve an agreement between “The Payment Group, LLC and its division, TRAFFICPAYMENT.COM, (TP) for the license of TP online citation payment services and authorize the Mayor to execute said agreement.

Discussion / Justification:

In an effort to minimize the City’s outstanding warrant balance and to be accommodating to those willing to pay their warrants or issued citations with online services, The Payment Group LLC and its division TRAFFICPAYMENT.COM (“TP”) would be a helpful solution. TP currently provides service to our surrounding communities: Cedar Hill, Lancaster, DeSoto, Duncanville and many others, and is recommended by Judge Kurth.

At no cost to Ovilla, TP will provide online citation and warrant payment services from the Ovilla website and/or pay-by-phone bilingual operator telephone services. Other amenities:

- Full integration with *Incode* (Ovilla’s Municipal Court software)
- Able to make mobile payments
- TP manages merchant fees and costs, refunds, overpayments and IT assistance.
- Provides stickers that may be placed on the citation with helpful direction in paying online.

If Council desired, there is an additional service available through TP called CourtQwest which offers additional features for an individual that has received a citation and has asked for deferred adjudication or a driver safety course. These options require additional paperwork and handling. TP provides this service for \$100 per month.

And, of course, the defendant still has the option to come to the city office or court to handle their citation(s) or warrant(s).

Recommendation / Staff Comments:

Staff recommends Council approval of Resolution R2017-06 approving an agreement with The Payment Group, LLC.

Sample Motion(s):

I move that Council APPROVE/DENY Resolution R2017-06 of the City of Ovilla, Texas, to approve an agreement between "The Payment Group, LLC and its division, TRAFFICPAYMENT.COM, (TP) for the license of TP online citation payment services and authorize the Mayor to execute said agreement.

RESOLUTION NO. R2017-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY OF OVILLA, TEXAS, A SERVICE AGREEMENT BETWEEN THE PAYMENT GROUP, LLC AND ITS DIVISION TRAFFICPAYMENT.COM ("TP") AND THE CITY OF OVILLA, TEXAS.

* * * * *

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVILLA:

Section 1. The City Council of the City of Ovilla hereby authorizes the Mayor to execute a Service Agreement for the license of Traffic Payment online citation payment services, associated software, hardware, media materials and electronic documents.

Section 2. TP online citation payment services are available 24-hours a day, and pay-by-phone services, and will provide ancillary services for the City of Ovilla including the processing of debit and credit card services.

Section 2. A copy of said Service Agreement with Traffic Payment ('TP') for online citation payment services is attached hereto as Exhibit "A" and made a part hereof for all purposes.

PASSED, APPROVED, AND RESOLVED this 13 day of March 2017.

ATTEST: _____
Pamela Woodall, **CITY SECRETARY**

APPROVED: _____
Richard Dormier, **MAYOR**



TrafficPayment.com Service Agreement

Important – Read Carefully: This is an agreement between The Payment Group, LLC and its division, TRAFFICPAYMENT.COM ("TP"), a Texas limited liability company, and the Ovilla, Texas ("Client"), for the license of TP online citation payment service, associated software, hardware, media materials, and electronic documentation. Client and TP are collectively referred to in this agreement as the "Parties". The purpose of this agreement is to state the terms and conditions under which TP will provide for Client *telephone citation payment services* and/or *online citation payment services* to individuals who have received citation(s) from Client for traffic or other legal violations ("End User").

Agreement

1. **Services Provided:** TP will provide online citation payment services 24 hours a day, and pay-by-phone services via toll-free number during normal business hours. TP will also provide ancillary services for Client, including all necessary installation/setup, promotional assistance, credit card processing, payments to client's specified account(s), and access to real time online reporting. Client agrees to retain the service of TP to act as an agent for the limited purpose of receiving and processing debit and credit card payments. Client agrees to promptly clear all citations upon notice or posting by TP that payment for such citations has been received by TP. If a "chargeback" to a credit/debit card occurs, TP will handle the matter and make the proper adjustment on the next Client report, and Client will then reinstate the affected citation(s) as remaining outstanding and unpaid.
2. **Timing of Contract:** TP will furnish the necessary setup and perform all services required to begin processing citation payments within twenty- four (24) hours, or as soon as is practicable thereafter, of the time this contract and other paperwork are completed and received by TP.
3. **Property of TP:** All computer programs, written procedures, promotional materials, and other supporting items used in the work performed for Client shall be the property of TP, and shall be returned upon termination of this agreement.
4. **Hardware and Software Requirements:** In order to access posting of payments and view online reports, and communicate with TP, Client needs the following: Access to the Internet and ability to browse to TP administration website, an email address, an up-to-date copy of Adobe Reader to view reports, and a telephone line for TP to communicate with Client when a payment is received or for any other common communication.
5. **Information Provided by Client:** Client must provide the following to TP prior to startup:
 - a) Any and all standard contact information;
 - b) Bank routing number, bank account number (if using direct deposit); and
 - c) Bank account type for deposit of all payments (if using direct deposit).
6. **Actions to be Performed by TP:** TP will provide toll free pay-by-phone service during business hours, and paper check or electronic payment to the Client for all citations paid using TP. TP will provide all necessary technical support to maintain the payment system 24 hours a day, 7 days a week. TP will send or electronically deposit funds to Client on Wednesday of each week for the previous week's (Monday-Sunday) activity to the account or address specified.
7. **Term and Cancellation of Contract:** The term of this agreement shall begin on the date executed by both parties and shall continue in full force and effect from that date until it is terminated by thirty (30) days written notice from either party to the other.
8. **Indemnity:** TP will hold harmless the Client for causes of action and damages resulting from the wrongful arrest of defendants due to TP's negligence in processing and reporting payments in accordance with this Agreement. If, and to the extent, allowed under Texas law, Client will hold harmless TP for causes of action and damages resulting from the wrongful arrest of defendants due to Client's negligence in processing payments or errors in information generated by Client and furnished to TP. The liability of either Party to the other with respect to this Agreement shall not include any contingent liability or exemplary or consequential damages.
9. **Reservation:** All rights not expressly granted in this agreement are reserved by TP.
10. **Support Services:** TP will provide Client with support services related to all aspects of TP citation payment service. The TP web portal, software applications, electronic payments, online reports, and promotional materials are the specific services supported. Client may contact TP support services during business hours Monday through Friday 8:00am to 5:00pm, CST. It is understood that TP will charge End Users a processing fee for the use of its services, and in no event shall Client ever be responsible for any such fee.

Initials: "TP"  "Client" _____



11. **Attorney Fees and Costs:** If any action at law or in equity is necessary to enforce or interpret the terms of this agreement, the prevailing party shall be entitled to reasonable attorney's fees, costs, and necessary disbursements in addition to any other relief to which such party may be entitled.
12. **Promotional Materials:** Client agrees to the following for promotional purposes: a. to allow TP to use any logo or trademark of Client on the TP website for Client Identification if deemed necessary by TP; and b. to allow TP to send promotional material to Client regarding TP services for Client to display on-site reflecting TP as an authorized agent of Client to receive payment of traffic and parking citations. The use of these materials is optional and Client is in no way obligated to use or display.
13. **Miscellaneous Provisions:**
 - a. *Texas Law to apply:* This provision shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created under this agreement are performable in the State of Texas.
 - b. *Parties Bound:* This agreement shall be binding on and inure to the benefit of the parties and their respective heirs, executors, administrators, legal representatives, successors, and assigns.
 - c. *Legal Construction:* In case any one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, that invalidity, illegality or unenforceable shall not affect any other provision of this agreement, and this agreement shall be construed as if the invalid, illegal, or unenforceable provision was not contained in the agreement.
 - d. *Sole Agreement:* This agreement constitutes the sole agreement of the parties and supercedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this agreement.

The Payment Group/TrafficPayment.com

Ovilla, Texas

Name: Leigh Sides Name: _____

Title: Director of Sales Title: _____

Address: 5151 Belt Line Rd. Suite 505 Address: _____

Dallas, Texas 75254 _____

Signature:  Signature: _____

Date: March 1, 2017 Date: _____

Initials: "TP"  "Client" _____

Direct Deposit Information Sheet



Institution Name

Ovilla Municipal Court

Address (line 1)

Address (line 2)

City / State / Zip

Contact Name / Contact Phone #

Tax ID #

Email Address

(this email address will be used for
payment notification)

How many citations do you issue on a monthly basis?

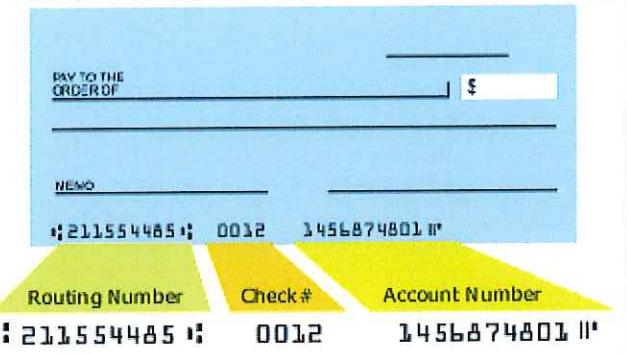
(this will be used to determine how many complimentary stickers you will be provided)

Deposit Information

Please send our payments via direct deposit to the account provided below

Bank Routing Number

Bank Account Number



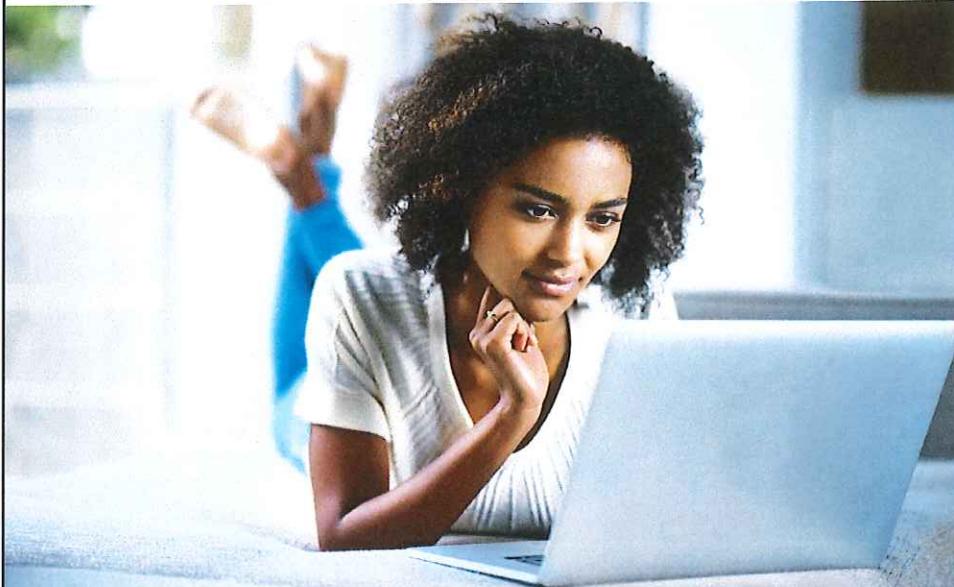
Please fill out the information above and sign below.

Signature

Date



Ovilla Municipal Court



There's No Line Online™



- 1. Introduction to The Payment Group**
- 2. Our Integrated Courts/Cities**
- 3. Our Resource Center**
- 4. Cost savings – Our Solution**
- 5. Service Fees to Customers**
- 6. Security**
- 7. Making an Online/Mobile Payment**
- 8. Walk through the system**
- 9. Don't just hear it from us...**





- ✓ Serving over 400 clients in eight states since 2003
- ✓ 98% Client retention rate
- ✓ Robust IT Department – Full integration with *Incode*
- ✓ Payments offered for courts, utilities and other city departments
- ✓ Positive company culture affects how our clients and their customers are treated – this sets us apart
- ✓ Mobile website for easy payments
- ✓ New technology: EMV Terminals and Text Reminders



Courts who use our *Incode Payment Technology*

Abilene	Leander	Texarkana
Azle*	Longview	Texas City
Bixby, OK	Lorena*	Uvalde
Bulverde	Milford	Vidor*
Cameron	Mission	Warrensburg, MO
Carizzo Springs	Nacogdoches	Weldon Spring, MO
Deer Park	New Braunfels	White Settlement
Denison	Oak Ridge North	Windcrest*
Ennis	River Oaks*	Meadows Place
Greenville	Riverside, MO	Greenwood, MO
Guymon, OK	Sansom Park*	South Houston*
Haslet	Sullivan City	Shavano Park
Jacinto City	Sweeny	Sherman
Katy	Taft*	Copperas Cove
Gilmer*	Madisonville*	Montgomery
Joplin, MO	Corsicana	Gun Barrel City

Birmingham, AL (Implementing)

*Both Court and Utilities



TrafficPayment

“Thank you for Calling TrafficPayment”

TrafficPayment offers Courts our **Resource Center** with live bilingual operators to take **telephone** payments.

Our friendly representatives understand how to take court payments

Calls are rarely placed on hold and never in the queue for more than a few seconds



More than **30% of our total payments** are called in



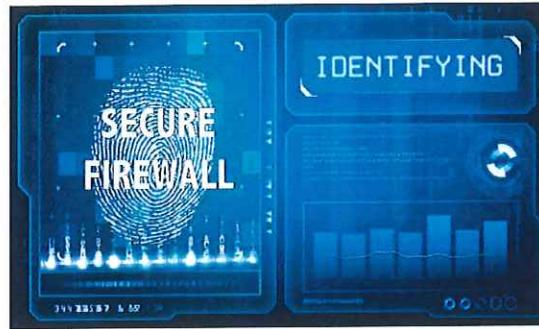
Our Solution: No Cost to Your City

Our Service Fee covers:

- Merchant Fees and costs
- Mobile & Website development
- IT Integration, Installation and Support
- PCI Compliance, onsite audits and accounting
- Live, Bilingual Telephone Representatives
- Personal Client Manager
- Supplies



Security



CERTIFICATE OF COMPLIANCE

THIS CERTIFICATE IS PRESENTED TO

Company Name	The Payment Group
MID(s)	001500000175nyN
Compliance Status	Pass
Questionnaire Date	2016-10-17
Questionnaire Status	Pass
Scan Date	2016-11-21
Scan Status	Pass
SaQ Type	D-SP Version 3.2

DISCLAIMER Expiration Date 2017-02-19

This certificate is based on the above listed merchant's completion and attestation of the PCI Self Assessment Questionnaire and vulnerability scan results if applicable. For merchants that require scanning, compliance with the PCI DSS is determined by the merchant's self attestation. This certificate does not mean the merchant's systems are invulnerable to compromise. The merchant is responsible for the security of its environment on the date shown above and certifies only that on that date, the standards were met. No representation is made as to the security of any systems other than on that date.





Security



The Payment Group is a [registered](#) "Payment Facilitator"

- User's information processed using secure servers
- Firewall between core database and web access
- All transactions submitted through an enhanced fraud screen
- Credit card information is NEVER stored on TrafficPayment
- User's IP address recorded and logged



Mobile Friendly Website

All Customers can quickly and easily make payments on any mobile device!





Our Integrated Online Payment Solution



Confirmation and Receipt



Thank you for using The Payment Group
to make a payment to the City of Ovilla
Receipt available at <http://tinyurl.com/zbar4j4>

Customer receives a text receipt and/or email after payment

Court Receipt to City



ATTENTION: If there are any issues with this payment, please FORWARD this email to Julie Confalone immediately or call us at [800.444.1187](tel:8004441187).

Dear New Braunfels Full & Partial Payments & Warrants,

A web payment has been made for [REDACTED] through The Payment Group.

Ticket Information

Date Paid: Thursday, 12 January 2017 13:00:37 CST

Plea: No Contest

Confirmation: TR5KEU

Ticket Number	Name	Payment Amount	Driver's License Details
E204714 - 1	[REDACTED]	\$195.00	[REDACTED]

Click [HERE](#) to view details of this transaction.

Click [HERE](#) to login to your TPG account.

Thank you for choosing The Payment Group for your court payment needs. We appreciate your business!



Payment Access

Reports & Data

Onsite Payments



Personal Customer Service

Your Personal Client Manager handles:

- ✓ All refunds
- ✓ Overpayments
- ✓ IT assistance
- ✓ Requests for supplies
- ✓ And more!



Every court receives outstanding customer service!



TrafficPayment

Don't just hear it from us...

Frisco, Texas – Matthew Freeman, Court Administrator

"We have been very pleased with TrafficPayment. Their integration was seamless in replacing the previous integrated web payment and IVR systems. We receive excellent, personal customer service and it makes the entire process very simple. This is a company with outstanding support and customer service to both the City and to customers using the TrafficPayment. I would recommend their service to other courts looking for a similar solution."

Coppell, Texas – Latrice Johnson, Court Administrator

"I am very happy with TrafficPayment! Their service is very convenient for defendants and their process works great for our court. Our payments have increases since we started using their service. I have no complaints whatsoever and most definitely recommend their service to any court out there."

New Braunfels, Texas - Margaret Robbins, Court Administrator

"TrafficPayment is an excellent payment service! We no longer use Incode for our court payments and have moved them over to TPG. I am so glad we did. Our court is understaffed and using TPG has drastically reduced our phone calls. Their customer service is outstanding! I am so pleased with this company and have no complaints whatsoever nor I have I received any complaints from defendants! TrafficPayment has done an exceptional job with our court and I highly recommend their services."



Posters and Banners for your Court

Make your Payment in 2 Minutes!

* Processing Fee Applies

Visit www.trafficpayment.com
or call 1800.444.1187



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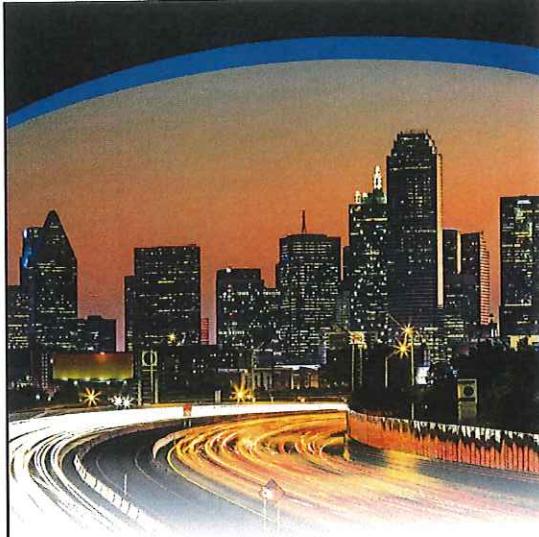
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Contact Information

Leigh Sides

Director of Bus Development

800.444.1187 ext. 1125

Leigh@thepaymentgroup.com

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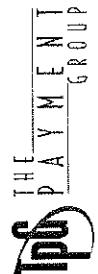


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Features

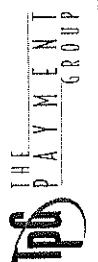
- ✓ Citation Search Page
- ✓ Defendant Portal
- ✓ Attorney and Bond Company Portal
- ✓ Court Portal





Citation Search Page

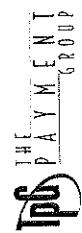
- Search by Last Name, Date of Birth or Citation Number
- Frequently Asked Questions
- General Information Request
- Docket Listing



Defendant Portal

- The Payment Group Integrated Link
- Citation Information
- Video Appearance Request
- Customized Request Forms including Deferred, Drivers Safety



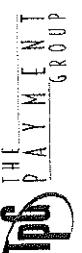


Attorney and Bond Company Portal

- Login Request
- Current Client Citation Listing
- The Payment Group Integrated Link
- Video Appearance Request
- Customized Request Forms including Deferred, Drivers Safety



Intelligence
Group



Court Portal

- Defendant Listing with Search, Detail Drill Down and Action Options
- Portal Request, Action and Activity Management
- Staff Task Assignments
- Video Appearance Scheduling
- Auto Text and Email Notifications
- Text, Email and Request Template Customization
- Warrant Mapping
- Judges Calendar



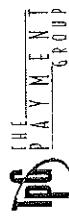
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Contact Us



Intelligence
group

Kent Hudson
972.653.0240
Kent@kenthudson.com



Leigh Sides
214.233.7043
Leigh@thepaymentgroup.com

AGENDA ITEM REPORT Item 7 – Items pulled from Consent

Meeting Date: March 13, 2017

Department: Administration/Finance

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: Staff

Amount: N/A

Discussion / Justification:

All consent items are attached for Council consideration. Any items pulled from the Consent agenda will be reviewed under this item.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

I move to approve ...



PROCLAMATION

City of Ovilla, Texas

Whereas, Our society has become increasingly dependent on household chemicals to perform labor-saving, time-saving miracles; and on medicine to provide health-giving, life-sustaining benefits;

Whereas, these projects, when not used as intended or directed, may be hazardous, particularly if children gain access to them;

Whereas, over the past 55 years, the nation has been observing Poison Prevention Week to call attention to these hazards and how proper handling and disposal of these substances and proper use of safety packaging can help eliminate them;

Whereas, the North Texas Poison Control Center, a regional poison center, located at Parkland Health and Hospital System, provides the ultimate in human service programming, immediate, accessible emergency information to save lives of victims of poison-related emergencies, and;

Whereas, these programs must continue as long as even one child swallows a household project or medicine by mistake.

NOW, THEREFORE, I, Richard A. Dormier, Mayor of the City of Ovilla, Texas, do hereby proclaim the week of March 19-25, 2017, as Poison Prevention Week in this City. Further, I direct the appropriate agencies in our local government to continue their cooperation with concerned citizens and community organizations, including our schools to develop programs which will alert our people to the continued danger of misusing medicines and household products and to promote effective safeguards against accidental poisonings among young children.

IN WITNESS WHEREOF, I hereby affix my signature this 13th day of March in the year of our Lord two thousand seventeen.

Richard A. Dormier
Mayor, City of Ovilla

PROCLAMATION



March for Meals Month

WHEREAS, on March 22, 1972, President Richard Nixon signed into law a measure that amended the Older Americans Act of 1965 and established a national nutrition program for seniors 60 years and older;

WHEREAS, Meals on Wheels America established the National March for Meals Campaign in March 2002 to recognize the historic month, the importance of Older Americans Act Nutrition Programs – both congregate and home-delivered – and raise awareness about the escalating problem of senior hunger in America;

WHEREAS, the 2017 observance of the March for Meals campaign provides an opportunity to support Meals on Wheels programs that deliver vital and critical services by donating, volunteering and raising awareness about senior hunger and isolation;

WHEREAS, Older Americans Act Nutrition Programs – both congregate and home-delivered – in TEXAS have served our communities admirably for more than 40 years; and

WHEREAS, volunteer drivers for Meals on Wheels programs in TEXAS are the backbone of the program and they not only deliver nutritious meals to homebound seniors and individuals with disabilities, but also caring concern and attention to their welfare;

WHEREAS, Meals on Wheels programs in TEXAS provide nutritious meals to seniors throughout the State and help them maintain their health and independence and avoid unnecessary hospitalizations and/or premature institutionalization;

WHEREAS, Meals on Wheels programs in TEXAS provide a powerful socialization opportunity for millions of seniors to help combat loneliness and isolation;

WHEREAS, Meals on Wheels programs in OVILLA, TEXAS deserve recognition for the contributions they have made and will continue to make to local communities, our State and our Nation; and

NOW THEREFORE, I, the MAYOR OF OVILLA, TEXAS do hereby proclaim March 2017 as March for Meals Month.

The governing body of the City of Ovilla urges every citizen to take time this month to honor our Meals on Wheels programs, the seniors they serve and the volunteers who care for them. Our recognition of, and involvement in, the national 2017 March for Meals campaign can enrich our entire community and help combat senior hunger and isolation in America.

Dated this 13 DAY of MARCH 2017



Richard Domier, MAYOR OF OVILLA

OVILLA POLICE DEPARTMENT
 105 S Cockrell Hill Rd
 Ovilla, TX 75154
 (972) 617-7262

To: Mayor Richard Dormier
 Ovilla City Council
 Dennis Burn City Manager

Subject: Police Department Monthly Activity Report

Calls For Service	February 2017	February 2017 YTD	February 2016	February 2016 YTD
Accident	1	6	1	6
Alarms	8	21	24	45
Arrest	10	17	2	5
Assault	1	3	0	0
Assists	59	125	17	41
Building / House Security Check	968	2209	1628	3040
Burglary	0	0	0	0
Burglary of Motor Vehicle	0	0	1	1
Criminal Mischief	1	1	0	0
Disturbance	8	16	4	7
Neighborhood Check	1545	3201	1753	3281
Other Calls for Service	27	54	59	153
Suspicious Person	8	16	8	17
Suspicious Vehicle	20	47	5	11
Theft	1	1	1	1
Traffic Assignment	161	281	281	321
TOTAL CALLS FOR SERVICE	2818	5998	3784	6900

Reserve Officer Hours	0	0	13	36
Average Response Time (Minutes)	5.11	5.13	4.5	4.9
Traffic Stop (Warnings)	184	353	104	132
Traffic Stop (Citations)	146	234	210	306
Total Citations & Warnings Combined	330	587	314	438
PERCENT OF STOPS RECEIVING CITATIONS	44.2	39.9	66.9	62.7

OVILLA PD VEHICLE MILEAGE							
January-17				February-17			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
103	139688	139982	294	103	139982	140202	220
104	100371	103033	2662	104	103033	105104	2071
105	86822	87737	915	105	87737	88463	726
116	18218	20173	1955	116	20173	22504	2331
117	500	2506	2006	117	2506	5055	2549
216	3267	4056	789	216	4056	4534	478
March-17				April-17			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
103			0	103			0
104			0	104			0
105			0	105			0
116			0	116			0
117			0	117			0
216			0	216			0
May-17				June-17			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
103			0	103			0
104			0	104			0
105			0	105			0
116			0	116			0
117			0	117			0
216			0	216			0
July-17				August-17			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
103			0	103			0
104			0	104			0
105			0	105			0
116			0	116			0
117			0	117			0
216			0	216			0
September-17				October-17			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
103			0	103			0
104			0	104			0
105			0	105			0
116			0	116			0
117			0	117			0
216			0	216			0



Partial Exemption Racial Profiling Reporting (Tier 1)

(This is the TCLEOSE recommended form. The form is not mandatory. The information contained in this form, however, is mandatory. You may use your form, but all information must be provided.)

If you claim a partial exemption you must submit a report that contains the following data or use this format to report the data.

Instructions: Please fill out all boxes. If zero use 0.

1. Total on lines 4, 11,14, and 17 Must be equal
2. Total on line 20 Must equal line 15

Number of motor vehicle stops:

1. 1,254 citation only
2. 21 arrest only
3. 1 both

4. 1,276 **Total**

Race or Ethnicity:

5. 243 African
6. 3 Asian
7. 1,022 Caucasian
8. 8 Hispanic
9. 0 Middle Eastern
10. 0 Native American

11. 1,276 **Total**

Race or Ethnicity known prior to stop?

12. 4 Yes
13. 1,272 No

14. 1,276 **Total**

Search conducted?

15. 33 Yes
16. 1,243 No

17. 1,276 **Total**

Was search consented?

18. 9 Yes
19. 24 No

20. 33 **Total Must equal #15**



**Partial Exemption Racial Profiling Reporting
(Tier 1)**

Option to submit required data by utilizing agency report

You must submit your report in PDF format

Electronic Submission of data required by 2.132(b)(6) CCP

(6) required collection of information relating to motor vehicle stops in which a citation is issued and no arrests made as a result of those stops, including information relating to:

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining the individual; and

This analysis meets the above requirements

Chief Administrator

Date

Send entire documents electronically to this website

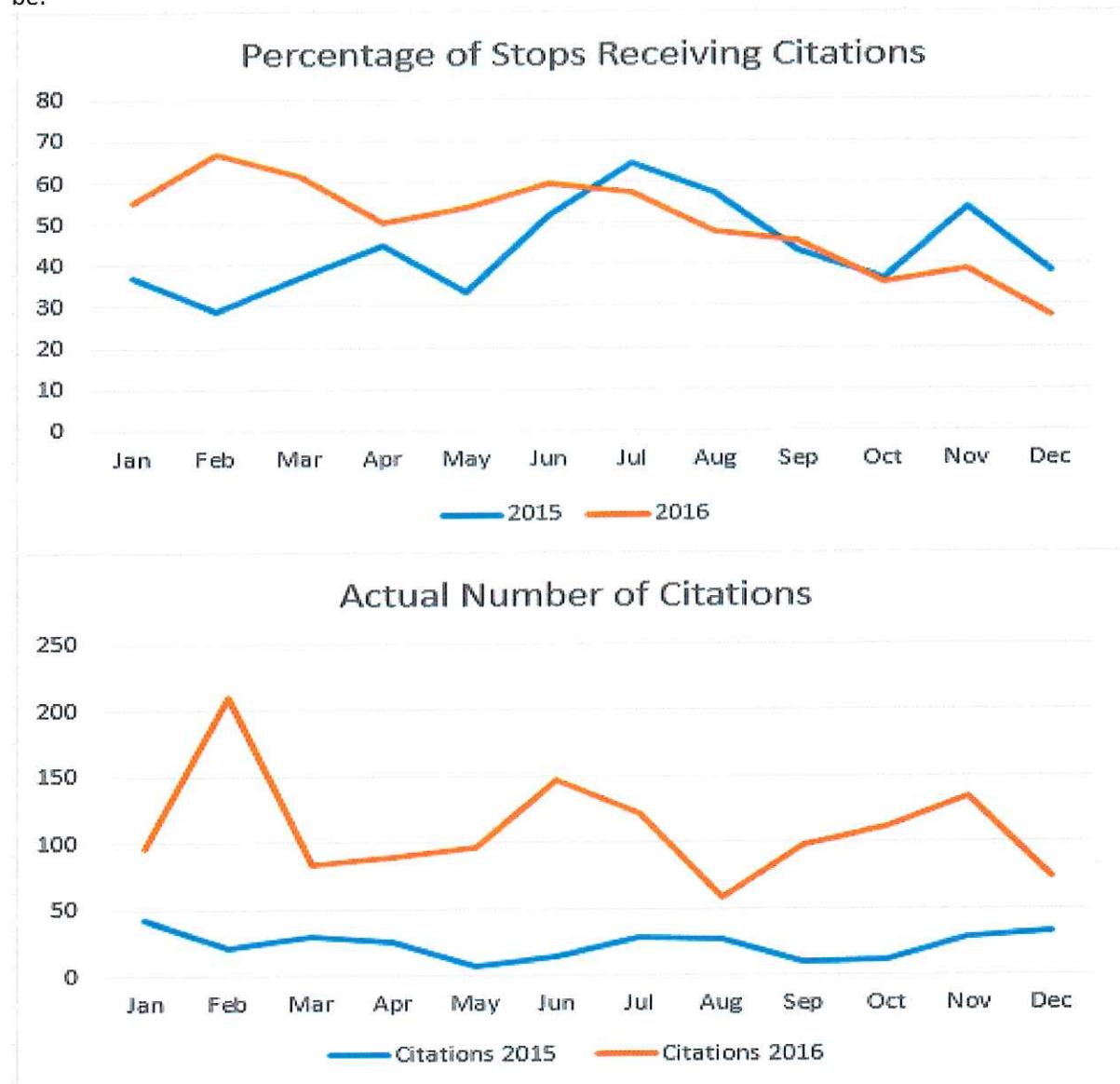
www.tcleose.state.tx.us

Sir

In reference to the information requested by Councilman Meyers I have prepared the below graphs. There do appear to be some trends:

- There is a percentage slide starting about August through the first of the year with a jump in November
- For actual numbers 2016 was significantly better.
- There was a dip in actual numbers in August that corresponds to the promotion of Sgt. Seif. His duties were realigned and his traffic opportunities were decreased.

It is always important to note, when reviewing enforcement data, that enforcement depends on several things that are out of the control of the officer. Each stop has a character all its own. It is appropriate to note that an officer can have a run of violators that warrant a warning and at another time have the opposite and have a run of violations that warrant citations. One never knows what the next stop will be.





Partial Exemption Racial Profiling Reporting (Tier 1)

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This analysis meets the above requirements

Chief Administrator

Date

Send entire documents electronically to this website

www.tcleose.state.tx.us

OVILLA FIRE DEPARTMENT



MONTHLY REPORT

OVILLA FIRE DEPARTMENT

City of Ovilla Calls for Service	2016 Totals	2017 Totals
Fire 13	29	6
EMS 16		21
ESD #2 Calls for Service		
Fire 9		3
EMS 17	26	9
ESD #4 Calls for Service		
Fire 0		3
EMS 5	5	8
Mutual Aid Provided		
Fire 4		9
EMS 1	5	0
Total Calls For Service / Month	65	59
Total Calls For Service / YTD	116	120

Average Response Times for City of Ovilla	Time from Notify to Time On Scene		Reaction Times	
	<u>January</u>	<u>February</u>	<u>January</u>	<u>February</u>
	5:41	6:27		
			E-701	2:06
Average Response Times for ESD # 2	7:38	8:32		1:52
Average Response Times for ESD # 4	7:34	8:06		

<u>FLEET REPORT</u>					
<u>Year</u>	<u>Unit #</u>	<u>Beginning Mileage</u>	<u>Ending Mileage</u>	<u>Total</u>	<u>Maintenance</u>
2016	E701	3,260	3,500	240	\$ -
1998	XE701	113,541	113,541	0	\$ -
2003	E702	25,423	25,473	50	\$ -
2001	B701	54,963	55,006	43	\$ -
2011	B702	2,949	2,952	3	\$ 302.86
2005	R755	16,292	16,360	68	\$ -
2007	C702	90,506	90,899	393	\$ 134.97
2016	C701	7,502	8,223	721	\$ 68.46

OVILLA FIRE DEPARTMENT

STAFFING REPORT

- 7 days a week we have 3 - 24 hour position (0800 - 0800)
- These positions were **100%** filled this month

- 7 nights a week we have 1 - 12 hour volunteer shift (2000 - 0800)
- 2 days on the weekend we have 1 - 12 hour shift that is covered by volunteers (0800 - 2000)
- **36 / 36** Volunteer shifts were covered and these 36 shifts there were 4 personnel on the Engine
- **8 / 8** weekend day shifts were worked by a volunteer

- All Shifts in **February** were **100%** covered with 3 minimum

From the Deputy Chief / Fire Marshal

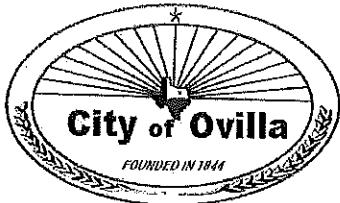
3 - Meetings
2 - Consults
CQ Reports
Training with Volunteer Recruits

Fire Department News For the Month

1. C-701 responded to 7 calls for manpower and or command staff.
2. C-702 responded to 8 calls for manpower and or command staff.
3. Attended Monthly ESD #2 and ESD #4 Meeting
4. We have hired 6 Volunteers that fills all 12 of our Volunteer positions
5. Current staffing, 2-Chiefs, 4-Captains, 23-Part Time Firefighter EMT-P, 9-Part Time Firefighter EMT-B, 12-Volunteer Firefighters, Total F.D. Staff = 50

Grant Report

- Received \$5,750.00 from Texas A&M Forest Service for Fire Department Insurance Program
- Still waiting to hear about AFG SCBA Grant Award, maybe sometime in March



DATE: March 13, 2017

TO: Honorable Mayor and Council Members
Dennis Burn, City Manager

FROM: Linda Harding, City Accountant

SUBJECT: Accounting Department Report

January Financial Reports Submitted.

Messages:

FY 2016-2017 short list of budget objectives:

Posted advertisement for utility billing clerk.

Police and Fire Department radios have been received and will possibly be active by the end on April.

Police Department has received patrol laptops and a desktop.

Fire Department has received command vehicle.

Public works truck has been received.

Lariat Trail Improvements have been completed.

Water Street Improvements have been completed.

Concrete repairs in some locations have been completed.

Heritage Park restrooms have been ordered, the pad is being prepared.

Plumbing upgrades in city hall and baseball concessions stand have been complete.

Fire Department has increased staff.

New Police Department patrol vehicle has been received.

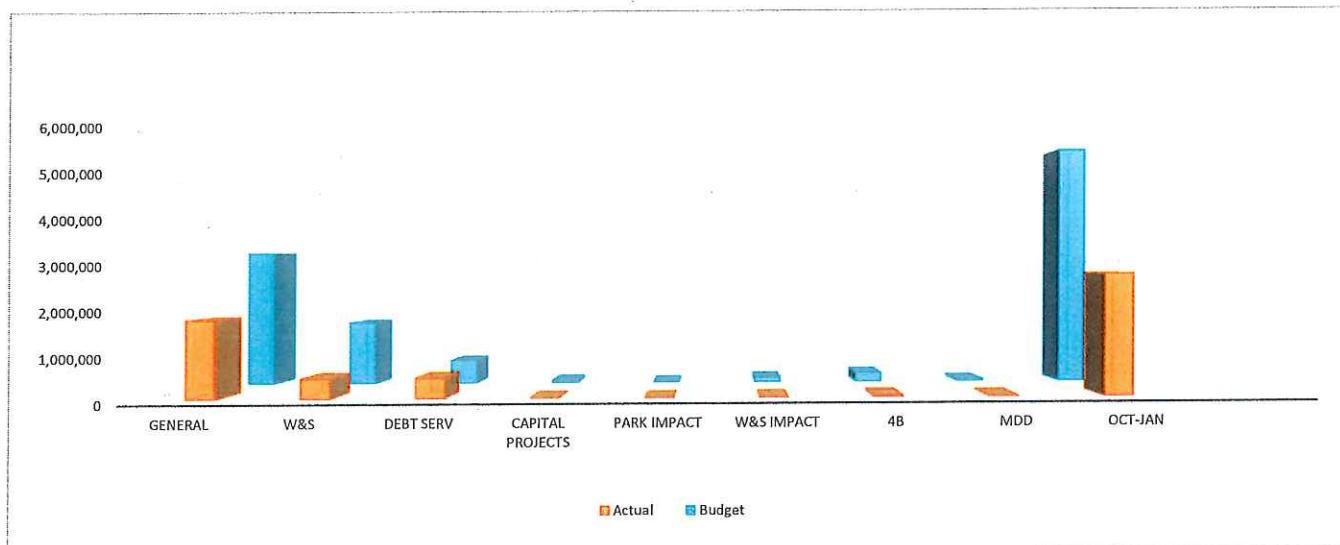
Included with this memo are budget vs actual graph representations of the financial reports.

The auditing services are provided by Yeldell, Wilson and Co., P.C. are contracted for year-end 2015 and year-end 2016, with three (3) one-year optional extensions for the fiscal years ending through September 2019.

Department duties:

Council reports, A/P, P/R, A/R, EOM reports, various accounting obligations, and completed instructions given by City Manager. Examining the various funds, ordinances, resolutions, accounting files, filed required reports for state and federal.

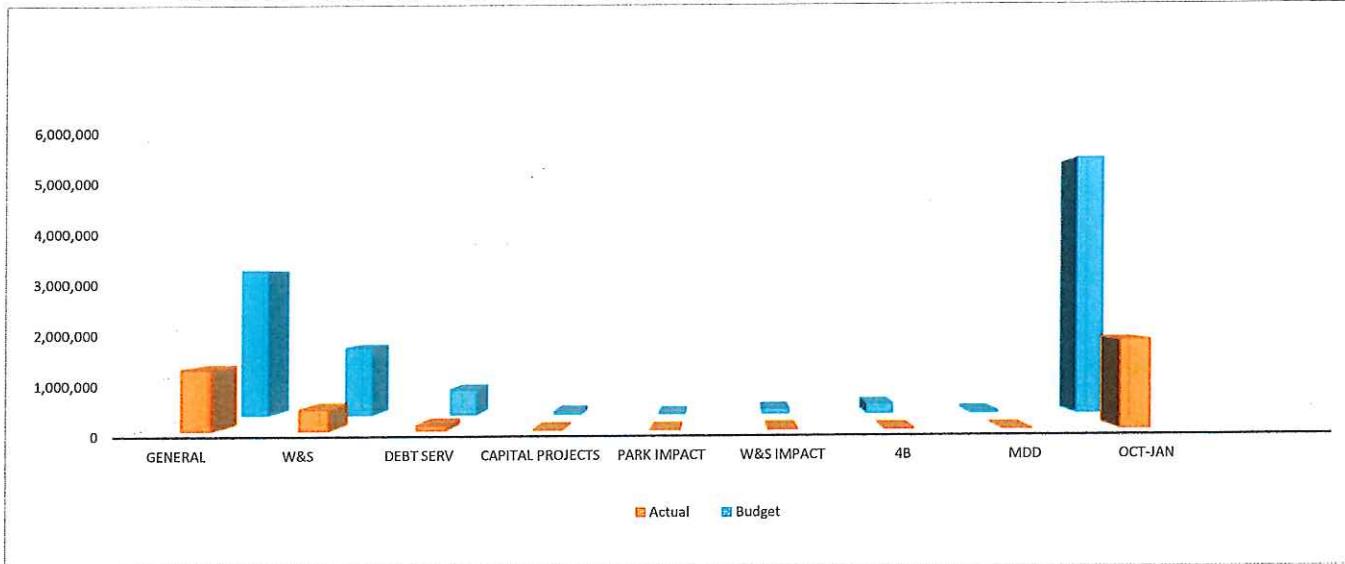
CITY OF OVILLA REVENUE FY 2016-2017



City of Ovilla Revenue

FUNDS	Capital								
	General	W&S	Debt Serv	Projects	Park Impact	W&S Impact	4B	MDD	Oct-Jan
Actual	1,771,152	451,770	459,451	90	2,067	7,800	32,305	16,273	2,740,908
Budget	3,312,825	1,538,005	571,025	50,261	13,523	109,330	214,647	41,991	5,851,607
Over / (Under) Budget	(1,541,673)	(1,086,235)	(111,574)	(50,171)	(11,456)	(101,530)	(182,342)	(25,718)	(3,110,699)

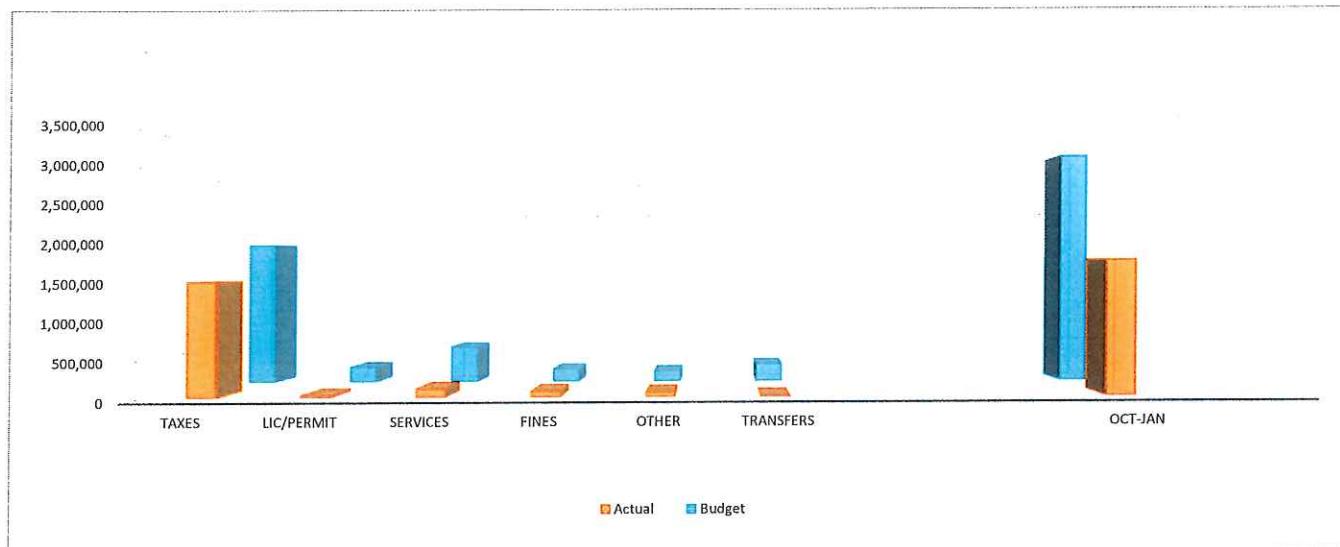
CITY OF OVILLA EXPENSE FY 2016-2017



City of Ovilla Expense

FUNDS	Capital								
	General	W&S	Debt Serv	Projects	Park Impact	W&S Impact	4B	MDD	Oct-Jan
Actual	1,255,321	435,914	97,763	0	0	20,153	5,648	1,798	1,816,597
Budget	3,312,825	1,538,005	571,025	50,261	13,523	109,330	214,647	41,991	5,851,607
Over / (Under) Budget	(2,057,504)	(1,102,091)	(473,262)	(50,261)	(13,523)	(89,177)	(208,999)	(40,193)	(4,035,010)

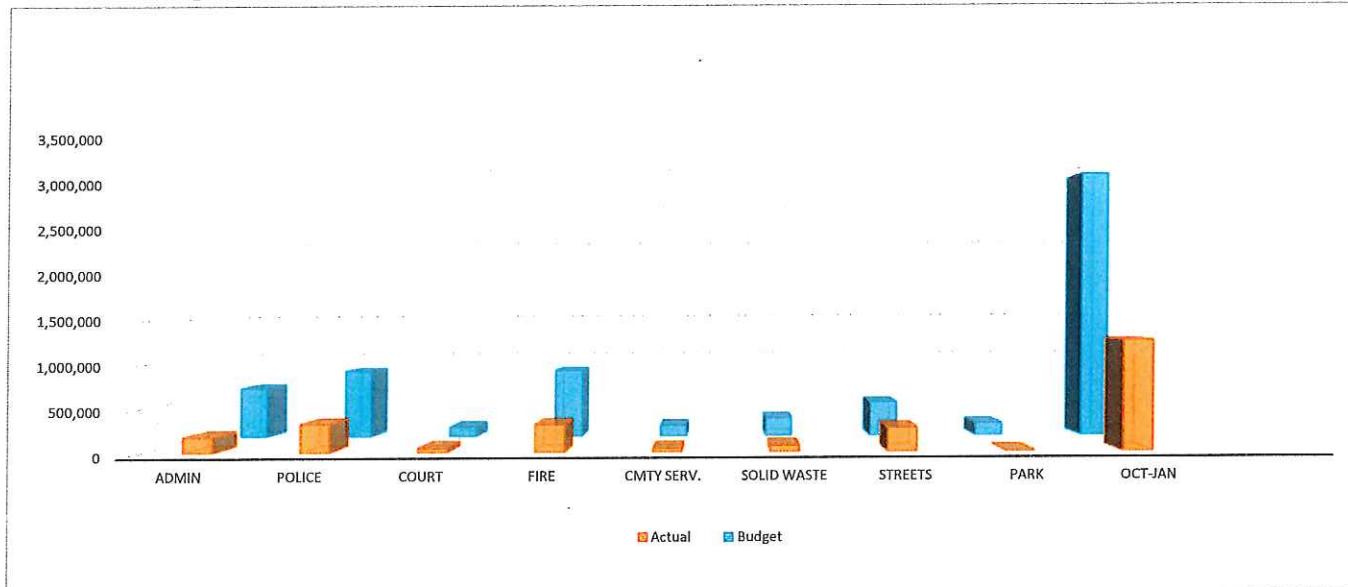
GENERAL FUND REVENUE FY 2016-2017



General Fund Revenue

	Taxes	Lic/Permit	Services	Fines	Other	Transfers	Oct-Jan
Actual	1,506,489	22,785	107,118	69,115	56,698	8,947	1,771,152
Budget	2,023,436	212,068	508,728	177,625	145,180	245,788	3,312,825
Over / (Under) Budget	(516,947)	(189,283)	(401,610)	(108,510)	(88,482)	(236,841)	(1,541,673)

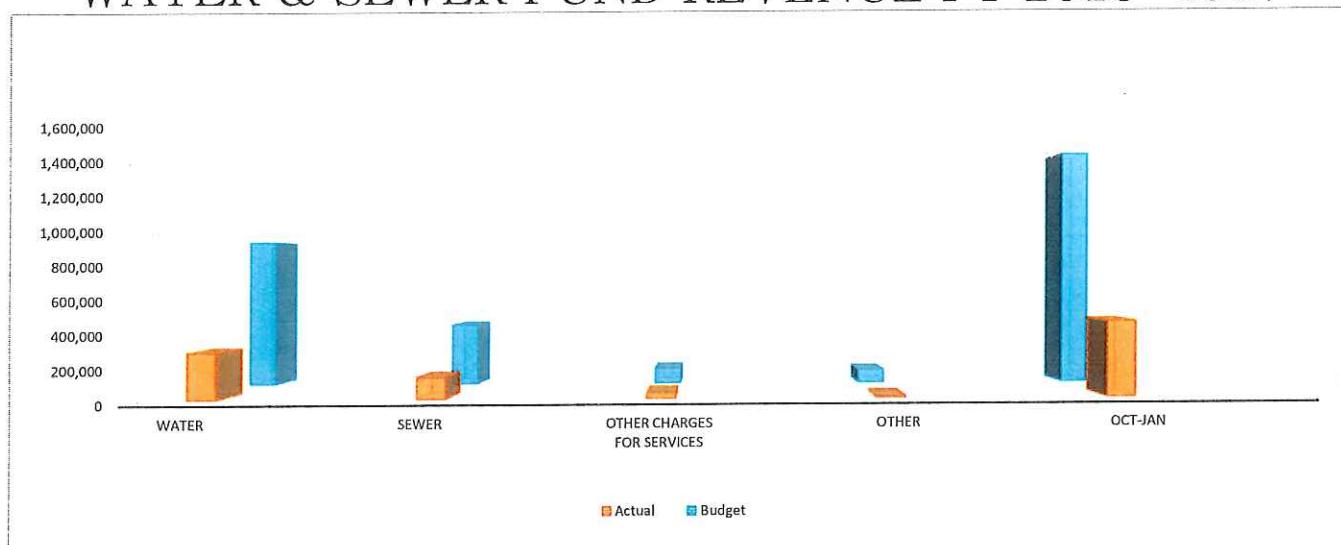
GENERAL FUND EXPENSE FY 2016-2017



General Fund Expense

	Admin	Police	Court	Fire	CMTY Serv.	Solid Waste	Streets	Park	Oct-Jan
Actual	175,799	324,703	47,901	311,628	42,461	72,150	272,566	8,113	1,255,321
Budget	614,526	827,010	116,460	831,318	132,174	221,676	419,538	150,123	3,312,825
Over / (Under) Budget	(438,727)	(502,307)	(68,559)	(519,690)	(89,713)	(149,526)	(146,972)	(142,010)	(2,057,504)

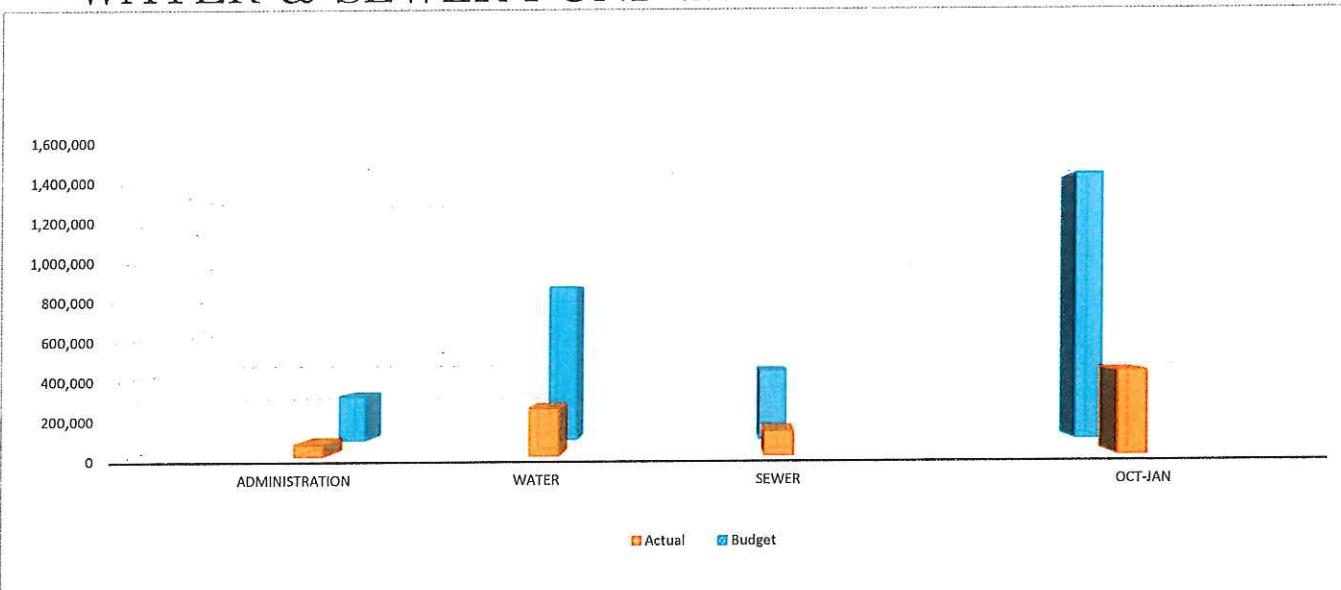
WATER & SEWER FUND REVENUE FY 2016-2017



Water & Sewer Revenue

	Water	Sewer	Other Charges for Services	Other	Oct-Jan
Actual	281,039	128,571	32,567	9,594	451,771
Budget	959,305	396,500	98,050	84,150	1,538,005
Over / (Under) Budget	(678,266)	(267,929)	(65,483)	(74,556)	(1,086,234)

WATER & SEWER FUND EXPENSE FY 2016-2017



Water & Sewer Fund Expense

	Administration	Water	Sewer	Oct-Jan
Actual	61,412	247,147	127,356	435,915
Budget	254,530	884,886	398,589	1,538,005
Over / (Under) Budget	(193,118)	(637,739)	(271,233)	(1,102,090)



DATE: March 13, 2017

TO: Honorable Mayor and Council Members

FROM:
Linda Harding, Accountant

SUBJECT: Financial Statements Through January 2017

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Thru January
			Budget	33%
Revenues				
4000100 · Taxes				
4000105 · Ad Valorem, Current	805,568	1,398,624	1,541,553	(142,929) 91%
4000106 · Ad Valorem, New & improvements	0	0	77,331	(77,331) 0%
4000110 · Ad Valorem, Delinquent	5,162	7,334	8,116	(782) 90%
4000113 · Interest/Penalties - Prop Tax	228	1,221	7,540	(6,319) 16%
4000120 · Sales Tax	15,278	63,355	191,118	(127,763) 33%
4000125 · Sales Tax - Street Improvement	3,819	15,839	47,778	(31,939) 33%
4000130 · Franchise Tax	6,252	20,116	150,000	(129,884) 13%
Total 4000100 · Taxes	836,308	1,506,489	2,023,436	(516,947) 74%
4000200 · Licenses and Permits				
4000210 · Residential Building Permits	0	12,360	150,100	(137,740) 8%
4000214 · Misc Building Permits	2,238	5,601	16,000	(10,399) 35%
4000230 · Plan Review Fee	115	2,616	35,750	(33,134) 7%
4000260 · Alarm Permits	215	765	2,604	(1,839) 29%
4000270 · Animal Tag Fees	144	552	3,706	(3,154) 15%
4000272 · Impound Fees	35	510	2,751	(2,241) 19%
4000290 · Misc Licenses and Permits	85	380	1,157	(777) 33%
Total 4000200 · Licenses and Permits	2,832	22,785	212,068	(189,283) 11%
4000400 · Charges for Services				
4000325 · ESD #2	18,672	18,672	190,000	(171,328) 10%
4000330 · ESD #4	0	0	55,628	(55,628) 0%
4000411 · Copies and Maps	0	4	100	(96) 4%
4000415 · Police Reports	0	12	150	(138) 8%
4000420 · Park Lights	0	0	1,000	(1,000) 0%
4000440 · Oak Leaf Animal Control	0	335	2,100	(1,765) 16%
4000450 · Subdivision Fees	0	0	6,400	(6,400) 0%
4000480 · Solid Waste (Garbage)	22,793	87,139	247,600	(160,461) 35%
4000485 · 50/50 Sidewalk Program	0	0	1,250	(1,250) 0%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget	
				Thru January	
	January 2017	'Oct - Jan 2017	Budget	Budget	33%
4000490 · Misc Charges for Services	200	956	4,500	(3,544)	21%
Total 4000400 · Charges for Services	41,665	107,118	508,728	(401,610)	21%
4000500 · Fines and Forfeitures					
4000535 · Omni Warrant Revenue	48	503	2,304	(1,801)	22%
4000510 · Fines - Police	13,364	64,282	160,000	(95,718)	40%
4000520 · Fines - Animal Control	0	0	456	(456)	0%
4000525 · Fines - Code Enforcement	196	1,792	8,949	(7,157)	20%
4000550 · Municipal Court Technology	276	1,387	3,375	(1,988)	41%
4000551 · Municipal Court Security	207	1,040	2,531	(1,491)	41%
4000590 · Misc Fines and Forfeitures	0	111	10	101	1,110%
Total 4000500 · Fines and Forfeitures	14,090	69,115	177,625	(108,510)	39%
4000800 · Other Revenue					
4000810 · Heritage Day	0	5,006	19,000	(13,994)	26%
4000818 · Lease Proceeds	0	0	1,165	(1,165)	0%
4000820 · Water Tower Lease	11,819	31,458	107,000	(75,542)	29%
4000840 · Interest Earned	602	2,135	6,000	(3,865)	36%
4000860 · Grant Proceeds	0	1,075	0	1,075	100%
4000885 · Proceeds from Sale of Assets	9,600	15,100	7,500	7,600	201%
4000887 · HOA Revenue	1,015	1,015	1,015	0	100%
4000890 · Misc Other Revenue	6	910	3,500	(2,590)	26%
Total 4000800 · Other Revenue	23,042	56,698	145,180	(88,482)	39%
4000900 · Transfers In					
4000925 · Admin.Rev. received from 4B-EDC	0	625	2,500	(1,875)	25%
4000926 · 4B-EDC Revenue: Restroom	0	0	75,000	(75,000)	0%
4000927 · 4B-EDC Revenue: Monument Signs	0	0	30,000	(30,000)	0%
4000928 · 4B-EDC Revenue: Consultant	0	0	10,000	(10,000)	0%
4000930 · Admin. Rev. Rec. From W&S Fund	0	8,197	32,788	(24,591)	25%
4000940 · Admin.Rev. Rec. from MDD Fund	0	125	500	(375)	25%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	January 2017	'Oct - Jan 2017	Budget	Budget	Thru January
4000990 · Reduction in Fund Balance			95,000	(95,000)	0%
Total 4000990 · Transfers In	0	8,947	245,788	(236,841)	4%
Total Revenues	917,937	1,771,152	3,312,825	(1,541,673)	53%
Gross Resources	917,937	1,771,152	3,312,825	(1,541,673)	53%
Expenditures					
10 · Administration					
5101100 · Salaries & Wages					
5101110 · City Administrator	6,986	25,323	66,126	(40,803)	38%
5101115 · City Secretary	4,538	16,452	40,973	(24,521)	40%
5101117 · City Accountant	4,035	14,626	38,192	(23,567)	38%
5101120 · Admin. Support	2,773	10,051	22,978	(12,927)	44%
5101170 · Salary Increase	0	0	5,265	(5,265)	0%
5101180 · Merit Raises, Staff	0	0	5,207	(5,207)	0%
Total 5101100 · Salaries & Wages	18,332	66,452	178,741	(112,289)	37%
5101400 · Support Staff					
5101490 · Overtime	0	0	350	(350)	0%
Total 5101400 · Support Staff	0	0	350	(350)	0%
5102100 · Employee Benefits					
5102110 · Group Insurance	2,457	9,976	29,461	(19,485)	34%
5102135 · TMRS	1,784	7,494	22,694	(15,200)	33%
5102160 · Worker's Compensation	151	303	606	(303)	50%
5102170 · Payroll Taxes	252	1,133	3,456	(2,323)	33%
5102180 · Unemployment Taxes	0	0	1,000	(1,000)	0%
5102196 · Indiv. Membership Dues	0	525	750	(225)	70%
Total 5102100 · Employee Benefits	4,644	19,430	57,967	(38,537)	34%
5102200 · Special Services					

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Thru January
			Budget	33%
5102210 · Tax Assessing & Collecting Fees	0	0	1,570	(1,570) 0%
5102220 · Tax Appraisal Fee	0	4,093	16,003	(11,910) 26%
5102230 · Legal Fees	345	2,250	25,000	(22,750) 9%
5102240 · Audit	0	7,400	7,400	0 100%
5102250 · Accounting	0	375	1,000	(625) 38%
5102260 · Engineering Fees	942	3,728	6,000	(2,272) 62%
Total 5102200 · Special Services	1,287	17,846	56,973	(39,127) 31%
5102300 · Contractual Services				
5102310 · Consultant Fees	0	1,678	20,000	(18,322) 8%
5102325 - 4B-EDC Consulting	0	0	10,000	(10,000) 0%
Total 5102300 · Contractual Services	0	1,678	30,000	(28,322) 6%
5102500 · Operating Services				
5102530 · Custodial Service Contract	357	1,404	4,128	(2,724) 34%
5102540 · IT - Computer Maintenance	2,261	12,611	19,269	(6,658) 65%
Total 5102500 · Operating Services	2,617	14,015	23,397	(9,382) 60%
5102600 · Special Expenses				
5102610 · Election - Payroll	0	0	850	(850) 0%
5102620 · Election - Supplies	0	118	2,500	(2,383) 5%
5102630 · Election Meeting Expense	0	0	100	(100) 0%
5102650 · Codification Book Update	375	375	4,100	(3,725) 9%
Total 5102600 · Special Expenses	375	493	7,550	(7,058) 7%
5103100 · General Supplies				
5103110 · Office Supplies	714	2,493	8,000	(5,507) 31%
5103140 · Uniforms	0	119	250	(131) 48%
Total 5103100 · General Supplies	714	2,612	8,250	(5,638) 32%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Budget
				Thru January 33%
5103400 · Maintenance Supplies / Parts				
5103410 · Supplies - Custodial	128	288	1,500	(1,212) 19%
5103440 · Maintenance Agreement Expense	0	0	400	(400) 0%
5103460 · Miscellaneous	0	188	400	(212) 47%
Total 5103400 · Maintenance Supplies / Parts	128	476	2,300	(1,824) 21%
5104200 · Travel Expenses				
5104210 · Travel - Local	9	9	500	(491) 2%
5104220 · Professional Development	375	395	5,500	(5,105) 7%
5104222 · Professional Develop - Council	0	975	1,200	(225) 81%
5104225 · City Council Meal Expense	39	209	1,400	(1,191) 15%
5104230 · Professional Develop - In-House	0	0	500	(500) 0%
Total 5104200 · Travel Expenses	422	1,587	9,100	(7,513) 17%
5105200 · Data Processing Expenses				
5105240 · Data Processing - Software	1,539	7,865	13,300	(5,435) 59%
Total 5105200 · Data Processing Expenses	1,539	7,865	13,300	(5,435) 59%
5105300 · Printing Expense				
5105310 · Copier Expense	2,273	2,934	3,300	(366) 89%
5105320 · Printing - Newsletters	0	0	5,108	(5,108) 0%
5105330 · Printing - Forms	303	303	1,500	(1,197) 20%
Total 5105300 · Printing Expense	2,576	3,237	9,908	(6,671) 33%
5105400 · Utilities				
5105410 · Telephone	117	449	1,404	(955) 32%
5105415 · Cellular Phone	119	478	1,464	(986) 33%
5105417 · Internet	176	482	2,409	(1,927) 20%
5105420 · Wireless Cards	38	152	912	(760) 17%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Thru January
			Budget	33%
5105450 · Electricity	313	1,394	4,635	(3,241) 30%
Total 5105400 · Utilities	763	2,955	10,824	(7,869) 27%
5105500 · Repairs & Bldg Improvements				
5105520 · Repairs - Buildings	0	3,759	4,000	(241) 94%
5105540 · Repairs - Machinery & Equipment	0	0	600	(600) 0%
5105590 · Repairs - Other	0	2,170	2,200	(30) 99%
Total 5105500 · Repairs & Bldg Improvements	0	5,929	6,800	(871) 87%
5105600 · Insurance				
5105610 · Insurance - Property	295	591	1,182	(591) 50%
5105620 · Insurance - Liability	169	339	678	(339) 50%
5105630 · Insurance - Fidelity Bond	0	250	300	(50) 83%
5105635 · Public Officials Surety Bonds	0	0	1,000	(1,000) 0%
Total 5105600 · Insurance	465	1,179	3,160	(1,981) 37%
5105700 · Other Expenses				
5105705 · Postage	325	1,655	6,756	(5,101) 24%
5105710 · Cash - Over/Short	0	0	10	(10) 0%
5105725 · Records Management Expense	0	1,060	3,600	(2,541) 29%
5105730 · City - Memberships	125	1,616	2,500	(884) 65%
5105740 · Legal Notices/Advertisement	180	954	9,000	(8,046) 11%
5105752 · Employment Screening	0	126	200	(74) 63%
5105753 · Solicitor Screening	0	0	200	(200) 0%
5105756 · FM 664	0	23,928	24,000	(72) 100%
5105760 · Bank Service Charge	0	10	100	(90) 10%
5105764 · Filing Fees	0	0	250	(250) 0%
5105765 · Miscellaneous	37	695	2,500	(1,805) 28%
Total 5105700 · Other Expenses	667	30,044	49,116	(19,072) 61%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Budget
				Thru January 33%
5106400 · Minor Capital Outlay				
5106440 · Machinery & Equipment	0	0	1,000	(1,000) 0%
5106465 · Furniture	0	0	1,000	(1,000) 0%
Total 5106400 · Minor Capital Outlay	0	0	2,000	(2,000) 0%
5107400 · Capitalized Assets				
5107440 · Machinery & Equipment	0	0	52,400	(52,400) 0%
Total 5107400 · Capitalized Assets	0	0	52,400	(52,400) 0%
5109000 · Reserves				
5109001 · Reserve for Contingency	0	0	2,390	(2,390) 0%
5109015 · Reserve for FD & PD Radios	0	0	90,000	(90,000) 0%
Total 5109000 · Reserves	0	0	92,390	(92,390) 0
Total 10 · Administration	34,529	175,799	614,526	(438,727) 29%
20 · Police				
5201100 · Salaries & Wages				
5201120 · Police Chief	5,711	25,699	70,000	(44,301) 37%
5201143 · Command Staff	4,408	19,838	53,560	(33,722) 37%
5201150 · Certification Pay	277	1,246	2,400	(1,154) 52%
5201170 · Salary Increase	0	0	4,160	(4,160) 0%
5201180 · Merit Raises - Staff	0	0	3,832	(3,832) 0%
Total 5201100 · Salaries & Wages	10,396	46,783	133,952	(87,169) 35%
5201400 · Support Salaries				
5201405 · Support Staff	2,371	10,670	27,851	(17,181) 38%
5201408 · Sergeant	3,626	14,502	43,680	(29,178) 33%
5201410 · Patrol	19,241	86,385	224,723	(138,338) 38%
5201412 · Patrol Part Time	0	1,000	20,500	(19,500) 5%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

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				Thru January	
	January 2017	'Oct - Jan 2017	Budget	Budget	33%
5201415 · Certification Pay	69	312	1,636	(1,324)	19%
5201470 · Salary Increase	0	0	16,640	(16,640)	0%
5201480 · Merit Raises	0	0	9,387	(9,387)	0%
5201490 · Overtime	502	2,790	16,000	(13,210)	17%
Total 5201400 · Support Salaries	25,809	115,659	360,417	(244,758)	32%
5202100 · Employee Benefits					
5202110 · Group Insurance	5,902	24,348	72,741	(48,393)	33%
5202135 · TMRS	3,523	14,758	44,740	(29,982)	33%
5202160 · Worker's Compensation	2,244	5,163	11,677	(6,514)	44%
5202170 · Payroll Taxes	501	2,244	8,381	(6,137)	27%
5202196 · Membership Dues	0	397	500	(103)	79%
Total 5202100 · Employee Benefits	12,170	46,909	138,039	(91,130)	34%
5202300 · Contractual Services					
5202355 · Contract Labor - Individual	0	0	500	(500)	0%
5202356 · Gingerbread House	0	1,000	1,000	0	100%
5202380 · Dispatch	0	7,613	15,225	(7,613)	50%
5202385 · Jail Expense	0	0	1,000	(1,000)	0%
5202390 · Special Response Team	0	7,500	8,500	(1,000)	88%
5202395 · Contractual Services Other	0	0	1,000	(1,000)	0%
Total 5202300 · Contractual Services	0	16,113	27,225	(11,113)	59%
5202500 · Operating Services					
5202530 · Custodial Service Contract	235	940	2,820	(1,880)	33%
5202540 · Computer Maintenance	0	0	700	(700)	0%
5202560 · Internet Subscriptions	0	0	1,350	(1,350)	0%
Total 5202500 · Operating Services	235	940	4,870	(3,930)	19%
5202600 · Special Expenses					

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	January 2017	'Oct - Jan 2017	Budget	Budget	
5202675 · National Night Out	0	434	550	(116)	79%
Total 5202600 · Special Expenses	0	434	550	(116)	79%
5203100 · General Supplies					
5203110 · Office Supplies	65	1,479	1,500	(21)	99%
5203140 · Uniforms	675	1,298	8,000	(6,702)	16%
5203170 · Evidence Gathering	42	248	700	(452)	35%
Total 5203100 · General Supplies	782	3,025	10,200	(7,175)	30%
5203400 · Maintenance Supplies & Parts					
5203410 · Supplies - Custodial	82	212	600	(388)	35%
Total 5203400 · Maintenance Supplies & Parts	82	212	600	(388)	35%
5204200 · Travel Expenses					
5204210 · Travel - Local	0	0	1,000	(1,000)	0%
5204220 · Professional Development	585	921	3,731	(2,810)	25%
5204225 · Professional Dev - LEOSE	0	0	1,165	(1,165)	0%
5204235 · Ammo	0	0	1,000	(1,000)	0%
5204270 · Vehicle Expenses	1,571	5,889	24,000	(18,111)	25%
Total 5204200 · Travel Expenses	2,157	6,811	30,896	(24,085)	22%
5205200 · Data Processing Expenses					
5205240 · Data Processing - Software	0	17,851	18,000	(149)	99%
Total 5205200 · Data Processing Expenses	0	17,851	18,000	(149)	99%
5205300 · Printing Expenses					
5205310 · Copier Expense	87	348	1,500	(1,152)	23%
5205330 · Printing - Forms	0	78	300	(222)	26%
5205350 · Printing - Other	0	265	400	(135)	66%
Total 5205300 · Printing Expenses	87	691	2,200	(1,509)	31%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Thru January
			Budget	33%
5205400 · Utilities				
5205410 · Telephone	117	449	1,404	(955) 32%
5205415 · Cellular Phone	100	484	1,350	(866) 36%
5205417 · Internet - PD	176	482	2,409	(1,927) 20%
5205420 · Wireless Cards	304	991	2,750	(1,759) 36%
5205450 · Electricity	458	1,373	4,500	(3,127) 31%
Total 5205400 · Utilities	1,155	3,779	12,413	(8,634) 30%
5205500 · Repairs & Building Improvements				
5205520 · Repairs - Building	53	53	5,000	(4,947) 1%
5205540 · Repairs- Machinery & Equipment	0	149	1,000	(851) 15%
5205550 · Repairs - Vehicles	1,174	3,409	8,000	(4,591) 43%
Total 5205500 · Repairs & Building Improvements	1,227	3,610	14,000	(10,390) 26%
5205600 · Insurance				
5205610 · Insurance - Property	439	879	1,757	(878) 50%
5205620 · Insurance - Liability	2,081	4,162	8,499	(4,337) 49%
5205640 · Insurance - Vehicle	730	1,674	2,203	(529) 76%
Total 5205600 · Insurance	3,250	6,715	12,459	(5,744) 54%
5205700 · Other Expenses				
5205742 · Public Relations	0	219	219	(0) 100%
5205752 · Employment Screening	0	46	1,550	(1,504) 3%
5205765 · Miscellaneous	25	654	1,620	(966) 40%
Total 5205700 · Other Expenses	25	919	3,389	(2,470) 27%
5206400 · Minor Capital Outlay				
5206440 · Machinery & Equipment	0	5,380	6,200	(820) 87%
5206445 · Personal Protective Equipment	0	655	2,600	(1,945) 25%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	January 2017	'Oct - Jan 2017	Budget	Budget	Thru January
5206450 · Vehicles	0	48,217	49,000	(783)	98%
Total 5206400 · Minor Capital Outlay	0	54,252	57,800	(3,548)	94%
 Total 20 · Police	 57,375	 324,703	 827,010	 (502,307)	 39%
25 · Municipal Court					
5251100 · Salaries & Wages					
5251140 · Municipal Judge	634	2,534	7,020	(4,486)	36%
Total 5251100 · Salaries & Wages	634	2,534	7,020	(4,486)	36%
5251400 · Support Staff					
5251405 · Support Staff	2,669	12,010	33,676	(21,666)	36%
5251470 · Salary Increase	0	0	582		
5251480 · Merit Raises	0	0	1,011	(1,011)	0%
5251490 · Overtime	0	300	500	(200)	60%
Total 5251400 · Support Staff	2,669	12,310	35,769	(23,459)	34%
5252100 · Employee Benefits					
5252110 · Group Insurance	600	2,450	7,203	(4,753)	34%
5252135 · TMRS	260	1,118	3,304	(2,186)	34%
5252160 · Worker's Compensation	30	61	122	(61)	50%
5252170 · Payroll Taxes	87	372	1,085	(713)	34%
5252196 · Membership Dues	0	0	40	(40)	0%
Total 5252100 · Employee Benefits	977	4,001	11,754	(7,753)	34%
5252300 · Contractual Services					
5251420 · Jury Fees	6	6	200	(194)	3%
5251425 · City Prosecutor	680	2,327	6,000	(3,673)	39%
5252375 · Comptroller - Warrant Fees	0	19,820	41,500	(21,680)	48%
Total 5252300 · Contractual Services	686	22,153	47,700	(25,547)	46%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Thru January
			Budget	33%
5252500 · Operating Services				
5252540 · Computer Maintenance	0	0	75	(75) 0%
Total 5252500 · Operating Services	0	0	75	(75) 0%
5253100 · General Supplies				
5253110 · Office Supplies	0	78	175	(97) 45%
5253140 · Uniforms	0	20	50	(30) 40%
Total 5253100 · General Supplies	0	98	225	(127) 44%
5254200 · Travel Expenses				
5254210 - Travel - Local	0	0	25	(25) 0%
5254220 · Professional Development	0	0	50	(50) 0%
Total 5254200 · Travel Expenses	0	0	75	(75) 0%
5255200 · Data Processing Expenses				
5255240 · Data Processing - SW Maint.	0	2,050	2,050	0 100%
Total 5255200 · Data Processing Expenses	0	2,050	2,050	0 100%
5255300 · Printing Expense				
5255350 · Printing - Other	0	278	800	(522) 35%
Total 5255300 · Printing Expense	0	278	800	(522) 35%
5255600 · Insurance				
5255620 · Insurance - Liability	48	96	192	(96) 50%
Total 5255600 · Insurance	48	96	192	(96) 50%
5255700 · Other Expenses				
5255765 · Miscellaneous	0	0	50	(50) 0%
5255768 · Collection Agency Fees	869	2,588	7,000	(4,412) 37%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

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	January 2017	'Oct - Jan 2017	Budget	Budget	
5255772 · Warrant Fee - Omni	126	1,794	3,750	(1,956)	48%
Total 5255700 · Other Expenses	995	4,382	10,800	(6,418)	41%
 Total 25 · Municipal Court	 6,008	 47,901	 116,460	 (68,559)	 41%
 30 · Fire					
5301100 · Salaries & Wages					
5301125 · Fire Chief	3,012	13,554	38,018	(24,464)	36%
5301135 · Deputy Chief/Fire December shall	1,698	7,639	21,424	(13,785)	36%
5301140 · Fire Captains	4,514	19,279	67,776	(48,497)	28%
5301150 · Officer in Charge & Holiday	2,376	6,764	12,648	(5,884)	53%
5301170 · Salary Increase	0	0	1,520	(1,520)	0%
5301180 · Merit Raises - Staff	0	0	3,863	(3,863)	0%
Total 5301100 · Salaries & Wages	11,599	47,236	145,249	(98,013)	33%
 5301400 · Support Salaries					
5301440 · Firefighters	23,852	105,359	314,158	(208,799)	34%
5301470 · Salary Increase	0	0	4,500	(4,500)	0%
5301480 · Merit Raises	0	0	7,897	(7,897)	0%
5301485 · Volunteer Incentive Program	1,122	4,874	16,850	(11,976)	29%
Total 5301400 · Support Salaries	24,973	110,233	343,405	(233,172)	32%
 5302100 · Employee Benefits					
5302135 · TMRS	493	1,972	5,831	(3,859)	34%
5302137 · Volunteer Retirement	0	108	500	(392)	22%
5302160 · Worker's Compensation	1,999	7,412	10,696	(3,284)	69%
5302170 · Payroll Taxes	2,398	10,329	32,297	(21,968)	32%
5302196 · Membership Dues	564	1,414	2,200	(786)	64%
Total 5302100 · Employee Benefits	5,454	21,236	51,524	(30,288)	41%
 5302300 · Contractual Services					

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	January 2017	'Oct - Jan 2017	Budget	Budget	Thru January
5302310 · Consultant Fees		1,500	1,500	0	100%
5302380 · Dispatch		0	7,613	(7,613)	50%
5302385 · Emergency Transport Service		0	15,890	(50,367)	24%
Total 5302300 · Contractual Services	1,500	25,002	82,982	(57,980)	30%
5302500 · Operating Services					
5302510 · Maintenance Agreements		0	5,935	10,000	(4,065) 59%
5302570 · Warning System Maintenance		0	0	780	(780) 0%
5302580 · Generator Maintenance		0	0	2,120	(2,120) 0%
Total 5302500 · Operating Services	0	5,935	12,900	(6,965)	46%
5302600 · Special Expenses					
5302675 · National Night Out		0	299	500	(201) 60%
Total 5302600 · Special Expenses	0	299	500	(201)	60%
5303100 · General Supplies					
5303110 · Office Supplies		0	213	1,000	(787) 21%
5303140 · Uniforms		98	1,357	5,000	(3,643) 27%
5303160 · Medical Supplies		17	1,791	8,000	(6,209) 22%
5303165 · Medical Support		0	22	1,000	(978) 2%
5303170 · Evidence Gathering		645	645	800	(155) 81%
5303175 · Education Aids		0	2,445	2,445	(0) 100%
Total 5303100 · General Supplies	760	6,473	18,245	(11,772)	35%
5303400 · Maintenance Supplies & Parts					
5303410 · Supplies - Custodial		305	996	2,000	(1,004) 50%
5303420 · Building Alarm Maintenance		0	0	420	(420) 0%
Total 5303400 · Maintenance Supplies & Parts	305	996	2,420	(1,424)	41%
5304200 · Travel Expenses					

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	January 2017	'Oct - Jan 2017	Budget	Budget	
5304220 · Professional Development	25	1,180	5,105	(3,925)	23%
5304270 · Vehicle Expenses	1,019	2,997	7,500	(4,503)	40%
Total 5304200 · Travel Expenses	1,044	4,177	12,605	(8,428)	33%
5305200 · Data Processing Expenses					
5305240 · Data Processing - Software	0	2,183	4,315	(2,132)	51%
Total 5305200 · Data Processing Expenses	0	2,183	4,315	(2,132)	51%
5305300 · Printing Expense					
5305310 · Copier Expense	236	1,023	3,100	(2,077)	33%
5305330 · Printing - Forms	56	56	100	(44)	56%
Total 5305300 · Printing Expense	292	1,079	3,200	(2,121)	34%
5305400 · Utilities					
5305410 · Telephone	301	1,039	2,724	(1,685)	38%
5305415 · Cellular Phone	124	467	1,248	(781)	37%
5305417 · Internet - Fire Dept.	404	1,394	5,145	(3,751)	27%
5305430 · Natural Gas	396	536	2,000	(1,464)	27%
5305450 · Electricity	410	1,822	5,650	(3,828)	32%
Total 5305400 · Utilities	1,635	5,257	16,767	(11,510)	31%
5305500 · Repairs & Bldg Improvements					
5305520 · Repairs - Building	0	646	3,500	(2,854)	18%
5305540 · Repairs - Machinery & Equipment	3,351	6,287	19,000	(12,713)	33%
5305545 · Repairs - Apparatus	3,325	6,111	12,000	(5,889)	51%
5305550 · Repairs - Vehicles	104	1,259	3,500	(2,241)	36%
Total 5305500 · Repairs & Bldg Improvements	6,780	14,303	38,000	(23,697)	38%
5305600 · Insurance					
5305620 · Insurance - Liability	217	434	3,569	(3,135)	12%
5305640 · Insurance - Vehicle	3,032	5,849	9,440	(3,591)	62%
Total 5305600 · Insurance	3,249	6,283	13,009	(6,726)	48%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Thru January
			Budget	33%
5305700 · Other Expenses				
5305705 · Postage	0	16	50	(34) 33%
5305752 · Employment Screening	74	332	500	(168) 66%
5305765 · Flags & Miscellaneous	0	0	100	(100) 0%
Total 5305700 · Other Expenses	74	348	650	(302) 54%
5306400 · Minor Capital Outlay				
5306440 · Machinery & Equipment	0	2,229	10,300	(8,071) 22%
5306445 · Personal Protective Equipment	31	3,356	20,247	(16,891) 17%
Total 5306400 · Minor Capital Outlay	31	5,585	30,547	(24,962) 18%
5307400 · Capitalized Assets				
5307450 · Vehicle	0	55,000	55,000	0 100%
Total 5306400 · Minor Capital Outlay	0	55,000	55,000	0 100%
Total 30 · Fire	57,696	311,628	831,318	(519,690) 37%
40 · Community Services				
5401100 · Salaries & Wages				
5401135 · ACO/Code Enforcement Officer	3,674	16,531	46,364	(29,833) 36%
5401180 · Merit Raises - Staff	0	0	1,391	(1,391) 0%
5401190 · Overtime	1,085	3,909	7,500	(3,591) 52%
Total 5401100 · Salaries & Wages	4,758	20,440	55,255	(34,815) 37%
5402100 · Employee Benefits				
5402110 · Group Insurance	390	1,580	7,291	(5,711) 22%
5402135 · TMRS	467	1,878	5,262	(3,384) 36%
5402160 · Worker's Compensation	89	177	356	(179) 50%
5402170 · Payroll Taxes	75	320	802	(482) 40%
5402190 · License	0	25	625	(600) 4%
Total 5402100 · Employee Benefits	1,021	3,979	14,336	(10,357) 28%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Thru January
			Budget	33%
5402300 · Contractual Services				
5402315 · Contract Building Inspections	1,687	15,168	50,000	(34,832) 30%
5402370 · Impound Fees	200	1,100	2,300	(1,200) 48%
Total 5402300 · Contractual Services	1,887	16,268	52,300	(36,032) 31%
5402600 · Special Expenses				
5402680 · Environmental Testing	40	40	2,300	(2,260) 2%
5402683 - Septic Tank Fee to State	0	0	100	(100) 0%
5402685 · Clean up Day	0	0	100	(100) 0%
Total 5402600 · Special Expenses	40	40	2,500	(2,460) 2%
5403100 · General Supplies				
5403110 · Office Supplies	0	0	50	(50) 0%
5403120 · Animal Care	0	0	150	(150) 0%
5403122 · Pet Supplies	58	241	600	(359) 40%
5403140 · Uniforms	0	333	600	(267) 55%
Total 5403100 · General Supplies	58	574	1,400	(826) 41%
5403400 · Maintenance Supplies & Parts				
5403460 · Miscellaneous	0	0	200	(200) 0%
Total 5403400 · Maintenance Supplies & Parts	0	0	200	(200) 0%
5404200 · Travel Expenses				
5404210 · Travel - Local	0	0	25	(25) 0%
5404220 · Professional Development	0	0	200	(200) 0%
5404270 · Vehicle Expenses	107	355	3,000	(2,645) 12%
Total 5404200 · Travel Expenses	107	355	3,225	(2,870) 11%
5405300 · Printing Expense				
5405330 · Printing - Forms	0	0	400	(400) 0%
Total 5405300 · Printing Expense	0	0	400	(400) 0%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Thru January
			Budget	33%
5405400 · Utilities				
5405415 · Cellular Phone	74	318	1,074	(756) 30%
Total 5405400 · Utilities	74	318	1,074	(756) 30%
5405600 · Insurance				
5405610 · Insurance - Property	2	4	9	(5) 48%
5405620 · Insurance - Liability	32	65	130	(65) 50%
5405640 · Insurance - Vehicle	61	123	245	(122) 50%
Total 5405600 · Insurance	96	191	384	(193) 50%
5405700 · Other Expenses				
5405765 · Miscellaneous	0	0	100	(100) 0%
Total 5405700 · Other Expenses	0	0	100	(100) 0%
5406400 · Minor Capital Outlay				
5406440 · Machinery & Equipment	0	295	1,000	(705) 30%
Total 5406400 · Minor Capital Outlay	0	295	1,000	(705) 30%
Total 40 · Community Services	8,040	42,461	132,174	(89,713) 32%
45 · Solid Waste				
5455400 · Utilities				
5455465 · Solid waste Pickup (Garbage)	18,122	72,150	221,676	(149,526) 33%
Total 5455400 · Utilities	18,122	72,150	221,676	(149,526) 33%
Total 45 · Solid Waste	18,122	72,150	221,676	(149,526) 33%
50 · Streets				
5501400 · Support Staff				
5501415 · Maintenance Crew	2,088	7,482	23,400	(15,918) 32%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	January 2017	'Oct - Jan 2017	Budget	Budget	Thru January
5501470 - Salary Increase		0	2,080	(2,080)	0%
5501480 - Merit Raises		0	765	(765)	0%
5501490 - Overtime		157	157	(1,343)	10%
5501500 - Streets - On Call		50	600	(550)	8%
Total 5501400 - Support Staff	2,295	7,689	28,345	(20,656)	27%
5502100 - Employee Benefits					
5502110 - Group Insurance	639	2,341	7,146	(4,805)	33%
5502135 - TMRS	223	703	2,642	(1,939)	27%
5502160 - Worker's Compensation	426	852	1,705	(853)	50%
5502170 - Payroll Taxes	33	111	403	(292)	28%
5502190 - License	0	0	122	(122)	0%
Total 5502100 - Employee Benefits	1,321	4,008	12,018	(8,010)	33%
5502200 - Special Services					
5502280 - NCTCOG- SWMP Fees	0	0	3,360	(3,360)	0%
Total 5502200 - Special Services	0	0	3,360	(3,360)	0%
5502600 - Special Expenses					
5502620 - Emergency Clean Up	0	0	2,000	(2,000)	0%
Total 5502600 - Special Expenses	0	0	2,000	(2,000)	0%
5503100 - General Supplies					
5503110 - Office Supplies	0	0	100	(100)	0%
5503140 - Uniforms	0	193	600	(407)	32%
Total 5503100 - General Supplies	0	193	700	(507)	28%
5503400 - Maintenance Supplies & Parts					
5503405 - Drainage Maintenance	0	0	500	(500)	0%
5503420 - Supplies - Street Signs	214	871	3,000	(2,129)	29%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)		% of Budget Thru January
	January 2017	'Oct - Jan 2017	Budget	Budget	
5503460 · Miscellaneous			300	(222)	26%
17	78				
Total 5503400 · Maintenance Supplies & Parts	231	949	3,800	(2,851)	25%
5504200 · Travel Expenses					
5504220 · Professional Development	0	0	500	(500)	0%
5504270 · Vehicle Expenses	131	1,122	6,500	(5,378)	17%
Total 5504200 · Travel Expenses	131	1,122	7,000	(5,878)	16%
5505300 · Printing Expense					
5505350 · Printing - Other	0	0	350	(350)	0%
Total 5505300 · Printing Expense	0	0	350	(350)	0%
5505400 · Utilities					
5505450 · Electricity	3,988	15,819	47,000	(31,181)	34%
Total 5505400 · Utilities	3,988	15,819	47,000	(31,181)	34%
5505500 · Repairs & Bldg Improvements					
5405520 · Repairs - Building	0	0	500	(500)	0%
5505540 · Repairs - Machinery & Equipment	0	1,645	3,000	(1,355)	55%
5505550 · Repairs - Vehicles	514	854	2,500	(1,646)	34%
5505560 · Repairs -Street Maint.& Repairs	474	1,660	48,000	(46,340)	3%
5505565 · Repairs - Infrastructure Drainage	0	0	3,000	(3,000)	0%
5505575 · Repairs - 50/50 Sidewalk Program	0	0	2,500	(2,500)	0%
5505590 · Repairs - Other	0	87	1,500	(1,413)	6%
Total 5505500 · Repairs & Bldg Improvements	988	4,245	61,000	(56,755)	7%
5505600 · Insurance					
5505620 · Insurance - Liability	173	347	694	(347)	50%
5505640 · Insurance - Vehicle	805	1,610	3,221	(1,611)	50%
Total 5505600 · Insurance	978	1,957	3,915	(1,958)	50%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	January 2017	'Oct - Jan 2017	Budget	Budget	Thru January
5505700 · Other Expenses					
5505752 · Employment Screening	0	106	150	(44)	71%
Total 5505700 · Other Expenses	0	106	150	(44)	71%
5506400 · Minor Capital Outlay					
5506440 · Machinery & Equipment	0	0	2,500	(2,500)	0%
5506445 · Personal Protective Equipment	0	0	300	(300)	0%
5506490 · Other	0	39	500	(461)	8%
Total 5506400 · Minor Capital Outlay	0	39	3,300	(3,261)	1%
5507400 · Capitalized Assets					
5507440 · Machinery & Equipment	0	0	10,000	(10,000)	0%
5507460 · Infrastructure	35,497	236,439	236,600	(161)	100%
Total 5507400 · Capitalized Assets	35,497	236,439	246,600	(10,161)	96%
Total 50 · Streets	45,431	272,566	419,538	(146,972)	65%
60 · Parks					
5602400 · Rentals					
5602490 · Rental - Other	210	1,048	3,000	(1,952)	35%
Total 5602400 · Rentals	210	1,048	3,000	(1,952)	35%
5602500 · Operating Services					
5602530 · Custodial Service Contract	0	0	1,200	(1,200)	0%
Total 5602500 · Operating Services	0	0	1,200	(1,200)	0%
5602600 · Special Expenses					

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	January 2017	'Oct - Jan 2017	Budget	Budget	Thru January
5602680 · Heritage Day		0	438	14,300	(13,862)
5602690 - Special Events		0	2,283	4,500	(2,217)
Total 5602600 · Special Expenses		0	2,720	18,800	(16,080)
5603400 · Maintenance Supplies & Parts					
5303410 - Supplies - Custodial		0	0	100	(100)
5603460 · Miscellaneous		0	112	300	(188)
Total 5603400 · Maintenance Supplies & Parts		0	112	400	(288)
5605400 · Utilities					
5605450 · Electricity	517	2,456	8,300	(5,844)	30%
Total 5605400 · Utilities	517	2,456	8,300	(5,844)	30%
5605500 · Repairs & Bldg Improvements					
5605520 · Repairs - Building		0	900	2,500	(1,600)
5605530 · REPAIRS-IMP OTHER THAN BLDGS		0	130	1,000	(870)
Total 5605500 · Repairs & Bldg Improvements		0	1,030	3,500	(2,470)
5605600 · Insurance					
5605610 · Insurance - Property	30	61	122	(61)	50%
5605620 · Insurance - Liability	73	147	294	(147)	50%
5605640 · Insurance - Vehicle	52	103	207	(104)	50%
Total 5605600 · Insurance	155	311	623	(312)	50%
5605700 · Other Expenses					
5605765 · Miscellaneous	0	316	500	(184)	63%
Total 5605700 · Other Expenses	0	316	500	(184)	63%
5606400 · Minor Capital Outlay					
5606410 · Land Improvements	0	120	800	(680)	15%

City of Ovilla General Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	January 2017	'Oct - Jan 2017	Budget	Budget	Thru January
5606440 · Machinery & Equipment	0	0	2,000	(2,000)	0%
Total 5606400 · Minor Capital Outlay	0	120	2,800	(2,680)	4%
5607400 · Capitalized Assets					
5607410 - 4B EDC Restroom Land Improvements	0	0	75,000	(75,000)	0%
5607415 - 4B EDC Monument Signs	0	0	30,000	(30,000)	0%
5607440 · Machinery & Equipment	0	0	6,000	(6,000)	0%
Total 5607400 · Capitalized Assets	0	0	111,000	(111,000)	0%
Total 60 · Parks	882	8,113	150,123	(142,010)	5%
Total Expenditures	228,082	1,255,321	3,312,825	(2,057,504)	38%
Net Change in Fund Balance	689,856	515,831	0	515,831	100%

Ovilla W&S Utility Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	Oct - Jan 2017	Budget	Thru January
			Budget	33%
Resources				
4000400 · Charges for Services				
4000460 · Water Sales	46,331	281,039	959,305	(678,266) 29%
4000461 · Sewer Service	25,037	128,571	396,500	(267,929) 32%
4000465 · Water & Sewer Penalties	959	5,556	18,000	(12,444) 31%
4000471 · Reconnect Fees	423	1,631	5,400	(3,769) 30%
4000472 · Meters	0	2,550	3,700	(1,150) 69%
4000473 · Connect Fees	275	850	4,400	(3,550) 19%
4000478 · Infrastructure Improvement Fee	5,333	21,980	66,550	(44,570) 33%
4000480 · Solid Waste Fees (Garbage)	0	0	0	0% 0%
Total 4000400 · Charges for Services	78,358	442,176	1,453,855	(1,011,679) 30%
4000800 · Other Revenue				
4000880 · Capital Rec Fee	0	8,750	81,250	(72,500) 11%
4000840 · Interest Earned	220	844	2,900	(2,056) 29%
Total 4000800 · Other Revenue	220	9,594	84,150	(74,556) 11%
Total Resources	78,578	451,770	1,538,005	(1,086,235) 29%
Expense				
70 · Administration				
5701100 · Salaries & Wages				
5701110 · City Administrator	0	6,112	22,042	(15,930) 28%
5701115 · City Secretary	0	3,971	13,658	(9,687) 29%
5701117 · Finance Accountant	0	3,530	12,731	(9,201) 28%
5701120 · Part Time Admin. Support	0	2,426	7,660	(5,234) 32%
5701130 · Public Works Director	4,440	19,980	53,960	(33,980) 37%
5701170 · Salary Increase	0	0	3,835	(3,835) 0%
5701180 · Merit Raises, Staff	0	0	3,414	(3,414) 0%
Total 5701100 · Salaries & Wages	4,440	36,021	117,300	(81,279) 31%

Ovilla W&S Utility Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	Oct - Jan 2017	Budget	Thru January
			Budget	33%
5702100 · Employee Benefits				
5702110 · Group Insurance	613	2,478	7,358	(4,880) 34%
5702135 · TMRS	437	1,834	5,497	(3,663) 33%
5702170 · Payroll Taxes	64	287	837	(550) 34%
Total 5702100 · Employee Benefits	1,114	4,600	13,692	(9,092) 34%
5702200 · Special Services				
5702240 · Audit	0	7,400	7,400	0 100%
5702250 · Accounting	0	1,265	1,265	(0) 100%
Total 5702200 · Special Services	0	8,665	8,665	(0) 100%
5702300 · Contractual Services /Personnel				
5702310 · Consultant Fees	0	0	2,735	(2,735) 0%
Total 5702300 · Contractual Services /Personnel	0	0	2,735	(2,735) 0%
5703100 · General Supplies				
5703110 · Office Supplies	0	73	800	(727) 9%
Total 5703100 · General Supplies	0	73	800	(727) 9%
5703400 · Maintenance Supplies / Parts				
5703410 · Supplies - Custodial	0	0	200	(200) 0%
Total 5703400 · Maintenance Supplies / Parts	0	0	200	(200) 0%
5704200 · Travel Expenses				
5704210 · Travel - Local	5	5	200	(195) 2%
5704220 · Professional Development	0	0	750	(750) 0%
Total 5704200 · Travel Expenses	5	5	950	(945) 1%
5705200 · Data Processing Expenses				
5705230 · Data Processing - Maintenance & Repair	100	400	1,300	(900) 31%

Ovilla W&S Utility Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	Oct - Jan 2017	Budget	Thru January
			Budget	33%
Total 5705200 · Data Processing Expenses	100	400	1,300	(900) 31%
5705300 · Printing Expense				
5705350 · Printing - Other	0	0	250	(250) 0%
Total 5705300 · Printing Expense	0	0	250	(250) 0%
5705400 · Utilities				
5705410 · Telephone	117	449	1,404	(955) 32%
5705415 · Cellular Phone	113	452	1,690	(1,238) 27%
5705417 · Internet	176	482	2,409	(1,927) 20%
Total 5705400 · Utilities	406	1,383	5,503	(4,120) 25%
5705700 · Other Expenses				
5705705 · Postage	500	2,000	8,000	(6,000) 25%
5705740 · Advertising	0	0	100	(100) 0%
5705760 · Bank Service Charge	27	69	200	(131) 35%
5705765 · Miscellaneous	0	0	100	(100) 0%
Total 5705700 · Other Expenses	527	2,069	8,400	(6,331) 25%
5706400 · Minor Capital Outlay				
5706440 · Machinery & Equipment	0	0	500	(500) 0%
Total 5706400 · Minor Capital Outlay	0	0	500	(500) 0%
5709000 · Reserve				
5708215 · Admin. Exp. to General Fund	0	8,197	32,788	(24,591) 25%
5709002 · Capital Improv. Water/Sewer Reserve	0	0	58,700	(58,700) 0%
5709010 · Administrative Reserves	0	0	2,747	(2,747) 0%
Total 5709000 · Reserve	0	8,197	94,235	(86,038) 9%
Total 70 · Administration	6,591	61,412	254,530	(193,118) 24%

Ovilla W&S Utility Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	Oct - Jan 2017	Budget	Thru January
			Budget	33%
75 - Water				
5751100 · Salaries & Wages				
5751133 · Superintendent	3,510	15,797	43,260	(27,463) 37%
5751170 · Salary Increase	0	0	1,040	(1,040) 0%
5751180 · Merit Raises - Staff	0	0	1,329	(1,329) 0%
5751190 · Overtime	66	889	2,000	(1,111) 44%
Total 5751100 · Salaries & Wages	3,576	16,685	47,629	(30,944) 35%
5751400 · Support Salaries				
5751405 · Support Staff	3,330	11,855	50,264	(38,409) 24%
5751415 · Maintenance Crew	4,538	20,419	80,766	(60,347) 25%
5751450 · Certification Pay	92	415	1,200	(785) 35%
5751470 · Salary Increase	0	0	5,159	(5,159) 0%
5751480 · Merit Raises	0	0	3,522	(3,522) 0%
5751490 · Overtime	128	1,421	4,000	(2,579) 36%
5751500 · Water - On Call	50	600	1,550	(950) 39%
Total 5751400 · Support Salaries	8,137	34,710	146,461	(111,751) 24%
5752100 · Employee Benefits				
5752110 · Group Insurance	2,201	8,883	43,175	(34,292) 21%
5752135 · TMRS	1,135	4,943	19,846	(14,903) 25%
5752160 · Worker's Compensation	2,050	4,100	8,200	(4,100) 50%
5752170 · Payroll Taxes	171	797	3,021	(2,224) 26%
5752190 · Licenses	0	0	222	(222) 0%
Total 5752100 · Employee Benefits	5,558	18,724	74,464	(55,740) 25%
5752300 · Contractual Services/Personnel				
5752350 · Contract Labor - Company	0	1,000	1,500	(500) 67%
5752380 · Dispatch	0	6,525	13,050	(6,525) 50%
Total 5752300 · Contractual Services/Personnel	0	7,525	14,550	(7,025) 52%

Ovilla W&S Utility Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	Oct - Jan 2017	Budget	Thru January
			Budget	33%
5752400 · Rentals				
5752420 · Rental - Machinery & Equipment	0	0	250	(250) 0%
Total 5752400 · Rentals	0	0	250	(250) 0%
5752500 · Operating Services				
5752580 · Water Testing	67	496	4,000	(3,504) 12%
5752590 · TCEQ Fees	0	3,249	3,500	(251) 93%
Total 5752500 · Operating Services	67	3,745	7,500	(3,755) 50%
5753100 · General Supplies				
5753140 · Uniforms	66	1,461	1,700	(239) 86%
Total 5753100 · General Supplies	66	1,461	1,700	(239) 86%
5753400 · Maintenance Supplies & Parts				
5753460 · Miscellaneous	0	277	300	(23) 92%
Total 5753400 · Maintenance Supplies & Parts	0	277	300	(23) 92%
5754200 · Travel Expenses				
5754220 · Professional Development	0	0	750	(750) 0%
5754270 · Vehicle Expenses	279	1,152	10,000	(8,848) 12%
Total 5754200 · Travel Expenses	279	1,152	10,750	(9,598) 11%
5755200 · Data Processing Expenses				
5755240 · Data Processing - Software	0	3,700	3,700	0 100%
Total 5755200 · Data Processing Expenses	0	3,700	3,700	0 100%
5755300 · Printing Expenses				
5755310 · Copier Expense	0	661	3,000	(2,339) 22%
5755350 · Printing - Other	0	1,261	2,000	(739) 63%
Total 5755300 · Printing Expenses	0	1,921	5,000	(3,079) 38%

Ovilla W&S Utility Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	Oct - Jan 2017	Budget	Thru January
			Budget	33%
5755400 · Utilities				
5755415 · Cellular Phone	16	113	1,500	(1,387) 8%
5755450 · Electricity	2,453	8,344	27,000	(18,656) 31%
5755460 · Water, wholesale	20,325	116,855	425,062	(308,207) 27%
Total 5755400 · Utilities	22,793	125,313	453,562	(328,249) 28%
5755500 · Repairs & Building Improvements				
5755540 · Repairs- Machinery & Equipment	50	794	4,000	(3,206) 20%
5755550 · Repairs - Vehicles	1,113	1,364	2,000	(636) 68%
5755570 · Inventory Expense	447	2,373	8,800	(6,427) 27%
5755580 · Water Chemical Expense	545	4,405	8,000	(3,595) 55%
5755590 · Repairs - Other	0	913	3,000	(2,087) 30%
Total 5755500 · Repairs & Building Improvements	2,155	9,848	25,800	(15,952) 38%
5755600 · Insurance				
5755610 · Insurance - Property	712	1,424	2,848	(1,424) 50%
5755620 · Insurance - Liability	242	485	970	(485) 50%
5755640 · Insurance - Vehicle	576	1,152	2,304	(1,152) 50%
Total 5755600 · Insurance	1,530	3,061	6,122	(3,061) 50%
5755700 · Other Expenses				
5755752 · Employment Screening	0	46	150	(104) 31%
Total 5755700 · Other Expenses	0	46	150	(104) 31%
5756400 · Minor Capital Outlay				
5756440 · Machinery & Equipment	0	0	1,000	(1,000) 0%
5756490 · Other	0	0	500	(500) 0%
Total 5756400 · Minor Capital Outlay	0	0	1,500	(1,500) 0%
5757400 · Capitalized Assets				

Ovilla W&S Utility Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	Oct - Jan 2017	Budget	Thru January
			Budget	33%
5757440 · Machinery & Equipment	0	0	13,000	(13,000) 0%
5757470 · Infrastructure - Water	0	4,167	4,200	(33) 99%
5757475 - FM 664 Relocate Waterline	0	0	9,000	(9,000) 0%
Total 5757400 · Capitalized Assets	0	4,167	26,200	(22,033) 16%
5757900 · Long-Term Debt				
5758225 · Admin. Expense to Debt Fund	0	14,812	59,248	(44,436) 25%
Total 5757900 · Long-Term Debt	0	14,812	59,248	(44,436) 25%
Total 75 · Water	44,161	247,147	884,886	(637,739) 28%
80 · Sewer				
5801400 · Support Salaries				
5801405 · Support Staff		3,261	16,754	(13,493) 19%
5801415 · Maintenance Crew	2,883	12,974	34,278	(21,304) 38%
5801450 · Certification Pay	92	415	1,210	(795) 34%
5801470 - Salary Increase	0	0	2,122	(2,122) 0%
5801480 · Merit Raises	0	0	1,408	(1,408) 0%
5801490 · Overtime	135	784	3,000	(2,216) 26%
-5801500 · Sewer - On Call	100	250	600	(350) 42%
Total 5801400 · Support Salaries	3,211	17,685	59,372	(41,687) 30%
5802100 · Employee Benefits				
5802110 · Group Insurance	602	2,421	7,221	(4,800) 34%
5802135 · TMRS	308	1,291	3,856	(2,565) 33%
5802160 · Worker's Compensation-Sewer	342	683	1,367	(684) 50%
5802170 · Payroll Taxes	45	203	588	(385) 35%
5802190 · Licenses	0	0	150	(150) 0%
Total 5802100 · Employee Benefits	1,297	4,599	13,182	(8,583) 35%
5802300 · Contractual Services/Personnel				

Ovilla W&S Utility Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over		% of Budget
			(Under)		
	January 2017	Oct - Jan 2017	Budget	Budget	Thru January
5802350 · Contract Labor - Company			5,000	(5,000)	0%
Total 5802300 · Contractual Services/Personnel	0	0	5,000	(5,000)	0%
5802500 · Operating Services					
5802515 · Sardis Collection Expense	614	3,577	9,054	(5,477)	40%
5802590 · TCEQ Fees - Sewer	0	0	100	(100)	0%
Total 5802500 · Operating Services	614	3,577	9,154	(5,577)	39%
5803100 · General Supplies					
5803140 · Uniforms	0	1,036	1,200	(164)	86%
Total 5803100 · General Supplies	0	1,036	1,200	(164)	86%
5803400 · Maintenance Supplies & Parts					
5803460 · Miscellaneous	0	0	500	(500)	0%
Total 5803400 · Maintenance Supplies & Parts	0	0	500	(500)	0%
5804200 · Travel Expenses					
5804220 · Professional Development	346	372	500	(128)	74%
5804270 · Vehicle Expense	304	862	1,200	(338)	72%
Total 5804200 · Travel Expenses	650	1,234	1,700	(466)	73%
5805400 · Utilities					
5805450 · Electricity	142	559	3,000	(2,441)	19%
5805463 · TRA Wastewater Treatment	23,830	94,057	285,955	(191,898)	33%
Total 5805400 · Utilities	23,972	94,616	288,955	(194,339)	33%
5805500 · Repairs & Bldg Improvements					
5805510 · Repairs - Land Improvements	0	0	300	(300)	0%
5805540 · Repairs - Machinery & Equipment	89	2,611	6,000	(3,389)	44%
5805570 · Inventory Expense	318	1,608	2,000	(392)	80%
5805590 · Repairs - Other	0	44	600	(556)	7%
Total 5805500 · Repairs & Bldg Improvements	407	4,263	8,900	(4,637)	48%

Ovilla W&S Utility Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over	% of Budget
	January 2017	Oct - Jan 2017	(Under)	Thru January
		Budget	Budget	33%
5805600 · Insurance				
5805610 · Insurance - Property	15	30	60	(30) 49%
5805620 · Insurance - Liability	99	199	224	(25) 89%
5805640 · Insurance - Vehicle	36	71	142	(71) 50%
Total 5805600 · Insurance	150	300	426	(126) 70%
5805700 · Other Expenses				
5805752 · Employment Screening	0	46	200	(154) 23%
Total 5805700 · Other Expenses	0	46	200	(154) 23%
5807400 · Capitalized Assets				
5807440 · Machinery & Equipment	0	0	10,000	(10,000) 0%
Total 5807400 · Capitalized Assets	0	0	10,000	(10,000) 0%
Total 80 · Sewer	30,301	127,356	398,589	(271,233) 32%
Total Expense	81,054	435,914	1,538,005	(1,102,091) 28%
Net Change in Fund Balance	(2,476)	15,856	0	15,856 100%

Ovilla Debt Service
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	Oct - Jan 2017	Budget	Thru January
			Budget	33%
Revenues				
4000100 · Taxes				
4000107 · Ad Valorem, Current I & S	254,390	441,671	486,807	(45,136) 91%
4000106 · Ad Valorem, Current I&S New and Imp	-	-	24,420	(24,420) 0%
4000111 · Ad Valorem, Delinquent I & S	1,700	2,454	-	2,454 100%
4000114 · Interest/Penalties - I & S	72	418	-	418 100%
Total 4000100 · Taxes	256,163	444,542	511,227	(66,685) 87%
4000800 · Other Revenue				
4000840 · Interest Earned	60	97	550	(453) 18%
4000930 · Admin.Rev.Rec.Fr Water & Sewer	-	14,812	59,248	(44,436) 25%
Total 4000800 · Other Revenue	60	14,909	59,798	(44,889) 25%
Total Revenues	256,223	459,451	571,025	(111,574) 80%
Expenditures				
5157900 · Long-Term Debt				
5157930 · Paying Agent Fees	-	-	500	(500) 0%
51579349 · 2011 Bond Issue Principle	-	-	375,000	(375,000) 0%
5157940 · 2011 Bond Issue Interest	97,763	97,763	195,525	(97,763) 50%
Total 5157900 · Long-Term Debt	97,763	97,763	571,025	(473,263) 17%
Total Expenditures	97,763	97,763	571,025	(473,263) 17%
Net Change in Fund Balance	158,461	361,688	-	361,688 100%

City of Ovilla Capital Projects Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	Oct - Jan 2017	Budget	Thru January
			Budget	33%
Revenues				
4000800 · Other Revenue				
4000845 · Interest Earned - Texstar	1	2	1	233%
4000850 · Interest Earned - Prosperity	22	88	260	(172)
4000990 - Reduction In Fund Balance	0	0	50,000	(50,000)
Total 4000800 · Other Revenue	23	90	50,261	(50,171)
Total Revenues	23	90	50,261	(50,171)
Expense				
5879000 · Reserves				
5879010 · Admin Reserves	0	0	261	(261)
Total 5879000 · Reserves	0	0	261	(261)
5857400 · Capitalized Assets				
5857470 · Water Line	0	0	50,000	(50,000)
Total 5879000 · Reserves	0	0	50,000	(50,000)
Total Expense	0	0	50,261	(50,261)
Change in Net Position	23	90	0	90
				100%

Ovilla Park Impact Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Thru January
			Budget	33%
Revenues				
4000400 · Charges for Services				
4000460 · Park Impact	0	2,007	13,381	(11,374) 15%
Total 4000400 · Charges for Services	0	2,007	13,381	(11,374) 15%
4000800 · Other Revenue				
4000840 · Interest Earned	15	60	142	(82) 42%
Total 4000800 · Other Revenue	15	60	142	(82) 42%
Total Revenues	15	2,067	13,523	(11,456) 15%
Expenditures				
5607400 · Capitalized Assets				
5607440 · Capital Machinery & Equipment	0	0	5,000	(5,000) 0%
Total 5607400 · Capitalized Assets	0	0	5,000	(5,000) 0%
5609000 · Reserves				
5609035 · Park Impact Reserves	0	0	8,523	(8,523) 0%
Total 5609000 · Reserves	0	0	8,523	(8,523) 0%
Total Expenditures	0	0	13,523	(13,523) 0%
Net Change in Fund Balance	15	2,067	0	2,067 100%

Ovilla W&S Impact Fee Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Thru January
			Budget	33%
Revenues				
4000400 · Charges for Services				
4000476 - Water Impact Fee	0	0	3,100	(3,100) 0%
4000477 - Sewer Impact Fee	0	7,700	56,000	(48,300) 14%
Total 4000400 · Charges for Services	0	7,700	59,100	(51,400) 13%
4000800 · Other Revenue				
4000840 - Interest Earned	19	100	230	(130) 43%
4000880 - Transfer In - Water Impact	0	0	50,000	(50,000) 0%
Total 4000800 · Other Revenue	19	100	50,230	(50,130) 0%
Total Revenues	19	7,800	109,330	(101,530) 7%
Expense				
5102300 - Contractual Services				
5102310 - Consultant Fees	1,180	8,260	11,800	(3,540) 70%
Total 5102300 - Contractual Services	1,180	8,260	11,800	(3,540) 70%
5857400 - Capitalized Assets				
5857470 - Water Lines	2,424	11,893	50,000	(38,107) 24%
Total 5857400 - Capitalized Assets	2,424	11,893	50,000	(38,107) 24%
5859000 · Reserves				
5859030 - Sewer Impact Fees Reserve	0	0	47,530	(47,530) 0%
Total 5859000 · Reserves	0	0	47,530	(47,530) 0%
Total Expense	3,604	20,153	109,330	(89,177) 18%
Change in Net Position	(3,585)	(12,353)	0	(12,353) 100%

Ovilla 4B Economic Development Corporation

Actual vs Budget Review

FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Thru January Budget
				33%
Revenues				
4000100 · Taxes				
4000120 · Sales tax	7,639	31,678	98,307	(66,629) 32%
Total 4000100 · Taxes	7,639	31,678	98,307	(66,629) 32%
4000800 · Other Revenue				
4000840 · Interest Income	162	628	1,340	(712) 47%
4000990 - Reduction in Fund Balance	0	0	115,000	(115,000) 0%
Total 4000800 · Other Revenue	162	628	116,340	(115,712) 1%
Total Revenues	7,801	32,305	214,647	(182,342) 15%
Expenditures				
8102200 · Special Services				
8102230 · Legal Fees	0	0	500	(500) 0%
8102240 · Audit	0	1,600	1,600	0 100%
Total 8102200 · Special Services	0	1,600	2,100	(500) 76%
8102300 · Consultant Services				
8102310 · Consultant Fees	0	0	10,000	(10,000) 0%
Total 8102300 · Consultant Services	0	0	10,000	(10,000) 0%
8103100 · General Supplies				
8103110 · Office Supplies	0	0	100	(100) 0%
Total 8103100 · General Supplies	0	0	100	(100) 0%
8104200 · Travel Expense				
8104210 · Travel Expense	0	0	1,000	(1,000) 0%
8104220 · Professional Development	0	0	2,300	(2,300) 0%
Total 8104200 · Travel Expense	0	0	3,300	(3,300) 0%

Ovilla 4B Economic Development Corporation

Actual vs Budget Review

FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Thru January
			Budget	33%
8105300 - - Printing				
8105320 - Printing Expense	0	0	300	(300) 0%
Total 8105300 - - Printing	0	0	300	(300) 0%
8105600 - Insurance				
8105620 - Insurance - Liability	37	73	147	(74) 50%
Total 8105600 - Insurance	37	73	147	(74) 50%
8105700 - Other Expenses				
8105705 - Postage	0	0	100	(100) 0%
8105730 - Memberships	3,350	3,350	3,350	0 100%
8105740 - Advertising	0	0	5,300	(5,300) 0%
Total 8105700 - Other Expenses	3,350	3,350	8,750	(5,400) 38%
816400 - Minor Capital Outlay				
8106420 - Buildings	0	0	75,000	(75,000) 0%
8107490 - Other Signs			30,000	(30,000) 0%
Total 8106400 - Minor Capital Outlay	0	0	105,000	(105,000) 0%
8109000 - Reserves				
8109015 - Administrative Reserves	0	0	82,450	(82,450) 0%
8109215 - Admin. Expense to General Fund	0	625	2,500	(1,875) 25%
Total 8109000 - Reserves	0	625	84,950	(84,325) 1%
Total Expenditures	3,387	5,648	214,647	(208,999) 3%
Net Change in Fund Balance	4,414	26,657	0	26,657 100%

Ovilla Municipal Development District
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Thru January
			Budget	33%
Revenues				
4000100 · Taxes				
4000120 · Sales tax	4,237	16,069	41,515	(25,446)
Total 4000100 · Taxes	4,237	16,069	41,515	39%
4000800 · Other Revenue				
4000840 · Interest Income	53	204	476	(272)
Total 4000800 · Other Revenue	53	204	476	43%
Total Revenues	4,291	16,273	41,991	(25,718)
Expenditures				
9102200 · Special Services				
9102240 · Audit	0	1,600	1,600	0
Total 9102200 · Special Services	0	1,600	1,600	100%
9103100 · General Supplies				
9103110 · Office Supplies	0	0	100	(100)
Total 9103100 · General Supplies	0	0	100	0%
9105600 · Insurance				
9105620 · Insurance - Liability	37	73	147	(74)
Total 9105600 · Insurance	37	73	147	50%
9109000 · Reserves				
9109015 · Administrative Reserves	0	0	39,644	(39,644)
9109215 · Admin. Expense to General Fund	0	125	500	(375)
Total 9109000 · Reserves	0	125	40,144	0%
Total Expenditures	37	1,798	41,991	(40,193)
Net Change in Fund Balance	4,254	14,475	0	14,475
				100%

Ovilla Employee Benefit Trust
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)		% of Budget
	January 2017	'Oct - Jan 2017	Budget	Budget	Thru January
Revenues					
4000991 · Insurance Contributions					
4000991 Insurance Contributions	15,835	66,861	0	66,861	100%
Total 4000991 · Insurance Contributions	15,835	66,861	0	66,861	100%
4000800 - Other Income					
4000840 - Interest Income	1	4	0	4	100%
Total Revenues	15,835	66,865	0	66,865	100%
Expenditures					
5902110 · Benefit Premiums					
5902110 · Benefit Premiums	15,835	66,861	0	66,861	100%
Total 5902110 · Insurance	15,835	66,861	0	66,861	100%
Total Expenditures	15,835	66,861	0	66,861	100%
Net Change in Fund Balance	1	4	0	4	100%

Ovilla Fire Department Auxiliary
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017	Budget	Thru January
			Budget	33%
Revenues				
4000800 · Other Revenue				
4000815 · Gifts	0	0	0	0%
Total 4000800 · Other Revenue	0	0	0	0%
Total Revenues	0	0	0	0%
Expenditures				
5333400 · Maintenance Supplies and Parts				
5333460 · Supplies - Miscellaneous	0	0	0	0%
Total 5333400 · Maintenance Supplies and Parts	0	0	0	0%
Total Expenditures	0	0	0	0%
Net Change in Fund Balance	0	0	0	0%

Ovilla Police Department Special Fund
Actual vs Budget Review
FY October 2016 through September 2017

	Current	Year to Date	\$ Over (Under)	% of Budget
	January 2017	'Oct - Jan 2017		
Revenues				
4000800 · Other Revenue				
4000815 · Gifts	20	100	0	100
Total 4000800 · Other Revenue	20	100	0	100
Total Revenues	20	100	0	100
Expenditures				
5232600 · Special Expenses				
5232690 · Special Expenses - Other	0	272	0	272
Total 5232600 · Special Expenses	0	272	0	272
Total Expenditures	0	272	0	272
Net Income	20	(172)	0	(172)
				100%



To: Honorable Mayor and Council Members
From: Dennis Burn, City Manager
Subject: Information Report - February 27, 2017 through March 3, 2017

This report is to provide you an overview of City Manager information items for the week ending March 3, 2017. Each of these reports are included in the City Council regular agenda packets under the heading "Administration Activity Report".

City Council "To Do" List for City Manager

This list does not include current/future agenda items (future agenda items requested by City Council members at a regular meeting) that are already in the works. To make this list, I am requesting that each council member follow up their verbal request and/or text request with an e-mail or some other form of written communication.

1. Get a letter from ESD No. 4 guaranteeing full payment that is stated in our contract. I sent a letter to ESD No. 4 dated December 13 that was included in the December 16 Activity Report. I have received no response. ESD No. 4 did include the letter during Executive Session at their January 23 meeting. The letter was discussed and tabled until the board members had time to think about the issue.

Red Oak Creek Regional Wastewater System (ROCRWS)

Ovilla is a member of the ROCRWS. The city's sanitary sewer flows into a gravity interceptor line along Red Oak Creek. ROCRWS has designed a relief interceptor (RO-3) that will parallel Red Oak Creek from approximately 1,600 feet east of Westmoreland Road to approximately 1,100 feet west of Ovilla Road (FM 664). This relief interceptor will provide additional wastewater flow capacity. The existing pipeline is in good condition; however, it is under capacity and is unable to convey the 2060 projected flows. Construction of the relief interceptor is scheduled to begin in early 2020. A copy of the map showing the relief interceptor RO-3 is attached.

Park Board

The Park Board will meet Monday, March 6 at 5:00 PM.

Planning and Zoning Commission

The Planning and Zoning Commission will meet Monday, March 6 at 6:00 PM. The agenda will include consideration by the Advisory Committee of the water and sewer impact fees and consideration by the Commission of the Bryson Manor Phase 2 Final Plat.



General Fund and Water and Sewer Fund

In my Activity Report dated February 24, I provided information to the City Council regarding the payment receipt and deposits for the above two funds. Below is an email from Councilman Place 5 to me with my responses in yellow.

Dennis

Glad we have a written procedure on the collection and handling of water bills. However, this reply is not what I asked for.

I asked two questions and one suggestion. None of which were answered. Just because we have a written policy does not mean our employees are following it or best practices. My questions are....

1. Are water bills processed when the payment is taken at the front window or are they allowed to pile up before keying the payments into the computer? Payments are keyed into the computer when a batch is created. Batches are created three times per week.
2. Are we using the safe at night for the storage of the change fund and payments not deposited in the bank? Yes.

I also asked you to check and see if our bank deposits could be done with a scanner to cut out the daily (three times per week) run to the bank. This would be much more efficient and save time and gas. The purchase cost of a remote capture machine ranges from \$345 to \$945 per machine, there is a monthly fee of \$50 per machine and a \$.10 image fee per machine. Capture machines could be a savings for checks and money orders. Cash payments will still need to be deposited at the bank. The City Accountant makes deposits on her way home so there is no additional time nor fuel used.

Please take the time to verify that we are handling our payments correctly and advise the council members.

Thanks

Mike Myers

Councilman Place 5

Trash Pick Up

On Saturday, April 8 Ellis County Adult Probationers will be picking up trash in our City. They will concentrate on Cockrill Hill Road, Shiloh Road and FM 664.



To: Honorable Mayor and Council Members
From: Dennis Burn, City Manager
Subject: Information Report - February 20, 2017 through February 24, 2017

This report is to provide you an overview of City Manager information items for the week ending February 24, 2017. Each of these reports are included in the City Council regular agenda packets under the heading "Administration Activity Report".

City Council "To Do" List for City Manager

This list does not include current/future agenda items (future agenda items requested by City Council members at a regular meeting) that are already in the works. To make this list, I am requesting that each council member follow up their verbal request and/or text request with an e-mail or some other form of written communication.

1. Get a letter from ESD No. 4 guaranteeing full payment that is stated in our contract. I sent a letter to ESD No. 4 dated December 13 that was included in the December 16 Activity Report. I have received no response. ESD No. 4 did include the letter during Executive Session at their January 23 meeting. The letter was discussed and tabled until the board members had time to think about the issue.

Best Southwest (BSW) Regional Economic Development (RED)

The BSW RED Summit will be held on March 23 at the Hilton Garden Inn in Duncanville. As I did last year, I will have a poster prepared that showcases the Dolores W. McClatchey Elementary School, Bryson Manor and the Golden Chick Restaurant. The deadline for my submittal for a poster is March 3 (I have already sent the information). Please respond to the e-mail sent to you by the City Secretary so that we have a head count for the event and the lunch table.

Bryson Manor Phase 2

Staff, the developer, the developer's engineer, the developer's attorney and the city's engineer met to work out final issues on the final plat and construction plans. The final plat should be placed on the March 6 Planning and Zoning Commission agenda and then the March 13 City Council agenda if all required items are submitted by Monday, February 27.

General Fund and Water and Sewer Fund

Attached to this report are the processes for payment receipt and deposits for these two funds. This was information requested by Place 5.



Heritage Park

Public Works has begun pad preparation and utility connections for the new restrooms. Delivery date at this time is unknown.

Outdoor Audible Sirens

The hardware, which includes the three sirens themselves, have been received. Installation of the sirens should begin the middle of March.



To: Honorable Mayor and Council Members
From: Dennis Burn, City Manager
Subject: Information Report - February 13, 2017 through February 17, 2017

This report is to provide you an overview of City Manager information items for the week ending February 17, 2017. Each of these reports are included in the City Council regular agenda packets under the heading "Administration Activity Report".

City Council "To Do" List for City Manager

This list does not include current/future agenda items (future agenda items requested by City Council members at a regular meeting) that are already in the works. To make this list, I am requesting that each council member follow up their verbal request and/or text request with an e-mail or some other form of written communication.

1. Get a letter from ESD No. 4 guaranteeing full payment that is stated in our contract. I sent a letter to ESD No. 4 dated December 13 that was included in the December 16 Activity Report. I have received no response. ESD No. 4 did include the letter during Executive Session at their January 23 meeting. The letter was discussed and tabled until the board members had time to think about the issue.

City Closure

City offices will be closed on Monday, January 20 for President's Day.

4B Economic Development Corporation (4B EDC)

The 4B EDC will meet on Tuesday, February 21 at 6:00 PM. The final version of the Strategic Plan will be presented and discussed.

Spaghetti Dinner

Today is the annual Spaghetti Dinner sponsored by the Ovilla Service League. The event is from 6:00 PM to 8:00 PM and will be held at the Ovilla Road Baptist Church. Tickets are available at the door, from members of the Service League and at City Hall.

Best Southwest (BSW) Regional Economic Development (RED)

The BSW RED Summit will be held on March 23 at the Hilton Garden Inn in Duncanville. As I did last year, I will have a poster prepared that showcases the new elementary school, Bryson Manor and the Golden Chick Restaurant.



Water and Sewer Impact Fee Study

Staff met with our City Engineer to fine tune population projections for our water and wastewater CCN's so that the impact fees are representative of our growth in those areas.

General Obligation Refunding Bonds, Series 2011

First Southwest Securities serves as our financial advisor for the bonds that funded the elevated water tank construction. They are assisting staff in the preparation of disclosure documents required by the Security and Exchange Commission (SEC). Staff will file the disclosure documents. The recently approved FY ending September 30, 2016 financial statement will be used to complete the report. The deadline for submittal of the disclosure documents is March 31.



To: Honorable Mayor and Council Members
From: Dennis Burn, City Manager
Subject: Information Report - February 6, 2017 through February 10, 2017

This report is to provide you an overview of City Manager information items for the week ending February 10, 2017. Each of these reports are included in the City Council regular agenda packets under the heading "Administration Activity Report".

City Council "To Do" List for City Manager

This list does not include current/future agenda items (future agenda items requested by City Council members at a regular meeting) that are already in the works. To make this list, I am requesting that each council member follow up their verbal request and/or text request with an e-mail or some other form of written communication.

1. Get a letter from ESD No. 4 guaranteeing full payment that is stated in our contract. I sent a letter to ESD No. 4 dated December 13 that was included in the December 16 Activity Report. I have received no response. ESD No. 4 did include the letter during Executive Session at their January 23 meeting. The letter was discussed and tabled until the board members had time to think about the issue.

City Council

There will be a City Council meeting on Monday, February 13 starting at 6:00 PM with the Briefing Session followed by the Regular Session at 6:30 PM.

Movie in the Park

The Park Board, at their February 6 meeting, has set Saturday, April 8 as their first choice and a back-up date of Saturday, April 22 for Movie in the Park. The animated movie choices, ranked from first to last, are Beauty and the Beast, Toy Story and Cars. Popcorn, candy and water will be provided at no charge.

Spaghetti Dinner

One week from today (February 17) will be the annual Spaghetti Dinner sponsored by the Ovilla Service League. The event is from 6:00 PM to 8:00 PM and will be held at the Ovilla Road Baptist Church. Tickets are available at the door, from members of the Service League and at City Hall.



Waste Collection

From time to time I am questioned about our solid waste services. The following is a summary of issues often raised.

The following items **can** be recycled: cardboard, plastics numbered 1-5, 7, glass (all colors), paper, aluminum, steel and tin.

The following items **cannot** be recycled: styrofoam, plastic grocery bags, paperback or hardbound books, bathroom waste, toilet paper, paper towels, food, candy wrappers, plate glass, aluminum pie plates, foil and light bulbs.

Bulk/Brush Collection: available to all residents every other week on their recycle day. Each resident can place up to four cubic yards (about the volume of a pickup truck bed) of bulk or brush.

Bulk Waste: This includes appliances such as refrigerators, stoves, washing machines and furniture. Each item cannot exceed 150 pounds in weight. Refrigerators must have CFC's removed by a certified technician and tagged confirming removal.



Date: March 7, 2017

TO: Honorable Mayor and City Council Members

FROM: Brad Piland Public Works Director

TOPIC: Public Works Monthly Report for February

1. 59 Work Orders completed for January
2. Purchased water from DWU 9,697,000 gal / Billed to customers 8,730,000 gal/ difference of 967,000 gal

Sewer Lift Station Repairs-

- Pulled pump 1 at Highland Meadows Lift Station
- Removed pump 1& 2 from Cumberland removed debris and replaced
- Pulled pump 1 and removed debris Heritage
- Read water meters and serviced disconnects and reconnects
- Replaced meters:
 - 616 Georgetown
 - 101 Brookwood
- Street Repairs: Shiloh, Bryson, Johnson Lane and Suburban
- Install new signs: Water St, Red Oak Creek, Williams,
- Repaired drainage on Suburban Drive
- Updated marquee as needed
- Daily water maintenance residual and pressure tests
- Prepared plumbing and pad-site for restrooms in Heritage Park
- Tree and grass maintenance:
 - Heritage Park
 - Silver Spur Park
 - Baseball fields and Cindy Jones Park
 - Assist Code Enforcement with mowing properties
- Repaired water leaks
 - 708 Hollingsworth
 - 616 Georgetown
 - 630 Meadowlark
 - Serviced PD Units

****Flushed Hydrants**

Collected water samples for TCEQ reporting

- Water Maintenance – routine flushing mains and hydrant
- Meter Box repair and replace lids as needed

****Watered plants at City Hall and park**

APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

Surfacing (§2.4)

- Adequate protective surfacing under and around the equipment.
 - Install/replace surfacing
- Surfacing materials have not deteriorated.
 - Replace surfacing
 - Other maintenance: _____
- Loose-fill surfacing materials have no foreign objects or debris.
 - Remove trash and debris
- Loose-fill surfacing materials are not compacted.
 - Rake and fluff surfacing
- Loose-fill surfacing materials have not been displaced under heavy use areas such as under swings or at slide exits.
 - Rake and fluff surfacing

Drainage (§2.4)

- The entire play area has satisfactory drainage, especially in heavy use areas such as under swings and at slide exits.
 - Improve drainage
 - Other maintenance: _____

General Hazards

- There are no sharp points, corners or edges on the equipment (§3.4).
- There are no missing or damaged protective caps or plugs (§3.4).
- There are no hazardous protrusions (§3.2 and Appendix B).
- There are no potential clothing entanglement hazards, such as open S-hooks or protruding bolts (§2.5.2, §3.2, §5.3.8.1 and Appendix B).
- There are no crush and shearing points on exposed moving parts (§3.1).
- There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

NOTES:

DATE OF INSPECTION:

2/17/17

Security of Hardware (§2.5)

- There are no loose fastening devices or worn connections.
 - Replace fasteners
 - Other maintenance: Removed Rope ladder
- Moving parts, such as swing hangers, merry-go-round bearings, and track rides, are not worn.
 - Replace part
 - Other maintenance: _____

Durability of Equipment (§2.5)

- There are no rust, rot, cracks, or splinters on any equipment (check carefully where it comes in contact with the ground).
- There are no broken or missing components on the equipment (e.g., handrails, guardrails, protective barriers, steps, or rungs).
- There are no damaged fences, benches, or signs on the playground.
- All equipment is securely anchored.

Leaded Paint (§2.5.4)

- Paint (especially lead paint) is not peeling, cracking, chipping, or chalking.
- There are no areas of visible lead paint chips or accumulation of lead dust.
 - Mitigate lead paint hazards

General Upkeep of Playgrounds (§4)

- There are no user modifications to the equipment, such as strings and ropes tied to equipment, swings looped over top rails, etc.
 - Remove string or rope
 - Correct other modification
- The entire playground is free from debris or litter such as tree branches, soda cans, bottles, glass, etc.
 - Clean playground
- There are no missing trash receptacles.
 - Replace trash receptacle
- Trash receptacles are not full.
 - Empty trash

INSPECTION BY:

BPDD

APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

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- There are no crush and shearing points on exposed moving parts (§3.1).
- There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

NOTES:

DATE OF INSPECTION:

1/31/17. 2/15/17.

Security of Hardware (§2.5)

- There are no loose fastening devices or worn connections.
 - Replace fasteners
 - Other maintenance: _____
- Moving parts, such as swing hangers, merry-go-round bearings, and track rides, are not worn.
 - Replace part
 - Other maintenance: _____

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INSPECTION BY:

BP.

APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

Surfacing (§2.4)

- Adequate protective surfacing under and around the equipment.
 - Install/replace surfacing
- Surfacing materials have not deteriorated.
 - Replace surfacing
 - Other maintenance: *Added 10yds EWF*
- Loose-fill surfacing materials have no foreign objects or debris.
 - Remove trash and debris
- Loose-fill surfacing materials are not compacted.
 - Rake and fluff surfacing
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- There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

NOTES:

DATE OF INSPECTION:

2-24-17.

Security of Hardware (§2.5)

- There are no loose fastening devices or worn connections.
 - Replace fasteners
 - Other maintenance: _____
- Moving parts, such as swing hangers, merry-go-round bearings, and track rides, are not worn.
 - Replace part
 - Other maintenance: _____

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INSPECTION BY:

BP.

Ovilla Municipal Court Report

FY-2016-2017	Total Traffic Cases Filed	State Law Cases Filed	Parking Cases Filed	Penal Code Cases Filed	City Ordinance Cases Filed	Trials	Total Revenue	Amount Kept by City	Amount sent to State	Warrants Issued	Cases sent to Collections
October	138	1	0	1	9	0	\$17,915.90	\$10,054.10	\$7,861.80	21	21
November	135	2	0	1	3	0	\$11,603.02	\$6,494.25	\$5,108.77	0	0
December	88	3	0	1	0	0	\$20,907.30	\$11,604.30	\$9,303.00	22	22
January	96	3	0	6	2	1	\$14,364.18	\$8,390.20	\$5,973.98	60	60
February	153	3	0	1	0	0	\$26,084.00	\$15,363.75	\$10,720.25	4	4
March											
April											
May											
June											
July											
August											
September											
Totals	610	12	0	10	14	1	\$90,874.40	\$51,906.60	\$38,967.80	107	107

2015-2016 FY

February	227	2	0	0	0	0	\$23,074.90	\$12,744.35	\$10,330.55	6
FY Totals	408	4	6	2	1	1	\$48,379.12	\$29,029.26	\$19,349.86	43

FY-2016-2017	Total # of Warrants	Total Amount of Warrants	Warrants Cleared	Warrants Amount
October	470	\$168,187.57	9	\$1,620.70
November	456	\$162,532.67	14	\$3,453.52
December	464	\$166,215.29	14	\$3,827.60
January	512	\$182,737.26	12	\$908.10
February	478	\$173,158.14	38	\$6,110.40
March				
April				
May				
June				
July				
August				
September				
Totals			87	\$15,920.32

Code Enforcement Report
 105 S Cockrell Hill Rd
 Ovilla, TX 75154
 (972) 617-7262

To: Mayor Richard Dormier
 Ovilla City Council
 City Manager Dennis Burn

Subject: **Code Enforcement Monthly Report**

Calls For Service	Feb. 2017	Feb.2017 YTD	Feb .2016	
Complaint (Nuis 11,Permit5,Parking 9	25	186	31	
Follow Up (Nuis 11 Permit-7, Parking-9)	27	201	38	
Door Notice (Nui -5, Permit-3, Parking 5)	13	126	24	
Mail Notice (Parking 3 grass 1 nuisance 2)	6	78	10	
Posted Property (Grass 1 nusan 2)	2	25	2	
Court (9 postponed) 1 Fta 1 Guilty	\$196	\$265	\$325.00	
Citizen Contacts	62	262	58	
Permits Reviewed	23	80	15	
Permits Issued	17	56	10	
Inspections	26	95	23	
Nuisance Abated by City 0	0	5	0	
Nuisance Signs (Garage sale-12 business 17)	39	182	33	
Board of Adjustment 0	0	5	1	

OVILLA ANIMAL CONTROL
 105 S Cockrell Hill Rd
 Ovilla, TX 75154
 (972) 617-7262

To: Mayor Richard Dormier
 Ovilla City Council

Subject:Animal Control Monthly Report

	Feb.2017	Feb 2017 YTD	Feb.2016	
Calls For Service				
Complaint (Regist-20 At Large 11 Bark 4)	25	180	40	
Follow up 49	38	236	45	
Door Notice (Regis-20, Bark 1 at large 2)	18	143	34	
Impounded Animal (Dog 4)	6	35	4	
Animal welfare check	6	29	5	
Impound Results (Return-1, Transport 2)	6	34	2	
Impound fee collected	\$155.00	\$590.00	105	
Court()	\$350.00	\$350.00	0	
Citizen Contacts	38	163	48	
Animal Registration (\$108)	9	56	16	
Registration Letter issued	22	103	24	
Nuisance Letter Mailed 1 Barking	1	8	5	
Animals released (2 Skunk)	2	6	0	
Deceased Removed	23	105	32	
Oak Leaf (2 Dog)	2	7	2	
Traps Checked Out	7	18	5	



To: Honorable Mayor and Council Members
From: Mike Dooly, Community Services
Subject: Monthly and Y-T-D Building permits

Activity Report through February 2017:

I. Building permits issued/pending beginning of FY 2016-2017:

Total Homes = 7

Total Other = 99

(Other: plumbing, flatwork, fences, mechanical, swimming pools, etc.)

- February 2017 – New home permits issued/pending: 1 / Other: 31
- January 2017 – New home permits issued/pending: 1 / Other: 19
- December 2016 – New home permits issued/pending: 1 / Other: 25
- November 2016 – New home permits issued/pending: 2 / Other: 9
- October 2016 – New home permits issued/pending: 2 / Other: 15