

# City of *OVILLA* City Council

Rachel Huber, Place One  
Dean Oberg, Place Two  
David Griffin, Place Three, Mayor Pro Tem

Richard Dormier, Mayor

Doug Hunt, Place Four  
Michael Myers, Place Five  
John R. Dean, Jr. City Manager

## NOTICE OF CITY COUNCIL BRIEFING SESSION 105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, January 14, 2019

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 January 14, 2019 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.cityofovilla.org](http://www.cityofovilla.org), on the 11<sup>th</sup> day of January 2019 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



  
Pamela Woodall, City Secretary

DATE OF POSTING: 1-11-2019 TIME: 10:00 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.

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Monday, January 14, 2019      105 S. Cockrell Hill Road, Ovilla, TX 75154      6:30 P.M.      Council Chamber Room

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## AGENDA

NOTICE is hereby given of a **Regular Meeting** of the City Council of the City of Ovilla, to be held on **Monday, January 14, 2019 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
- US. Pledge of Allegiance and TX Pledge

### **II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS**

#### ▪ 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.*

### **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.** Resolution R2019-01 authorizing the execution of Ellis County Elections Contract
- C2.** Minutes of the December 10, 2018 Briefing Session and Regular Meeting.

### **III. REGULAR AGENDA**

- ITEM 1. DISCUSSION/ACTION** – Consideration of and Action on Ordinance 2019-01 of the City Council of the City of Ovilla, Texas, authorizing a general election to be held on May 04, 2019 for the purpose of electing Mayor and two council members (Places 2 and 4) for expired terms by the qualified voters of Ovilla; establishing procedures for the election; providing for other matters incident and related to the election; providing for publication; providing a severability clause; and providing an effective date.

**DISCUSIÓN/ACCIÓN** – Consideración de una Acción a partir de la Ordenanza 2019-01 UNA ELECCIÓN GENERAL A LLEVARSE A CABO EL 4 DE MAYO DE 2019 CON EL OBJETIVO DE ELEGIR AL ALCALDE Y DOS MIEMBROS DEL CONCEJO (PLAZAS 2 Y 4) POR PLAZOS EXPIRADOS POR LOS VOTANTES CALIFICADOS DE OVILLA; ESTABLECIENDO PROCEDIMIENTOS PARA LA ELECCIÓN; PROPORCIONANDO OTROS ASUNTOS INCIDENTALES Y RELACIONADOS CON LA ELECCIÓN; PROPORCIONANDO PARA PUBLICACIÓN; PROPORCIONANDO UNA CLÁUSULA DE SEPARABILIDAD; Y PROPORCIONANDO UNA FECHA DE ENTRADA EN VIGENCIA.

# City of *OVILLA* City Council

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*John R. Dean, Jr. City Manager*

- ITEM 2.**     **DISCUSSION/ACTION** – Consideration of and action on Ordinance 2019-02 of the City of Ovilla, Texas, calling for a Special Election to be held on May 4, 2019 to determine whether the voters desire the continuation to impose a sales and use tax at the rate of one quarter of one percent (1/4%) to provide revenue for the maintenance and repair of existing municipal streets; establishing procedures for the election; providing for other matters incident and related to the election; providing a severability clause; and providing an effective date
- DISCUSIÓN/ACCIÓN** – Consideración de una Acción a partir de la Ordenanza 2019-02 UNA ORDENANZA DEL CONCEJO MUNICIPAL DE LA CIUDAD DE OVILLA, TEXAS, PIDIENDO UNA ELECCIÓN ESPECIAL A LLEVARSE A CABO EL 4 DE MAYO DE 2019 PARA DETERMINAR SI LOS VOTANTES DESEAN CONTINUAR CON EL IMPUESTO A LAS VENTAS Y USO A UNA TASA DE UN CUARTO DEL UNO POR CIENTO (1/4%) PARA GENERAR INGRESOS PARA EL MANTENIMIENTO Y REPARACIÓN DE CALLES MUNICIPALES EXISTENTES; ESTABLECIENDO PROCEDIMIENTOS PARA LA ELECCIÓN; PROPORCIONANDO OTROS ASUNTOS INCIDENTALES Y RELACIONADOS CON LA ELECCIÓN; PROPORCIONANDO UNA CLÁUSULA DE SEPARABILIDAD; Y PROPORCIONANDO UNA FECHA DE ENTRADA EN VIGENCIA.
- ITEM 3.**     **DISCUSSION/ACTION** – Consideration of and action on Ordinance 2019-03 of the City of Ovilla, Texas, Amending Ordinance NO. 2018-19 providing for Budget Amendment Number Three (3) in order to amend the 2019 Fiscal Year Operating Budget for the City of Ovilla; providing for the incorporation of premises; providing a savings clause; providing a cumulative repealer clause; providing for severability; providing for engrossment and enrollment; providing for publication of this ordinance and providing an effective date.
- ITEM 4.**     **DISCUSSION/ACTION** – Consideration of and action on Ordinance 2019-04 of the City of Ovilla, Texas, repealing Appendix “A” (fee schedule), Article A2.000, Section A2.002 (copying charges for public records), of the City of Ovilla Code of Ordinances, 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 5.**     **DISCUSSION/ACTION** – Consideration of and action on the annual review of the City of Ovilla Investment Policy.
- ITEM 6.**     **DISCUSSION/ACTION** – Receive recommendation from the Park Board to consider action on the design of a park pavilion in Founders Park.
- ITEM 7.**     **DISCUSSION/ACTION** – Consideration of and action on the work order for engineering services for the repair of the Water Street bridge.
- ITEM 8.**     **DISCUSSION** – Consideration of city facilities current and future needs.
- ITEM 9.**     **DISCUSSION** – Update on Park Development Fee.
- ITEM 10.**    **DISCUSSION** – Update on Strategic Plan.
- ITEM 11.**    **DISCUSSION** – Update on Strategic Guide.
- ITEM 12.**    **DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

# City of OVILLA City Council

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John R. Dean, Jr. City Manager

## IV. DEPARTMENT REPORTS

### ▪ Department Activity Reports / Discussion

- |   |                                 |
|---|---------------------------------|
| • Police Department                         | Chief B. Windham                |
| • Monthly Report                            |                                 |
| • Fire Department                           | Chief B. Kennedy                |
| • Monthly Report                            |                                 |
| • Public Works                              | Director B. Piland              |
| • Monthly Report                            |                                 |
| 1. Monthly Park Maintenance Reports         |                                 |
| • Finance Department                        | Accountant L. Harding           |
| • November 2018 Financials and transactions |                                 |
| • Bank Balances through January 10, 2019    |                                 |
| • Administration                            |                                 |
| • Monthly Code/Animal Control Reports       | Code/AC Officer M. Dooly        |
| • Monthly Municipal Court Report            | City Secretary P. Woodall       |
| • City Manager Reports                      | City Manager, John R. Dean, Jr. |

## VI. 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).

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

## VIII. ADJOURNMENT

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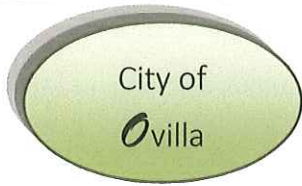


  
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**CONSENT ITEMS C1 – C2**

**Meeting Date:** January 14, 2019

**Department:** Administration/Finance

☒ Discussion ☒ Action

**Budgeted Expense:** ☒ YES ☐ NO ☒ N/A

**Submitted by:** Staff

**Amount:** N/A

**Attachments:**

- C1.** Resolution R2019-01 authorizing the execution of Ellis County Elections Contract
- C2.** Minutes of the December 10, 2018 Briefing Session and Regular Meeting.

**Discussion / Justification:**

**Recommendation / Staff Comments:**

Staff recommends approval.

**Sample Motion(s):**

I move to approve the consent items as presented.

01.14.2019

## Consent Item Information Sheet

To  
Honorable Mayor  
and Council

Comments:

From  
John R. Dean, Jr., CM

**BACKGROUND AND JUSTIFICATION:**

Resolution R2019-01 authorizing a Joint Contract between the City of Ovilla and Ellis County Elections Office.

CC  
Linda Harding, Finance  
Department

**BACKGROUND:** In December, staff met with Elections Administrator Jana Onyon who had advised all municipalities and school districts in Ellis County that the Ellis County Election's office had acquired new voting equipment and tabulating machines for the polls.

Ellis County is planning to hold countywide polling locations by May 2019.

Re  
Election Contract

The Elections Office held a countywide municipal and ISD meeting on January 08 and advised that all entities in Ellis County were on board contracting with Ellis County Elections Office for countywide polling locations.

During the December 2018 Council meeting, staff presented an item to Council with this information and advised that a joint agreement would be forthcoming. Council voted affirmatively to authorize the City Manager to execute the agreement.

The Ovilla attorney has reviewed and approved the agreement.

**STAFF RECOMMENDATION:**

Staff is seeking Council's confirmation of approval to allow the City Manager's execution of the contract.

City of Ovilla

Tel 972-617-7262

105 S. Cockrell Hill Road  
Ovilla, Texas 75154

[www.cityofovilla.org](http://www.cityofovilla.org)  
[dburn@cityofovilla.org](mailto:dburn@cityofovilla.org)



**RESOLUTION NO. R2019-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OVILLA, TEXAS, APPROVING AND AUTHORIZING EXECUTION OF THE MAY 4, 2019 JOINT ELECTION CONTRACT FOR ELECTION SERVICES BETWEEN ELLIS COUNTY AND THE CITY OF OVILLA, TEXAS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Ovilla authorized to enter into a contract for the provision of election services with the Ellis County Election Office.

**WHEREAS**, the City Council finds and determines that it is in the best interest of the citizens of the City of Ovilla to enter the said Contract for Election Services.

**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 approves the adoption and execution of the May 4, 2019 Joint Election Contract for Election Services, attached hereto as Exhibit A.

**SECTION 2.** The Ellis County Election Administrator is hereby requested to notify the election judges serving at each polling place where the voters of the City of Ovilla participate to release the unofficial election results to the City Secretary shortly after the close of voting.

**SECTION 3.** City Manager John R. Dean, Jr., is hereby authorized to execute the May 4, 2019 Joint Election Contract for Election Services.

**SECTION 4.** This resolution shall be in force and effect immediately upon passage and approval.

**RESOLVED, PASSED and APPROVED**, this \_\_\_\_ day of \_\_\_\_\_, 2019.

**CITY OF OVILLA, TEXAS**

\_\_\_\_\_  
Richard Dormier, Mayor

**ATTEST:**

\_\_\_\_\_  
Pamela Woodall, City Secretary



**May 4, 2019**  
**Joint Election**  
**Contract for Election Services**

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# **May 4, 2019 Joint Election**

## **Table of Contents**

I.....	Duties and Services of Contracting Officer
II.....	Duties and Services of Participating Political Subdivisions
III.....	Cost of Election
IV.....	General Provisions

## **Exhibits**

Exhibit A.....	Early Voting Schedule and Location
Exhibit B.....	Election Day Polling Locations
Exhibit C.....	Cost of Services
Exhibit D.....	List of Political Subdivisions Races on Ballot





**THE STATE OF TEXAS  
ELLIS COUNTY**

**JOINT CONTRACT FOR  
ELECTION SERVICES**

**§**

**BY THE TERMS OF THIS CONTRACT** made and entered into by and between the following:

CITY OF ALMA  
CITY OF BARDWELL  
CITY OF CEDAR HILL  
CITY OF ENNIS  
CITY OF FERRIS  
CITY OF GARRETT  
CITY OF ITALY  
CITY OF MANSFIELD  
CITY OF MAYPEARL  
CITY OF MIDLOTHIAN  
CITY OF MILFORD  
CITY OF OAK LEAF  
CITY OF OVILLA  
CITY OF PALMER  
CITY OF PECAN HILL  
CITY OF RED OAK  
CITY OF VENUS  
CITY OF WAXAHACHIE  
ENNIS INDEPENDENT SCHOOL DISTRICT  
FERRIS INDEPENDENT SCHOOL DISTRICT  
ITALY INDEPENDENT SCHOOL DISTRICT  
MAYPEARL INDEPENDENT SCHOOL DISTRICT  
MIDLOTHIAN INDEPENDENT SCHOOL DISTRICT  
MILFORD INDEPENDENT SCHOOL DISTRICT  
PALMER INDEPENDENT SCHOOL DISTRICT  
RED OAK INDEPENDENT SCHOOL DISTRICT  
WAXAHACHIE INDEPENDENT SCHOOL DISTRICT  
ROCKETT SPECIAL UTILITY DISTRICT

hereinafter referred to as "Participating Political Subdivisions" and JANA ONYON, Elections Administrator of Ellis County, Texas, hereinafter referred to as "Contracting Officer", pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, agree to the following particulars in regard to coordination, supervision and running of the May 4, 2019 Joint Election.



**THIS AGREEMENT** is entered into in consideration of the mutual covenants and promises hereinafter set out. IT IS AGREED AS FOLLOWS:

**I. DUTIES AND SERVICES OF CONTRACTING OFFICER.** The Contracting Officer shall be responsible for performing the following duties and shall furnish the following services and equipment:

A. The Contracting Officer shall arrange for notification (including writ of election), training and compensation of all presiding judges, alternate judges, clerks for the polling site, Central Counting Station and early voting ballot board.

- a. The Contracting Officer shall be responsible for notification of each Election Day and Early Voting presiding judge and alternate judge of his or her appointment. The presiding election judge of each polling place, will use his/her discretion to determine when additional manpower is needed during peak voting hours. The recommendations of the Participating Political Subdivisions will be the accepted guidelines for the number of clerks to work in each polling place. Election judges and early voting personnel shall be secured by the Contracting Officer using the recommended names provided by the Participating Political Subdivisions.
- b. Election judges, Alternate judges, Clerks and Student Clerks shall all attend the Contracting Officer's school of instruction. (Date and location to be determined)
- c. Election judges shall be responsible for picking up from and returning election supplies to the Contracting Officer. (Date to be determined). Compensation for this pickup and delivery of supplies will be \$25.00.
- d. The Contracting Officer shall compensate each election judge and election worker. Compensation will be based on what the county pays and has been approved in Commissioner's Court unless arranged otherwise. Early voting presiding officer shall receive \$10.50 per hour and clerks shall receive \$9.00 per hour for services. Each election day judge shall receive \$10.50 per hour for services rendered; each alternate judge shall receive \$9.50 per hour for services; and clerk shall receive \$9.00 per hour for services. Ballot Board, Central Counting Station Presiding judge and alternate shall receive the same as for Election Day judge and alternate for services. Each worker that attends training class shall receive up to 2 hours of pay per election. Overtime will be paid to each person working over 40 hours per week. All other required and additional expenses by law shall be paid. (ie: FICA, Medicaid, etc.)



- B. The Contracting Officer shall procure, prepare, and distribute voting machines, election kits and election supplies.
- a. Each Participating Political Subdivisions agrees that voting at the Joint Election will be by use of Election Systems and Software ExpressVote marking devices and DS200 Precinct Scanner/Tabulators and the DS450 Absentee Scanner/Tabulator voting system approved by the Secretary of State in accordance with the Texas Election Code.
  - b. The Contracting Officer shall secure election kits which include the legal documentation required to hold an election.
  - c. The Contracting Officer shall secure all tables, chairs, and voting booths required to hold an election.
  - d. The Contracting Officer shall provide all lists of registered voters for use on Election Day and for the early voting period as mandated by law. Laptop computers will be used to qualify voters for the early voting period and on Election Day. A second laptop computer with the list of registered voters will be provided as back-up in each Early Voting and Election Day polling place.
  - e. The Contracting Officer shall procure and arrange for the distribution of all election equipment and supplies required to hold an election.
    1. Equipment includes the rental of DS200 voting machines (1 per site), ADA ExpressVote marking devices (6 or more per site), transfer cases, ballot cans, voting signs, voting booths and laptop computers.
    2. Supplies include election forms, ballots, labels, extension cords, pens, tape, markers, ballot pens, required signage, totem display poles, name tags, etc.



- C. The Contracting Officer, Jana Onyon, shall be appointed the Early Voting Clerk by the Participating Political Subdivisions.
- a. The Contracting Officer shall supervise and conduct Early Voting by mail and in person.
  - b. Early Voting by personal appearance for the Participating Political Subdivisions shall be conducted during the time period and at the locations listed in Exhibit "A", attached and incorporated by reference into this contract. Cities are required to have 2 days of 12 hour voting and those will be the last 2 days of early voting.
  - c. Any qualified voter for the Joint Election may vote early by personal appearance at any of the Early Voting locations within Ellis County. Elections Office 204 E Jefferson Street, Waxahachie, TX 75165 serves as the main location.
  - d. Some Participating Political Subdivisions have requested additional Early Voting sites pending their participation, therefore Exhibit "A" is subject to change if any of the Participating Political Subdivisions cancel their election.
  - c. All applications for an Early Voting mail ballot shall be received and processed by the Ellis County Elections Administration Office.
    1. Application for mail ballots erroneously mailed to the Participating Political Subdivisions shall immediately be faxed to the Contracting Officer for timely processing. The original application shall then be forwarded to the Contracting Officer for proper retention.
    2. Absentee Application (Regular or Federal Postcard) for ballot by mail shall be mailed to:  
**Jana Onyon, Early Voting Clerk,**  
**204 E Jefferson Street, Waxahachie, Tx 75165**  
**or faxed to 972-923-5194**  
**or email a scanned copy of signed application to elections@co.ellis.tx.us**  
**(If faxed or emailed, then must receive original application within 4 days)**  
**Application for ballot by mail must be received no later than close of business on Tuesday, April 23, 2019.**
    3. All Federal Post Card Applicants (FPCA) and Annual Mail Ballot Applicants will be sent a mail ballot with required notices.



- d. All Early Voting ballots (those cast by mail/absentee) shall be prepared for count by the Early Voting Ballot Board in accordance with Section 87.000 of the Texas Election Code. The presiding judge of this Board shall be appointed in the same manner as presiding election judges (Section 87.002b)
- D. The Contracting Officer shall arrange for the use of all Election Day polling places.
  - a. The Participating Political Subdivisions shall assume the responsibility of remitting the shared cost of all employee services required to provide access, provide security or provide custodial services for the polling locations.
  - b. The Election Day polling locations are listed in Exhibit "B", attached and incorporated by reference into this contract.
  - c. Some Participating Political Subdivisions have requested additional Election Day Vote Centers pending their participation, therefore Exhibit "B" is subject to change if any of the Participating Political Subdivisions cancel their election.
  - d. Any qualified voter for the Joint Election may vote on election day by personal appearance at any of the Election Day Vote Center locations within Ellis County.
- E. The Contracting Officer shall be responsible for establishing and overseeing the tabulation of the early voting and election day voted ballots by the Central Counting Station Personnel. Ballots shall be tabulated in accordance with Section 127.001 of the Texas Election Code and of this agreement.
  - a. The Contracting Officer shall prepare, test and run the county's tabulation system in accordance with statutory requirements and policies. The tabulation system will be used on Election Night at the Elections Office.
  - b. The Public Logic and Accuracy Test (L &A) of the electronic voting system shall be conducted. Contracting Officer will publish required notice in local newspaper (Waxahachie Daily Light) of time and place as required by the election code.





- c. Election night reports will be available to the Participating Political Subdivisions at 7pm on election night on the Ellis County website ([www.co.ellis.tx.us/elections](http://www.co.ellis.tx.us/elections)). Provisional ballots will be tabulated after election night in accordance with law.
- d. The Contracting Officer shall prepare the unofficial canvass report after all precincts have been counted for election day, provisional ballots, and any overseas ballots that will be tallied after the final deadline to count ballots. This report will be sent to the Participating Political Subdivisions for their canvass.
- e. The Contracting Officer shall be appointed the custodian of the voted ballots and shall retain all election material for a period of 22 months.
  - 1. Pending no litigation and as prescribed by law, the voted ballots shall be shredded 22 months after the election.
  - 2. The Participating Political Subdivisions can obtain the list of registered voters (Combination Forms) from the Elections Administration Office after this retention period. Pending no litigation and if the Participating Political Subdivisions does not request the lists, the Contracting Officer shall destroy them.
- f. The Contracting Officer shall conduct a manual partial recount as prescribed by Section 127.201 of the Texas Election Code and submit a written report to the Participating Political Subdivisions in a timely manner. The Secretary of State may waive this requirement. If applicable, a written report shall be submitted to the Secretary of State as required by Section 127.201(E) of the aforementioned code.

**II. DUTIES AND SERVICES OF THE PARTICIPATING POLITICAL SUBDIVISIONS.** The Participating Political Subdivisions shall assume the following responsibilities:

- A. The Participating Political Subdivisions shall prepare the election orders resolutions, notices, justice department submissions (if required), official canvass and other pertinent documents for adoption by the appropriate office or body. The Participating Political Subdivisions shall handle the candidate filing process and packets that are required by law. The Participating Political Subdivisions assume the responsibility of posting required notices and likewise promoting the schedules for Early Voting and Election Day.



- B. The Participating Political Subdivisions if recent changes have been made, shall provide the Contracting Officer with an updated map and street index of their jurisdiction in an electronic or printed format as soon as possible but no later than Friday, February 15, 2019, if any changes have occurred since the last election the county has held for your entity.
- C. The Participating Political Subdivisions shall procure and provide the Contracting Officer with the ballot layout and Spanish interpretation in an electronic format (word.doc preferred).
  - a. The Participating Political Subdivisions shall deliver to the Contracting Officer as soon as possible after the election has been ordered any proposition wording in English and Spanish. Candidate names should be given after the drawing. Should receive all information no later than **Tuesday, February 26, 2019**.
  - b. Exhibit "D" is provided with a listing of races and/or propositions on the ballot for each Participating Political Subdivisions pending any cancellations or withdrawals.
  - c. The Participating Political Subdivisions shall approve the "blue line" ballot format prior to printing.
- D. The Participating Political Subdivisions shall post the publication of the "Election Order" and "Election Notice" by the proper methods with the proper media in accordance with the Texas Election Code.
- E. The Participating Political Subdivisions shall compensate the Contracting Officer for any additional verified cost incurred in the process of running this election or for a manual recount this election may require, or for a required runoff election consistent with charges and hourly rates shown on Exhibit "C" for required services.
- F. The Participating Political Subdivisions shall submit this signed contract and pay the Contracting Officer a deposit of 80% of the estimated cost to run the said election prior to **Friday, March 29, 2019**. The Contracting Officer shall place the funds in a "contract fund" as prescribed by Section 31.100 of the Texas Election Code.



The Deposit should be delivered within the mandatory time frame to:

**Ellis County Treasurer  
Att. Cheryl Chambers  
109 S. Jackson, 3<sup>rd</sup> Floor  
Waxahachie, Texas 75165**

Made payable to: "Ellis County Treasurer" with the note "for election services" included with check documentation.

The signed contract should be delivered or mailed to:

**Ellis County Elections  
Attn: Jana Onyon  
204 E Jefferson Street  
Waxahachie, Texas 75165**

- G. The Participating Political Subdivisions shall pay any additional cost and/or remaining final cost of conducting said election or any required runoff elections pursuant to the Texas Election Code, Section 31.100, within 30 days from the date the final billing was received.

**III. COST OF SERVICES.** See Exhibit "C."

- A. All actual shared cost incurred in the conduct of the election will be divided by the Participating Political Subdivisions contracting with the Contracting Officer to hold the said election. If one of the Participating Political Subdivisions cancels their election, the full cost of the election will be the responsibility of the remaining Participating Political Subdivisions.
- B. Specifically, for the May 2019 Joint Election only the following applies:
- a. Since Ellis County will have a proposition on the ballot. Ellis County will pay for 50% of the cost of the election and the remainder 50% will be paid by the Participating Political Subdivisions.
  - b. An addendum of Exhibit "C" to the contract shall be provided to the remaining participating Political Subdivisions no later than five (5) business days after receipt of any Political Subdivisions notification of intent to withdraw in writing by Ellis County.
  - c. All future elections cost will be divided as described in Section A above.
- C. If a Runoff Election is required, additional cost will be billed to the Participating Political Subdivisions. Runoff Election will be held on June 8, 2019, if required.




#### **IV. GENERAL PROVISIONS.**

- A. Nothing contained in this contract shall authorize or permit a change in the officer with whom or the place at which any document or record relating to the May 4, 2019 Joint Election is to be filed or the place at which any function is to be carried out, or any nontransferable functions specified under Section 31.096 of the Texas Election Code.
- B. Upon request, the Contracting Officer will provide copies of all invoices and other charges received in the process of running said election for the Participating Political Subdivisions.
- C. If a Participating Political Subdivision cancels an election pursuant to the Texas Election Code, they will not be liable for any further costs incurred by the Contracting Officer in conducting the said Election. Notice of a cancelled election should be provided to the Contracting Officer as soon as the Participating Political Subdivision has approved it in council meeting.
- D. If any provision of this joint election contract and election services agreement is construed to be illegal or invalid, this will not affect the legality or validity of any of the other provisions. The illegal or invalid provision will be deemed stricken and deleted, but all other provisions shall continue and be given effect as if the illegal or invalid provisions had never been incorporated.
- E. The Elections Administrator of Ellis County, Texas and all of the contracting authorities of all of the participating political subdivisions listed in this joint election contract and election services agreement represent that each has the full right, power and authority to enter and perform this Contract in accordance with all of the terms and conditions, and that the execution and delivery of this Contract has been made by authorized representatives of the parties to validly and legally bind the parties to all terms, performances and provisions set forth in this Contract.
- F. The Contracting Officer shall file copies of this contract with the County Judge, County Auditor and the County Treasurer of Ellis County, Texas.



WITNESS BY MY HAND THIS THE 8 DAY OF JANUARY 2019.

  
\_\_\_\_\_  
Jana Onyon, CERA  
Elections Administrator  
Ellis County, Texas

WITNESS BY MY HAND THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019

By: \_\_\_\_\_  
Signature Printed Name and Title

Political Subdivision Name: \_\_\_\_\_  
Printed



**CITY OF OVILLA MINUTES**  
**Monday, December 10, 2018**  
**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 6:02 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
Dean Oberg	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 John R. Dean, Jr., department directors, and staff were also present.

**CALL TO ORDER**

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

Mayor Dormier and City Manager John Dean gave a brief review of each item on the agenda. An inquiry to Item 6 was discussed and clarified. There was no other discussion.

**ADJOURNMENT**

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:12 p.m.

ATTEST:

\_\_\_\_\_  
Pamela Woodall, City Secretary

\_\_\_\_\_  
Richard Dormier, Mayor

***Approved January 14, 2019***

**CITY OF OVILLA MINUTES**  
**Monday, December 10, 2018**  
**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
Dean Oberg	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 noted that all Council members were present, thus constituting a quorum. City Manager John R. Dean, Jr., department directors and various staff were also present.

**CALL TO ORDER**

PL2 Oberg gave the invocation. PL1 Huber led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

**COMMENTS & PRESENTATIONS**

**Citizen Comments**

1. MS Jimmie Wade, 606 Creekview Court, gave a personal opinion regarding the City's purchase of and planned use of the Main Street property.

**Presentation:**

- Mayor Pro Tem Griffin commended staff for the City's achievement of the Transparency Stars Award of Traditional Finances through the TX Comptroller's Office.
- Annual Christmas Tree Lighting set for Saturday, December 08, 2018 at 6:00 pm, Heritage Park was canceled due to the weather.

**CONSENT AGENDA**

- C1. October 2018 Financial Transactions over \$5,000
- C2. Minutes of the November 12, 2018 Briefing Session and Regular Meeting.

PL4 Hunt moved to approve the consent items as presented, seconded by PL2 Oberg.  
*No oppositions, no abstentions.*

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

**REGULAR AGENDA**

- ITEM 1.     DISCUSSION/ACTION** –Consideration of and action on Resolution R2018-36 of the City of Ovilla, Texas, setting the date and time for the Christmas Tree Lighting event held annually in December, providing an effective date.

To aid in the preparation of the annual event, staff presented a Resolution to set the date and time.

PL5 Myers moved to approve Resolution R2018-36, setting the date and time for the Christmas Tree Lighting event held annually to be the first Saturday in December at 6:00 pm, effective immediately, seconded by PL4 Hunt.

*No oppositions, no abstentions.*

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

**ITEM 2. DISCUSSION/ACTION** –Consideration of and action on Resolution R2018-37 of the City of Ovilla, Texas, setting the date and time for the Heritage Day event held annually in September, providing an effective date.

To aid in the preparation of the annual event, staff presented a Resolution to set the date and time. Council directed staff to amend the resolution, removing a set annual time.

PL4 Hunt moved to approve Resolution R2018-37, amended as directed, setting the date for the Heritage Day Celebration event held annually to be the fourth Saturday in September, effective immediately, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

**ITEM 3. DISCUSSION/ACTION** –Consideration of and action on Resolution R2018-38 of the City of Ovilla, Texas, setting the date and time for the Ovilla Clean Up Day event held annually in April, providing an effective date.

To aid in the preparation of the annual event, staff presented a Resolution to set the date and time. Ovilla's contracted refuse provided a report to staff that they had only two available dates this year, both in May.

Mayor Pro Tem Griffin moved to approve Resolution R2018-38, of the City of Ovilla, Texas, amended as directed, setting the date for the 2019 Ovilla Clean Up Day event to be held on Saturday, May 18, 2019 from 8:00 am to noon, effective immediately, seconded by PL4 Hunt.

*No oppositions, no abstentions.*

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

**ITEM 4. DISCUSSION/ACTION** –Consideration of and action on Resolution R2018-39 adopting the Employee Policies Handbook, providing for the repeal of all previous employee policies handbooks, providing for the distribution of the revised employee handbook and providing an effective date.

Staff presented a new handbook and Resolution prepared and ready to replace the current 2014 Handbook (Resolution R2014-002). Certain revisions were necessary according to statutes and other previously approved resolutions were all incorporated into the revised handbook. Additional new sections were added such as the methodology of employee evaluations. All department directors were involved in the preparation of the new manual. PL2 Oberg noted a necessary edit to Section 10.8.

Mayor Pro Tem Griffin move to approve Resolution R2018-39, with noted edit by PL2 Oberg, adopting the Employee Policies Handbook, providing for the repeal of all previous employee policies handbooks, providing for the distribution of the revised employee handbook, effective immediately, seconded by PL5 Myers.

*No oppositions, no abstentions.*

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



- ITEM 5. DISCUSSION/ACTION** – Consideration of and action to authorize the City Manager to approve an interlocal agreement between the City of Ovilla and Ellis County Elections Office to conduct Ovilla Municipal Elections.

Staff met with Elections Administrator Jana Onyon, advising that the Ellis County Election Office had acquired new voting equipment and tabulating machines for the polls in Ellis County. This new equipment will require additional electrical outlets and space for the machines. Additionally, the Ellis Elections Office requested that all municipalities and school districts in Ellis County contract with them, as Ellis County planned to hold an election for countywide polling locations. An agreement was expected to be presented in January 2019.

Staff supported the idea of contracting with the Ellis County Elections Office as stating it would prove to benefit Ovilla residents by having federal, state, county and municipal elections at one location on one ballot. If an additional early voting site is desired, Ellis Elections office advised they would work with Ovilla. The proposed polling location for Ovilla is at Grace Church of Ovilla, which also provides adequate parking.

Candidate filings and reporting will continue to be conducted through the city secretary's office. Based on the estimated cost, this agreement should be within Ovilla's budget for municipal elections this year. The estimated cost is based on all entities having an election.

PL1 Huber moved to approve that staff move forward authorizing the city manager to execute an interlocal agreement between the City of Ovilla and Ellis County Elections Office to conduct Ovilla Municipal Elections, seconded by PL4 Hunt.

*No oppositions, no abstentions.*

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

- ITEM 6. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2018-33 of the City of Ovilla, Texas, Amending Ordinance NO. 2018-19 providing for Budget Amendment Number Two (2) in order to amend the 2019 Fiscal Year Operating Budget for the City of Ovilla; providing for the incorporation of premises; providing a savings clause; providing a cumulative repealer clause; providing for severability; providing for engrossment and enrollment; providing for publication of this ordinance and providing an effective date.

*No Action.*

- ITEM 7. DISCUSSION**–Discuss the application of a Fire Grant.

**Fire Chief Kennedy shared background information:**

Over the past 10 years the Ovilla Fire Department has been progressively changing and moving forward to provide the best Fire and EMS Service for the City. Starting as a complete Volunteer Department, then moving to part-time paid on an 8-hour schedule, then to 1 – 24-hour person per shift, to now 3 part-time paid employees every shift. Moving forward as the city grows, needs increase as well as call volume. Ovilla is planning for the part time positions to begin to fade and to begin replacing these positions with full-time staff. In doing this, the department is trying to accomplish a transition with the least amount of impact on the city budget as possible and have found that Ovilla can apply for the SAFER Grant through FEMA.

**Additional information: SAFER (Staffing for Adequate Fire Emergency Response)**

- Because Ovilla would be creating new full-time positions, Ovilla qualifies to apply
- This is a match grant
- This allows the City to create positions and adjust to the cost over a 3-year period
- Application period is December 12, 2018 – January 18, 2019

**Richard Dormier, Mayor**  
**Rachel Huber, Place One**  
**Dean Oberg, Place Two**

3

**Doug Hunt, Place Four**  
**David Griffin, Place Three**  
**Michael Myers, Place Five**

- As part of submittal the grant process, Council will be asked to approve a Resolution as a commitment to create the positions.
- If awarded, funding would be for FY 19 – 20 at the latest
- Plan to apply for 2 per shift at minimum, for a total of 6 full time personnel

**Financial Impact:** SAFER is a grant where the city will match with a percentage over a 3-year performance period. It will pay 75% of the position's salary and 75% of any benefits that are associated with the position that is at the cities expense.

- Year 1 FEMA will pay 75% City will pay 25%
- Year 2 FEMA will pay 75% City will pay 25%
- Year 3 FEMA will pay 35% City will pay 65%
- Year 4 and after City will pay 100% of positions

The consensus of the Council was favorable, albeit asking for more information on the financial impact. Staff was directed to move forward and return this item in January.

**No Action.**

**ITEM 8 DISCUSSION/ACTION** – Consider the City's role in maintaining the pavers at the Veterans Memorial at Heritage Park.

Mayor Dormier asked to address this item to clarify if the City should be responsible to provide the maintenance and replacement of deteriorated pavers located in Heritage Park. Council advised staff to return with an account of those pavers in need of replacement.

PL1 Humber moved that the City maintain and control the laying and replacement process of caring for the veteran pavers in Heritage Park, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

**ITEM 9 DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

N/A

#### DEPARTMENT ACTIVITY REPORTS / DISCUSSION

The order of the agenda was altered to address the Fire Department first.

- Fire Department Chief B. Kennedy
  - Monthly Report - reviewed.
    1. Refurbishment to the bay area was almost complete.
- Police Department Chief B. Windham
  - Monthly Report
    1. Coffee with the Chief scheduled 12/13 at 10:30 am, at Golden Chick.
- Public Works Director B. Piland
  - Monthly Report – reviewed.
    1. Monthly Park Maintenance Reports – reviewed.
- Finance Department Accountant L. Harding
  - October 2018 Financials – reviewed.
  - Bank Balances through December 05, 2018 – reviewed.
- Administration reports reviewed.



- |                                       |                                 |
|---------------------------------------|---------------------------------|
| • Monthly Code/Animal Control Reports | Code/AC Officer M. Dooly        |
| • Monthly Municipal Court Report      | City Secretary P. Woodall       |
| • City Manager Reports                | City Manager, John R. Dean, Jr. |
| 1. Bridge repairs were discussed.     |                                 |

**EXECUTIVE SESSION - None**

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

- |                  |  |
|------------------|--|
| 1. Mayor Dormier | None   |
| 2. PL1 Huber     | None   |
| 3. PL2 Oberg     | None   |
| 4. PL3 Griffin   | Include building permits in monthly reports. |
| 5. PL4 Hunt      | None   |
| 6. PL5 Myers     | None   |
| 7. City Manager  | None   |

**ADJOURNMENT**

PL4 Hunt moved to adjourn the meeting of December 10, 2018, seconded by PL2 Oberg. There being no further business, Mayor Dormier adjourned the meeting at 8:30 p.m.

ATTEST:

\_\_\_\_\_  
Pamela Woodall, City Secretary

Attachments: Citizens Forum sheet

\_\_\_\_\_  
Richard Dormier, Mayor

***Approved January 14, 2019***

Mayor Richard Dormier  
Place One Council, Rachel Huber  
Place Two Council, Dean Oberg  
Place Three Council/ Mayor Pro Tem, David Griffin



Place Four Council, Doug Hunt  
Place Five Council, Michael Myers  
City Manager, John R. Dean, Jr.

## WELCOME TO THE CITY OF OVILLA CITIZENS FORUM

The Ovilla City Council and City Staff welcome you to a meeting of the Ovilla City Council.  
Ovilla Council Meetings are open to the public and residents are encouraged to attend.

It is the policy of the City of Ovilla to give all individuals and lawful organizations an opportunity to formally address the Mayor and Council regarding any posted Agenda item or items not on the agenda. Each participant will be permitted to speak for a maximum of three minutes. Regarding non-agenda items, please be advised that the Mayor and Council cannot respond but may direct inquiries to staff for current policy or for later review.

**The form must be complete.**

DATE: 12-10-18 PHONE: 214-546-9532  
DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? ☒ YES ☐ NO  
NAME: Jimmie Wale  
ORGANIZATION / DEPARTMENT: \_\_\_\_\_  
ADDRESS: 606 Creekview Ct  
CITY / ZIP: Ovilla TX 75154

Persons wishing to address the Mayor and Council concerning a posted agenda item must make a formal request by presenting a completed "Citizens Forum" form to the City Secretary at least 10 minutes prior to the beginning of the scheduled meeting. **The form must be complete.** At the discretion of the Mayor, those registered to speak may be called during the opening of the listed agenda item. Please check one of the three following options.

☒ I wish to address the Council during the Citizens Forum.

AGENDA ITEM(S) NUMBER: \_\_\_\_\_

☐ I wish to address the Council on this agenda item(s).

☐ I do not wish to address the Council, but would like to register the following opinion.

(Circle one) FOR AGAINST

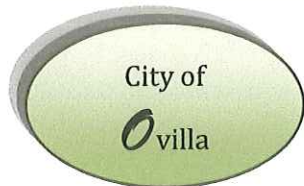
Comments: \_\_\_\_\_

Would you be interested in serving on an appointed board or commission of the City of Ovilla?  
☐ Yes ☐ No

The City Council convenes in regular session on the second Monday of each month at 6:00 P.M. unless otherwise noted.  
Special meetings may be called as deemed necessary to conduct business of the City.

"I authorize the city to release ALL information on this sheet to the public. (If no signature is provided, the City shall not release information that is protected under the Texas Public Information Act.) Signature \_\_\_\_\_"





# Ovilla City Council

## AGENDA ITEM REPORT

### Item 1

Meeting Date: January 14, 2019

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☒ YES ☐ NO ☐ N/A

Submitted By: Pam Woodall, City Secretary

Amount: N/A

Reviewed By: ☒ City Manager ☒ City Secretary ☒ City Attorney

☒ Accountant

☒ Other: Glennell Miller

#### Attachments:

1. Ordinance 2019-01 and Order of Election

#### Agenda Item / Topic:

**ITEM 1. DISCUSSION/ACTION** – Consideration of and Action on Ordinance 2019-01 of the City Council of the City of Ovilla, Texas, authorizing a general election to be held on May 04, 2019 for the purpose of electing Mayor and two council members (Places 2 and 4) for expired terms by the qualified voters of Ovilla; establishing procedures for the election; providing for other matters incident and related to the election; providing for publication; providing a severability clause; and providing an effective date.

**DISCUSIÓN/ACCIÓN** – Consideración de una Acción a partir de la Ordenanza 2019-01 UNA ELECCIÓN GENERAL A LLEVARSE A CABO EL 4 DE MAYO DE 2019 CON EL OBJETIVO DE ELEGIR AL ALCALDE Y DOS MIEMBROS DEL CONCEJO (PLAZAS 2 Y 4) POR PLAZOS EXPIRADOS POR LOS VOTANTES CALIFICADOS DE OVILLA; ESTABLECIENDO PROCEDIMIENTOS PARA LA ELECCIÓN; PROPORCIONANDO OTROS ASUNTOS INCIDENTALES Y RELACIONADOS CON LA ELECCIÓN; PROPORCIONANDO PARA PUBLICACIÓN; PROPORCIONANDO UNA CLÁUSULA DE SEPARABILIDAD; Y PROPORCIONANDO UNA FECHA DE ENTRADA EN VIGENCIA.

#### Discussion / Justification:

State Law requires the City Council to authorize the Order of General Election.

May 04, 2019 is uniform Election Day. The prepared ordinance calls the election and outlines procedures consistent with the TX Election Code; designating the polling place for early voting and Election Day, the method of voting, appointment of the early voting clerk and other matters incident and related to the election. This is the first year Ovilla has contracted with Ellis County to assist with the voting procedures, including new machines. Additionally, Ellis County will also be on the ballot for countywide polling for all ISD and municipal entities.

Early voting by personal appearance will be conducted each weekday at the following locations:

1. Elections Office (Main Location), 204 E. Jefferson Street, Waxahachie, TX 75165
2. Midlothian Conference Center, 1 Community Circle Drive, Midlothian, TX 76065
3. Palmer ISD Annex Building, 303 Bulldog Way, Palmer, TX 75152
4. Ellis County Sub-Courthouse, 207 S. Sonoma Trail, Ennis, TX 75119
5. Red Oak Municipal Center, 200 Lakeview Pkwy, Red Oak, TX 75154

Early voting will be conducted between the hours of 8:00 a.m. and 5:00 p.m. beginning on Monday, April 22, 2019 and ending on Friday, April 26, 2019.

Additional early voting hours will be held as follows: Monday, April 29, 2019 and Tuesday, April 30, 2019, 7:00 AM until 7:00 PM at the same locations.

**Recommendation / Staff Comments:**

Staff recommends approval.

**Sample Motion(s):**

I move that Council approve Ordinance 2019-01 of the City Council of the City of Ovilla, Texas, authorizing a general election to be held on May 04, 2019 for the purpose of electing Mayor and two council members (Places 2 and 4) for expired terms by the qualified voters of Ovilla as presented.



## ORDINANCE 2019-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AUTHORIZING A GENERAL ELECTION TO BE HELD ON MAY 04, 2019 FOR THE PURPOSE OF ELECTING MAYOR AND TWO COUNCIL MEMBERS, (PLACES 2 & 4) FOR EXPIRED TERMS BY THE QUALIFIED VOTERS OF OVILLA; ESTABLISHING PROCEDURES FOR THE ELECTION; PROVIDING FOR OTHER MATTERS INCIDENT AND RELATED TO THE ELECTION; PROVIDING FOR PUBLICATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, by this Ordinance, it is the intention of the City Council of Ovilla to call the General Election in accordance with state law, to declare the Texas Election Code is applicable to said election, and this Ordinance establishes procedures consistent with the Code, and designates the Election Day and main early voting polling place for the General Election; and

**WHEREAS**, May 04, 2019 is a uniform election date; and

**WHEREAS**, the City Council calls to Order the General Election of May 04, 2019 to elect Mayor, Place Two and Place Four of the City Council as required by the Texas Election Code:

**WHEREAS**, the Order of Election must be written in English and Spanish as required by the Texas Election Code:

**WHEREAS**, the City has authority, pursuant to Chapter 31 of the Texas Elections Code, to enter into an election services agreement with the Ellis County Election Officer to furnish election services to the City and its citizens; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS;**

**SECTION 1. General Election Called.** That a General Election is hereby called by the City Council to elect the following:

Mayor and City Council Places 2 and 4, to serve a 2-year term each, until May 2021 or until their successors are duly elected and qualified. Such election shall take place on the 4<sup>th</sup> day of May 2019, between the hours of 7:00 a.m. and 7:00 p.m.

**SECTION 2. Candidates for General Election.** Qualified persons may file as candidates for the General Election by filing an application with the City Secretary at City Hall, 105 S. Cockrell Hill Road, Ovilla, TX 75154, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, beginning January 16, 2019 through February 15, 2019. The City Secretary's office will remain open on February 15, 2019 until 5:00 p.m. as required by the TX Election Code. All applications for candidacy shall be on a form as prescribed by the Texas Election Code.

**SECTION 3. Ballot.** The official ballot for the election shall be prepared in accordance with the Texas Election Code to permit the electors to vote for Mayor and each position.

## ORDINANCE 2019-01

**SECTION 4. Polling Places.** Voting shall be conducted on Election Day between the hours of 7:00 a.m. and 7:00 p.m. at Elections Office (Main Location), 204 E. Jefferson Street, Waxahachie, TX 75165.

**SECTION 5. Contract for Election Services.** Chapter 31 of the Texas Elections Code authorizes county election officers to contract with the governing body of a political subdivision to perform certain election services. Pursuant to such authority, the election shall be conducted in accordance with the *May 4, 2019 Joint Election Contract for Election Services* between the Elections Administrator of Ellis County and the City of Ovilla, Texas, which shall be approved by separate action of the City Council.

**SECTION 6. Governing Law and Qualified Voters.** The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

**SECTION 7. Publication and Posting of Notice of Election.** Notice of the election shall be given as required by Chapter 4 of the Code.

**SECTION 8. Early Voting.** The City Council hereby appoints Jana Onyon, Elections Administrator of Ellis County, as the Early Voting Clerk. Dates and times of early voting by personal appearance are as follows:

Monday, April 22, 2019 through Friday, April 26, 2019 8:00 a.m. to 5:00 p.m.

Monday, April 29, 2019 through Tuesday, April 30, 2019 7:00 a.m. to 7:00 p.m.

The Early Voting Locations will be:

1. Elections Office (Main Location, 204 E. Jefferson Street, Waxahachie, TX 75165
2. Midlothian Conference Center, 1 Community Circle Drive, Midlothian, TX 76065
3. Palmer ISD Annex Building, 303 Bulldog Way, Palmer, TX 75152
4. Ellis County Sub-Courthouse, 207 S. Sonoma Trail, Ennis, TX 75119
5. Red Oak Municipal Center, 200 Lakeview Pkwy, Red Oak, TX 75154

**SECTION 9. Publication and Posting of Notice of Election.** Notice of the election shall be given by posting a substantial copy of this Ordinance ordering an election in English and Spanish translations at City Hall on the official bulletin board used for posting notices of the meeting of the City Council. A copy of this Ordinance's caption shall also be published in English and in Spanish in the City's official newspaper of general circulation published in the City.

**SECTION 10. Severability Clause.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 11. Effective Date.** This ordinance shall be in full force and effect after its passage, and it is so ordained.

ORDINANCE 2019-01

The *Order of Election* shall be posted to read as shown on Exhibit "A" attached:

PASSED, APPROVED and ADOPTED this 14<sup>TH</sup> day of January 2019.

\_\_\_\_\_  
Richard Dormier, Mayor

ATTEST:

\_\_\_\_\_  
Pam Woodall, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Ron G. MacFarlane, Jr., City Attorney





# ORDER OF ELECTION FOR THE CITY OF OVILLA

An election is hereby ordered to be held on MAY 4, 2019 for the purpose of:

Mayor  
City Council, Place 2  
City Council, Place 4

Early voting by personal appearance will be conducted each weekday at the following locations:

1. Elections Office (Main Location), 204 E. Jefferson Street, Waxahachie, TX 75165
2. Midlothian Conference Center, 1 Community Circle Drive, Midlothian, TX 76065
3. Palmer ISD Annex Building, 303 Bulldog Way, Palmer, TX 75152
4. Ellis County Sub-Courthouse, 207 S. Sonoma Trail, Ennis, TX 75119
5. Red Oak Municipal Center, 200 Lakeview Pkwy, Red Oak, TX 75154

Between the hours of 8:00 a.m. and 5:00 p.m. beginning on Monday, April 22, 2019  
And ending on Friday, April 26, 2019.

Additional early voting hours will be held as follows:

Monday, April 29, 2019 and Tuesday, April 30, 2019  
7:00 AM until 7:00 PM at the same location.

Applications for ballot by mail shall be mailed to:

Jana Onyon, Early Voting Clerk  
204 E. Jefferson Street  
Waxahachie, Texas 75165

Applications (including Federal postcards) for ballots by mail must be received no later than the close of business on Tuesday, April 23, 2019.

Issued this the 14<sup>th</sup> day of January 2019.

\_\_\_\_\_  
Signature of Mayor Dormier

\_\_\_\_\_  
Signature of Mayor Pro-Tem PL 3 Griffin

\_\_\_\_\_  
Signature of Councilperson PL 1 Huber

\_\_\_\_\_  
Signature of Councilperson PL 2 Oberg

\_\_\_\_\_  
Signature of Councilperson PL 4 Hunt

\_\_\_\_\_  
Signature of Councilperson PL 5 Myers

*Instruction Note: A copy of this election order must be delivered to the County Clerk/Elections Administrator and Voter Registrar not later than 60 days before Election Day. AWI-2 --Prescribed by Secretary of State  
Sections 3.004, 3.006, 4.008, 85.004, 85.007 Texas Election Code*

**ORD.2019.01 .Attachment A**



## ORDENANZA 2019-01

UNA ORDENANZA DEL CONCEJO MUNICIPAL DE LA CIUDAD DE OVILLA, TEXAS, AUTORIZANDO UNA ELECCIÓN GENERAL A LLEVARSE A CABO EL 4 DE MAYO DE 2019 CON EL OBJETIVO DE ELEGIR AL ALCALDE Y DOS MIEMBROS DEL CONCEJO (PLAZAS 2 Y 4) POR PLAZOS EXPIRADOS POR LOS VOTANTES CALIFICADOS DE OVILLA; ESTABLECIENDO PROCEDIMIENTOS PARA LA ELECCIÓN; PROPORCIONANDO OTROS ASUNTOS INCIDENTALES Y RELACIONADOS CON LA ELECCIÓN; PROPORCIONANDO PARA PUBLICACIÓN; PROPORCIONANDO UNA CLÁUSULA DE SEPARABILIDAD; Y PROPORCIONANDO UNA FECHA DE ENTRADA EN VIGENCIA.

**CONSIDERANDO QUE**, según esta Ordenanza, el Concejo Municipal de Ovilla tiene la intención de convocar a la elección general de acuerdo con la ley estatal, declarar que el Código Electoral de Texas es aplicable para dicha elección, y esta Ordenanza establece procedimientos coherentes con el Código, y designa el día de la elección y el lugar principal de votación anticipada para la elección general; y

**CONSIDERANDO QUE**, el 4 de mayo de 2019 es una fecha de elección determinada; y

**CONSIDERANDO QUE**, el Concejo Municipal convoca a la elección general del 4 de mayo de 2019 para elegir al alcalde, plaza dos y plaza cuatro del Concejo Municipal, según lo requiere el Código Electoral de Texas:

**CONSIDERANDO QUE**, la convocatoria a elección debe estar escrita en inglés y español según lo exige el Código Electoral de Texas:

**CONSIDERANDO QUE**, la municipalidad tiene autoridad, de conformidad con el Capítulo 31 del Código de Elecciones de Texas, para celebrar un acuerdo de servicios electorales con el Oficial de Elecciones del Condado de Ellis para proporcionar servicios electorales a la municipalidad y sus ciudadanos; y

**POR LO TANTO, POR ORDEN DEL CONCEJO MUNICIPAL DE LA CIUDAD DE OVILLA, TEXAS;**

**SECCIÓN 1. Elección general convocada.** Que se convoca por este medio a una elección general para elegir lo siguiente:

Alcalde y plazas 2 y 4 del Concejo Municipal, para cumplir un mandato de 2 años cada uno, hasta mayo de 2021 o hasta que sus sucesores sean debidamente elegidos y calificados. Dicha elección tendrá lugar el 4 de mayo de 2019, entre las 7:00 a.m. y 7:00 p.m.

**SECCIÓN 2. Candidatos para Elección General.** Personas calificadas pueden postularse como candidatos para la elección general presentando una solicitud ante el Secretario Municipal en el Ayuntamiento, 105 S. Cockrell Hill Road, Ovilla, TX 75154, entre las 8:00 a.m. y 4:30 p.m., de lunes a viernes, desde el 16 de enero de 2019 hasta el 15 de febrero de 2019. La oficina del Secretario Municipal permanecerá abierta el 15 de febrero de 2019 hasta las 5:00 p.m. según lo requerido por el Código Electoral de Texas. Todas las solicitudes de candidatura deben estar en un formulario según lo prescrito por el Código Electoral de Texas.

## ORDENANZA 2019-01

**SECCIÓN 3. Papeletas electorales.** Las papeletas electorales oficiales se prepararán de acuerdo con el Código Electoral de Texas para permitir que los electores voten a favor o en contra de cada posición.

**SECCIÓN 4. Lugares de votación.** La votación se llevará a cabo el día de las elecciones entre las 7:00 a.m. y 7:00 p.m. en la **Oficina de Elecciones (Ubicación Principal), 204 E. Jefferson Street, Waxahachie, TX 75165.**

**SECCIÓN 5. Contrato de Servicios Electorales.** El Capítulo 31 del Código de Elecciones de Texas autoriza a los funcionarios electorales del condado para contratar con el cuerpo directivo de una subdivisión política para realizar ciertos servicios electorales. De conformidad con dicha autoridad, la elección se llevará a cabo de conformidad con el *Contrato de Elección Conjunta del 4 de mayo de 2019 para Servicios Electorales* entre el Administrador de Elecciones del Condado de Ellis y la Ciudad de Ovilla, Texas, que se aprobará por acción separada del Concejo Municipal.

**SECCIÓN 6. Ley aplicable y votantes calificados.** La elección se llevará a cabo de conformidad con la Constitución del Estado de Texas y el Código, y todos los votantes calificados residentes de la ciudad serán elegibles para votar en la elección.

**SECCION 7. Publicación y divulgación del aviso de elección.** El aviso de la elección se dará según lo requerido por el Capítulo 4 del Código.

**SECCIÓN 8. Votación anticipada.** El Concejo Municipal nombra a Jana Onyon, Administradora de Elecciones del Condado de Ellis, como la encargada de la votación anticipada. Las fechas y horas de votación anticipada por comparecencia personal son las siguientes:

Lunes 22 de abril de 2019 a viernes 26 de abril de 2019 8:00 a.m. a 5:00 p.m.

Lunes 29 de abril de 2019 a martes 30 de abril de 2019 7:00 a.m. a 7:00 p.m.

Los lugares de votación anticipada serán:

1. Oficina de Elecciones (Ubicación Principal), 204 E. Jefferson Street, Waxahachie, TX 75165.
2. Midlothian Conference Center, 1 Community Circle Drive, Midlothian, TX 76065
3. Palmer ISD Annex Building, 303 Bulldog Way, Palmer, TX 75152
4. Ellis County Sub-Courthouse, 207 S. Sonoma Trail, Ennis, TX 75119
5. Red Oak Municipal Center, 200 Lakeview Pkwy, Red Oak, TX 75154

**SECCIÓN 9. Publicación y divulgación del aviso de elección.** El aviso de la elección se dará mediante la publicación de una copia fiel de esta Ordenanza que convoca a una elección en traducciones al inglés y español en el gobierno municipal en el tablero de anuncios oficial utilizado para publicar avisos de reuniones del Concejo Municipal. También se publicará una copia del texto de esta Ordenanza en inglés y en español en el periódico oficial de la Ciudad de circulación general publicado en la Ciudad.

**SECCIÓN 10. Cláusula de separabilidad.** Por la presente se declara que es intención del Concejo Municipal que las frases, cláusulas, oraciones, párrafos y secciones de esta ordenanza sean divisibles, y si alguna frase, cláusula, oración, párrafo o sección de esta ordenanza se declara inconstitucional por sentencia o decreto válido de cualquier tribunal de jurisdicción competente, tal inconstitucionalidad no afectará ninguna de las frases, cláusulas, oraciones, párrafos y secciones restantes de esta ordenanza, ya que la misma habría sido promulgada por el Concejo Municipal sin la

## **ORDENANZA 2019-01**

incorporación en esta ordenanza de cualquier frase, cláusula, oración, párrafo o sección inconstitucional.

**SECCIÓN 11. Fecha de entrada en vigencia.** Esta ordenanza estará en plena vigencia y efecto después de su aprobación, y así se ordena.

La ***Convocatoria de Elección*** se publicará para leer como se muestra en el Anexo "A" adjunto:

**PASADA, APROBADA y ADOPTADA este 14 de enero de 2019.**

---

Richard Dormier, Alcalde

DOY FE:

---

Pam Woodall, Secretaria Municipal

APROBADO EN CUANTO A LA FORMA:

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Ron G. MacFarlane, Jr., Abogado Municipal



# CONVOCATORIA DE ELECCIÓN PARA LA CIUDAD DE OVILLA

Por la presente se convoca a una elección a celebrarse el 4 DE MAYO DE 2019 con el propósito de elegir:

Alcalde  
Concejo Municipal, Plaza 2  
Concejo Municipal, Plaza 4

La votación anticipada mediante comparecencia personal se realizará todos los días de la semana en los siguientes lugares:

1. Oficina de Elecciones (Ubicación Principal), 204 E. Jefferson Street, Waxahachie, TX 75165
2. Midlothian Conference Center, 1 Community Circle Drive, Midlothian, TX 76065
3. Palmer ISD Annex Building, 303 Bulldog Way, Palmer, TX 75152
4. Ellis County Sub-Courthouse, 207 S. Sonoma Trail, Ennis, TX 75119
5. Red Oak Municipal Center, 200 Lakeview Pkwy, Red Oak, TX 75154

Entre las horas de 8:00 a.m. y 5:00 p.m. comenzando el lunes 22 de abril de 2019.

Y terminando el viernes 26 de abril de 2019.

Horas adicionales de votación anticipada serán de la siguiente manera:

lunes 29 de abril de 2019 y martes 30 de abril de 2019  
de 7:00 a.m. hasta 7:00 p.m. en el mismo lugar.

Las solicitudes de papeletas electorales por correo deberán enviarse a:

Jana Onyon, Early Voting Clerk  
204 E. Jefferson Street  
Waxahachie, Texas 75165

Las solicitudes (incluyendo tarjetas postales federales) para las papeletas electorales enviadas por correo deben recibirse a más tardar al cierre del día martes 23 de abril de 2019.

Emitido el 14 de enero de 2019.

Firma del alcalde Dormier

Firma del alcalde interino PL 3 Griffin

Firma del concejal PL 1 Huber

Firma del concejal PL 2 Oberg

Firma del concejal PL 4 Huber

Firma del concejal PL 5 Myers

*Nota de instrucciones: Se debe entregar una copia de esta convocatoria de elección al Secretario del Condado/Administrador de Elecciones y al Registrador de Votantes a más tardar 60 días antes del Día de la Elección. AW1-2 - Prescrito por el Secretario de Estado*

Secciones 3.004, 3.006, 4.008, 85.004, 85.007 Código Electoral de Texas



## AGENDA ITEM REPORT

### Item 2

Meeting Date: January 14, 2019

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: Pam Woodall, City Secretary Amount: N/A

Reviewed By: ☒ City Manager ☒ City Secretary ☒ City Attorney

☒ Accountant

☐ Other: Staff

#### Attachments:

1. Ordinance 2019-002 and Order

#### Agenda Item / Topic:

ITEM 2. **DISCUSSION/ACTION** – *Consideration* of and action on Ordinance 2019-02 of the City of Ovilla, Texas, calling for a Special Election to be held on May 4, 2019 to determine whether the voters desire the continuation to impose a sales and use tax at the rate of one quarter of one percent (1/4%) to provide revenue for the maintenance and repair of existing municipal streets; establishing procedures for the election; providing for other matters incident and related to the election; providing a severability clause; and providing an effective date

**DISCUSIÓN/ACCIÓN** – Consideración de una Acción a partir de la Ordenanza 2019-02 UNA ORDENANZA DEL CONCEJO MUNICIPAL DE LA CIUDAD DE OVILLA, TEXAS, PIDIENDO UNA ELECCIÓN ESPECIAL A LLEVARSE A CABO EL 4 DE MAYO DE 2019 PARA DETERMINAR SI LOS VOTANTES DESEAN CONTINUAR CON EL IMPUESTO A LAS VENTAS Y USO A UNA TASA DE UN CUARTO DEL UNO POR CIENTO (1/4%) PARA GENERAR INGRESOS PARA EL MANTENIMIENTO Y REPARACIÓN DE CALLES MUNICIPALES EXISTENTES; ESTABLECIENDO PROCEDIMIENTOS PARA LA ELECCIÓN; PROPORCIONANDO OTROS ASUNTOS INCIDENTALES Y RELACIONADOS CON LA ELECCIÓN; PROPORCIONANDO UNA CLÁUSULA DE SEPARABILIDAD; Y PROPORCIONANDO UNA FECHA DE ENTRADA EN VIGENCIA.

#### Discussion / Justification:

On November 06, 2007, Ovilla citizens voted to approve a Local Sales and Use Tax at the rate of one-fourth of one percent for the maintenance and repair of municipal streets, canvassed by Resolution 08-005. In compliance with Section 327 of the Tax Code, an election is required every four years to allow voters to reauthorize the sales tax. An election must be held on a uniform election date and called by ordinance.

On May 14, 2011, Ovilla residents voted in a Special Election to reauthorize the Local Sales and Use Tax at one quarter of one percent (1/4%) to provide revenue for the maintenance and repair of existing municipal streets. Ovilla's adoption of the Local Sales and Use Tax for Street Maintenance and Repair expires May 2015.

Again, four years later, Ovilla residents voted in a Special election to reauthorize the Local Sales and Use Tax at one quarter of one percent (1/4%) to provide revenue for the maintenance and repair of existing municipal streets. Ovilla's adoption of Ordinance 2015-002, authorizing the Local Sales and Use Tax for Street Maintenance and Repair expires May 2019.

The presented Ordinance 2019-02 calls for a Special Election to determine whether the voters desire the continuation to impose a sales and use tax at the rate of one quarter of one percent (1/4%) to provide revenue for the maintenance and repair of existing municipal streets.

**Recommendation / Staff Comments:**

Staff recommends approval of Ordinance 2019-02.

**Sample Motion(s):**

I move that Council approve Ordinance 2019-02 of the City of Ovilla, Texas, calling for a Special Election to be held on May 5, 2019 to determine whether the voters desire the continuation to impose a Local Sales and Use Tax at the rate of one quarter of one percent (1/4%) to provide revenue for the maintenance and repair for existing municipal streets as presented.

ORDINANCE 2019-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, CALLING FOR A SPECIAL ELECTION TO BE HELD ON MAY 4, 2019 TO DETERMINE WHETHER THE VOTERS DESIRE THE CONTINUATION OF A SALES AND USE TAX AT THE RATE OF ONE QUARTER OF ONE PERCENT (1/4%) TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF EXISTING MUNICIPAL STREETS; ESTABLISHING PROCEDURES FOR THE ELECTION; PROVIDING FOR OTHER MATTERS INCIDENT AND RELATED TO THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Chapter 327 of the Texas Tax Code authorizes the voters of a municipality to approve the adoption of a sales and use tax at the rate of one fourth of one percent to provide revenue for the maintenance and repair of existing municipal streets; and

**WHEREAS**, The City of Ovilla held the original special election on November 6, 2007 and the citizens voted to approve and impose a sales and use tax at the rate of one quarter of one percent to provide revenue for the maintenance and repair of existing municipal streets, canvassed by Resolution 08-005; and

**WHEREAS**, Chapter 327 of the Texas Tax Code states the street maintenance sales tax expires four years after it takes effect unless voters vote to continue it in an election held for that purpose; and

**WHEREAS**, state law requires that the election be held on a uniform election date; and

**WHEREAS**, May 4, 2019 is a uniform election date; and

**WHEREAS**, the City has authority, pursuant to Chapter 31 of the Texas Elections Code, to enter into an election services agreement with the Ellis County Election Officer to furnish election services to the City and its citizens; and

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

**SECTION 1. Election Order.** A special election shall be held on May 04, 2019 to for the reauthorization of the local sales and use tax in the City of Ovilla at the rate of one quarter of one percent to continue providing revenue for maintenance and repair of municipal streets.

**SECTION 2. Ballot.** The official ballot for the election shall be prepared in accordance with the Texas Election Code to permit the electors to vote for or against the proposition with the ballots to contain such provisions, markings and language as required by law and with such proposition to be expressed substantially as follows:

**PROPOSITION**

[ ] FOR

[ ] AGAINST

THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF OVILLA AT THE RATE OF ONE FOURTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.

ORDINANCE 2019-02

**SECTION 3. Polling Places.** Voting shall be conducted on Election Day between the hours of 7:00 a.m. and 7:00 p.m. at the Ellis County Elections Office Main Location, 204 E. Jefferson Street, Waxahachie, TX 75165.

**SECTION 4. Contract for Election Services.** Chapter 31 of the Texas Elections Code authorizes county election officers to contract with the governing body of a political subdivision to perform certain election services. Pursuant to such authority, the election shall be conducted in accordance with the *May 4, 2019 Joint Election Contract for Election Services* between the Elections Administrator of Ellis County and the City of Ovilla, Texas, which shall be approved by separate action of the City Council.

**SECTION 5. Governing Law and Qualified Voters.** The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

**SECTION 6. Publication and Posting of Notice of Election.** Notice of the election shall be given as required by Chapter 4 of the Code.

**SECTION 7. Early Voting.** The City Council hereby appoints Jana Onyon, Elections Administrator of Ellis County, as the Early Voting Clerk. Early Voting will be on Monday, April 22, 2019 through Friday, April 26, 2019 from 8:00 AM to 5:00 PM and on Monday, April 29, 2019 through Tuesday, April 30, 2019 from 7:00 AM to 7:00 PM. The Early Voting Locations will be:

1. Elections Office (Main Location), 204 E. Jefferson Street, Waxahachie, TX 75165
2. Midlothian Conference Center, 1 Community Circle Drive, Midlothian, TX 76065
3. Palmer ISD Annex Building, 303 Bulldog Way, Palmer, TX 75152
4. Ellis County Sub-Courthouse, 207 S. Sonoma Trail, Ennis, TX 75119
5. Red Oak Municipal Center, 200 Lakeview Pkwy, Red Oak, TX 75154

**SECTION 8. Severability Clause.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 9. Effective Date.** This ordinance shall be in full force and effect after its passage, and it is so ordained.

The *Order of the Special Election* shall be posted to read as shown on Exhibit "A" attached:

PASSED, APPROVED and ADOPTED this 14<sup>th</sup> day of January 2019.

\_\_\_\_\_  
MAYOR Richard Dormier

ATTEST:

\_\_\_\_\_  
CITY SECRETARY, Pamela Woodall

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY, Ron G. MacFarlane, Jr.





## ORDER OF SPECIAL ELECTION FOR THE CITY OF OVILLA

A Special Election is hereby ordered to be held on May 04, 2019 for the purpose of:

### PROPOSITION ONE

*THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF OVILLA AT THE RATE OF ONE FOURTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.*

Early voting by personal appearance will be conducted each weekday at the following locations:

1. Elections Office (Main Location), 204 E. Jefferson Street, Waxahachie, TX 75165
2. Midlothian Conference Center, 1 Community Circle Drive, Midlothian, TX 76065
3. Palmer ISD Annex Building, 303 Bulldog Way, Palmer, TX 75152
4. Ellis County Sub-Courthouse, 207 S. Sonoma Trail, Ennis, TX 75119
5. Red Oak Municipal Center, 200 Lakeview Pkwy, Red Oak, TX 75154

*Between the hours of 8:00 a.m. and 5:00 p.m. beginning on Monday, April 22, 2019*

*And ending on Friday, April 26, 2019.*

Additional early voting hours will be held as follows:

**Monday, April 29, 2019 and Tuesday, April 30, 2019**  
**7:00 AM until 7:00 PM** at the same location.

Applications for ballot by mail shall be mailed to:

**Jana Onyon, Early Voting Clerk**  
**204 E. Jefferson Street**  
**Waxahachie, Texas 75165**

Applications (including Federal postcards) for ballots by mail must be received no later than the close of business on **Tuesday, April 23, 2019.**

**Issued this the 14<sup>th</sup> day of January, 2019.**

\_\_\_\_\_  
Signature of Mayor Dormier

\_\_\_\_\_  
Signature of Mayor Pro-Tem Griffin

\_\_\_\_\_  
Signature of Councilperson Huber

\_\_\_\_\_  
Signature of Councilperson Oberg

\_\_\_\_\_  
Signature of Councilperson Hunt

\_\_\_\_\_  
Signature of Councilperson Oberg

*Instruction Note: A copy of this election order must be delivered to the County Clerk/Elections Administrator and Voter Registrar not later than 60 days before Election Day. AWI-2 --Prescribed by Secretary of State  
Sections 3.004, 3.006, 4.008, 85.004, 85.007 Texas Election Code*

**ORD.2019.02 Exhibit A**

## ORDENANZA 2019-02

UNA ORDENANZA DEL CONCEJO MUNICIPAL DE LA CIUDAD DE OVILLA, TEXAS, PIDIENDO UNA ELECCIÓN ESPECIAL A LLEVARSE A CABO EL 4 DE MAYO DE 2019 PARA DETERMINAR SI LOS VOTANTES DESEAN CONTINUAR CON EL IMPUESTO A LAS VENTAS Y USO A UNA TASA DE UN CUARTO DEL UNO POR CIENTO (1/4%) PARA GENERAR INGRESOS PARA EL MANTENIMIENTO Y REPARACIÓN DE CALLES MUNICIPALES EXISTENTES; ESTABLECIENDO PROCEDIMIENTOS PARA LA ELECCIÓN; PROPORCIONANDO OTROS ASUNTOS INCIDENTALES Y RELACIONADOS CON LA ELECCIÓN; PROPORCIONANDO UNA CLÁUSULA DE SEPARABILIDAD; Y PROPORCIONANDO UNA FECHA DE ENTRADA EN VIGENCIA.

**CONSIDERANDO QUE**, el Capítulo 327 del Código Tributario de Texas autoriza a los votantes de un municipio a aprobar la adopción de un impuesto a las ventas y uso a una tasa de un cuarto del uno por ciento para proporcionar ingresos para el mantenimiento y reparación de las calles municipales existentes; y

**CONSIDERANDO QUE**, la ciudad de Ovilla celebró la elección especial original el 6 de noviembre de 2007 y los ciudadanos votaron para aprobar e imponer un impuesto sobre las ventas y uso a una tasa de un cuarto del uno por ciento para proporcionar ingresos para el mantenimiento y la reparación de las calles municipales existentes, solicitado por la Resolución 08-005; y

**CONSIDERANDO QUE**, el Capítulo 327 del Código Tributario de Texas establece que el impuesto a las ventas para el mantenimiento de calles vence cuatro años después de que entre en vigencia, a menos que los votantes decidan continuarlo en una elección realizada para ese propósito; y

**CONSIDERANDO QUE**, la ley estatal requiere que la elección se realice en una fecha de elección determinada; y

**CONSIDERANDO QUE**, el 4 de mayo de 2019 es una fecha de elección determinada; y

**CONSIDERANDO QUE**, la municipalidad tiene autoridad, de conformidad con el Capítulo 31 del Código de Elecciones de Texas, para celebrar un acuerdo de servicios electorales con el Oficial de Elecciones del Condado de Ellis para proporcionar servicios electorales a la municipalidad y sus ciudadanos; y

### **POR LO TANTO, POR ORDEN DEL CONCEJO MUNICIPAL DE LA CIUDAD DE OVILLA:**

**SECCIÓN 1. Orden Electoral.** Se realizará una elección especial el 4 de mayo de 2019 para la reautorización del impuesto local a las ventas y uso en la Ciudad de Ovilla a una tasa de un cuarto del uno por ciento para continuar proporcionando ingresos para el mantenimiento y reparación de las calles municipales.

**SECCIÓN 2. Papeletas electorales.** Las papeletas electorales oficiales se prepararán de acuerdo con el Código de Elecciones de Texas para permitir que los electores voten a favor o en contra de la proposición con las papeletas electorales que deberán incluir tales disposiciones, marcas e idioma como lo exige la ley y con dicha proposición para ser expresada sustancialmente como sigue:

## ORDENANZA 2019-02

### PROPOSICIÓN

[ ] A FAVOR

[ ] EN CONTRA

LA REAUTORIZACIÓN DEL IMPUESTO LOCAL A LAS VENTAS Y USO EN LA CIUDAD DE OVILLA A LA TASA DE UN CUARTO DEL UNO POR CIENTO PARA CONTINUAR GENERANDO INGRESOS PARA MANTENIMIENTO Y REPARACIÓN DE CALLES MUNICIPALES.

**SECCIÓN 3. Lugares de votación.** La votación se llevará a cabo el día de las elecciones entre las 7:00 a.m. y 7:00 p.m. en la dirección principal de las **Oficinas de Elecciones del Condado de Ellis, en 204 E. Jefferson Street, Waxahachie, TX 75165.**

**SECCIÓN 4. Contrato de Servicios Electorales.** El Capítulo 31 del Código de Elecciones de Texas autoriza a los funcionarios electorales del condado para contratar con el cuerpo directivo de una subdivisión política para realizar ciertos servicios electorales. De conformidad con dicha autoridad, la elección se llevará a cabo de conformidad con el *Contrato de Elección Conjunta del 4 de mayo de 2019 para Servicios Electorales* entre el Administrador de Elecciones del Condado de Ellis y la Ciudad de Ovilla, Texas, que se aprobará por acción separada del Concejo Municipal.

**SECCIÓN 5. Ley vigente y votantes calificados.** La elección se llevará a cabo de conformidad con la Constitución del Estado de Texas y el Código, y todos los votantes calificados residentes de la ciudad serán elegibles para votar en la elección.

**SECCIÓN 6. Publicación y divulgación del aviso de elección.** El aviso de la elección se dará según lo requerido por el Capítulo 4 del Código.

**SECCION 7. Votación anticipada.** El Concejo Municipal nombra a Jana Onyon, Administradora de Elecciones del Condado de Ellis, como la encargada de la votación anticipada. La votación anticipada será del lunes 22 de abril de 2019 al viernes 26 de abril de 2019 de 8:00 am a 5:00 pm y del lunes 29 de abril de 2019 al martes 30 de abril de 2019 de 7:00 am a 7:00 pm. Los lugares de votación anticipada serán:

1. Oficina de Elecciones (Ubicación Principal), 204 E. Jefferson Street, Waxahachie, TX 75165.
2. Midlothian Conference Center, 1 Community Circle Drive, Midlothian, TX 76065
3. Palmer ISD Annex Building, 303 Bulldog Way, Palmer, TX 75152
4. Ellis County Sub-Courthouse, 207 S. Sonoma Trail, Ennis, TX 75119
5. Red Oak Municipal Center, 200 Lakeview Pkwy, Red Oak, TX 75154

**SECCIÓN 8. Cláusula de separabilidad.** Por la presente se declara que es intención del Concejo Municipal que las frases, cláusulas, oraciones, párrafos y secciones de esta ordenanza sean divisibles, y si alguna frase, cláusula, oración, párrafo o sección de esta ordenanza se declara inconstitucional por sentencia o decreto válido de cualquier tribunal de jurisdicción competente, tal inconstitucionalidad no afectará ninguna de las frases, cláusulas, oraciones, párrafos y secciones restantes de esta ordenanza, ya que la misma habría sido promulgada por el Concejo Municipal sin la incorporación en esta ordenanza de cualquier frase, cláusula, oración, párrafo o sección inconstitucional.

**ORDENANZA 2019-02**

**SECCIÓN 9. Fecha de entrada en vigencia.** Esta ordenanza estará en plena vigencia y efecto después de su aprobación, y así se ordena.

La *Orden de la Elección Especial* se publicará para leer como se muestra en el Anexo "A" adjunto:

**PASADA, APROBADA y ADOPTADA** este día **14** de **enero de 2019**.

\_\_\_\_\_  
ALCALDE Richard Dormier

DOY FE:

\_\_\_\_\_  
SECRETARIA MUNICIPAL, Pamela Woodall

APROBADO EN CUANTO A LA FORMA:

\_\_\_\_\_  
ABOGADO MUNICIPAL, Ron G. MacFarlane, Jr.



# CONVOCATORIA DE ELECCIÓN PARA LA CIUDAD DE OVILLA

Por la presente se convoca a una elección a celebrarse el **4 DE MAYO DE 2019** con el propósito de elegir:

LA REAUTORIZACIÓN DEL IMPUESTO LOCAL A LAS VENTAS Y USO EN LA CIUDAD DE OVILLA A LA TASA DE UN CUARTO DEL UNO POR CIENTO PARA CONTINUAR GENERANDO INGRESOS PARA MANTENIMIENTO Y REPARACIÓN DE CALLES MUNICIPALES.

**La votación anticipada mediante comparecencia personal se realizará todos los días de la semana en los siguientes lugares:**

1. Oficina de Elecciones (Ubicación Principal), 204 E. Jefferson Street, Waxahachie, TX 75165
2. Midlothian Conference Center, 1 Community Circle Drive, Midlothian, TX 76065
3. Palmer ISD Annex Building, 303 Bulldog Way, Palmer, TX 75152
4. Ellis County Sub-Courthouse, 207 S. Sonoma Trail, Ennis, TX 75119
5. Red Oak Municipal Center, 200 Lakeview Pkwy, Red Oak, TX 75154

Entre las horas de **8:00 a.m.** y **5:00 p.m.** comenzando el **lunes 22 de abril de 2019.**

Y terminando el **viernes 26 de abril de 2019.**

Horas adicionales de votación anticipada serán de la siguiente manera:

**lunes 29 de abril de 2019 y martes 30 de abril de 2019**  
**de 7:00 a.m. hasta 7:00 p.m.** en el mismo lugar.

Las solicitudes de papeletas electorales por correo deberán enviarse a:

**Jana Onyon, Early Voting Clerk**  
**204 E. Jefferson Street**  
**Waxahachie, Texas 75165**

Las solicitudes (incluyendo tarjetas postales federales) para las papeletas electorales enviadas por correo deben recibirse a más tardar al cierre del día **martes 23 de abril de 2019.**

**Emitido el 14 de enero de 2019.**

Firma del alcalde Dormier

Firma del alcalde interino PL 3 Griffin

Firma del concejal PL 1 Huber

Firma del concejal PL 2 Oberg

Firma del concejal PL 4 Huber

Firma del concejal PL 5 Myers

*Nota de instrucciones: Se debe entregar una copia de esta convocatoria de elección al Secretario del Condado/Administrador de Elecciones y al Registrador de Votantes a más tardar 60 días antes del Día de la Elección. AWI-2 - Prescrito por el Secretario de Estado*

Secciones 3.004, 3.006, 4.008, 85.004, 85.007 Código Electoral de Texas

**ORD.2019.02. Anexo A**





**NOTICE OF SPECIAL ELECTION**  
**Aviso De Elección Especial**

**To the Registered Voters of the City of Ovilla, Texas**  
**A los votantes registrados de la Cuidad de Ovilla, Texas**

NOTICE is hereby given that the polling placed listed below will be open from 7:00 a.m. to 7:00 p.m. on **May 04, 2019**; for voting in a **Special Election for the REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF OVILLA AT THE RATE OF ONE FOURTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTANANCE AND REPAIR OF MUNICIPAL STREETS.**

*Por este medio se notifica que las casillas electorales notadas en seguida estarán abiertas de 7:00 A.M. a 7:00 P.M. el día **04 de Mayo, 2019** para votar en la Elección Especial para elegir, REAUTHROIZATION DEL IMPUESTO LOCAL DE VENTAS Y USO EN LA CIUDAD DE OVILLA A RAZON DE LA CUARTA PARTE DE UN POR CIENTO PARA CONTINUAR Y PROPORCIONAR INGRESOS PARA EL MATENIMIENTO Y LA REPARACION DE CALLES MUNICIPALES.*

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**LOCATIONS OF POLLING PLACES**

**(DIRECCIÓN DE LAS CASILLAS ELECTORALES)**

Early voting by personal appearance will be conducted at the following:  
*La votación temprana en persona se llevara a cabo de Lunes a Viernes en el:*

1. Elections Office (Main Location), 204 E. Jefferson Street, Waxahachie, TX 75165
2. Midlothian Conference Center, 1 Community Circle Drive, Midlothian, TX 76065
3. Palmer ISD Annex Building, 303 Bulldog Way, Palmer, TX 75152
4. Ellis County Sub-Courthouse, 207 S. Sonoma Trail, Ennis, TX 75119
5. Red Oak Municipal Center, 200 Lakeview Pkwy, Red Oak, TX 75154

Early Voting will be on Monday, April 22, 2019 through Friday, April 26, 2019 from 8:00 AM to 5:00 PM and on Monday, April 29, 2019 through Tuesday, April 30, 2019 from 7:00 AM to 7:00 PM.

*Entre las 8:00 A.M. y las 5:00 P.M. a partir del Lunes, 22 de abril, 2019 y terminado el Viernes, 26 de abril, 2019. La votación temprana además se llevará a cabo en el mismo sitio, y de igual manera: Lunes, 29 de abril, 2019 y Martes, 30 de abril, 2019, de 7:00 A.M. a 7:00 P.M.*

APPLICATIONS for ballot by mail shall be mailed to:  
*LAS SOLICITUDES para boletas que se votaran en ausencia por correo deberán enviarse a:*

Jana Onyon,  
Elections Administrator of Ellis County,  
Early Voting Clerk.  
204 E. Jefferson Street  
Waxahachie, TX 75165.

Applications for ballot by mail must be received no later than the close of business on April 23, 2019 5:00 P.M.

*Las Solicitudes para boletas que se votaran en ausencia por correo deberán recibirse no más tarde de las 5:00P.M. 23 de abril, 2019.*

ISSUED THIS THE 14TH DAY OF January 2019.  
*Emitida este día 14 de Enero 2019.*

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Signature of Mayor (Firma del Alcalde)

## AGENDA ITEM REPORT

Item: 3

Meeting Date: January 14, 2019

Department: Administration/W&S

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☒ NO ☐ N/A

Submitted by: John R. Dean, Jr., CM

Amount: Revenue \$542,228; Expense \$542,228

Reviewed By: ☒ City Manager ☒ City Secretary ☐ City Attorney

☒ Accountant

☒ Other: PW Director B. Piland

### Attachments:

1. Ordinance 2019-03
2. Exhibit A, Budget Revision

### Agenda Item / Topic:

**ITEM 3. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2019-03 of the City of Ovilla, Texas, Amending Ordinance NO. 2018-19 providing for Budget Amendment Number Three (3) in order to amend the 2019 Fiscal Year Operating Budget for the City of Ovilla; providing for the incorporation of premises; providing a savings clause; providing a cumulative repealer clause; providing for severability; providing for engrossment and enrollment; providing for publication of this ordinance and providing an effective date.

### Discussion / Justification:

This amendment is to appropriate the unanticipated revenue from the water tower lease into the Water and Sewer Fund. And to make an allocation into an expense line for the additional payment of debt service on the Water Tower debt.

### Recommendation / Staff Comments:

Recommends approval of the budget amendment.

### Sample Motion(s):

I move that Council approve/deny Ordinance 2019-03 of the City of Ovilla, Texas, Amending Ordinance NO. 2018-19 providing for Budget Amendment Number Three (3) in order to amend the 2019 Fiscal Year Operating Budget for the City of Ovilla; providing for the incorporation of premises; providing a savings clause; providing a cumulative repealer clause; providing for severability; providing for engrossment and enrollment; providing for publication of this ordinance effective immediately.

**CITY OF OVILLA, TEXAS**  
**ORDINANCE NO. 2019-03**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AMENDING ORDINANCE NO. 2018-19 PROVIDING FOR BUDGET AMENDMENT NUMBER THREE (3) IN ORDER TO AMEND THE 2019 FISCAL YEAR BUDGET; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A SAVINGS CLAUSE; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, an annual budget for the fiscal year beginning October 1, 2018 and ending September 30, 2019 has been duly created and adopted of the City of Ovilla, Texas, in accordance with Title Four (4), Chapter 102, Sections 102.001, 102.002 and 102.003 of the Local Government Code and in accordance with Article 1.05 of the Ovilla City Code of Ordinances;

**WHEREAS**, the city manager filed the proposed budget in the office of the City Secretary on or before August 09, 2018, and the proposed budget was made available for public inspection by the taxpayers in accordance with Title Four (4), Chapter 102, Section 102.005 of the Local Government Code and Article 1.05 of the Ovilla City Code of Ordinances;

**WHEREAS**, the city manager submitted the proposed budget to the City Council as required by Article 1.05 of the Ovilla City Code of Ordinances;

**WHEREAS**, notice of a public hearing was provided in the Ellis County Press newspaper and the public hearing was held by the City on September 10, 2018 in accordance with Title Four (4), Chapter 102, Section 102.006 of the Local Government Code and Article 1.05 of the Ovilla City Code of Ordinances, and at that time all citizens and parties of interest were given the opportunity to be heard regarding the proposed 2019 fiscal year budget;

**WHEREAS**, on October 09, 2018 with the approval of Ordinance 2018-26, the City Council of the City of Ovilla amended Ordinance 2018-17, thereby amending the 2019 Annual Budget of the City;

**WHEREAS**, the City Council approved the Proposed 2019 Fiscal Year Budget on September 10, 2018 by adopting Ordinance No. 2018-19; and

**WHEREAS**, after full and final consideration, it is the consensus of the Ovilla City Council that the 2019 Fiscal Year Budget as hereinafter set forth should be amended to further the goals of the City and the health safety and well being of citizens;

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



CITY OF OVILLA, TEXAS  
ORDINANCE NO. 2019-03

SECTION 1.  
INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2.  
AMENDMENT OF 2019 FISCAL YEAR BUDGET

Ordinance No. 2018-19 is hereby amended with Budget Amendment Number One (1) and Two (2) to the 2019 Fiscal Year Budget to include additional revenues, expenditures and other changes outlined in Exhibit A that is attached to and considered part of this ordinance.

SECTION 3.  
CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of said Ordinances except those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

SECTION 4.  
SEVERABILITY

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5.  
SAVINGS CLAUSE

All previous budget ordinances shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6.  
ENGROSSMENT AND ENROLLMENT

The City Secretary of the City of Ovilla is hereby directed to engross and enroll this Ordinance by copying the caption, publication clause, and effective date clause in the minutes of the City Council of the City of Ovilla and by filing this Ordinance in the ordinance records of the City and in accordance with the laws of the State of Texas.

**CITY OF OVILLA, TEXAS**  
**ORDINANCE NO. 2019-03**

**SECTION 7.**  
**PUBLICATION CLAUSE**

The City Secretary of the City of Ovilla, Texas, is hereby directed to publish in the Official Newspaper of the City of Ovilla, the Caption, and Effective Date clause of this Ordinance as required by Section 52.013 of the Texas Local Government Code.

**SECTION 8.**  
**EFFECTIVE DATE**

The necessity for making and approving a budget for the fiscal year, as required by the laws of the State of Texas, requires that this ordinance shall take effect immediately from and after its passage, as the law in such case provides.

**PASSED AND APPROVED** by the City Council of the City of Ovilla, Texas this the 14<sup>th</sup> day of January 2019.

\_\_\_\_\_  
Richard Dormier, Mayor  
City of Ovilla, Texas

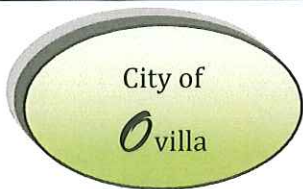
ATTEST:

\_\_\_\_\_  
Pam Woodall, City Secretary  
City of Ovilla, Texas

**Exhibit A to Ordinance 2019-03**  
**City of Ovilla**  
**Budget Amendment Number Three (3) for the 2019 Fiscal Year**  
14-Jan-19

**Water Fund Departments**

<u>Items</u>	<u>Fund or Account</u>		<u>2019 Budget</u>	<u>2019 Amendment</u>	<u>Increase (Decrease)</u>
<u>Revenue</u>					
AT&T Water Tower Lease Payment	200-4000875	Water Tower Lease - AT&T	-	542,228	542,228
<u>Expenditures</u>					
Water - Administration	200-570905	Restricted - Water Tower Debt Service	-	542,228	542,228



# Ovilla City Council

## AGENDA ITEM REPORT

### Item 4

Meeting Date: January 14, 2019

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: Pam Woodall, City Secretary

Amount: N/A

Reviewed By: ☒ City Manager ☒ City Secretary ☒ City Attorney

☒ Accountant

☒ Other: Glennell Miller

#### Attachments:

1. Ordinance 2019-04 Fee schedule
2. Excerpt of current Code
3. Excerpt of TX Administrative Code, Title 1, Chapter 70

#### Agenda Item / Topic:

**ITEM 4. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2019-04 of the City of Ovilla, Texas, repealing Appendix “A” (fee schedule), Article A2.000, Section A2.002 (copying charges for public records), of the City of Ovilla Code of Ordinances, 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:

It is necessary to revise the Ovilla Code of Ordinances fee schedule pertaining to the cost of copies provided to the public when requesting for documents through the TX Public Information Act. The Texas Attorney General’s office establishes fees for copying public records, thereby negating the need for the City to have a fee ordinance for copying public records.

The attached ordinance repeals any set fees with regard to charges for public records.

#### Recommendation / Staff Comments:

Staff recommends approval.

#### Sample Motion(s):

I move that Council approve Ordinance 2019-04 of the City of Ovilla, Texas, repealing Appendix “A” (fee schedule), Article A2.000, Section A2.002 (copying charges for public records), of the City of Ovilla Code of Ordinances as presented.

**ORDINANCE NO. 2019-04**

**AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, REPEALING APPENDIX "A" (FEE SCHEDULE), ARTICLE A2.000, SECTION A2.002 (COPYING CHARGES FOR PUBLIC RECORDS), OF THE CITY OF OVILLA CODE OF ORDINANCES; 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 of Ovilla provides access to and copies of public records in accordance with the Texas Public Information Act; and

**WHEREAS**, on March 26, 2007, the City adopted Ordinance No. 07-005 which established fees for copying public records, such ordinance being codified as Appendix A, Article A2.000, Section A2.002 to the City of Ovilla Code of Ordinances; and

**WHEREAS**, the fees set forth in Appendix A, Article A2.000, Section A2.002 are no longer consistent with state law; and

**WHEREAS**, pursuant to state law, fees for copying public records are now established by the Texas Attorney General, thereby negating the need for the City to have a fee ordinance for copying public records.

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

**SECTION 1.     REPEAL OF APPENDIX A, ARTICLE A2.000, SECTION A2.002 OF THE CITY OF OVILLA CODE OF ORDINANCES**

Appendix A, Article A2.000, Section A2.002 of the City of Ovilla Code of Ordinances is hereby repealed.

**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.

**PASSED, ADOPTED AND APPROVED** by the City Council of Ovilla, Texas on this the 14 day of January, 2019.

\_\_\_\_\_  
Richard Dormier, Mayor

**ATTEST:**

\_\_\_\_\_  
Pamela Woodall, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Ron G. MacFarlane, Jr., City Attorney



## **CURRENT CODE**

### **⬇️ Sec. A2.002    Copying charges for public records**

The city shall charge the following fees for the following items and instruments:

- (1) Maps of the city: Shall be determined at the time of reproduction.
- (2) Copies of any ordinance of the city shall be provided for a fee of fifty-five cents (\$0.55) for the first page and fifteen cents (\$0.15) for any additional page.
- (3) Copies of the official minutes of any meeting of the city council shall be provided for a fee of fifty-five cents (\$0.55) for the first page and fifteen cents (\$0.15) for any additional page.
- (4) Copies of any other official document accessible to public view shall be provided for a fee of fifty-five cents (\$0.55) for the first page and fifteen cents (\$0.15) for any additional page.
- (5) Copies of any other item shall be provided for a fee of twenty-five cents (\$0.25) for the first page and fifteen cents (\$0.15) for any additional page.

## TEXAS ADMINISTRATIVE CODE, TITLE 1, CHAPTER 70

### Chapter 70. Cost of Copies of Public Information §

70.1. Purpose (a) The Office of the Attorney General (the "Attorney General") must: (1) Adopt rules for use by each governmental body in determining charges under Texas Government Code, Chapter 552 (Public Information) Subchapter F (Charges for Providing Copies of Public Information); (2) Prescribe the methods for computing the charges for copies of public information in paper, electronic, and other kinds of media; and (3) Establish costs for various components of charges for public information that shall be used by each governmental body in providing copies of public information. (b) Governmental bodies must use the charges established by these rules, unless: (1) Other law provides for charges for specific kinds of public information; (2) They are a governmental body other than a state agency, and their charges are within a 25 percent variance above the charges established by the Attorney General; (3) They request and receive an exemption because their actual costs are higher; or (4) In accordance with Chapter 552 of the Texas Government Code (also known as the Public Information Act), the governmental body may grant a waiver or reduction for charges for providing copies of public information pursuant to § 552.267 of the Texas Government Code. (A) A governmental body shall furnish a copy of public information without charge or at a reduced charge if the governmental body determines that waiver or reduction of the fee is in the public interest because furnishing the information primarily benefits the general public; or (B) If the cost to the governmental body of processing the collection of a charge for a copy of public information will exceed the amount of the charge, the governmental body may waive the charge. Text of the Texas Public Information Act 2018 Public Information Act Handbook • Office of the Attorney General 267 § 70.2. Definitions The following words and terms, when used in these sections, shall have the

§ 70.3. Charges for Providing Copies of Public Information (a) The charges in this section to recover costs associated with providing copies of public information are based on estimated average costs to governmental bodies across the state. When actual costs are 25% higher than those used in these rules, governmental bodies other than agencies of the state, may request an exemption in accordance with

§70.4 of this title (relating to Requesting an Exemption).

(b) Copy charge.

(1) Standard paper copy. The charge for standard paper copies reproduced by means of an office machine copier or a computer printer is \$.10 per page or part of a page. Each side that has recorded information is considered a page.

(2) Nonstandard copy. The charges in this subsection are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are:

(A) Diskette—\$1.00;

(B) Magnetic tape—actual cost

(C) Data cartridge—actual cost; (D) Tape cartridge—actual cost;

(E) Rewritable CD (CD-RW)—\$1.00;

(F) Non-rewritable CD (CD-R)—\$1.00;

TEXAS ADMINISTRATIVE CODE, TITLE 1, CHAPTER 70

(G) Digital video disc (DVD)—\$3.00;

(H) JAZ drive—actual cost;

(I) Other electronic media—actual cost;

(J) VHS video cassette—\$2.50;

(K) Audio cassette—\$1.00;

(L) Oversize paper copy (e.g.: 11 inches by 17 inches, greenbar, bluebar, not including maps and photographs using specialty paper—see also § 70.9 of this title)—\$.50;

(M) Specialty paper (e.g.: Mylar, blueprint, blueprint, map, photographic—actual cost).

Text of the Texas Public Information Act 2018 Public Information Act Handbook • Office of the Attorney General 269 (c) Labor charge for programming. If a particular request requires the services of a programmer in order to execute an existing program or to create a new program so that requested information may be accessed and copied, the governmental body may charge for the programmer's time.

(1) The hourly charge for a programmer is \$28.50 an hour. Only programming services shall be charged at this hourly rate.

(2) Governmental bodies that do not have in-house programming capabilities shall comply with requests in accordance with § 552.231 of the Texas Government Code.

(3) If the charge for providing a copy of public information includes costs of labor, a governmental body shall comply with the requirements of § 552.261(b) of the Texas Government Code.

(d) Labor charge for locating, compiling, manipulating data, and reproducing public information.

(1) The charge for labor costs incurred in processing a request for public information is \$15 an hour. The labor charge includes the actual time to locate, compile, manipulate data, and reproduce the requested information.

(2) A labor charge shall not be billed in connection with complying with requests that are for 50 or fewer pages of paper records, unless the documents to be copied are located in:

(A) Two or more separate buildings that are not physically connected with each other; or

(B) A remote storage facility.

(3) A labor charge shall not be recovered for any time spent by an attorney, legal assistant, or any other person who reviews the requested information:

(A) To determine whether the governmental body will raise any exceptions to disclosure of the requested information under the Texas Government Code, Subchapter C, Chapter 552; or

(B) To research or prepare a request for a ruling by the attorney general's office pursuant to § 552.301 of the Texas Government Code.

## TEXAS ADMINISTRATIVE CODE, TITLE 1, CHAPTER 70

(4) When confidential information pursuant to a mandatory exception of the Act is mixed with public information in the same page, a labor charge may be recovered for time spent to redact, blackout, or otherwise obscure confidential information in order to release the public information. A labor charge shall not be made for redacting confidential information for requests of 50 or fewer pages, unless the request also qualifies for a labor charge pursuant to Texas Government Code, § 552.261(a)(1) or (2). Text of the Texas Public Information Act 2018 Public Information Act Handbook • Office of the Attorney General 270 (5) If the charge for providing a copy of public information includes costs of labor, a governmental body shall comply with the requirements of Texas Government Code, Chapter 552, § 552.261(b). (6) For purposes of paragraph (2)(A) of this subsection, two buildings connected by a covered or open sidewalk, an elevated or underground passageway, or a similar facility, are not considered to be separate buildings. (e) Overhead charge. (1) Whenever any labor charge is applicable to a request, a governmental body may include in the charges direct and indirect costs, in addition to the specific labor charge. This overhead charge would cover such costs as depreciation of capital assets, rent, maintenance and repair, utilities, and administrative overhead. If a governmental body chooses to recover such costs, a charge shall be made in accordance with the methodology described in paragraph (3) of this subsection. Although an exact calculation of costs will vary, the use of a standard charge will avoid complication in calculating such costs and will provide uniformity for charges made statewide. (2) An overhead charge shall not be made for requests for copies of 50 or fewer pages of standard paper records unless the request also qualifies for a labor charge pursuant to Texas Government Code, § 552.261(a)(1) or (2). (3) The overhead charge shall be computed at 20% of the charge made to cover any labor costs associated with a particular request. Example: if one hour of labor is used for a particular request, the formula would be as follows: Labor charge for locating, compiling, and reproducing, \$15.00 x .20 = \$3.00; or Programming labor charge, \$28.50 x .20 = \$5.70. If a request requires one hour of labor charge for locating, compiling, and reproducing information (\$15.00 per hour); and one hour of programming labor charge (\$28.50 per hour), the combined overhead would be: \$15.00 + \$28.50 = \$43.50 x .20 = \$8.70. (f) Microfiche and microfilm charge. (1) If a governmental body already has information that exists on microfiche or microfilm and has copies available for sale or distribution, the charge for a copy must not exceed the cost of its reproduction. If no copies of the requested microfiche or microfilm are available and the information on the microfiche or microfilm can be released in its entirety, the governmental body should make a copy of the microfiche or microfilm. The charge for a copy shall not exceed the cost of its reproduction. The Texas State Library and Archives Commission has the capacity to reproduce microfiche and microfilm for governmental bodies. Governmental bodies that do not have in-house capability to reproduce microfiche or microfilm are encouraged to contact the Texas State Library before having the reproduction made commercially. (2) If only a master copy of information in microfilm is maintained, the charge is \$.10 per page for standard size paper copies, plus any applicable labor and overhead charge for more than 50 copies. Text of the Texas Public Information Act 2018 Public Information Act Handbook • Office of the Attorney General 271 (g) Remote document retrieval charge. (1) Due to limited on-site capacity of storage documents, it is frequently necessary to store information that is not in current use in remote storage locations. Every effort should be made by governmental bodies to store current records on-site. State agencies are encouraged to store inactive or non-current records with the Texas State Library and Archives Commission. To the extent that the retrieval of documents results in a charge to comply with a request, it is permissible to recover costs of such services for requests that qualify for labor charges under current law. (2) If a governmental body has a contract with a commercial records storage company, whereby the private company charges a fee

## TEXAS ADMINISTRATIVE CODE, TITLE 1, CHAPTER 70

to locate, retrieve, deliver, and return to storage the needed record(s), no additional labor charge shall be factored in for time spent locating documents at the storage location by the private company's personnel. If after delivery to the governmental body, the boxes must still be searched for records that are responsive to the request, a labor charge is allowed according to subsection (d)(1) of this section. (h) Computer resource charge. (1) The computer resource charge is a utilization charge for computers based on the amortized cost of acquisition, lease, operation, and maintenance of computer resources, which might include, but is not limited to, some or all of the following: central processing units (CPUs), servers, disk drives, local area networks (LANs), printers, tape drives, other peripheral devices, communications devices, software, and system utilities. (2) These computer resource charges are not intended to substitute for cost recovery methodologies or charges made for purposes other than responding to public information requests. (3) The charges in this subsection are averages based on a survey of governmental bodies with a broad range of computer capabilities. Each governmental body using this cost recovery charge shall determine which category(ies) of computer system(s) used to fulfill the public information request most closely fits its existing system(s), and set its charge accordingly. Type of System—Rate: mainframe—\$10 per CPU minute; Midsize—\$1.50 per CPU minute; Client/Server—\$2.20 per clock hour; PC or LAN—\$1.00 per clock hour. (4) The charge made to recover the computer utilization cost is the actual time the computer takes to execute a particular program times the applicable rate. The CPU charge is not meant to apply to programming or printing time; rather it is solely to recover costs associated with the actual time required by the computer to execute a program. This time, called CPU time, can be read directly from the CPU clock, and most frequently will be a matter of seconds. If programming is required to comply with a particular request, the appropriate charge that may be recovered for programming time is set forth in subsection (d) of this section. No charge should be Text of the Texas Public Information Act 2018 Public Information Act Handbook • Office of the Attorney General 272 made for computer print-out time. Example: If a mainframe computer is used, and the processing time is 20 seconds, the charges would be as follows:  $\$10 / 3 = \$3.33$ ; or  $\$10 / 60 \times 20 = \$3.33$ . (5) A governmental body that does not have in-house computer capabilities shall comply with requests in accordance with the § 552.231 of the Texas Government Code. (i) Miscellaneous supplies. The actual cost of miscellaneous supplies, such as labels, boxes, and other supplies used to produce the requested information, may be added to the total charge for public information. (j) Postal and shipping charges. Governmental bodies may add any related postal or shipping expenses which are necessary to transmit the reproduced information to the requesting party. (k) Sales tax. Pursuant to Office of the Comptroller of Public Accounts' rules sales tax shall not be added on charges for public information (34 TAC, Part 1, Chapter 3, Subchapter O, § 3.341 and § 3.342). (l) Miscellaneous charges: A governmental body that accepts payment by credit card for copies of public information and that is charged a "transaction fee" by the credit card company may recover that fee. (m) These charges are subject to periodic reevaluation and update. § 70.4. Requesting an Exemption (a) Pursuant to § 552.262(c) of the Public Information Act, a governmental body may request





# Ovilla City Council

## AGENDA ITEM REPORT

Item 5

Meeting Date: January 14, 2019

Department: Administration/Finance

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: John R. Dean Jr., CM

Amount: N/A

Reviewed By: ☒ City Manager ☒ City Secretary ☐ City Attorney

☒ Accountant

☐ Other:

### Attachments:

1. Resolution R2018-05, Investment Policy

### Agenda Item / Topic:

**ITEM 5. DISCUSSION/ACTION** – Consideration of and action on the annual review of the City of Ovilla Investment Policy.

### Discussion / Justification:

The City is required under the Public Funds Investment Act (Chapter 2256 of the Texas Government Code) to adopt a formal written Investment Policy for the investment of public funds. These policies serve to satisfy the statutory requirement (specifically the Public Funds Investment Act, Chapter 2256 of the Texas Government Code [the "Act"]) to define, adopt and review a formal investment strategy and policy.

#### Adopted by reference

The city's public funds investment policy was adopted and made effective by Resolution 2014-010 on April 14, 2014. A true and correct copy of the said policy, as from time to time amended, shall be maintained in the office of the city secretary. The city council shall review the policy not less than annually and amend (or update) same as necessary by resolution. (Ordinance 2014-006 adopted 4/14/14)

In January 2018, the investment policy was updated and adopted by Resolution R2018-05.

There are no changes to the policy adopted in January 2018.

### Recommendation / Staff Comments:

Staff recommends approval.

### Sample Motion(s):

I move to approve the review of the City of Ovilla Investment Policy.

RESOLUTION R2018-05

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A RESOLUTION OF THE CITY OF OVILLA, TEXAS, ADOPTING AN UPDATED PUBLIC INVESTMENT POLICY AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Ovilla, Texas is a Type A General Law city; and

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WHEREAS, Section 2256.005 of the Texas Government Code provides that the governing body of an investing entity shall adopt by rule, order, ordinance or resolution a written investment policy and review same not less than annually; and

WHEREAS, on May 24, 2010, the City Council adopted Ordinance No. 2010-012 establishing a Public Funds Investment Policy, codified as Chapter 1, Division 4., Sections 1.05.111-1.05.125 of the Ovilla Code of Ordinances; and

WHEREAS, the City Council adopted Resolution 2012-011 on August 27, 2012, amending and updating the City of Ovilla's Public Funds Investment Policy; and

WHEREAS, the City Council approved Ordinance 2014-006 with the adoption of Resolution 2014-010 on April 14, 2014, amending, updating and repealing certain sections the City of Ovilla's Public Funds Investment Policy; and

WHEREAS, the City Council finds and determines that it is in the best interest of the City of Ovilla to adopt an updated investment policy by resolution codified in Chapter 1, Division 4., Section 1.05.111 of the Ovilla Code of Ordinances.

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

SECTION ONE

The Public Funds Investment Policy attached hereto as "Exhibit A" is declared to be the written Public Funds Investment Policy of the City of Ovilla, as required by Section 2256.005 of the Texas Government Code. A true and correct copy of same shall be maintained by the City Secretary and shall be reviewed by City Council, and revised as necessary, at least annually.

SECTION TWO

This resolution shall be in full force and effect from and after its passage and approval.

RESOLVED, PASSED AND APPROVED ON THIS 08<sup>th</sup> DAY OF January 2018.



Richard A. Dormier, Mayor

ATTEST:



Pamela Woodall, City Secretary



**CITY OF OVILLA, TEXAS**

**INVESTMENT POLICY**

**January 8, 2018**

**Adopted by Resolution R2018-05, January 8, 2018**

# **INVESTMENT POLICY**

## **PREFACE**

**It is the policy of the City of Ovilla (the "City") that after allowing for the anticipated cash flow requirements of the City and giving due consideration to the safety and risks of investments, all available funds shall be invested in conformance with these legal and administrative guidelines to obtain a market rate of return.**

**Effective cash management is recognized as essential to good fiscal management. An active cash management and investment policy will be pursued to take advantage of investment interest as a viable and material source of revenue for City funds. The City's portfolio shall be designed and managed in a manner responsive to the public trust and consistent with state and local law. The City will invest public funds in a manner that will provide the maximum security and a market rate of return while meeting the daily cash flow demands of the City.**

**The City is required under the Public Funds Investment Act (Chapter 2256 of the Texas Government Code) to adopt a formal written Investment Policy for the investment of public funds. These policies serve to satisfy the statutory requirement (specifically the Public Funds Investment Act, Chapter 2256 of the Texas Government Code [the "Act"]) to define, adopt and review a formal investment strategy and policy.**

**CITY OF OVILLA  
INVESTMENT POLICY  
TABLE OF CONTENTS**

<b>1. PURPOSE.....</b>	<b>3</b>
<b>2. INVESTMENT STRATEGY.....</b>	<b>3</b>
<b>3. SCOPE. ....</b>	<b>6</b>
<b>4. INVESTMENT OBJECTIVES.....</b>	<b>6</b>
<b>5. INVESTMENT RESPONSIBILITY. ....</b>	<b>7</b>
<b>6. AUTHORIZED INVESTMENTS.....</b>	<b>8</b>
<b>7. DIVERSIFICATION. ....</b>	<b>11</b>
<b>8. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS. ....</b>	<b>12</b>
<b>9. DELIVERY VERSUS PAYMENT.....</b>	<b>12</b>
<b>10. SAFEKEEPING AND COLLATERALIZATION.....</b>	<b>12</b>
<b>11. INTERNAL CONTROL. ....</b>	<b>14</b>
<b>12. PERFORMANCE. ....</b>	<b>14</b>
<b>13. REPORTING.....</b>	<b>14</b>
<b>14. INVESTMENT POLICY ADOPTION AND AMENDMENT.....</b>	<b>15</b>
<b>GLOSSARY OF TERMS.....</b>	<b>13</b>

**Certification of Business Organization Sample Form**

**1. PURPOSE.** The purpose of this investment policy (the “Policy”) is to set forth specific investment policy and strategy guidelines for the City in order to achieve the goals of safety and liquidity, achieve a market rate of return, and maintain public trust in all investment activities. On an annual basis, the City Council shall review the investment strategy and policy and shall approve Policy revisions, if any, by formal resolution.

**2. INVESTMENT STRATEGY.** The City maintains a comprehensive and proactive cash management program that is designed to monitor and control all City funds to ensure maximum utilization and yield a market rate of return. (For the purpose of this policy, a “market rate of return” refers to the approximate interest rate that could be earned by an investor in a specific maturity range at any given point in time. For example, an investor seeking to earn a market rate of return while maintaining an investment portfolio with an average maturity of 90 days, would hope to earn approximately the same as a three-month agency discount note. If the investor earns a rate much higher than this, it might signal an inappropriate level of risk.) The basic and underlying strategy of this program is that all of the City’s funds are earning interest. It is the responsibility and obligation of the City to maintain a flexible approach and be prepared to modify the investment strategy as market conditions dictate. The investment strategy described is predicated on conditions as now exist and are subject to change. The investment strategy emphasizes low credit risk, diversification, and the management of maturities. The strategy also considers the expertise and time constraints of the investment officers. The allowable investment instruments as defined in Section 6 of this



Policy reflect the avoidance of credit risk. Diversification refers to dividing investments among a variety of securities offering independent returns. This strategy uses local government investment pools to achieve diversification. The management of maturities refers to structuring the maturity dates of the direct investments so that, while funds are initially invested for a longer period of time, some investments mature as cash needs require.

2.1 The primary investment strategy and objectives of the City as specified in this Policy (See Section 4.) are listed below, in their order of importance:

- Safety and preservation of principal;
- Maintenance of sufficient liquidity to meet operating needs;
- Achieve a market rate of return on the investment portfolio; and
- Seek at all times to maintain public trust by adhering to the above stated objectives.

2.2 The list of investments authorized by this Policy intentionally excludes some investments allowed by state law. The restrictions limit possible credit risk and provide the maximum measure of safety. Within the investment objectives, the investment strategy is to utilize authorized investments for maximum advantage to the City. To increase the interest earnings for funds identified as being available for investment over longer periods of time based upon a cash requirements projection, the City will consider the following strategies:

2.2.1 **Strategy No. 1.** Diversifying the City's investment opportunities through the use of local government investment pools and money market mutual funds as authorized by the City Council. An investment pool is an entity created to invest public funds jointly on behalf its' participants and whose investment objectives in order of priority match those objectives of the City. Funds are usually available from investment pools on a same-day basis, meaning the pools have a high degree of liquidity. Because of the size and expertise of their staff, investment pools are able to prudently invest in a variety of the investment types allowed by state law. In this manner, investment pools achieve diversification. Funds that may be needed on a short-term basis but that are in excess of the amount maintained at the depository bank are available for deposit in investment pools.

2.2.2 **Strategy No. 2.** Building a ladder of Investment Policy authorized securities with staggered maturities for all or part of the longer-term investable funds. The benefits of this ladder approach include the following:

- It is straight-forward and easily understood;
- It represents a prudent diversification method;
- All investments remain within the approved maturity horizon;
- It will normally allow the City to capture a reasonable portion of the yield curve; and
- It provides predictable cash flow with scheduled maturities and reinvestment opportunities.

2.2.3. **Strategy No. 3.** At this time, the City does not use an investment management firm. Should the City determine a need, the following strategy will apply:

Pursuant to the Public Funds Investment Act (Texas Government Code 2256.003), the City may, at its discretion, contract with an investment management firm registered under the Investment Advisors Act of 1940 (15 U.S.C. Section 80b-1 et seq.) and with the State Securities Board to provide for investment and non-discretionary management of its public funds or other funds under its control.

An appointed Investment Advisor shall act solely in an advisory and administrative capacity, within the guidelines of this Investment Policy. At no time shall the advisor take possession of securities or funds or otherwise be granted discretionary authority to transact business on behalf of the City. Any contract awarded by the City Council for investment advisory services may not exceed two years, with an option to extend by mutual consent of both parties.

Duties of the Investment Advisor shall include, but not be limited to, assistance in purchasing securities, securities clearance, producing required reports, pricing the portfolio, performing due diligence on broker/dealers, market monitoring and economic review.

Any Investment Advisor contracted by the City shall abide by the *Prudent Expert Rule*, whereby investment advice shall, at all times, be given with the judgment and care, under circumstances then prevailing, which persons paid for their special prudence, discretion and intelligence in such matters exercise in the management of their client's affairs, not for speculation by the client or production of fee income by the advisor or broker, but for investment by the client with emphasis on the probable safety of the capital while considering the probable income to be derived.

2.2.4. **Strategy No. 4.** The City will maintain portfolio(s) that utilize four specific investment strategy considerations designed to address the unique characteristics of the fund group(s) represented in the portfolio(s):

2.2.4.1 Investment strategies for operating funds and pooled funds containing operating funds have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to create a portfolio that will experience minimal volatility during economic cycles through diversification by security type, maturity date and issuer. All security types, as authorized by this policy, are considered suitable investments for the operating and pooled funds.

2.2.4.2 Investment strategies for debt service funds shall have as the primary objective the assurance of investment liquidity adequate to cover the debt service obligation on the required payment date(s). These funds have predictable payment schedules. Therefore investment maturities shall not exceed the anticipated cash flow requirements.

2.2.4.3 Investment strategies for debt service reserve funds shall have as the primary objective the ability to generate a dependable revenue stream to the appropriate debt service fund. Managing the Debt Service Reserve Fund's portfolio maturities to not exceed the call provisions of the bond issue will reduce the investment's market risk if the City's bonds are called and the reserve fund liquidated. No investment maturity shall exceed the final maturity of the bond issue.

2.2.4.4 Investment strategies for special projects or capital projects funds will have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. Market conditions and arbitrage regulations will influence the investment of capital project funds. When market conditions allow, achieving a positive spread to applicable arbitrage yield is the desired objective, although at no time shall the anticipated expenditure schedule be exceeded in an attempt to increase yield.

2.2.5 **Strategy No. 5 - Hold until Maturity.** The strategy of the City is to maintain sufficient liquidity in its portfolio so that it does not need to sell a security prior to maturity. Should it become necessary to sell a security prior to maturity, where the sale proceeds are less than the current book value, the prior written consent of the City Manager must be obtained. Securities may be sold prior to maturity by the Investment Officer at or above their book value at any time. The result of all sales of securities prior to maturity shall be reported to the City Manager within two business days of the sale. The report shall provide the amount of proceeds from the sale, including accrued interest to the date of sale, less the current book value and the dollar amount of gain on the sale.

2.2.6 **Strategy No. 6 - Pooling of Deposits and Investments.** All demand deposits of the City will be concentrated with one central depository. This procedure will maximize the City's ability to pool cash for investment purposes, and provide more manageable banking relationships. In addition, depositories not holding demand deposits of the City may be eligible to bid on City investments, subject to the approval of the City Manager.

2.2.7 **Strategy No. 7 - Depository Bank Relationships.** This Policy shall further seek to maintain good depository bank relationships while minimizing the cost of banking services. The City will seek to maintain a depository contract that will be managed to a level that minimizes the cost of the banking relationship to the City, while allowing the City to earn an appropriate return on idle demand deposits.

2.2.8 **Strategy No. 8 - Single Pooled Fund Group.** A single strategy is specified, in accordance with the single pooled fund group as defined in this Policy. However, earnings from investments will be allocated on a pro-rata cash basis to the individual funds and used in a manner that will best service the interests of the City.

2.2.9 **Strategy No. 9 - Maximizing Investable Cash Balances.** Procedures shall be established and implemented in order to maximize investable cash by decreasing the time between the actual collection and the deposit of receipts, and by the controlling of disbursements.

**3. SCOPE.** The Investment Policy shall govern the investment of all financial assets considered to be part of the City entity and includes the following funds or fund types: the General Fund, Enterprise Funds, Special Revenue Funds, General Obligation Interest and Sinking Fund, Capital Projects Funds, Special Revenue Funds, EDC Fund, MDD Fund and any other funds which have been contractually delegated to the City for management purposes. The City may add or delete funds as may be required by law, or for proper accounting procedures. This policy does not include funds governed by approved trust agreements, or assets administered for the benefit of the City by outside agencies under retirement or deferred compensation programs. Additionally, bond funds (including debt service and reserve funds) are governed by bond ordinances and are subject to the provisions of the Internal Revenue Code and applicable federal regulations governing the investment of bond proceeds.

**4. INVESTMENT OBJECTIVES.** Funds of the City shall be invested in accordance with all applicable Texas statutes, this Policy and any other approved, written administrative procedures. The four objectives of the City's investment activities shall be as follows (in the order of priority):

4.1 **Safety of Principal.** Safety of principal invested is the foremost objective in the investment decisions of the City. Each investment transaction shall seek to ensure the preservation of capital in the overall portfolio. The risk of loss shall be controlled by investing only in authorized securities, as defined in this Policy, by qualifying the financial institutions with whom the City will transact business and through portfolio diversification. Safety is defined as the undiminished return of the principal on the City's investments.

4.2 **Liquidity.** The investment portfolio shall be managed to maintain liquidity to ensure that funds will be available to meet the City's cash flow requirements and by investing in securities with active secondary markets. Investments shall be structured in such a manner as will provide the liquidity necessary to pay obligations as they become due. A security may be liquidated prior to its stated maturity to meet unanticipated cash requirements, or to otherwise favorably adjust the City's portfolio, in accordance with Section 2.2.5 above.

4.3 **Market Rate-of-Return (Yield).** The City's investment portfolio shall be designed to optimize a market rate-of-return on investments consistent with risk constraints and cash flow requirements of the portfolio. The investment portfolio shall be managed in a manner that seeks to attain a market rate of return throughout budgetary and economic cycles. The City will not attempt to consistently attain an unrealistic above market rate-of-return, as this objective will subject the overall portfolio to greater risk. Therefore, the City's rate of return objective is secondary to those of safety and liquidity. Rate of return (yield) is defined as the rate of annual income return on an investment, expressed as a percentage.

4.4 **Public Trust.** All participants in the City's investment program shall seek to act responsibly as custodians of the public trust. Investment officials shall avoid any transaction that might involve a conflict of interest or otherwise impair public confidence in the City's ability to govern effectively. All officials of the City having either a direct or indirect role in the process of investing idle funds shall act responsibly as custodians of the public trust.

**5. INVESTMENT RESPONSIBILITY.** As provided in this policy, the daily operation and management of the City's investments are the responsibility of the following person.

5.1 **Delegation of Authority.** The City Manager and the City Accountant are authorized to deposit, withdraw, invest, transfer or manage in any other manner the funds of the City. Management responsibility for the investment program is hereby delegated to the City Manager, who shall establish written procedures for the operation of the investment program, consistent with this Policy. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. All persons involved in investment activities will be referred to in this Policy as "Investment Officers." No persons may engage in an investment transaction except as provided under the terms of this Policy and the procedures established by the City Manager. The City Manager shall be responsible for all transactions undertaken, and shall establish a system of controls to regulate the activities of subordinate Investment Officials. The system of controls shall be designed to provide reasonable assurance that the assets of the City are protected from loss, theft or misuse. The concept of reasonable assurance recognizes that:

- (1) the cost of a control should not exceed the benefits likely to be derived; and
- (2) the valuation of costs and benefits requires estimates and judgments by management.

Commitment of financial and staffing resources in order to maximize total return through active portfolio management shall be the responsibility of the City Council.

5.2 **Prudence.** The standard of prudence to be applied by the Investment Officer shall be the "prudent investor" rule, which states, "investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." In determining whether the Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration the following:

5.2.1 the investment of all funds over which the Investment Officer had responsibility rather than a consideration as to the prudence of a single investment; and

5.2.2 whether the investment decision was consistent with the written investment Policy and procedures of the City.

5.2.3 Investment officials acting in accordance with the Investment Policy and exercising due diligence shall be relieved of personal responsibilities for an individual security's credit risk or market price change, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments. In determining whether an investment official has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration the investment of all funds over which the official had responsibility rather than consideration as to the prudence of a single investment and whether the investment decision was consistent with the City's Investment Policy.

5.3 **Due Diligence.** The Investment Officer acting in accordance with written policies and procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that these deviations are reported in a timely manner and that appropriate action is taken to control adverse developments. All Investment Officers involved in investment transactions will be bonded.

5.4 **Ethical Standards and Conflicts of Interest.** All City Investment Officers having a direct or indirect role in the investment of City funds shall act as custodians of the public trust avoiding any transaction which might involve a conflict of interest, the appearance of a conflict of interest, or any activity which might otherwise discourage public confidence. Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions. An Investment Officer who has a personal business relationship with the depository bank or with any entity seeking to sell an investment to the City shall file a statement disclosing that personal business interest. An Investment Officer who is related within the second degree of affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the City Council.

5.5 **Investment Training.** The Investment Officers shall attend at least one training session of at least ten (10) hours relating to the officer's responsibility under the Public Funds Investment Act within twelve (12) months after assuming duties, and attend an investment training session not less than once every two years, receiving an additional eight (8) hours of training. Such training from an independent source shall be approved by the City Manager and endorsed by either the Government Finance Officers Association of Texas, the Government Treasurers Organization of Texas, the Texas Municipal League, the North Central Texas Council of Governments, or the University of North Texas Center for Public Management.

**6. AUTHORIZED INVESTMENTS.** As stated previously, safety of principal is the primary objective in investing public funds and can be accomplished by limiting two types of risk — credit risk and interest rate risk. Credit risk is the risk associated with the failure of a security issuer or backer to repay principal and interest in full. Interest rate risk is the risk that the value of a portfolio will decline due to an increase in the general level of interest rates. In order to provide for safety of principal as the City's primary objective, only certain investments are authorized as acceptable investments for the City. The following list of authorized investments for the City intentionally excludes some investments authorized by law. These restrictions are placed in order to limit possible risk and provide the maximum measure of safety to City funds.



**6.1 Authorized and Acceptable Investments.** The authorized list of investment instruments are as follows:

- (1) Obligations, including letters of credit, of the United States or its agencies and instrumentalities, including the Federal Home Loan Banks.
- (2) Direct obligations of the State of Texas, or its agencies and instrumentalities.
- (3) Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or their respective agencies and instrumentalities, excluding mortgage-backed securities.
- (4) Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent.

- (5) Collateralized Certificates of Deposit. A certificate of deposit issued by a depository institution that has its main office or a branch office in the state and is:

- guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
- secured by obligations that are described by Section 2256.009(a) of the Public Funds Investment Act, including mortgage backed securities directly issued by a federal agency or instrumentality, but excluding those mortgage backed securities of the nature described in Section 2256.009(b) of the Act; or
- secured in any other manner and amount provided by law for deposits of the City.
- In addition to the City's authority to invest funds in certificates of deposit, a CD investment made in accordance with the following conditions is an authorized investment under TX Government Code Section 2256.010(b):

(a) the funds are invested by the City through a clearing broker registered with the Securities and Exchange Commission (SEC) and operating pursuant to SEC rule 15c3 -3 (17 C. F.R. Section 240. 15c3 -3) with its main office or branch office in Texas and selected from a list adopted by City; or a depository institution that has its main office or a branch office in Texas and that is approved and selected by the City;

(b) the selected broker or depository institution arranges for the deposit of the funds in CDs in one or more federally insured depository institutions, wherever located, for the account of the City;

(c) the full amount of the principal and accrued interest of each CDs is insured by the United States or an instrumentality of the United States;

(d) the selected broker or depository institution acts as custodian for the City with respect to the CDs issued for the account of the City.

- (6) Eligible Local Government Investment Pools. Public funds investment pools which invest in instruments and follow practices allowed by the current law as defined in Section 2256.016 of the Texas Government Code, provided that:

- the investment pool has been authorized by the City Council;
- the pool shall have furnished the Investment Officer an offering circular containing the information required by Section 2256.016(b) of the Texas Government Code;
- the pool shall furnish the Investment Officer investment transaction confirmations with respect to all investments made with it;
- the pool shall furnish to the Investment Officer monthly reports containing the information required under Section 2256.016(c) of the Texas Government Code;
- the pool is continuously rated no lower than "AAA" or "AAA-m" or an equivalent rating by at least one nationally recognized rating service;
- the pool marks its portfolio to market daily;
- the pool's investment objectives shall be to maintain a stable net asset value of one dollar (\$1.00); and
- the pool's investment philosophy and strategy are consistent with this Policy.

(7) Regulated No-Load Money Market Mutual Funds. These investments are authorized, under the following conditions:

- the money market mutual fund is registered with and regulated by the Securities and Exchange Commission;
- the fund provides the City with a prospectus and other information required by the Securities Exchange Act of 1934 or the Investment Company Act of 1940;
- the fund has a dollar-weighted average portfolio maturity of sixty (60) days or less;
- the investment objectives include the maintenance of a stable net asset value of one dollar (\$1.00) per share; and
- the fund is continuously rated no lower than "AAA" or an equivalent rating by at least one nationally recognized rating service.
- The City may not invest funds under its control in an amount that exceeds 10% of the total assets of any individual money market mutual fund.

(8) Repurchase Agreements, Reverse Repurchase Agreements, Bankers' Acceptances; Commercial Paper. These investments are authorized for the City only to the extent that they are contained in the portfolios of approved public funds investment pools in which the City invests, or as otherwise provided below.

- The direct investment in reverse repurchase agreements, bankers' acceptances, and commercial paper by the City is not authorized.
- Fully flexible repurchase agreements are authorized in this Policy, to the extent authorized under the Public Funds Investment Act (Texas Government Code 2256.001.) The use of flex repos shall be limited to the investment of bond proceeds and the maturity date of any such agreement shall not exceed the expected proceeds draw schedule.

**6.2 Investment Instruments NOT Authorized.** The following instruments are eligible for investment by local government according to state law, but they have been intentionally prohibited for the City by this Policy: mortgage-related obligations, guaranteed investment contracts, options, financial futures contracts and, day trading of long-term securities. In addition to these restricted investments, state law specifically prohibits investment in the following securities:

- (1) Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.
- (2) Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.
- (3) Collateralized mortgage obligations that have a stated final maturity date of greater than ten years.
- (4) Collateralized mortgage obligations, the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

**7. DIVERSIFICATION.** Diversification of investment instruments shall be utilized to avoid incurring unreasonable risks resulting from over-concentration of investments in a specific maturity, a specific issue, or a specific class of securities. With the exception of U.S. Government securities, as authorized in this Policy, and authorized local government investment pools, no more than fifty percent (50%) of the total investment portfolio will be invested in any one security type or with a single financial institution. Diversification of the portfolio considers diversification by maturity dates and diversification by investment instrument.

**7.1 Diversification by Maturities.** The longer the maturity of investments, the greater their price volatility. Therefore, it is the City's policy to concentrate its investment portfolio in shorter-term securities in order to limit principal risks caused by change in interest rates. The City will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than three (3) years from the date of purchase. However, the above described obligations, certificates, or agreements may be collateralized using longer date instruments. The City shall diversify the use of investment instruments to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions or maturities. Maturity scheduling shall be managed by the Investment Officer so that maturities of investments shall be timed to coincide with projected cash flow needs.

The entire City portfolio, including funds at the City's depository bank, shall comprise one pooled fund group, and the maximum average dollar-weighted maturity allowed based on the stated maturity date for the portfolio is two hundred seventy (270) days. Investment maturities for debt service interest and sinking funds and/or other types of reserve funds, whose use is never anticipated, may not exceed three (3) years.

**7.2 Diversification by Investment Instrument.** Diversification by investment instrument shall not exceed the following guidelines for each type of instrument:

	<u>Percentage of Portfolio (Maximum)</u>
U.S. Treasury Obligations	100%
U.S. Government Agency Securities and Instrumentalities of Government-Sponsored Corporations	80%
Authorized Local Government Investment Pools	100%
Fully Collateralized Certificates of Deposit	50%

7.3 The City shall invest local funds in investments yielding a market rate-of-return while providing necessary protection of the principal consistent with the operating requirements of this section or written policies.

**8. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS.** At this time, the City does not use Brokers or Dealers. Should the City determine a need, the following procedures and requirements will apply:

Financial institutions (federally insured banks) with and through whom the City invests shall be state or national banks doing business in this state. No public deposit shall be made except in a qualified public depository as established by state laws. Brokers/Dealers authorized to provide investment services to the City may include only those authorized by the City Manager. All banking services will be governed by a depository contract awarded by the City Council. In addition, the City Accountant shall maintain a list of authorized security brokers/dealers, and investment pools that are authorized by the City Manager and/or the City Council.

8.1 All financial institutions with whom the City does business must supply the following as appropriate: (1) audited financial statements; (2) proof of Financial Industry Regulatory Authority (FINRA) certification; (3) proof of state registration and completed broker/dealer questionnaire; (4) certification of having read the City's investment policy signed by a qualified representative of the organization, acknowledging that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the City and the organization.

8.2 An annual review of the financial condition and registration of qualified bidders will be conducted by the City Accountant. The review may include, but is not limited to, review of rating agency reports, review of call reports, and analyses of management, profitability, capitalization, and asset quality. Financial institutions and brokers/dealers desiring to conduct business with the City shall be required to provide any financial data requested by the City Manager or the Investment Officer. Upon completion of the annual review by the City Accountant, the financial institutions and brokers/dealers desiring to conduct business with the City shall be approved by the City Manager.

8.3 Selection criteria for federally insured financial institutions shall include the following: (1) the financial institution must be insured by the FDIC and (2) the financial institution must be incorporated under the laws of the State of Texas or of the United States of America.

8.4 The Investment Officer of the City is responsible for monitoring the investments made by a financial institution and/or broker/dealer to determine that they are in compliance with the provisions of the Investment Policy.

**9. DELIVERY VERSUS PAYMENT.** It is the policy of the City that all security transactions entered into with the City shall be conducted on a "**DELIVERY VERSUS PAYMENT**" (DVP) basis through the Federal Reserve System. By doing this, City funds are not released until the City has received, through the Federal Reserve wire, the securities purchased. The City shall authorize the release of funds only after receiving notification from the safekeeping bank that a purchased security has been received in the safekeeping account of the City. The notification may be oral, but shall be confirmed in writing.

#### **10. SAFEKEEPING AND COLLATERALIZATION.**

10.1 **Safekeeping.** All securities owned by the City shall be held by its safekeeping agent, except the collateral for bank deposits. The collateral for bank deposits will be held in the City's name in the

bank's trust department, or alternatively, in a Federal Reserve Bank account in the City's name, or a third-party bank, at the City's discretion. Original safekeeping receipts shall be obtained and held by the City. The City shall contract with a bank or banks for the safekeeping of securities either owned by the City as part of its investment portfolio or held as collateral to secure time deposits.

10.2 **Collateralization.** Consistent with the requirements of the Public Funds Collateral Act, it is the policy of the City to require full collateralization of all city funds on deposit with a depository bank. The market value of the investments securing the deposit of funds shall be at least equal to the amount of the deposits of funds reduced to the extent that the deposits are insured by the Federal Deposit Insurance Corporation (FDIC). Securities pledged as collateral shall be held in the City's name, in a segregated account at the Federal Reserve Bank or by an independent third party with whom the City has a current custodial agreement. The agreement is to specify the acceptable investment securities as collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. The safekeeping agreement must clearly state that the safekeeping bank is instructed to release purchased and collateral securities to the City in the event the City has determined that the depository bank has failed to pay on any matured investments in certificates of deposit, or has determined that the funds of the City are in jeopardy for whatever reason, including involuntary closure or change of ownership. A clearly marked evidence of ownership, e.g., safekeeping receipt, must be supplied to the City and retained by the City. Any collateral with a maturity over five (5) years must be approved by the Investment Officer before the transaction is initiated. Release of collateral or substitution of securities must be approved in writing by the Investment Officer. Financial institutions serving as City depositories will be required to sign a "Depository Agreement" with the City and the City safekeeping agent. The collateralized deposit portion of the agreement shall define the City's rights to collateral in the event of default, bankruptcy, or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- the Agreement must be in writing;
- the Agreement has to be executed by the Depository and the City contemporaneously with the acquisition of the asset;
- the Agreement must be approved by the Board of Directors of the Loan Committee of the Depository and a copy of the meeting minutes must be delivered to the City; and
- the Agreement must be part of the Depository's "official record" continuously since its execution.

10.2.1 The City may accept the following securities as collateral for bank deposits (V.T.C.A., Government Code, Section 2256.001, et. seq, formerly Article 842a-2, Section 2, V.T.C.S., as amended);

- FDIC and FSLIC insurance coverage;
- A bond, certificate of indebtedness, or Treasury Note of the United States, or other evidence of indebtedness of the United States that is guaranteed as to principal and interest by the United States;
- Obligations, the principal and interest on which are unconditionally guaranteed or insured by the State of Texas;
- A bond of the State of Texas or of a county, city, or other political subdivision of the State of Texas having been rated as investment grade (investment rating no less than "A" or its equivalent) by a nationally recognized rating agency with a remaining maturity of ten years or less;
- Surety Bonds that meet the requirements of the Public Funds Investment Act; or
- Federal Home Loan Bank Letters of Credit.



10.2.2 For certificates of deposit and other evidences of deposit, collateral shall be at 102% of market or par, whichever is lower. The market value of collateral will always equal or exceed the principal plus accrued interest of deposits at financial institutions.

10.2.3 Financial institutions, with which the City invests or maintains other deposits, shall provide monthly, and as requested by the Investment Officer, a listing of the collateral pledged to the City, marked to current market prices. The listing shall include total pledged securities itemized by name, type, description, par value, current market value, maturity date, and Moody's or Standard & Poor's rating, if applicable. The City and the financial institution shall jointly assume the responsibility for ensuring that the collateral is sufficient.

**11. INTERNAL CONTROL.** The City Accountant shall establish a system of written internal controls, which shall be reviewed annually by independent auditors. The controls shall be designed to prevent loss of public funds due to fraud, error, misrepresentation, unanticipated market changes, or imprudent actions. The internal controls are to be reviewed annually in conjunction with an external independent audit. This review will provide assurance of compliance with policies and procedures as specified by this Policy. The City, in conjunction with its annual financial audit, shall perform a compliance audit of management controls and adherence to the City's established investment policy.

**12. PERFORMANCE.** The City's investment portfolio shall be designed to obtain a market rate of return on investments consistent with risk constraints and expected cash flow of the City. The benchmark for performance that is appropriate for the City's cash flow cycle will be TexPool (a local government investment pool).

**13. REPORTING.** The City Accountant shall submit a signed quarterly investment report that summarizes current market conditions, economic developments and anticipated investment conditions. The report shall summarize investment strategies employed in the most recent quarter, and describe the portfolio in terms of investment securities, maturities, risk characteristics, and shall explain the total investment return for the quarter.

13.1 Annual Report. Within 60 days of the end of the fiscal year, the City Accountant shall present an annual report on the investment program and investment activity. This report may be presented as a component of the fourth quarter report to the City Manager and City Council. The reports prepared by the City Accountant shall be formally reviewed at least annually by an independent auditor, and the result of the review shall be reported to the City Council by that auditor.

13.2 Methods. The quarterly investment report shall include a succinct management summary that provides a clear picture of the status of the current investment portfolio and transactions made over the past quarter. This management summary will be prepared in a manner that will allow the City to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report will be prepared in compliance with generally accepted accounting principles. The report will be provided to the City Manager and City Council. The report will include the following:

- A listing of individual securities held at the end of the reporting period. This list will include the name of the fund or pooled group fund for which each individual investment was acquired;
- Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of securities for the period. Market values shall be obtained from financial institutions or portfolio reporting services independent from the broker/dealer from which the security was purchased;
- Additions and changes to the market value during the period;

- Fully accrued interest for the reporting period;
- Average weighted yield to maturity of portfolio on entity investments as compared to applicable benchmarks;
- Listing of investments by maturity date;
- The percentage of the total portfolio which each type of investment represents; and
- Statement of compliance of the City's investment portfolio with State Law and the investment strategy and policy approved by the City Council.
- Market prices for all securities will be obtained and monitored through the use of safekeeping agents, independent pricing services, broker/dealers who did not sell the actual security being priced, as well as published or online services such as the Wall Street Journal or Bloomberg.

**14. INVESTMENT POLICY ADOPTION AND AMENDMENT.** The City's Investment Policy shall be adopted and amended by resolution of the City Council only. The City's written policies and procedures for investments are subject to review not less than annually to stay current with changing laws, regulations and needs of the City. Any changes or modifications to this Investment Policy, if any, shall be approved, and adopted by a formal resolution of the City Council.

## GLOSSARY OF TERMS

The Investment Policy contains specialized and technical terminology that is unique to cash management and investment activities. The following glossary of terms is provided to assist in understanding these terms.

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**Affinity.** Related through marriage.

**Agencies.** See U.S. Agency securities.

**Bankers' Acceptances.** A draft or bill of exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer. When discounted and sold in the secondary market, bankers' acceptances become a short-term investment alternative.

**Book Value.** The cost of a security as recorded in the City's accounting records. For purposes of evaluating a sale of a security, it is a function of the original cost, the amortization of premium or discount, and the accrued interest. Specifically, it is the face value of the security plus the accrued interest plus any unamortized premium or minus any unamortized discount. Book value is often compared to market value, which is defined below.

**Broker.** A person or company that, for a fee or commission, brings buyers and sellers of securities together.

**Certificate of Deposit.** A time deposit with a specific maturity evidenced by a certificate.

**Collateral.** In general, assets which one party pledges as a guarantee of performance. Specifically, securities pledged by a bank to secure deposits of public monies. In the event of bank failure, the securities become the property of the public entity.

**Collateralized Mortgage Obligations (CMO's).** Securities based on a pool of home mortgages.

**Commercial Paper.** An unsecured promissory note issued primarily by corporations for a specific amount and maturing on a specific day. The maximum maturity for commercial paper is 270 days, but most frequently maturities do not exceed 30 days. Almost all commercial paper is rated by a rating service.

**Consanguinity.** Related by blood.

**Coupon.** The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. Also, a certificate attached to a bond indicating interest due on a payment date.

**Credit Risk.** The uncertainty that the principal amount of an investment will be returned without loss of value to the default of the borrower.

**CUSIP.** A unique security identification number assigned to securities maintained and transferred on the Federal Reserve book-entry system.

**Dealer.** A person or company that endeavors to profit from buying and selling investments for its own account.

**Delivery Versus Payment (DVP).** A method of delivering securities that requires the simultaneous exchange of the security and the payment. It provides a safeguard against paying for securities before they are received.

**Demand Deposits.** Deposits at a financial institution that are available to the depositor upon the depositor's demand.

**Depository Bank.** The primary bank of the City. The relationship between the depository bank and the City is governed by state law and by a depository contract that is approved by the City Council.

**Discount.** The difference between the cost price of a security and its value at maturity when quoted at lower than face value. A security selling below original offering price shortly after sale is also considered to be at a discount.

**Discount Securities.** Non-interest-bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g., U.S. Treasury Bills.

**Diversification.** The strategy of dividing investments among a variety of securities offering independent risks and yields. Diversification lessens the likelihood of losing the entire portfolio of investments and averages yields among the investment alternatives.

**Discount.** The difference between the cost of a security and its value at maturity, in cases where the cost is less than the value at maturity.

**Federal Agency** – A debt instrument, either fully guaranteed or sponsored by the U.S. government. The typical definition of agency includes the government sponsored enterprises of Fannie Mae, Freddie Mac, the Federal Farm Credit Bank (FFCB) and the Federal Home Loan Bank (FHLB).

**Federal Deposit Insurance Corporation (FDIC).** A federal agency that insures bank deposits, currently up to \$250,000 per account. Public deposits that exceed this amount must be properly collateralized with investment securities or insured through a surety bond.

**Federal Farm Credit Bank (FFCB)** - The Federal Farm Credit Bank System is the oldest of the government sponsored enterprises, created by an act of Congress in 1916. Its mission is to provide a reliable and low-cost source of funds to support agriculture in the United States. FFCB debt obligations are highly liquid and its senior debt is rated AA+.

**Federal Funds Rate.** The rate of interest at which Federal funds are traded. This rate is currently set by the Federal Reserve through open-market operations.

**Federal Home Loan Bank (FHLB).**

The Federal Home Loan Bank was created by an act of Congress in 1932 as a system of 12 regional banks that provide funds to its member banks. FHLB's primary mission is to support residential and community lending. Its membership of more than 8,000 financial institutions includes savings banks, commercial banks, credit unions and insurance companies active in housing finance. FHLB debt obligations are highly liquid and its senior debt is rated AA+.

**Federal Home Loan Mortgage Corporation (FHLMC or "Freddie Mac").**

Freddie Mac was created by an act of Congress in 1970 as a shareholder-owned company to further expand the secondary market for mortgage loans in the United States. Freddie Mac buys existing mortgages and pools them together to create mortgage-backed securities that can then be sold to investors, thereby providing liquidity to lenders who can then make additional loans. Along with Fannie Mae, Freddie Mac was placed into government conservatorship in September 2008, but continues full operations under government control and has been instrumental in the government's attempts to revive the housing sector. Freddie Mac securities are highly liquid and its senior debt is rated AA+.

**Financial Industry Regulatory Authority (FINRA)** - formerly the National Association of Securities Dealers (NASD) - A self-regulatory organization (SRO) of brokers and dealers in the over-the-counter

securities business. Its regulatory mandate includes authority over firms that distribute mutual fund shares as well as other securities.

**Federal National Mortgage Association (FNMA or “Fannie Mae”).** Fannie Mae was created by an act of Congress in 1938 under the Federal National Mortgage Association Act to provide a secondary market for mortgage loans in the United States. It does this by purchasing existing home loans and pooling them together to create mortgage-backed securities that can then be sold to investors, along with a guaranty of the timely payment of principal and interest on the underlying loans. Fannie Mae was privatized in 1968, and operated as a private stockholder-owned company for 40 years before the housing market collapse forced them into federal government conservatorship in September 2008. Fannie Mae debt obligations are highly liquid, and its senior debt is rated AA+.

**Fully Flexible Repurchase Agreement (“flex repo”).** A specialized contract designed for the short-term investment of proceeds available from the sale of municipal bonds, notes and certificates. Flex repos allow for incremental repurchases, with the buyer/issuer (the City) retaining the right to force the seller to repurchase all, or a portion of, the sold securities held under repurchase agreement, at any time before the maturity date of the agreement, at a fixed rate for the life of the agreement.

**Hold Until Maturity.** This investment strategy is intended to avoid interest rate risk by maintaining ownership of an investment until it matures. At maturity, the face value of the security is received, but in some cases where a security is sold before maturity, less than the face value and the book value is received. Please see interest rate risk defined below.

**Interest Rate Risk.** The uncertainty of the return of principal on fixed rate securities that are sold prior to maturity. When interest rates rise, the market value of fixed rate securities decreases.

**Internal Control.** Policies and procedures that are established to provide reasonable assurance that specific government objectives are achieved and that assets are safeguarded.

**Investment.** The purchase of securities which, upon analysis, promise safety of principal and a satisfactory return. These factors distinguish investment from speculation.

**Investment Objective.** The aim, goal or desired end of action of the investment activity.

**Investment Pool.** An entity created to invest public funds jointly on behalf of the entities that participate in the pool and whose investment objectives in order of priority are safety, liquidity, and yield. (Sometimes called Local Government Investment Pool.)

**Investment Strategy.** The overall plan or method proscribed to achieve the investment objectives of the City.

**Laddered Maturity.** An investment strategy whereby investments are purchased to mature at regular intervals.

**Liquidity.** The measure of an investment’s ability to be converted quickly and easily into cash without a substantial loss of value.

**Local Government Investment Pool.** See **Investment Pool**.

**Market Rate of Return.** A general term referring to the approximate interest rate that could be earned by an investor in a specific maturity range at any given point in time. For example, an investor seeking to earn a “market rate of return” while maintaining an investment portfolio with an average maturity of 90 days, would hope to earn approximately the same as a three-month agency discount note. If the investor earns a rate much higher than this, it might signal an inappropriate level of risk.



**Market Risk.** The uncertainty of the value of the City's portfolio arising from changes in the market conditions of investment securities.

**Market Value.** The price, including accrued interest, at which a security is trading for which it can be readily sold or purchased.

**Maturity.** The date upon which the principal or stated value of an investment becomes due and payable.

**Money Market Mutual Fund.** A mutual fund that purchases short-term debt instruments, such as Treasury Bills, commercial paper, and bankers' acceptances, and which strives to maintain a stable net asset value of \$1.00.

**Mutual Fund.** Investment companies that sell shares to investors, offering investors diversification and professional portfolio management. Prices generally fluctuate with the performance of the fund.

**Net Asset Value.** The ratio of the market value of the portfolio divided by the book value of the portfolio.

**Par.** The value of a security as expressed on its face (face value) without consideration of a discount or premium.

**Pledge.** The grant of a collateral interest in investment securities by the depository bank as assurance of the safety of City deposits.

**Pooled Fund Group.** The combination of various accounts and funds of the City in a single, internally-created investing entity.

**Portfolio.** The collection of securities held by an investor.

**Principal.** The capital sum of an investment, as distinguished from interest.

**Premium.** The difference between the cost price and the face value at maturity in cases where the cost price is higher than the face value.

**Rate-of-Return.** See **Yield**.

**Repurchase Agreement (REPO).** An investment arrangement in which the holder of a security sells that security to an investor (the City) with an agreement to repurchase the security at a fixed price and on a fixed date.

**Reverse Repurchase Agreement.** An investment arrangement by which the City sells a security to a third party, such as a bank or broker/dealer, in return for cash and agrees to repurchase the instrument from the third party at a fixed price and on a fixed date. The City would then use the cash to purchase additional investments. This type of investment is prohibited in the City's portfolio, except to the extent used by local government investment pools with which the City invests.

**Safekeeping.** An arrangement whereby a bank holds securities and other valuables for protection in exchange for a fee.

**Safety.** The assurance of the undiminished return of the principal of the City's investments and deposits.

**Secondary Market.** A market for the purchase and sales of outstanding securities following their initial distribution.

**SEC Rule 15C3-1 (Uniform Net Capital Rule).** Security and Exchange Commission requirement that member firms and nonmember broker/dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1.

**Security.** A financial instrument that signifies an ownership interest, the right to an ownership interest, or creditor status.

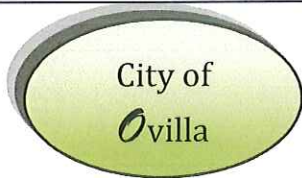
**Security Risks.** The uncertainty of the value of a security dependent on its particular qualities.

**Time Deposits.** Deposits at the depository bank that are not due and payable until a specific date.

**United States Agency Securities.** Debt instruments issued by an executive department, an independent federal establishment, or a corporation or other entity established by Congress which is owned in whole or in part by the United States of America.

**United States Treasury Securities.** Debt instruments issued by the Treasury of the United States. **Treasury Bills** are issued for short-term borrowings (less than one year); **Treasury Notes** are issued for mid-term borrowings (Two - ten years); **Treasury Bonds** are issued for long-term borrowings (over ten years).

**Yield.** The rate of annual income return on an investment, expressed as a percentage.



## AGENDA ITEM REPORT

Item: 6

Meeting Date: January 14, 2019

Department: Administration/Public Works

☒ Discussion ☒ Action

Budgeted Expense: ☒ YES ☐ NO ☐ N/A

Submitted by: John R. Dean, Jr., CM

Amount: \$TBD

Reviewed By: ☒ City Manager ☒ City Secretary ☐ City Attorney

☐ Accountant ☒ Other: PW Director B. Piland

### Attachments:

1. Sketch

### Agenda Item / Topic:

**ITEM 6. DISCUSSION/ACTION** – Receive recommendation from the Park Board to consider action on the design of a park pavilion in Founders Park.

### Discussion / Justification:

During their December 2018 and January 2019 Board meetings, the Park Advisory Board discussed and shared designs and ideas for a pavilion to be constructed in Founders Park. The Board voted on a sketch for their idea of what they believed to be suited for Ovilla.

This follows the City's Strategic Plan as well as the recently approved and adopted 2018 Parks Master Plan.

\$75,000 was budgeted for this project in the FY 2019 budget.

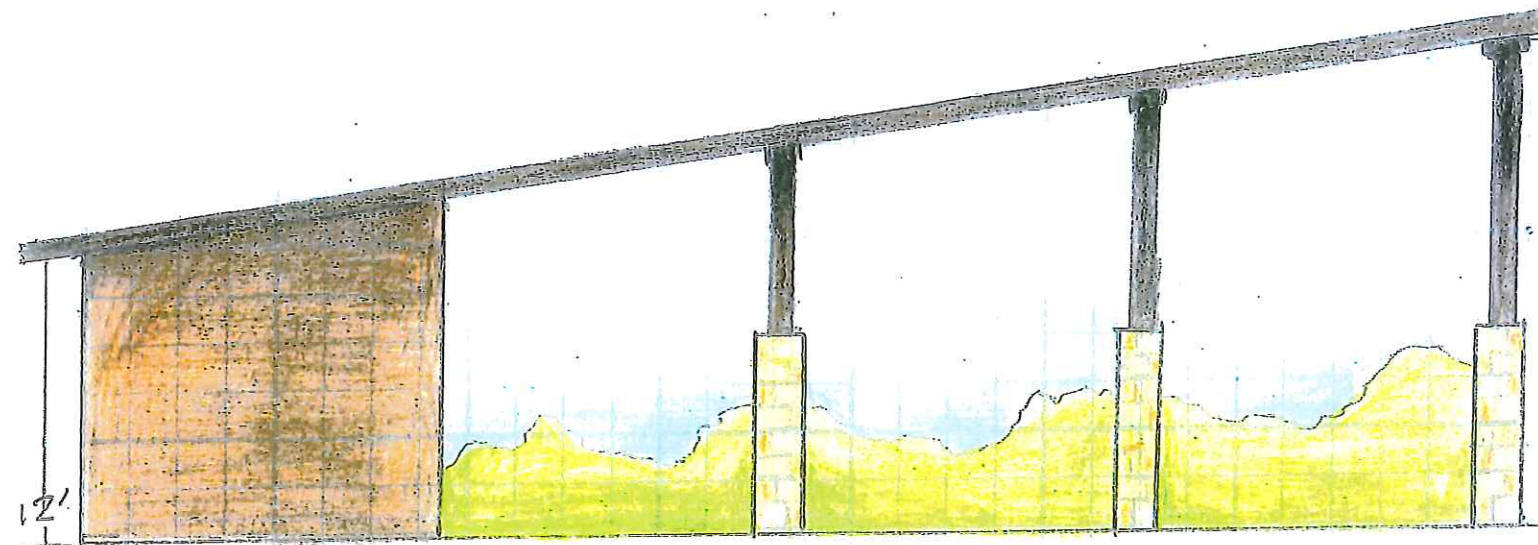
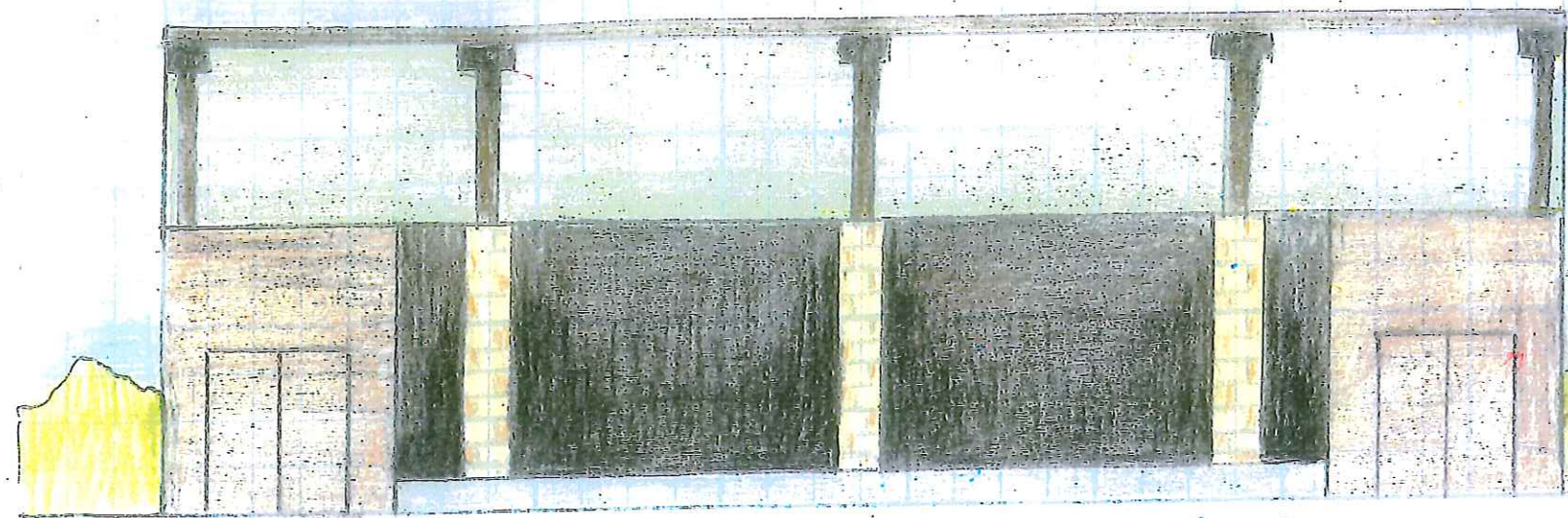
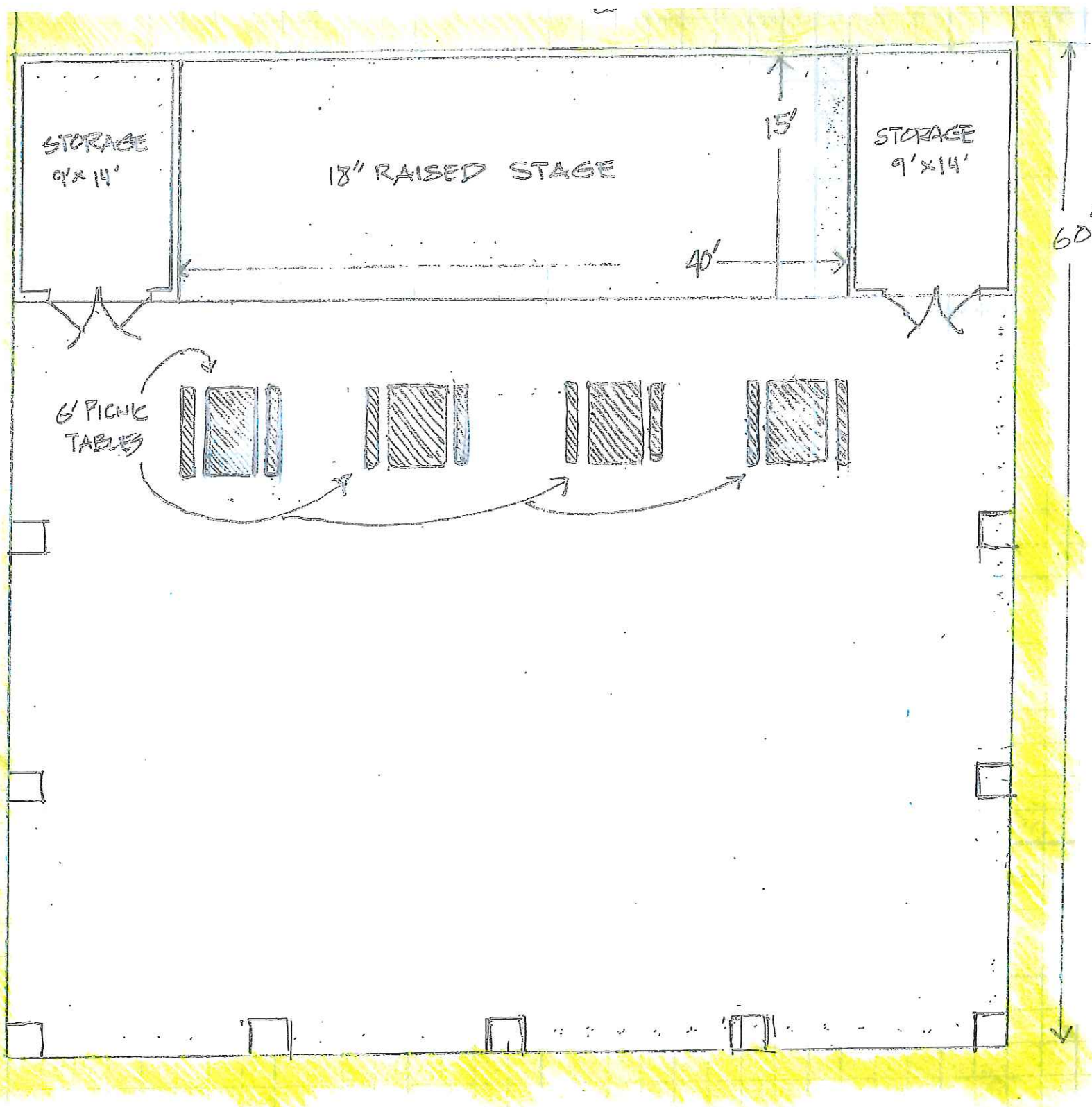
### Recommendation / Staff Comments:

Staff recommends approval.

### Sample Motion(s):

I move to approve/deny the presented design for a park pavilion in Founders Park and authorize the City Manager to move forward with the engineering necessary for the project.





CONCEPT DRAWING FOR OVILLA FOUNDER'S PARK PAVILION



## AGENDA ITEM REPORT

Item: 7

Meeting Date: January 14, 2019

Department: Administration/Public Works

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☒ NO ☐ N/A

Submitted by: John R. Dean, Jr., CM

Amount: \$26,500.00

Reviewed By: ☒ City Manager ☒ City Secretary ☐ City Attorney

☐ Accountant

☒ Other: PW Director B. Piland

### Attachments:

1. Work Order

### Agenda Item / Topic:

ITEM 7. **DISCUSSION/ACTION** – Consideration of and action on the work order for engineering services for the repair of the Water Street bridge.

### Discussion / Justification:

This work order will allow the City Engineers to design, bid and oversee the repairs to the Water Street bridge after the damage from the September 2018 flooding.

### Recommendation / Staff Comments:

Staff recommends approval.

### Sample Motion(s):

I move to approve/deny the work order for engineering services for the repair of the Water Street bridge as presented.





DESIGNING CONFIDENCE

## WORK ORDER No. 1

### CITY OF OVILLA MASTER SERVICE AGREEMENT

**Date** January 9, 2019 Rev2

**Client** John Dean, MPA, ICMA-CM  
City Manager  
City of Ovilla  
105 S Cockrell Hill Road  
Ovilla, Texas 75154  
(972) 612-2762  
JDEAN@cityofovilla.org  
(Delivered via email)

**Project Name and Location** Water Street Bridge Improvements  
Ovilla, Texas 75154

As requested, EIKON Consulting Group, LLC (EIKON) is pleased to submit this proposal for professional design services related to the above referenced project. Our proposed Scope of Services, Assumptions, Deliverables, Schedule and Fee are outlined below. Terms and Conditions are as executed per contract dated July 19, 2018.

#### General Project Description

We understand that this project consists of survey and engineering design for bridge and creek improvements for repair and rehabilitation to the existing Water Street bridge over Red Oak Creek. The two-lane roadway bridge is located west of the Water Street and FM 664 intersection.

The existing bridge is a 109' long, three simple span, reinforced concrete pan girder bridge on concrete abutments. Design services include a bridge inspection and design of improvements to remedy items outlined in the 2017 TXDOT Bridge inspection report. Improvements will also include design of transition from bridge into upstream channel grading (by Ellis County), including gabions, and/or concrete armoring of the creek wash-out area adjacent to the bridge for added erosion protection, and downstream channel grading.

Bidding and construction administration services are also included as optional services that would occur on an as-needed, hourly basis

#### Scope of Services (Exhibit A)

##### Description of Services

###### Structural

- EIKON will perform a structural evaluation of the existing bridge structure and provide recommendations
  - The evaluation will be based on a visual observation, any plans available and experience
  - Analysis includes review of the latest TXDOT Bridge Inspection report

- Bridge Embankment Design – removal of concrete panels that have eroded and design of new concrete slope protection under the bridge.
- Design of miscellaneous bridge repairs for:
  - Concrete deck cracking;
  - Gabions and creek armoring to protect from scour and erosion;
  - Backfill of erosion at the NW wingwall; and
  - Backfilling/protection of exposed drilled shafts.
- Development of Specifications (On Plan or Manual)
- Job Site Visits as Necessary (1 assumed)

#### **Civil**

- EIKON will prepare construction plans that will include the site improvements suitable for construction and bidding. EIKON will prepare the following design plans:
  - Existing Conditions and Demolition Plan
  - Grading, Erosion Repair and Creek Armoring Plan
  - Recommended Erosion and Sediment Control Plan and Details
  - Site Construction Details
  - Development of Specifications (On Plan or Manual)
- We assume that the Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) will be prepared by the Contractor. If the Client prefers, EIKON will subcontract this service and provide the SWPPP and NOI as a reimbursable expense.
- Permitting and approvals are anticipated to be limited to the City of Ovilla. EIKON will respond to two (2) sets of City comments on design plans and resubmit to the City for approval.
- EIKON has included hours to attend up to two (2) project design meetings with the Client to coordinate the project through the submittal process and discuss design comments.
- EIKON would be pleased to attend additional project meetings at the Client's request at an hourly basis of compensation plus reimbursable expenses. However, these will be pre-approved prior to meeting.
- Job site visits during construction as necessary (1 assumed)

#### **Topographic Survey**

EIKON will subcontract with a Registered Professional Land Surveyor to complete a topographic survey for the project area. Existing above grade features such as structures, water and wastewater service locations and mains, inlet and storm drain flow lines, franchised utility locations, contours and other features will be obtained as determined from above ground Texas 811 markings, on-the-ground observation of features and appurtenances, and available City record drawings.

#### **Construction Administration**

EIKON will perform construction administration services on an as-requested, as-needed basis for the City of Ovilla.

Services may include:

- Contract Documents and Bid Proposal
- Bidding Assistance
- Construction Kickoff Meeting and Occasional Site Meetings with Contractor
- Checking Shop Drawings
- Answering RFIs
- Clarification of Drawings as Requested
- Site Observations
- Project Close Out

#### Assumptions

- Client will provide necessary information for timely completion of the project.
- EIKON will not provide the following services:
  - Continuous on-site Observation or Quality Control
  - Construction Materials Testing
  - Permitting
  - Opinion of Probable Cost
  - On site Construction Administration.
  - Review of contractor's application for payment.
- Special inspections (if required) shall be performed by a third-party company.
- American Disabilities Act (ADA) or Texas Accessibility Standards (TAS) review may be required and will be a reimbursable expense
- EIKON's fee assumes that the project will progress in a continuous and orderly fashion and we will expedite the project as much as practical. Significant project delays through no fault of EIKON may be basis for negotiation of additional fee for professional services.
- In the event that additional work is required in connection with this project, we propose to complete the work on an hourly basis at our current rates then in effect. Prior to the start of any new work, we will identify a Scope of Work with associated tasks, submit a budgetary cost estimate, and a proposed work schedule for your approval.
- Changes in design by the Client and/or the Owner after conceptual design is completed and/or after any City submittals and/or approvals will be an extra service requiring a separate proposal/Additional Services Request.
- Permitting and Approval by Local (City) or County will be coordinated.
- Construction as-built drawings are not included.

#### Deliverables

- EIKON will deliver 2 sets of 24"x36" size drawings to the client at 90% and 100%
- EIKON will submit PDF format electronic drawings

#### Schedule (Exhibit B)

The construction drawings will be completed in approximately 30 days from completion of the topographic survey.

#### Fee (Exhibit C)

- Fixed Fee and hourly (refer to the scope of services and assumptions):
  - Structural: \$6,000
  - Civil: \$10,500
  - Survey: \$5,000
  - Construction Administration: \$5,000 (Hourly, NTE)
  - TOTAL: \$26,500**

Out-of-pocket expenses (reimbursable expenses) will be billed at cost plus 10% not to exceed \$1,000.00.

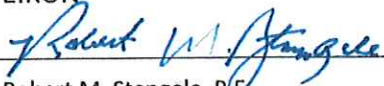
Invoices are processed monthly and are based on percent complete.

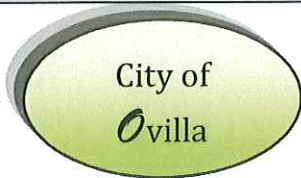
Fees shall be paid within thirty (30) days after the delivery of an invoice from EIKON.

## Notice to Proceed

EIKON must receive (by fax, email, or regular mail) this signed services agreement. This proposal will remain in effect for thirty (30) days.

IN WITNESS WHEREOF, the parties have entered into this Agreement as of the date set forth above.

EIKON		CLIENT	
By:	<u></u>	By:	_____
Name:	<u>Robert M. Stengele, P.E.</u>	Name:	_____
Title:	<u>Director of Civil Engineering</u>	Title:	_____
Date	<u>January 9, 2019</u>	Date:	_____



# Ovilla City Council

## AGENDA ITEM REPORT

Item: 8

Meeting Date: January 14, 2019

Department: Administration/Public Works

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☒ NO ☐ N/A

Submitted by: John R. Dean, Jr., CM

Amount: N/A

Reviewed By: ☒ City Manager ☒ City Secretary ☐ City Attorney

☐ Accountant

☐ Other: PW Director B. Piland

### Attachments:

N/A

### Agenda Item / Topic:

**ITEM 8. DISCUSSION** – Consideration of city facilities current and future needs.

### Discussion / Justification:

This Item was requested of the Mayor by Mr. Myers to be placed on the agenda. This is in the Strategic Guide and was to be considered in FY 2019.

Mr. Myers request below:

“Please ad a discussion for future plans/planning for our city infrastructure to the agenda for the Jan 2019 meeting. I think it's time we decide what we need to do about city hall and the police department. Do we need new facilities or just remodels. In what order do we need to make the changes and how are we going to pay for it. I am concerned that we are just talking about this, but no action is being taken to start planning and pricing this out for the 2020 budget and beyond. I would be interested to know how the other council members feel we should proceed. ( if at all)”

### Recommendation / Staff Comments:

### Sample Motion(s):

Discussion only.



## AGENDA ITEM REPORT

Item: 9

Meeting Date: January 14, 2019

Department: Administration/Public Works

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☒ NO ☐ N/A

Submitted by: John R. Dean, Jr., CM

Amount: N/A

Reviewed By: ☒ City Manager ☒ City Secretary ☐ City Attorney

☐ Accountant

☐ Other: PW Director B. Piland

### Attachments:

Ordinances 459 and 460

### Agenda Item / Topic:

ITEM 9. *DISCUSSION* – Update on Park Development Fee.

### Discussion / Justification:

A Park Development Fee was adopted in November 2004. The fee was established to be \$334.52 per dwelling unit of new residential construction. This fee is still in place. The fee was based on the 2000 Comprehensive Land Use Plan and estimated park improvements of \$375,000 and the construction of 1,121 new dwelling units over the preceding ten years. The plan was to be reviewed and updated every five years.

The basis of the fee can now be based on 2016 CLUP and the 2018 Parks Master Plan.

Park Development Fees of other nearby cities:

Red Oak - \$700 PDU

Cedar Hill - \$2,256 PDU

Lancaster - \$1,400 PUD

Ovilla - \$334.52 PDU

We would like to move forward with looking at the current plans and projected expenses to revise the current ordinance to reflect projected needs of our current plans.

### Recommendation / Staff Comments:

### Sample Motion(s):

Discussion only.

ORDINANCE NO. 459

**COPY**

**AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, ADOPTING AND ESTABLISHING A PARK DEVELOPMENT FEE FOR NEIGHBORHOOD PARK FACILITIES; ESTABLISHING A SPECIAL FUND; PROVIDING FOR APPEALS AND REFUNDS; CONTAINING A SAVINGS CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Ovilla, Texas, finds and determines that residential development, as defined herein below, results in an increase of population, which in turn necessitates additional parkland and park improvements; and

**WHEREAS**, the City Council of the City of Ovilla, Texas finds and determines it is in the best interests of the citizens of Ovilla, Texas to insure that residential developments will provide sufficient land for parks and provide for the development of park improvements and amenities to meet the demand for future neighborhood parks; and

**WHEREAS**, the City Council finds and determines the best way to achieve the above described goal is to establish a park development fee for residential development to assure that park facilities are available and adequate to meet the needs created by the development;

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

**SECTION 1. PURPOSE AND INTENT**

(a) This Ordinance is adopted to provide recreational areas and amenities in the form of neighborhood parks in the City. The City Council finds that recreational areas, in the form of neighborhood parks and related amenities and improvements, are necessary and in the public welfare, and that the appropriate procedure to provide for same is to impose such a requirement into the procedure for issuance of building permits for dwelling units in the City.

(b) The requirements for park and recreational areas contained in this Ordinance are intended to ensure that there will be sufficient land and improvements to meet the demand and need of the future residents for open space and parks. New residential development or an increase in density by redevelopment in existing neighborhoods creates the need for additional park and recreation facilities. In determining the fee, the City has considered the projected growth in population and development within the City and the amount of neighborhood park facilities needed to accommodate such growth as stated in the standards of the "Future Land Use Plan" of the City of Ovilla Comprehensive Land Use Plan 2000 and the Park Improvement Plan. These standards are the basis for the adoption and application of this Ordinance.

## SECTION 2. DEFINITIONS



For purposes of this Ordinance only, the terms that follow shall have the meanings set forth herein.

**"Benefit Area"** – a neighborhood park benefit area.

**"Building Permit"** – the permit required for new residential construction and/or additions to buildings pursuant to the Code of Ordinances of the City of Ovilla.

**"City"** – the City of Ovilla, Texas.

**"City Administrator"** - The ranking official of the City of Ovilla or the Administrator's designated representative.

**"City Council"** – the City Council of Ovilla, Texas.

**"Development"** – any activity that requires the securing of a building permit for residential uses.

**"Development Fee"** – a fee imposed for the purpose of funding neighborhood park facilities.

**"Dwelling"** – means any building, or portion thereof, designed exclusively for residential occupancy and containing one or more Dwelling units.

**"Dwelling unit"** – one or more rooms arranged, designed, or used as separate living quarters for an individual family, which contains kitchen facilities (only one per dwelling unit permitted), including at least a stove or cooking device, and permanently installed sink, plus bathroom facilities.

**"Household"** – a family living together in a single dwelling unit, with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the Dwelling unit.

**"Linear Park Facilities"** – land and/or capital improvements used as a linear park, including recreational facilities, vegetation, pedestrian ways and bikeways, access improvements and utilities.

**"Neighborhood Park"** – a park used for a variety of outdoor recreational opportunities and within convenient distances from a majority of the residences to be served thereby.

**"Neighborhood Park Benefit Area"** – an area within the City which is delineated on Exhibit "A", attached hereto and incorporated by reference herein, and within which development fees for park facilities will be collected for new development occurring within such area and within which fees so collected will be expended for those facilities.

**"Neighborhood Park Facilities"** – capital improvements used or to be used as a neighborhood park, including land, improvements, recreational facilities, landscaping,

pedestrian and bikeways, access to the improvements and utilities linear park facilities which are to be financed in whole or in part through the imposition of development fees.

**"Park Facilities"** – Capital improvements used or to be used as a neighborhood park, including improvements, recreational facilities, playground equipment, picnic shelter, walking trail, multi-use slab with weatherproof basketball backboard and goal, site grading and preparation, turf and vegetation, lighting, parking, landscaping, pedestrian and bikeways, which may be financed in whole or in part through the imposition of development fees.

**"Park Improvements Plan"** – the adopted plan, as may be amended from time to time, which identifies those neighborhood park land and facilities and the average costs for each type of facility which are to be financed in whole or in part through the imposition of development fees pursuant to this ordinance and which is attached hereto as Exhibit "B" as incorporated by reference herein.

**"Parks and Recreation Open Space Master Plan"** – the officially adopted document of Ovilla and amendments thereto, including policies or strategies that may be contained in the City's Comprehensive Plan.

**"Property"** – a legally described parcel of land capable of development pursuant to applicable City ordinances and regulations.

**"Property Owner"** – any person, group of persons, firm or firms, corporation or corporations, or any other entity have a proprietary interest in the land on which a building permit has been requested.

**"Public and Quasi-Public Use"** – a development owned, operated or used by the City; any political subdivision of the State, including but not limited to school districts; the State, any agencies or departments thereof, the Federal Government, and any agencies or departments thereof.

**"Residential Development"** – the development of any property for a dwelling or dwellings, other than motels, hotels, or shelters used temporarily for transients, and other similar uses, as indicated by an application for a building permit.

**"Zoning Ordinance"** – the Zoning Ordinance of the City of Ovilla and including all duly adopted amendments thereto

### **SECTION 3. PARK DEVELOPMENT FEE**

(a) A Development Fee is hereby imposed on all residential development for the purpose of assuring that Park Facilities are available and adequate to meet the needs created by such development while maintaining current and proposed parks and recreation standards pursuant to the Comprehensive/Parks Improvement Plan. The park Development Fee shall be imposed by the City on all residential development at the time of application for a building permit and all fees collected shall be used solely and exclusively for the purpose of acquisition and development of Park Facilities reasonably attributable to residential dwelling units charged the fee.

(b) The Development Fee shall not be imposed on any residential development for which a completed application for a building permit has been received and accepted by the City and permit fees have been paid, on or before the effective date of this Ordinance.

(c) This Ordinance shall be uniformly applicable to residential development but does not apply to activities involving the remodeling, rehabilitation or other improvements to an existing residential structure, or to the rebuilding of a damaged structure or to permits required for accessory uses, unless such activity results in a new dwelling.

(d) For purposes of this Ordinance, property is "served by" Park Facilities when funds collected for such facilities have been spent for facilities identified in Park Improvements Plan within 10 years from the date of collection within the Benefit area in which the property is located.

(e) Imposition of the Development Fee does not alter, negate or otherwise affect any other requirements of City, County, State or Federal legislation or regulations that may apply to a development, including City zoning and/or subdivision regulations that may impose open space and park requirements.

(f) The provisions of this Ordinance shall not be construed to limit the power of the City to utilize other methods authorized under State law or pursuant to other City powers to accomplish the purposes set forth herein, either in substitution or in conjunction with this Ordinance.

#### **SECTION 4. PARK BENEFIT AREAS AND CALCULATION OF FEE**

(a) There are hereby established one Neighborhood Park Benefit Area, which is designated on the map attached hereto as Exhibit "A"; and incorporated by reference herein. (e) Benefit Area boundaries may be amended from time to time by ordinance of the City Council.

(b) There is hereby established a Park Improvements Plan, attached hereto as Exhibit "B" and incorporated by reference herein, which identifies for each Benefit Area Parks Facilities and the average costs for each type of facility, which are to be financed in whole or in part through the imposition of Development Fees. The Plan shall be reviewed and updated at least every five years by ordinance of the City Council.

(c) The maximum Development Fee shall be calculated separately for each Neighborhood Park Benefit Area, by dividing the average cost of the type of park facility for the benefit area by the expected number of households to be served by such facility. For, if the Parks Improvements Plan reflects an estimated cost of \$500,000 for land and improvements for park for a Benefit Area, and the Comprehensive Plan estimates that 1,000 dwelling units will be constructed within the Benefit Area over the next 10 years, the maximum fee per dwelling unit will be calculated as follows:

$$\frac{\$500,000}{1,000} = \$500 \text{ per dwelling unit.}$$



(d) The City Council may establish a Development Fee in an amount less than the maximum permitted fee. If the City Council chooses to establish a fee in an amount less than the maximum permitted fee, the City shall adopt by ordinance two development fee schedules, which may be amended from time to time, which shall establish development fees for each such benefit area. The schedules shall be stated in the form of fees per residential dwelling unit. Schedule 1 shall be the maximum Development Fees which can be imposed on new residential development within each benefit area and Schedule 2 shall be the Development Fees.

(e) The amount of the Development Fee will be determined by multiplying the number of proposed lots reflected in the application for a building permit by an amount specified in the Ovilla Fee Schedule for the Development Fee. The park development fee shall be calculated separately for each neighborhood, by dividing the average cost of the type of park facilities for the Benefit Area by the expected number of households to be served by such facilities.

(f) A subdivider may propose dedication of park land or the construction of park improvements in conjunction with an application for approval of a plat of a residential development. The City may chose to accept the dedication of park land and/or construction and/or Park Facilities at the time of consideration of the application for plat approval. If the City wishes to accept the dedication and/or construction of park facilities, the City and the subdivider shall enter into a reimbursement contract which shall provide a credit against Development Fees due for the development. The City shall retain sole discretion to determine whether to accept proposed contributions of park land or park improvements, and the timing and extent of park improvements.

## **SECTION 5. COLLECTION OF PARK DEVELOPMENT FEE**

(a) An applicant for a building permit for residential development subject to this Ordinance must submit, on a form provided by the City, the proposed number of dwelling units in this development.

(b) Upon receipt of an application for a building permit, the City Administrator shall calculate the amount of the applicable development fee due for the development by first determining the applicable Development Fee rate on Schedule 2, by component fee, for the benefit areas in which the property is located. The component fee then shall be multiplied by the number of dwelling units for which approval is being sought. The Schedule 2 rate in effect at the time of application for the permit shall be used to calculate the Development Fees, except as provided in Subsection (d) below.

(c) The City Administrator shall collect the applicable development fee prior to or at the time of issuance of a building permit. In the event that the number of dwelling units proposed at such time has changed since the application for the building permit was filed, the City Administrator shall recompute the development fee using the method set forth in Subsection 4(b) except that the fee for any additional units shall be based on the development fee rate then in effect.

(d) If a building permit for which a development fee has been paid has expired and a new application is filed, the development fee due shall be computed on the basis of the

development fee rate in effect at the time of the new application, with credit for payment of the old fee being applied against the new rate.

**COPY**

(e) An applicant may appeal a decision by the City Administrator to the City Council as to the applicability of the development fee Ordinance, the exemption of the residential development, or the amount of the Development Fee due in the manner provided in Section 11.

## **SECTION 6. EXPENDITURE OF PARK DEVELOPMENT FEES**

(a) Except as provided in Subsection (b), Development Fees collected for each Benefit area pursuant to this Ordinance must be used solely for the purpose of funding the acquisition of park land and/or improvement of park facilities for such benefit area in accordance with the Park Improvement Plan or for reimbursement to the City for such acquisition and/or improvements.. Development fees collected within a Neighborhood Park Benefit Area also may be used to acquire and/or improve linear park facilities within such Benefit Area, or, to acquire and/or improve neighborhood park facilities within an adjoining Neighborhood Park Benefit Area, subject to the provisions in Subsection (b) hereof. Eligible costs include, but are not limited to land acquisition, including costs of eminent domain, recreational equipment purchase and installation of improvements and amenities, utility installation and relocation, vehicular and pedestrian access, and the planning, engineering and design of the park and its improvements. Development fees may also be used to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the City to finance such park facilities.

(b) The City may transfer Development Fees from the account of a Neighborhood Park Benefit area to an adjoining Neighborhood Park Benefit Area to acquire or construct neighborhood park facilities in the adjoining benefit area; provided that the neighborhood park benefit area from which funds are transferred is at the time of the transfer adequately served by neighborhood park facilities, or that the acquisition and/or development of linear park facilities in the benefit area or in the adjoining Neighborhood Park Benefit Area substantially satisfies the need for neighborhood park facilities on a temporary basis, and further provided that such funds are repaid to the Neighborhood Park Benefit Area from which funds are borrowed, either from funds of the linear park benefit area or from other City park revenues, within a period not to exceed five years.

(c) Development Fees collected shall not be used to maintain, repair or operate the existing park system, nor to finance park and recreational activities other than Park Facilities as herein described.

## **SECTION 7. PARK DEVELOPMENT FEE FUND**

(a) The City Administrator shall establish a separate, interest-bearing Fund into which all Development Fees collected shall be deposited, segregated by Benefit Area. Funds collected within each Benefit Area designated in Exhibit "A" shall be earmarked for expenditure solely for acquisition of Park Facilities and/or improvements within such Benefit Area pursuant to the Parks Improvement Plan.



(b) Interest earned on development fees shall be considered funds of the Development Fee account and shall be used solely for the purposes specified for the funds of such account.

**COPY**

## **SECTION 8. REFUND OF PARK DEVELOPMENT FEE**

(a) The current property owner on which a Development Fee has been paid may apply for a refund of such fee if:

1. the property on which a Development Fee has been paid has not been served by Park Facilities, within 10 years from date of collection;
2. the building permit for a residential development, pursuant to which a Development Fee has been paid, has expired, or has been withdrawn, and no application for extension or renewal has been made.

(b) Only the current property owner may petition for a refund. A petition for refund must be filed within one year of the event giving rise to the right to claim a refund.

(c) A petition for refund under Subsection (a) must be submitted to the City Administrator on a form provided by the City for such purpose. The petition must contain: a certified copy of the latest recorded deed for the subject property; current legal description; and a statement of the reasons for which a refund is sought.

(d) If the City Administrator determines that the total development fees collected for the benefit area for a period of 10 years from the date of collection of the development fee for the development for which a refund is being sought exceed the total expenditures from the Development Fee account for the Benefit Area for the same period. The refund amount shall be the development's pro rata share of the excess of fees collected over expenditures, together with interest earned on such amount for the period. The City may periodically compute the difference between expenditures and fees collected for purposes of reviewing refund requests under this subsection.

(e) Within one month of the date of receipt of a petition for refund, the Administrator must provide the petitioner, in writing, with a decision on the refund request. The decision must include the reasons for the decision. If a refund is due petitioner, the City Administrator shall process a refund payment to petitioner.

## **SECTION 10. PROCEDURES FOR UPDATING DEVELOPMENT FEES**

(a) At least once every five years, the City Administrator shall prepare a report to the City Council on Development Fees which shall include:

1. a statement summarizing Development Fees collected and disbursed;

2. a statement summarizing park facilities acquisition and development and the status thereof; and
3. a statement summarizing the administration and enforcement of the Development Fee.

**COPY**

(b) The report shall make recommendations, if appropriate, on amendments to this ordinance; changes in the Development Fee; and changes in the Comprehensive Plan.

(c) Based upon the report and such other factors as the City Council deems relevant, the City Council may amend this Ordinance. If the City Council fails to take such action, the fees then in effect shall remain in effect. Nothing herein precludes the City Council from amending the Development Fee at other times.

(d) In its review, the City Council may take into consideration the following factors: inflation as measured by changes in an appropriate land and construction cost index used by the City; improvement cost increases as measured by actual experience during the year; changes in the design, engineering, location or other elements of proposed park facilities; revision to the Comprehensive Plan; and changes in the projected mix and/or intensity of residential development in the City.

## **SECTION 11. APPEALS**

The property owner or applicant may appeal the following to the City Council:

1. The applicability of the Development Fee;
2. The amount of the fee due; or
3. The amount of refund due.

The burden of proof is on the property owner to demonstrate that the amount of the fee or the amount of the refund was not calculated according to the applicable schedule of fees. The appellant must file a notice of appeal with the City Secretary within 30 days following the determination by the City Administrator. The notice must be accompanied by a bond or other sufficient surety satisfactory to the City Attorney in an amount equal to the development fee due as calculated by the City Administrator. The posting of a bond or other sufficient surety shall result in a stay of the fee imposed.

## **SECTION 12. FEES**

Until changed by the City Council, the Development Fee shall be computed on the basis of \$334.52 per Dwelling unit.

## **SECTION 13. SEVERABILITY CLAUSE**



If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged or for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this ordinance shall not be affected hereby.

COPY

**SECTION 14. PUBLICATION**

The City Secretary of the City of Ovilla is hereby directed to publish the caption and penalty clause of this ordinance in one issue of the official newspaper of the City, as authorized by Section 52.011 of the Texas Local Government Code.

**SECTION 15. REPEAL**

All ordinances or parts of ordinances which are inconsistent or in conflict herewith are hereby repealed.

**SECTION 16. EFFECTIVE DATE**

This ordinance shall take effect and be in full force and effect from and after its passage, approval and publication, as required by law.

**SECTION 17. PENALTY**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

APPROVED AND ADOPTED this the 8<sup>th</sup> day of November, 2004.

William A. "Bae" Turner  
MAYOR

ATTEST:

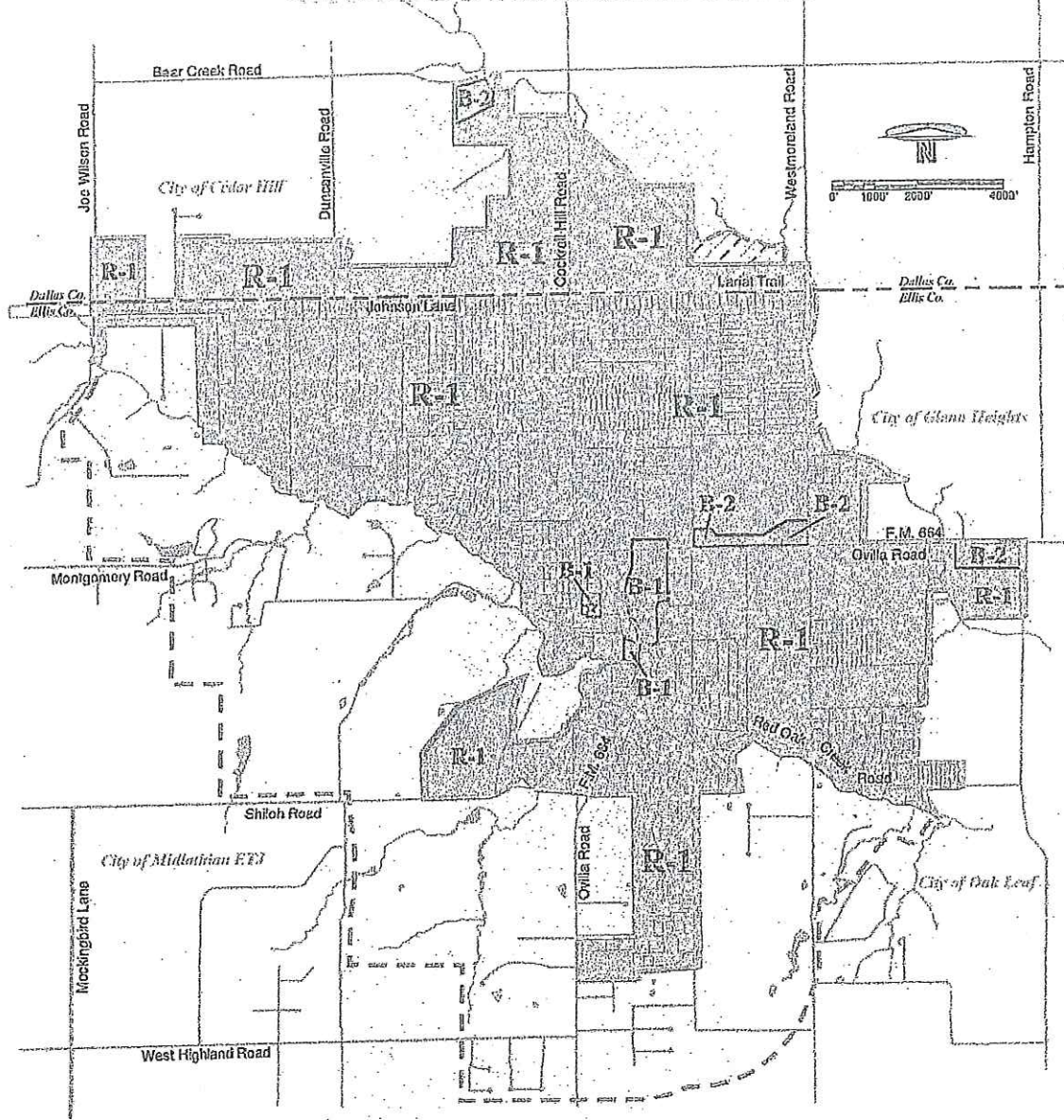
Valma Gould  
CITY SECRETARY



# Exhibit A

**COPY**

## PARK BENEFIT AREA



### Zoning Map Legend



Park Benefit Area

### Map Key

- ☆ City Hall
- Street / Road

Ord.# 459

# Exhibit B

## PARK IMPROVEMENT PLAN

**COPY**

The following represents needed infrastructure improvements to our existing parks, as well as future land needs for park expansion. These infrastructure improvements and acquisitions may be funded through the identified park development fee.

### Heritage Park – 3.2 acres

<u>Improvement</u>	<u>Estimated cost</u>
Parking lot overlay	\$20,000
Jogging/Walking trail overlay	\$25,000
Lighting	\$5,000
Irrigation	\$12,000

### Fellowship Field – 9.5 acres

Parking lot overlay	\$10,000
Irrigation	\$20,000
Lighting	\$5,000
Fencing	\$10,000

### Cindy Jones Park - .15 acre

Parking lot overlay	\$10,000
Irrigation	\$5,000
Lighting	\$5,000
Playground equipment	\$7,500

### Toddler Park - .10 acre

Parking lot overlay	\$5,000
Irrigation	\$3,500
Lighting	\$2,000
Playground equipment	\$5,000

### Future Expansion – 5 acres for parkland

Acquisition of 5 acres at \$30,000/acre	\$150,000
equipment	\$20,000
lighting	\$20,000
irrigation	\$20,000
fencing	\$15,000

**Total estimated improvements** **\$375,000**

Ord. # 459

# Exhibit B (cont' 1)

**COPY**

## Maximum park fee calculation:

Remaining acreage for residential development =	560
Estimated dwelling units in next ten years =	1121 (560 acres x 2 units per acre minimum)

maximum park development fee=	\$334.52 (total estimated park improvements/ estimated dwelling units)
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ORDINANCE NO. 460

COPY

AN ORDINANCE AMENDING ADDING SECTION 27.00 TO APPENDIX A, OVILLA FEE SCHEDULE, OF THE OVILLA CITY CODE AND PROVIDING FOR AN EFFECTIVE DATE:

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

**SECTION I:**

**That new Section 27.00 shall be added to appendix A, Ovilla Fee Schedule, of the Ovilla Code of Ordinances, City of Ovilla, Texas to read as follows:**

**§ 27.00 Park Development Fee**


- (a) A Park Development Fee is hereby imposed on all residential development for the purpose of assuring that Park Facilities are available and adequate to meet the needs created by such development while maintaining current and proposed parks and recreation standards pursuant to the Comprehensive/Parks Improvement Plan. The park Development Fee shall be imposed by the City on all residential development at the time of application for a building permit and all fees collected shall be used solely and exclusively for the purpose of acquisition and development of Park Facilities reasonably attributable to residential dwelling units charged the fee.
- (b) The established fee based on the adopted Park Improvement Plan (Ord. No. 459) is **\$334.52**.

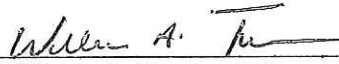
**SECTION II:**

**That this ordinance shall take effect immediately upon its adoption by the City Council of the City of Ovilla, Texas.**

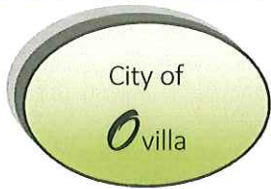
PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, ON THIS THE 22nd DAY OF NOVEMBER, 2004.

ATTEST:

  
Velma Gould, City Secretary

  
William A. Turner, Mayor





# Ovilla City Council

## AGENDA ITEM REPORT

Item 10

Meeting Date: January 14, 2019

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☒ YES ☐ NO ☐ N/A

Submitted By: John R. Dean Jr., CM

Amount: N/A

Reviewed By: ☒ City Manager ☒ City Secretary ☐ City Attorney

☒ Accountant

☒ Other: B. Piland

### Attachments:

1. Strategic Plan

### Agenda Item / Topic:

**ITEM 10. DISCUSSION** – Update on Strategic Plan.

### Discussion / Justification:

The EDC in conjunction with the Park Advisory Board, and with direction from the City Council, approved the 2018 Strategic Plan by the adoption of Resolution R2018-22 in May 2018. This plan gave the City a good base from which to operate.

Noted priorities have since been accomplished or are in the budgeted in FY2018-2019 planning stages:

1. Two Entry/Monument Signs - complete
2. EDC funded the creation of the approved 2018 Master Parks and Recreation Plan, Resolution R2018-29
3. Pavilion with stage and storage design recommended by the Park Advisory Board this month.
4. Purchased land in the downtown district.
5. Acquired 6.4 acres for additional park land.
6. Adopted EDC incentive programs.
7. Established Chapter 380 guidelines for business recruitment, expansion, and retention.
8. Active members of the Best Southwest, Texas Economic Development Council, and International Economic Development Council.
9. Additional restrooms for Founders Park anticipated in the CIP in FY 2020.

There are many things left to be done but we are making a lot of headway.

### Recommendation / Staff Comments:

N/A

### Sample Motion(s):

Discussion only

## 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
2. Create a marketing and branding campaign
3. Adopting financing methods to pay for the improvements

The strategic plan begins by outlining the vision for the city of Ovilla and offers a demographic summary of the City along with other competing municipalities in the area to provide context. It then highlights the City's strengths, opportunities, weaknesses, and threats to economic growth, and desired economic development. The plan ends with economic development goals, strategies, and recommendations.

## 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 Strategic Planning Process

By actively engaging in this strategic plan, Ovilla created an end-product that aids in the economic development decision making process and sends a loud and clear signal that the City of Ovilla is a progressive, prepared, and business-friendly community.

The input used from this strategic plan came from a variety of sources, the Economic Development Corporation Board, City Staff, the Future Land Comprehensive Use Plan, and the Strategic Guide commissioned by the City. Through this input, there is a common thread that runs through all the plans, studies, and comments; keep Ovilla unique, and do not lose the hometown charm with new development.

Other common themes:

- Attract retail and light commercial uses to broaden the city's tax base;
- Develop a vibrant downtown that has a mix of retail, restaurant and office space while enhancing the historic presence of the town;
- Develop a strong parks and open space system;
- Continue to attract high end, executive housing.

The City of Ovilla faces many of the same fiscal and personnel capacity challenges faced by local governments across the nation. While economic cycles cannot always be predicted, the local economy will periodically experience downturns. The City seeks to minimize the impact of economic cycles and maximize its abilities to seize new opportunities – recognizing the balance between growth and livability.

Therefore, in an effort to maximize the city's effectiveness, there has been a deliberate choice to focus on the four actionable priorities. The strategic plan is based on creating a strong economic base while enhancing the quality of life for the residents through:

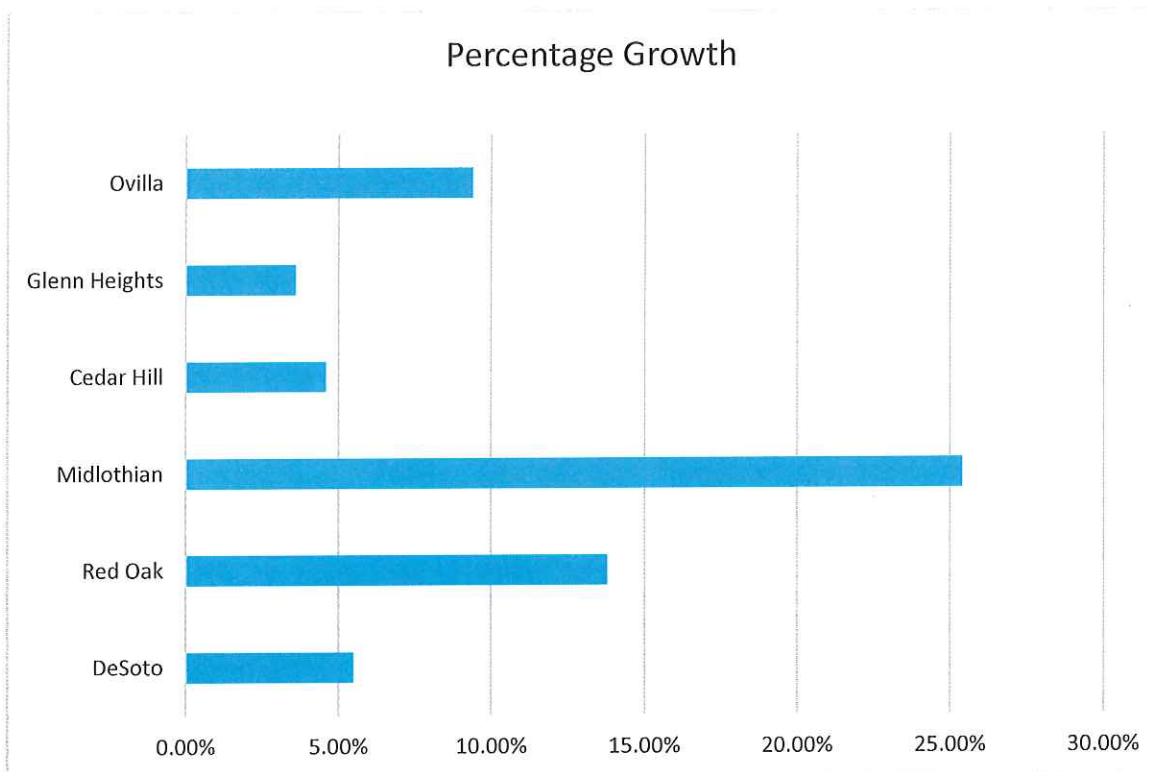
1. Creating a vibrant and active downtown that:
  - a. Give Ovilla a sense of place;
  - b. Is a gathering place for the residents and their family and friends;
  - c. Generates commercial tax revenues for the city;
  - d. Enhances the quality of life for Ovilla residents;
  - e. Is part of a strong park system.
- ~~2. Develop the 20 acres site on Ovilla Road and Westmoreland Road~~
3. Create a strategic branding and marketing campaign
4. Adopting financing methods to pay for the improvements.



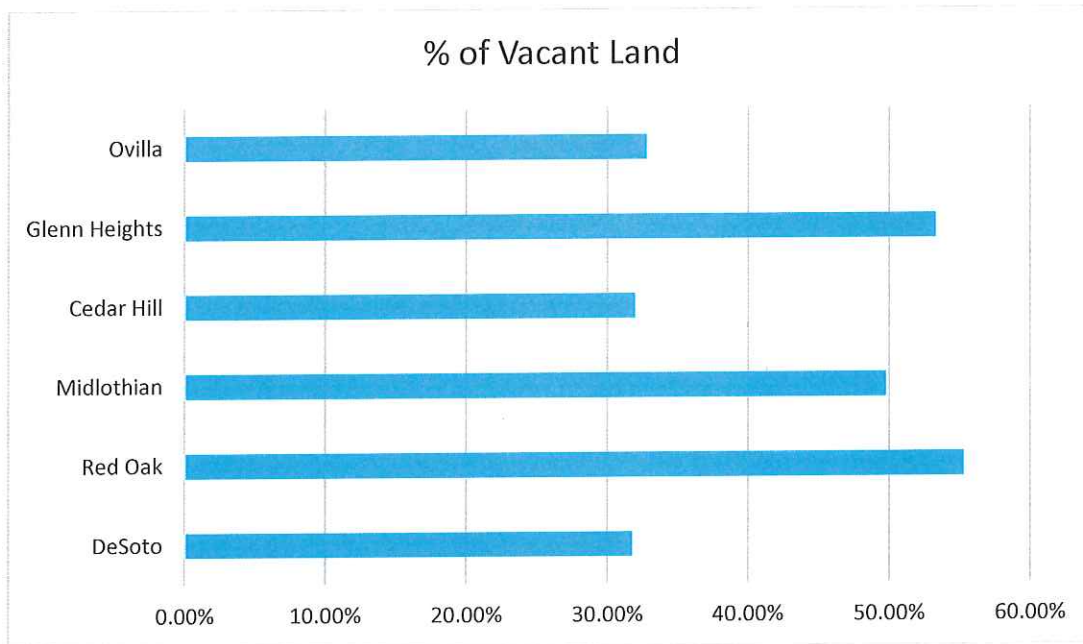
## The Region, Growth, Growth and More Growth

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.



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.

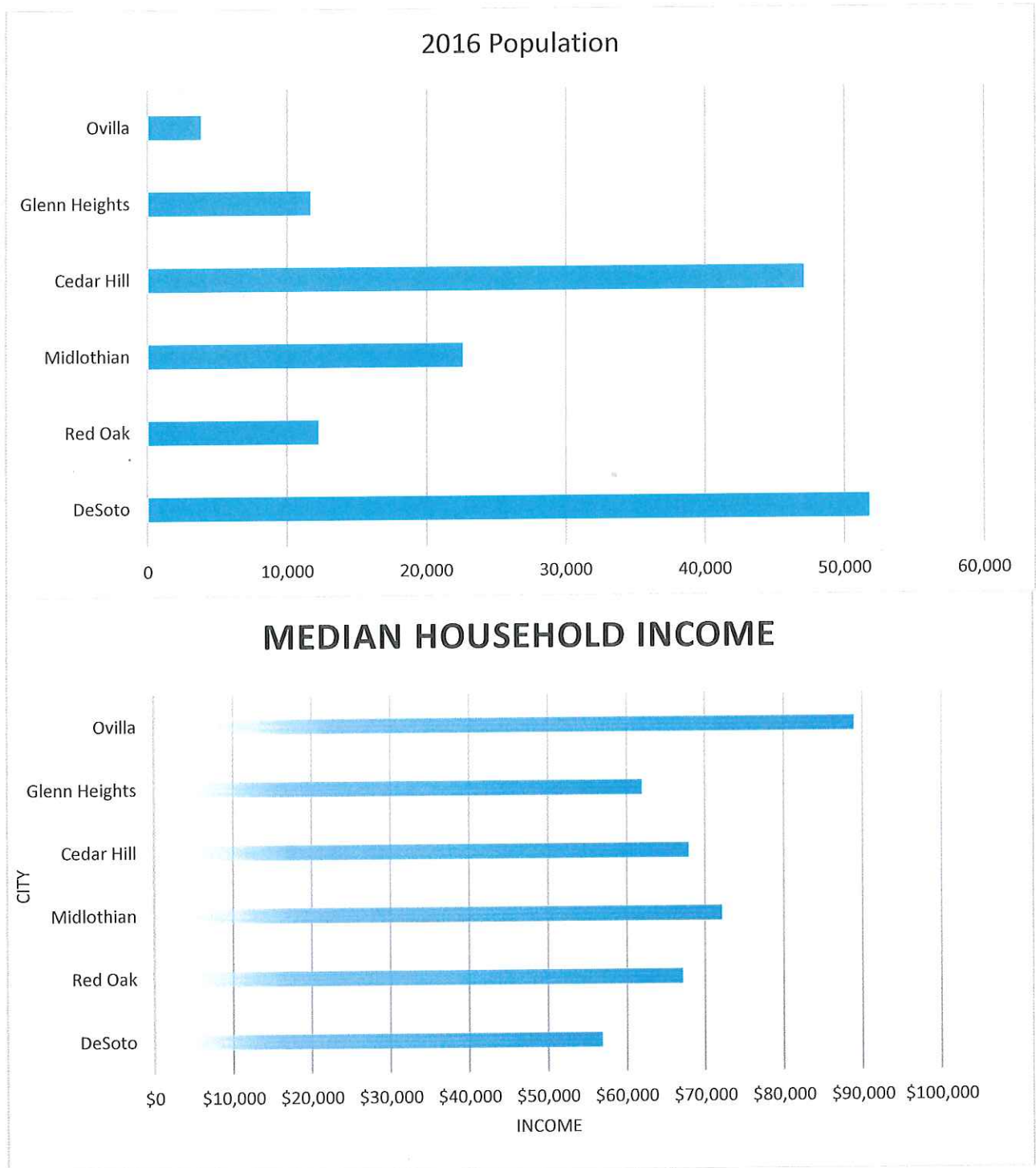


Currently most the development and growth has occurred in Cedar Hill and DeSoto, but Midlothian is in position to experience the most growth in the region. Midlothian is the largest of the six cities and is only 50% developed. Midlothian (population 22,620) is similar in size in terms of acreage as Mesquite (population 142,950), Flower Mound (68,050), Garland (234,300), and Waxahachie (33,480).

Midlothian has an aggressive economic development corporation and is continually attracting new development. The city will have a strong economic influence on the region for years to come. The additional development of Midlothian will push more traffic through Ovilla and will also create more development opportunities.

Midlothian Business Park and Rail Port Business Park will attract new companies to the area and will spur more residential development in the region.

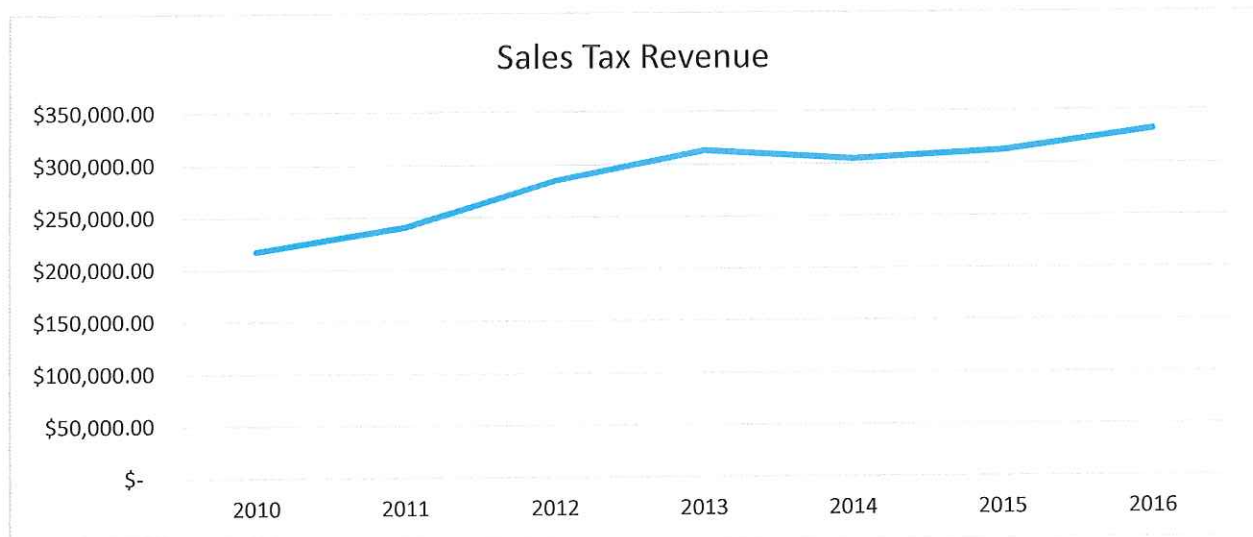
Ovilla is the smallest of the six cities in the region, but the city has the highest median household incomes of the six.





## Ovilla Demographics

Ovilla's demographics are characterized by two main traits, low density and high incomes. Though Ovilla and its neighbors are growing, the lack of density has kept the commercial sector from growing in the city. This is reflected in the flat sales tax receipts for the last five calendar years. However, calendar year 2016 is the highest sales tax revenue year in the history of the City.



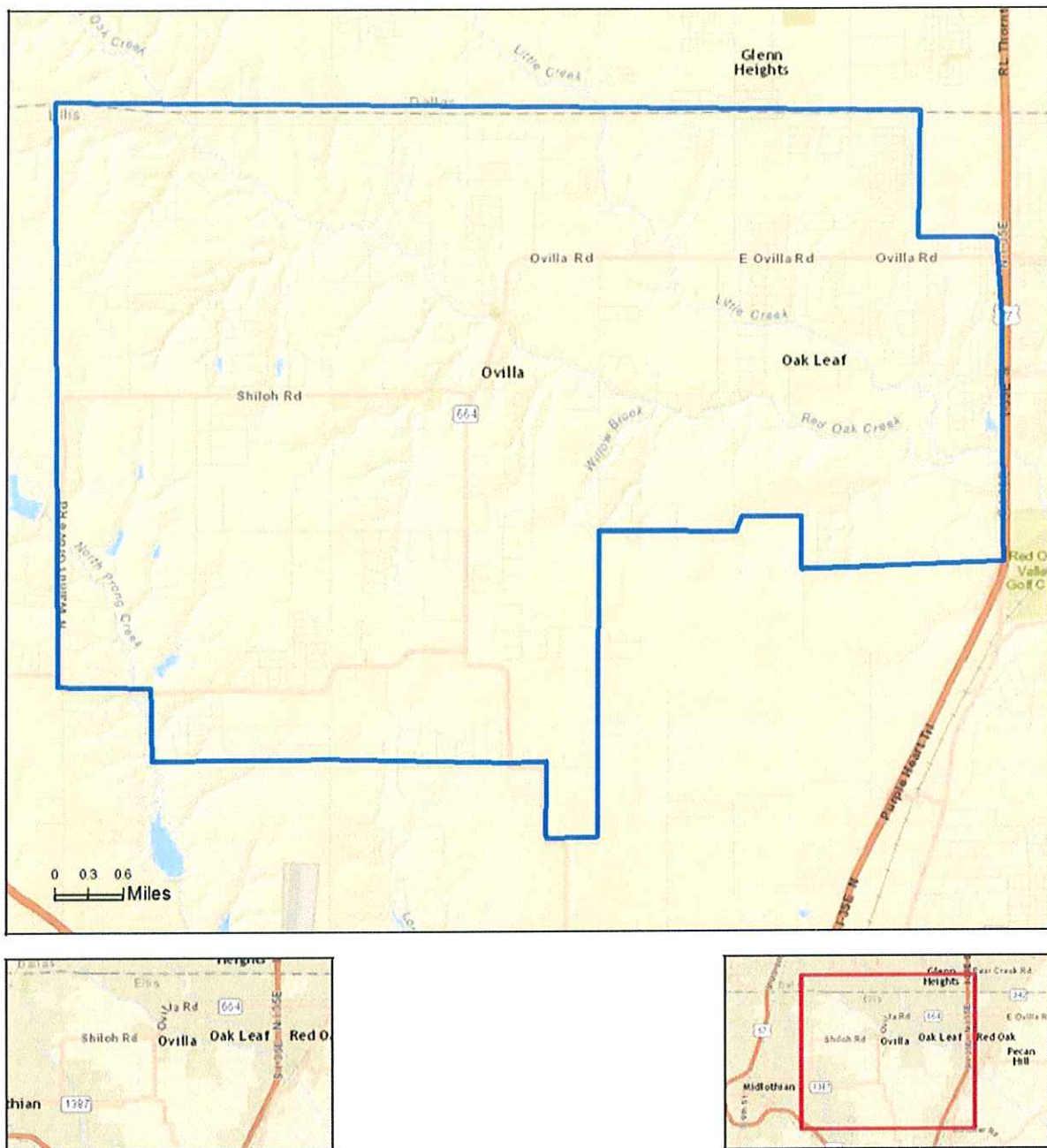
The continued development and growth of Cedar Hill, DeSoto, and Glenn Heights to the north, Midlothian to the south and Red Oak to the east along with the widening of Ovilla Road will help the Ovilla market with increased traffic and density that is necessary for attracting retail and restaurants.

A review of three categories must be conducted to examine the best possible types of retail and restaurants to attract to Ovilla. Those three categories are:

- Demographics;
- Psychographics;
- Leakage report.

The income levels in Ovilla and its trade area will help determine the brand of retailers and restaurants that will locate to the city. The household income levels in the city and its trade area are much higher than the state and national levels.

## 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.

## Demographics

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
Median Home Value	\$213,774	\$230,689

The retail goods and services expenditures indicate a strong Spending Potential Index for:

- Entertainment and Recreation
- Home, such as mortgage payments, maintenance and remodeling services, and utilities
- Financial, which includes value of stocks/bonds/mutual funds, value of retirement plans, value of loan amount and value of other financial assets
- Travel
- Transportation
- Household furnishings and equipment
- Food

Within the recreation expenditures, the categories that score the strongest spending potential index are:

- Recreation vehicles and fees
- Entertainment/Recreation Fees and Admissions, which includes:
  - Tickets to Theatre/Operas/Concerts
  - Tickets to Movies/Museums/Parks
  - Admission to sporting events
  - Fees for participant sports
  - Fees for recreation lessons
- Sports, Recreation and Exercise Equipment

The Market Potential Index (MPI) is stronger for sit down restaurants than fast food restaurants. The more popular national sit-down restaurant chains are:

- Red Robin
- Texas Roadhouse
- Outback Steakhouse
- Olive Garden
- Chili's Bar and Grill



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

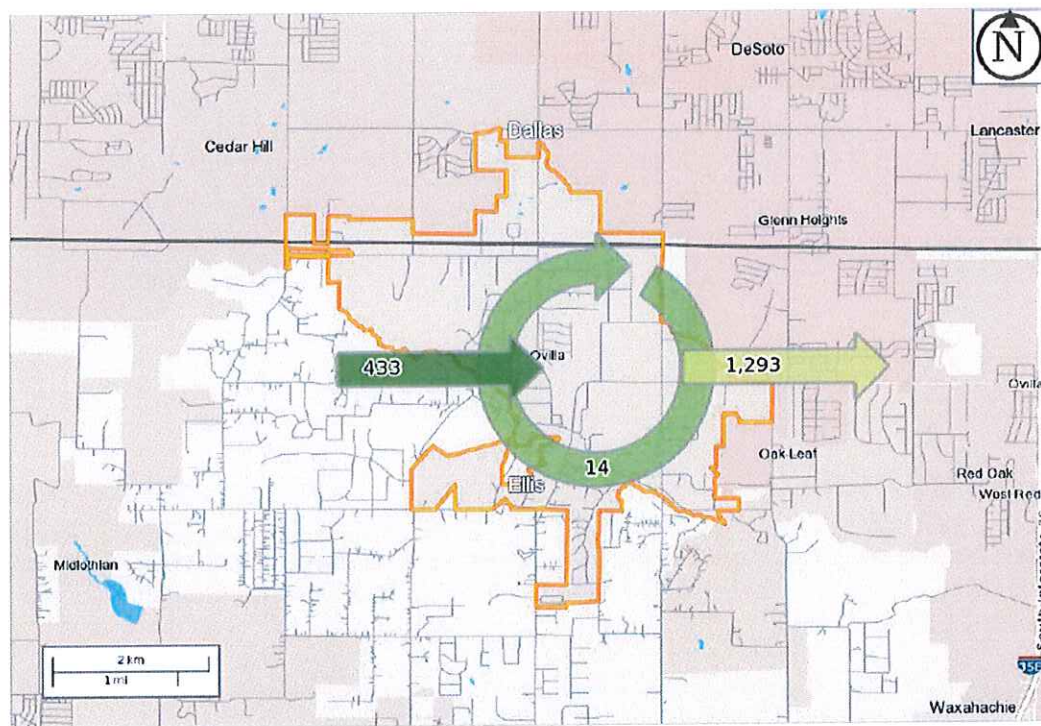
Note: An MPI measures the relative likelihood of adults in the specified trade area to exhibit consumer behavior or purchasing patterns compared to the U.S. An MPI of 100 represents the U.S. average

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

## Workforce

According to the U.S. Census Bureau, in 2013, Ovilla had 447 jobs within the city, but 1,293 residents were employed outside the community. This is a hardship on the existing restaurants in town because the daytime population is low. For restaurants to be successful they must have good traffic during two meal times, either breakfast and lunch or lunch and dinner. For now, the restaurants are dependent on dinner to keep them open. Creating businesses or venues that draw people to the City is needed to keep the existing restaurants and attract new ones.



### Map Legend

#### Selection Areas

- ✦ Analysis Selection

#### Inflow/Outflow

- ✦ Employed and Live in Selection Area
- ✦ Employed in Selection Area, Live Outside
- ✦ Live in Selection Area, Employed Outside
- Note: Overlay arrows do not indicate directionality of worker flow between home and employment locations.





## 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.

### Savvy Suburbanites

Households in the U.S.	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.

### Green Acres

Households in the U.S.	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.



### 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.

## Leakage Report

A Leakage Report is a gap analysis that determines how much demand there is in an industry sector and how supply is located within the trade area to meet that demand. If there is more demand than supply, there is a leakage or surplus factor. The larger the gap between the demand and supply can make an area attractive to particular retailers and restaurants.

Since Ovilla has a small commercial development base, there is retail gap in all industry groups.

The following industry groups have the largest retail gap.

Industry Group	Retail Gap
Motor Vehicle & Parts Dealer	\$64,067,885
General Merchandise Stores, such as Department Stores	\$62,959,519
Food & Beverage Stores	\$54,732,674
Food Services & Drinking Places	\$34,853,882
Health & Personal Care Stores	\$17,535,869

What do these numbers and data mean for Ovilla?

Ovilla has an active and wealthy demographic that spends their money on housing, investments, recreation, entertainment, travel, and technology. There is a retail gap in all industry groups in the trade area that could eventually lead to attracting various retailers and restaurants. The weakness of the trade area is the density, which is a big weakness. The growth in Ovilla and the surrounding cities will help with the density problem, but this will take time and there are good, competitive retail and restaurant sites in those cities in direct competition with Ovilla.



## 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.

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



## Vision and Mission

The foundation of successful planning is a clear vision and a tangible mission that moves the plan forward to realize the vision. Ovilla EDC will need to adopt goals to put the mission into practice, and then the EDC will need to adopt:

- Specific tangible action steps to accomplish its goals;
- A marketing/branding plan to promote Ovilla to targeted industries;
- Several financial and incentive tools to fund the action steps and marketing campaign.

Orasi offers the following vision, mission and goals for adoption by the EDC so that Ovilla can begin building a strong economic future.

### Vision

Ovilla EDC will create an economic environment that will grow the commercial tax base. This environment will produce a dynamic downtown district that will help existing businesses thrive, grow, and attract new restaurants, retailers, and office users. Expanded commercial growth will continue along Ovilla Road providing residents with local dining and shopping opportunities.

### Mission

The Ovilla EDC will realize this vision by investing into projects and infrastructure that will increase the property and sales tax revenues of the city. This investment will result in creating a premium brand for the City, a vibrant and active downtown district with commercial development, entertainment, offices, restaurants, and retail on Ovilla Road.

### Goals

Ovilla can realize its Vision and Mission by pursuing the following goals in order of priority:

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
2. Developing the 20-acre site on southwest corner of Ovilla Road and Westmoreland
3. Create a marketing and branding campaign
4. Adopting financing methods to pay for the improvements

## 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 1.1. 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:

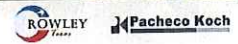
- Concerts
- Movies in the park
- Weekend farmer's market
- Pavilion
  - Weddings
  - Family reunions
  - Birthday parties
- Camp Gladiator or similar type of workout classes
- Yoga classes
- Art classes





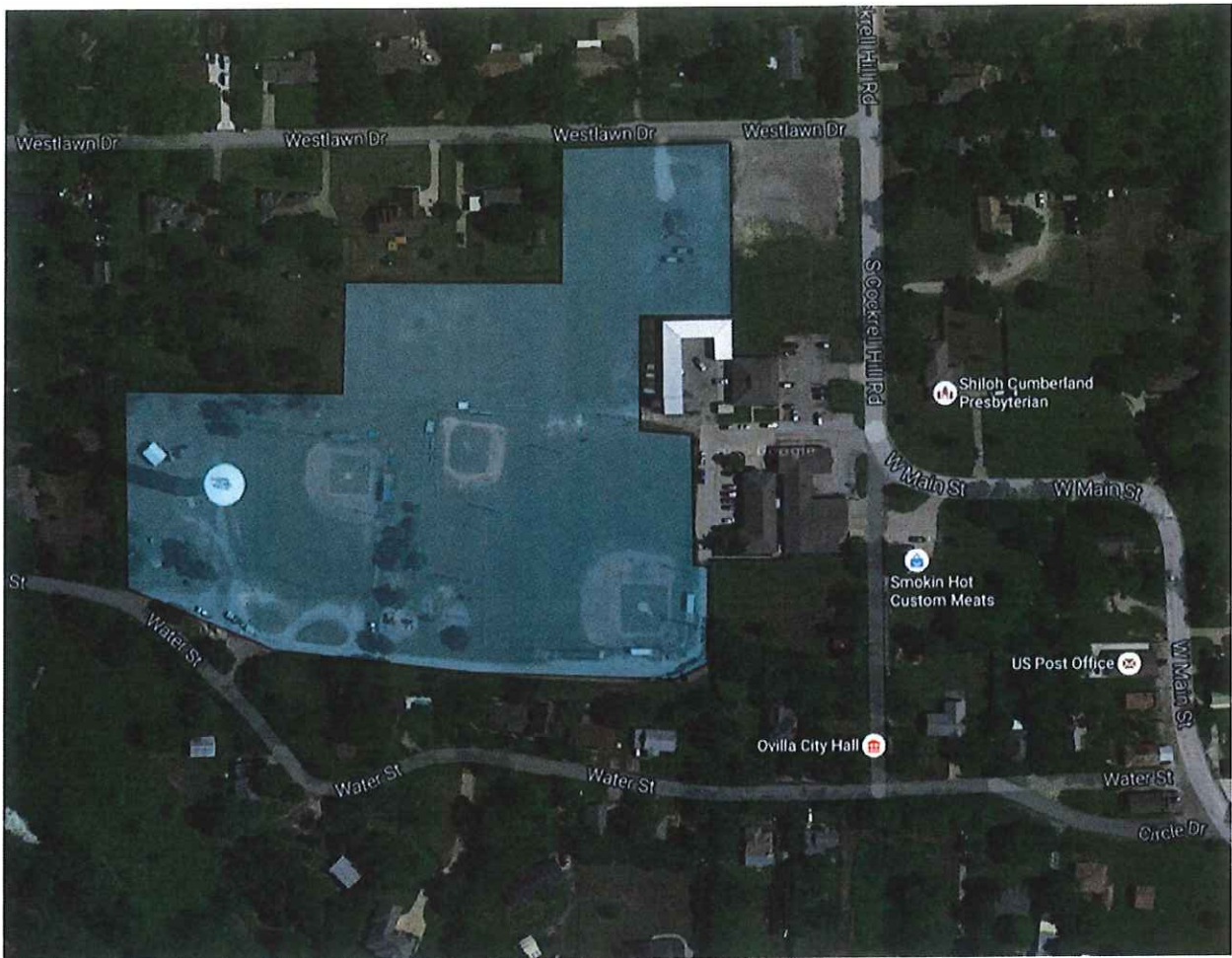


CROWLEY DOWNTOWN CIVIC GREEN





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.

**1.1.1. 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.

**1.1.2. Design Process.**

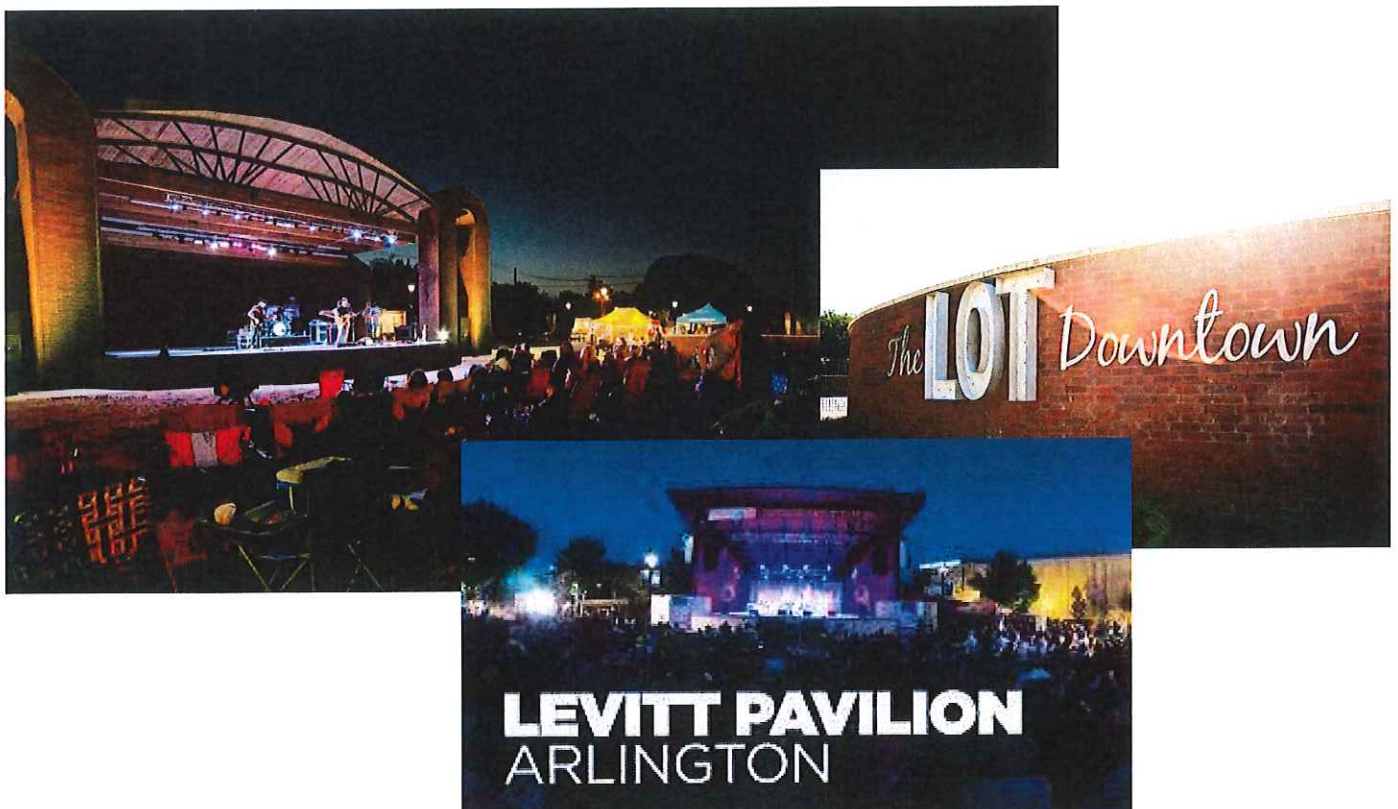
The EDC board will need to decide how to proceed with the design process at this step. How much public involvement and number of meetings will affect the cost of the design process.

**1.1.3. Research, review and apply for funding sources.**

How to finance a project of this magnitude will be important. It will be necessary to seek multiple funding options and grants to finance the development of the park and its amenities. The Texas Parks and Wildlife Department has numerous financial resources for small communities.

**1.1.4. Consider the creation of a non-profit 501(c)(3) to assist in the operations and fund raising of the park.**

Cities such as Arlington and Mansfield have established 501(c)(3)'s to operate and raise funds for Levitt Pavilion (Arlington) and The LOT (downtown Mansfield). This non-profit board should be responsible for scheduling all events at the park, which would take pressure and time off City Staff to handle those duties. Additionally, Arlington and Mansfield organizations have a link to donate and raise park funds on their web sites.





### **Action 1.2 Review and Update Zoning for Downtown**

Mixed use and walkable downtowns require a zoning ordinance that address the needs of development in a downtown district. The City must create a zoning ordinance addressing downtown mixed-use developments regarding issues such as sidewalks, permitted uses, landscaping, parking, signage, building appearance, outdoor seating, etc.

### **Action 1.3 Business Incentives**

Whether it is a new business wanting to locate downtown or an existing business looking to expand or improve their exterior, it is important to have an incentive policy that covers a multitude of scenarios. The EDC should review its current incentive program and make sure it is sufficient for attracting and expanding new retail, restaurant, and office businesses to downtown.

Chapter 380 of the Local Government Code, which allows cities to rebate back property and/or sales tax is a popular tool for incentives. The EDC should implement a façade improvement program for existing buildings. For the façade improvement program, the EDC can consider using either the Chapter 380 or budget for cash funds. A façade improvement program is generally focused on assisting business/property owners on exterior improvements only. The program is typically a matching grant at a 1:1 or 1:2 ratio, meaning for every dollar the owner spends the City or EDC will match each dollar or two dollars spent.

### **Action 1.4 Create a property inventory for the downtown district**

The Ovilla EDC needs to create an inventory of privately and publicly held sites that are either available for sale, lease or are for future development. Having a database of sites is helpful when promoting downtown to potential developers, brokers, retailers or restaurants.

### **Action 1.5 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 1.6 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.

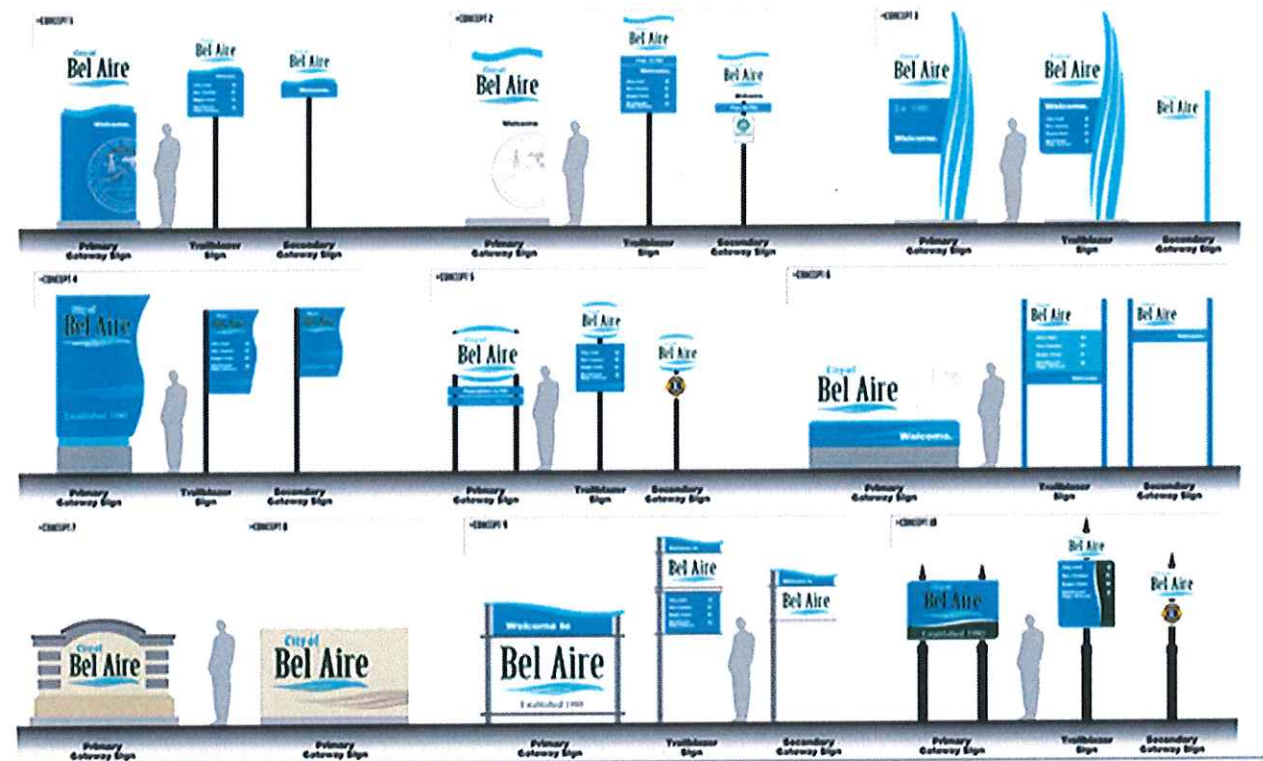


## Goal 2: Wayfinding and Entry Signs

Unless a person is very familiar with the area, there is no way to tell when you are in Ovilla. Nice entry signs with well-manicured landscaping will alert people when they enter the city and sets the tone that Ovilla is a good city that is proud of its community. The entry signs need to be placed at both entrances to the city on Ovilla Road and for south bound traffic on Cockrell Hill Road. (Monument signs goal is to be accomplished in 2018)

Wayfinding signs help people know exactly where various developments and city facilities are located. The wayfinding signs will promote and direct traffic to the downtown area, which will support the existing businesses and attract new investment.

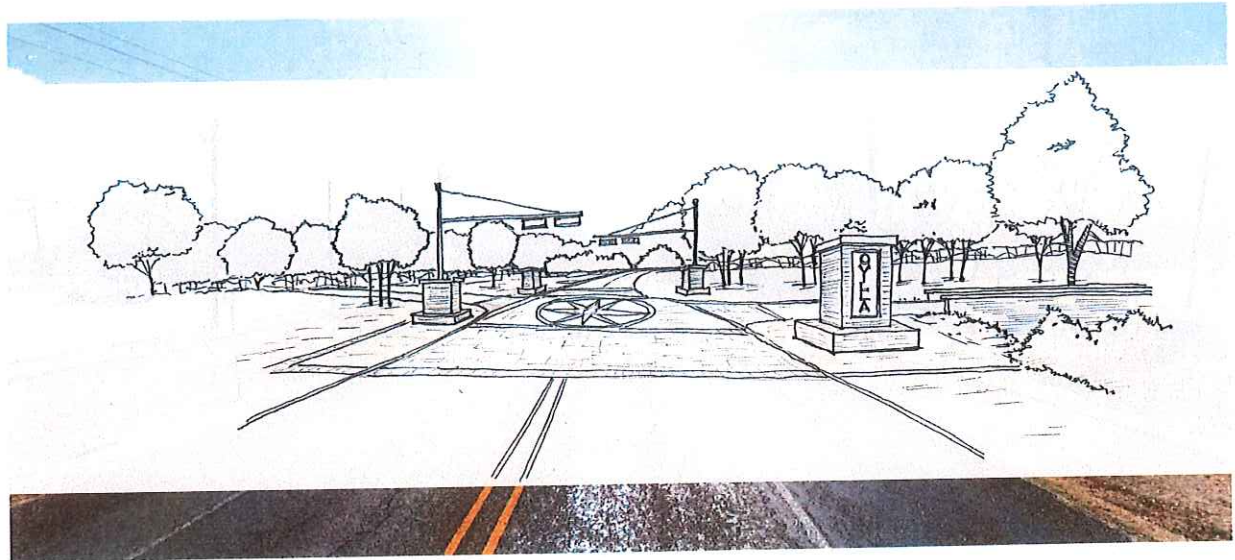
### Action 2.1 Determine the look of the signs.



## **Action 2.2 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.



## **Goal 3    Marketing and Branding Ovilla**

Ultimately there will need to be two distinct marketing campaigns, one for attracting new developments and the second to promote events and activities at the central park. The strategic plan will focus on marketing to the development community. Once the park amenities and programs are developed, a marketing plan can then be put in place for events.

Ovilla is not widely known in the Dallas/Fort Worth Metroplex and does not draw a strong opinion good or bad within the development community. This is good in that a campaign does not have to overcome any negative perceptions. This allows Ovilla to market and brand itself to developers and its targeted audience.

Once Ovilla determines its marketing strategy, the EDC needs to be very aggressive with implementation. Economic development is very competitive, and it is important to get your message out to the targeted audience.

### **Action 3.1    Determine target audience**

The EDC should target developers, real estate brokers, retailers, restaurants, entrepreneurs, and other people in the development industry.

### **Action 3.2    Determine a message/brand**

Ovilla is very protective of not spoiling the Ovilla feel and will need a message that communicates the opportunities while maintaining the uniqueness of the city.

### **Action 3.3    Determine promotional vehicles**

The EDC should have its own Web site that tells the Ovilla story and promotes development opportunities. The Web site should have a list of available sites, showcase EDC downtown improvements, make the incentive policy available to potential developers, provide updates on Ovilla improvements, and any other projects the EDC has in progress.

Once the central park process begins, the EDC should establish a Facebook page to show the progress of the park.



Other ways to promote Ovilla are:

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

**Action 3.4 Be active in certain organizations**

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

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



## Optional Financing

Developing a successful economic development strategic plan is recognizing available financial grants and programs available, defining clear goals, and designing a program to achieve these goals on a sustainable basis. Economic development success is accomplished by defining clear community objectives, recognizing available financial grants and programs, and by designing strategies to achieve sustainable growth. Below are a variety of financial programs available.

### Texas Parks and Wildlife Grants

Texas Parks and Wildlife Department acts as a silent partner in hundreds of communities across the state through its grant, assistance, education, and outreach programs. These programs help to build new parks, conserve natural resources, preserve historical sites, provide access to water bodies, and develop educational programs for youth.

1. **The Local Park Grant Program** consists of 5 individual programs that assist local units of government with the acquisition and/or development of public recreation areas and facilities throughout the State of Texas. The Program provides 50% matching grants on a reimbursement basis to eligible applicants. All grant assisted sites must be dedicated as parkland in perpetuity, properly maintained and open to the public.
2. Texas Parks and Wildlife administers the **National Recreational Trails Fund** under the approval of the Federal Highway Administration. This federally funded program receives its funding from a portion of federal gas taxes paid on fuel used in non-highway recreational vehicles. Funds can be spent on both motorized and non-motorized recreational trail projects such as the construction of new recreational trails, to improve existing trails, to develop trailheads or trailside facilities, and to acquire trail corridors. The reimbursable grants can be up to 80% of project cost with a maximum of \$200,000 for non-motorized trail grants and a maximum award of \$400,000 for motorized off-highway vehicle.

### Texas Capital Fund

Supports rural business development, retention and expansion by providing funds for public infrastructure, real estate development, or the elimination of deteriorated conditions. The purpose of the Texas Capital Fund is to assist municipalities attract new businesses, enhance the community image, improve conditions for present and future residents, and grow the economy. Award amounts range \$50,000 - \$250,000.

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.

**Main Street Fund** applicants must be an incorporated municipality with a designation as an official Texas Historical Commission Main Street City prior to applying to TxCDBG and must remain a participating city for the duration of the award/contract. The city is responsible for the administration and success of the project throughout the term of the contract.



- 2. Texas Capital Fund Infrastructure and Real Estate Programs** are economic development tools designed to provide financial resources to non-entitlement communities. Funds from the infrastructure program can be used for public infrastructure needed to assist a business that commits to create and/or retain permanent jobs, primarily for low and moderate income persons. Funds from the real estate program must be used for real estate development to assist a business that commits to create and or retain permanent jobs, primarily for low and moderate-income persons. The real estate and/or improvements must be owned by the community and leased to the business. These programs encourage new business development and expansions.

Grant application is due monthly on the 20<sup>th</sup> of each month or next business day if it falls on a weekend or holiday. Applications will not be accepted after 5:00 pm.

### **Texas Leverage Fund**

Texas Leverage Fund provides a source of financing to communities that have adopted an economic development sales tax. Communities may leverage future sales tax revenues to expand economic development through business expansions, business recruitment and exporting. Awarding loans from \$25,000 to \$5 million, the TLF is available for interim, long-term or gap financing. TLF loans provide flexible financing terms to match the unique needs of communities. The funds are low-cost loans, providing capital to communities at floating Prime Rate.

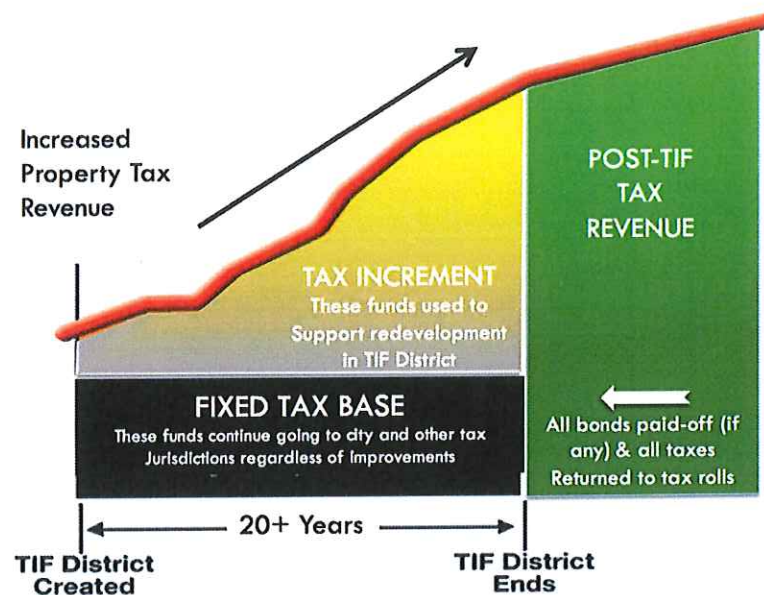
Generally, economic development corporations are eligible to borrow up to \$5 million. Future sales tax revenues serve as collateral for loan repayment with required debt service coverage ratios specified in the Texas Leverage Fund Program Guidelines.

## 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.





## **Public Improvement District**

PID is an acronym for Public Improvement District. A PID allows municipalities to levy and collect special assessments on property within a specifically defined area for improvements within that area.

A PID can pay for any public improvements or services. Such as:

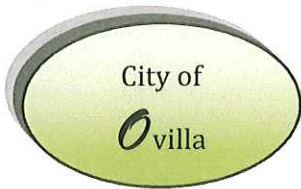
- Security enhancement
- Landscaping and other aesthetic improvements (this can include public fountains, landscaping of public rights-of-way, distinctive lighting and signs)
- Water, wastewater, and drainage improvements
- Street and sidewalk improvements
- Mass transit improvements
- Park, recreation and cultural improvements
- Parking improvements
- Library improvements
- Art installation
- Creation of pedestrian malls
- Supplemental business-related services for the improvement of the district, including advertising and business recruitment and development

#### Estimated Timeline for Projects

1. Monument signs – 2018
2. Wayfinding signs - 2019
3. Install behind municipal buildings for park development 2019-2021
  - a. Soccer fields
  - b. Pavilion
  - c. Additional restrooms

#### Appendix A

#### Demographics



# Villa City Council

## AGENDA ITEM REPORT

### Item 11

Meeting Date: January 14, 2019

Department: Administration/Public Works

☒ Discussion ☐ Action

Budgeted Expense: ☐ YES ☒ NO ☐ N/A

Submitted By: John R. Dean, Jr., CM

Amount:

Reviewed By: ☒ City Manager ☒ City Secretary ☐ City Attorney

☒ Accountant

☒ Other: B. Piland

#### Attachments:

1. Strategic Guide

#### Agenda Item / Topic:

ITEM 11. **DISCUSSION** – Update on Strategic Guide.

#### Discussion / Justification:

This item is to update the Council on the status of tasks outlined in the Strategic Guide. We have updated completion dates on completed tasks (updates are in **green**). Items in **red** are items that the City has no control over their progress or completion such as residential development projects. Items in **blue** are items on which I would like some guidance or clarification.

Branding is addressed in the guide and it is my understanding that there may not be a desire to complete branding for the City. If that is the case, I believe we need to consider removing that task from the guide.

#### Recommendation / Staff Comments:

None

#### Sample Motion(s):

N/A

**Goal Statement I: Ensure future planning continues to enhance the characteristics  
of the City of Ovilla by December 2018**

Action Steps	Target Date	Who	Completion Date
<b>1 Invite the community to validate the Vision, Mission, and Values on regular basis decided by the council.</b>			
Task 1. Hold Town Hall Meetings for Citizen input.	November 09, 2013 and March 24, 2014.	Citizens, Boards, Commissions, Council, and staff. Comprehensive land use plan adopted August 2016	November 09, 2013 and March 24, 2014.
Task 2. Present Quarterly Update to Council at a Regular Meeting.	June 2014, September, December, March	Make presentation during budget meeting. Update in September, December and March.	June 2014, Sept. 2014
Task 3. Publish Strategic Guide as updated on the City's web site.	Quarterly	Staff provides updated Strategic Guide quarterly for Council review and publishes on the city's web site.	June 2014, Sept. 2014, Dec. 2014
<b>2 Attract high end residential development. Minimum 2,400 sq.ft. homes. Maintain our high standards for house and lot minimums.</b>			
Task 1. Planned Development PD1	2015	Hargrove Real Estate and Engineer Concepts	May 2015
Task 2. Bryson Manor	2016	Shaw Development	Phase II ongoing and Phase III planning ongoing. FY 2019
Task 3. Hidden Valley Estates	2018	Alluvium Development	Preliminary plat approved. Sewer line under construction. FY 2019
<b>3 Develop Entry Way Signage.</b>			
Task 1. Partner with the Economic Development Corporation to design entry signage for the major gateways into the City.	July 2014 2018	EDC, Staff, Consultant	2018
Task 2. Consider Design and Cost Options for Entry Way Signage.	June 2015 2018	EDC, Staff, Consultant	2018
Task 3. Consider installation timeframe for each entry way sign.	June 2015 2018	EDC, Staff, Consultant	2018
<b>4 Review ordinances to ensure property values are maintained and/or increased.</b>			
Task 1. Contract with Sherry Sefko to review and revise ordinances.	December 2014	New consultant hired	2017
Task 2. Adopt updated residential building codes by Ordinance.	October 2014	Staff	2016
Task 3. Compare historic district ordinance to existing city code.		New consultant hired	2017
Task 4. Update standard construction details	2016	City Engineer and City Staff	2016
<b>5 Create opportunities for Citizen Involvement.</b>			



Task 1. Find Chairman for Committees.	Ongoing	Parks Board, Municipal Development District, Municipal Services Advisory Committee, and Heritage Day Committee , P&Z and BOA need citizen involvement.	December 2014
Task 2. Promote Committee/Board volunteer opportunities and Recruit citizens for Committee board member positions.	Ongoing	MSAC and Parks Board formed in July 2014, notices posted on the City's website, placed in the quarterly newsletter, and sign ups at Heritage Day.	Occurring
Task 3. Establish objectives for committees.			

**6 Continue to implement strategies that keep our community safe.**

Task 1. Revitalize Neighborhood Crime Watch program.	Ongoing	Include information in Winter Newsletter; add a link on the Police Department web page for neighborhoods to sign up for Crime Watch Committee; PD will speak at the HOA meetings and Crime Watch meetings.	Annually
Task 2. Establish Citizen Police Academy	Ongoing	Police Department	Annually
Task 3.			

**7 Educate Community on Ovilla's Emergency Preparedness Plan.**

Task 1. Hold Emergency Preparedness Training for Elected Officials and City staff bi-annually.	February 2014	Training was held in February 2014, plan to hold in February 2016 and invite Citizens. 2017 Schedule for consultants to train staff and officials on active shooter scenarios.	Ongoing
Task 2. Participate in Jurisdictional Emergency Preparedness Training Opportunities.	Ongoing as available	Ovilla began participating with SRRG in 2015	Ongoing
Task 3. Hazard Mitigation Planning with Ellis County.	Occurring	The Police and Fire Departments continue to participate in Hazard Mitigation Committee Meetings for Ellis County	Ongoing

Value of accomplishing this goal:

- Decisions made will be consistent with Vision, Mission, and Values.
- Provides a clear focus on the characteristics of the community.
- The community identified the characteristics in the strengths and values of this document.

**Goal Statement II: Create a Master Parks Plan that connects the community by  
December 2018**

Action Steps	Target Date	Who	Completion Date
<b>1 Develop current Park Master &amp; Parks Plan</b>			
Task 1. Evaluate needs of Heritage Park and develop improvement plan and budget.	Occurring	Public Works works continually preparing for Heritage Day	August 2016
Task 2. Hold <i>Music in the Park</i> summer concert event.	June 2015	Texas Downtown Association suggested the City host a family friendly music event in Heritage Park for the community to bring attention to Downtown. The Board is making plans for Friday, June 05, 2015.	June 2015 June 2016 June 2017 June 2018(Rained Out) June 2019
Task 3. Movie in the Park	Occurring	Park Board and staff plan bi-annual events	April & December 2016 April 2017 April 2018 (Rained Out) April 2019
Task 4. Heritage Park	Occurring	Install restroom facilities in the Park	March 2017
<b>2 Create satellite recreation areas around town.</b>			
Task 1. Consider Developer's Dedication of Parkland and the fit with the Strategic Guide.			
Task 2. Evaluate needs of existing satellite parks and develop improvement plan and budget.	Ongoing July 2018	Master Parks Plan	August 2018
Task 3.			
<b>3 Work with ORCS to develop park plan. (Ovilla Road Christian School)</b>			
Task 1.			
Task 2.			
Task 3.			
<b>4 Establish ordinances that promote park/recreation areas in new developments.</b>			
Task 1. Establish Parks Board Ordinance ORD.2014-012.	July 2014	Board re-established in July, members appointed by November, first meeting held December.	July 2014, December 2014
Task 2. Review and Revise Parkland Dedication Fee. (Park Development Fee?)	Occurring FY 2019	Staff is evaluating the fees and will present a recommendation for the Board's consideration at a future meeting.	
Task 3. Revise Parks Ordinance ORD. 2015-008	February 2015	Board reviewed and revised Parks Ordinance and recommended staff present to Council for consideration at a future meeting.	January 2015
<b>5 Develop City Park Maintenance Plan.</b>			
Task 1. Revisit Existing Maintenance Plan.	September 2014	Parks and play equipment are inspected twice monthly when servicing and maintaining parks to make sure safety standards are met. Each year funds are budgeted to replace equipment with age specific equipment in playground areas.	September 2014
Task 2. Playground Equipment			

Task 3. Began using Public Playground Safety Handbook - Recommended by TML	Adopted Handbook 08-2016	Inspection reports submitted monthly to Park Board and Council	May 2016
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6 Explore developing partnerships with other community entities for parks and recreation opportunities (churches).

Task 1.			
Task 2.			
Task 3.			

Value of accomplishing this goal:

- Attracts families to the community.
- Encourages the citizens to participate in different activities.
- It supports the characteristics of Ovilla.

**Goal Statement III: Create a Capital Improvement Plan  
of the City of Ovilla by December 2018**

**Completion  
Date**

<b>Action Steps</b>	<b>Target Date</b>	<b>Who</b>	
<b>1 Need to identify challenges and potential shortfalls with additional development and current revenue rate.</b>			
Task 1. Establish Municipal Services Advisory Committee (MSAC) to develop Plan.	July 2014	Board positions filled in December 2014, first meeting in January 2015.	December 2014
Task 2.			
Task 3.			
<b>2 Need to assess potential current and future water problems.</b>			
Task 1 Water and Sewer Impact Fee Study Update	2016		2017
Task 2			
Task 3			
<b>3 Need to assess the level of city services.</b>			
Task 1. Send a Citizen Survey.	2016 FY 2019		
Task 2.			
Task 3.			
<b>4 Develop strategy of how to increase water pressure.</b>			
Task 1. Determine and evaluate problem area(s).		City staff installed 12" water line along water street	2015
Task 2. Determine and evaluate problem areas		City Engineer will design and contractor will install 12" water line through Heritage Park	2018
Task 3.			
<b>5 Establish fund for major street/water/sewer repairs and capital equipment (such as fire engines).</b>			
Task 1. Needs assessment and timeline.	FY 2019	Facility Needs assessment	
Task 2. Evaluate funding options.			
Task 3. Develop strategy and timeline.			

Value of accomplishing this goal:

- Provides a needs assessment of current status.
- Identifies funding options to be discussed and decided by Community.
- Provides plan to move forward.



**Goal Statement IV: Ensure future planning continues to enhance the characteristics of the City of Ovilla by December 2018**

Action Steps	Target Date	Who	Completion Date
<b>1 The Economic Development Plan must support Ovilla's Vision, Mission, Values, and Goals.</b>			
Task 1. Revise Vision: The Ovilla EDC envisions an expanded business and commercial sector that will enable every citizen to realize their full potential.	March 2014	OEDC Board	March 17, 2014
Task 2. Revise Mission: To create an economic environment that is diverse and strong by demonstrating our commitment to business retention and expansion by initiating a proactive approach toward business recruitment that meets or exceeds the expectations of our community.	March 2014	OEDC Board	March 17, 2014
Task 3. Revise Goals and Objectives and incorporate into City-wide plan.	March 2014	OEDC Board	March 17, 2014
Task 4. Maintain the quality of life enjoyed by Ovilla's citizens by protecting and enhancing its natural beauty and preserving and enhancing its historical heritage.	Ongoing	policy driven	continual
Task 5. Work with the Parks Board to develop a parks master plan.	Summer 2015	EDC can participate in certain features of community park development.	August 2018
<b>2 The plan needs to identify businesses that are desired and sustained by the economy.</b>			
Task 1. Retain and/or create additional, well paying, jobs with benefits.	Ongoing	Staff to seek medical (dialysis, physicians), retail (small-medium national chains, restaurants, consumer goods/services), mom & pop's, business park-identify tracts that can support small corporate headquarters, 25K sqft building with 40 employees.	
Task 2. Assist and support our existing businesses.	Occurring	Staff to develop and publish a list of businesses on the web site, including home-based, to promote "What Ovilla offers close to home".	
Task 3. Effectively market our community both internally and externally.	<b>Promotions July September 2014. Branding RFP 2015. Phase 1 FY2014 15 and Phase 2 in FY2015-16 budget.</b>	Promote the community through Heritage Day advertising in regional publications, TML's festival listings, Texas Highways, Texas Downtown Association; create web page to promote the event and email address to respond to inquiries. Evaluate Branding agencies and short range plan to implement.	Promotion accomplished July 2014.
Task 4. Update business profile created by Retail Coach.	Spring 2015	Utilize work completed by Retail Coach, revising demographics to update business profile and utilize at ICSC.	
<b>3 The plan needs to address viable businesses for FM 664/Ovilla Road development.</b>			
Task 1. Monitor progress of TxDOT Plans for expansion of FM 664 and partner where possible for entrance signage.	July 2014, follow up and monitor status of project	TxDOT suggested preliminary sign design be submitted to their engineers to determine feasibility with plans.	July 2014, follow up

Task 2. Participate in Best Southwest Partnership and area Chambers.	Ongoing-renewed membership to Associate Level	Membership and participation will provide exposure to businesses looking at the region.	Ongoing
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**4 Identify what the City's responsibility will be in supporting the infrastructure when FM 664 to Westmoreland is completed.**

Task 1. Assess and evaluate infrastructure needs and develop plan to address those needs and return on investment.	Work with MSAC once board is established	Utilize water and sewer study to support future development plans. Review CIP plan.	
Task 2. Create economic development guidelines and toolbox for incentivizing economic development.	January 2016 October 2018	Guidelines for tax abatement and infrastructure support. Use separate policy for commercial and retail.	June 2018
Task 3. Leverage the assets of the city, including infrastructure, services, and funds with State and Federal programs to attract new businesses to Ovilla.	Ongoing	Guidelines for 380 agreements.	June 2018

**5 The plan should explore business opportunities for the Downtown Improvement Plan.**

Task 1. Receive assessment from Texas Downtown Association (TDA) regarding similar small cities' successful downtown revitalization programs.	August 2014	Invited the community and downtown property owners to hear ideas of successful downtown revitalization projects.	September 2014
Task 2. Develop a matching grant program to incentivize restoration and façade improvements	January 2016 October 2018	Develop policy and criteria for a matching grant program.	June 2018
Task 3. Develop a vision and long-range plan with the property owners for Historic Downtown.	June - September 2014	Utilizing guidance from Texas Downtown Association's onsite Assessment of Historic Downtown and Report, EDC established these goals to support redevelopment downtown. Short-term goals: • Develop community events for Downtown and Heritage Park – semi-annual and quarterly in future, events such as movie night, food trucks, picnics, music or jazz in the park. • Expand Heritage Day festivities with Carnival rides through an outside sponsor. • Close Water Street. • Develop "Ovilla's Story" to market the City and Historic Downtown. Mid-term goals: • Restrooms in Heritage Park - Get estimates in 2015 for construction, installation, maintenance, life span to consider project in 2016. • The EDC will revisit investing in improvements for Downtown for street repaving, streetlights, sidewalks, seating, and signage as redevelopment progresses. • Compare historic district ordinance to existing city code; resolve conflicts and relax downtown design codes for compatible structures with existing structures. • Recommended the newly formed Parks Board review the recommendation for hike and bike trails.	September 2014

Task 4. Restrooms for Heritage Park to support hosting downtown events to draw the community downtown.	May 2015	Obtain costs for installation of restrooms in Heritage Park, project for future budget.	March 2017
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Value of accomplishing this goal:

- Diversifies the tax base.
- Identifies economic opportunities.
- Will support the goals of the community.
- Will bring services to the citizens.

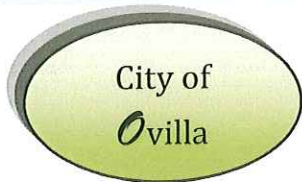
**Goal Statement V: Showcase the City of Ovilla During the Heritage Day Festival  
of the City of Ovilla by December 2018**

	<b>Action Steps</b>	<b>Target Date</b>	<b>Who</b>	<b>Completion Date</b>
<b>1</b>	<b>Create different marketing tools to attract high end residential developers.</b>			
	<b>Task 1. Create a brand for the City.</b>	<b>July 2014 -Dec 2016 (FY 2019)</b>	Economic Development has budgeted phase 1 for FY15 and anticipates phase 2 in FY16 for Branding. RFP issued December 2014.	
	Task 2. Strategic Plan	2017	Consultant, Staff, EDC	May-18
	Task 3.			
<b>2</b>	<b>Create different marketing tools to attract desired businesses.</b>			
	Task 1. Promote Heritage Day by advertising in regional publications, TML's festival listings, Texas Highways, Texas Downtown Association.	July - September 2014	Increased advertising in NOW Magazines, EDC assisted with cost. Promoted through regional listings in state publications, continue annually.	July -September 2014
	Task 2. Create web page to promote the event and email address to respond to inquiries.	Jul-14	Created web page and flyer to promote the event and a Heritage Day email address to respond to inquiries.	Jul-14
	Task 3.			
<b>3</b>	<b>Create large map of Ovilla that identifies properties available for residential/commercial development.</b>			
	Task 1. OEDC budget for aerial maps.	Aug-14	Ordered aerial contours map for delivery summer 2015.	
	Task 2. Display BSW Map at Heritage Day, next year utilize parcel mapping with developer/ broker identifications, acreage, etc.	Sep-14	Map showcasing available properties is being created.	
	Task 3.			

Value of accomplishing this goal:

- Creates Community.
- Reinforces the values of the community.
- Gives the residents the opportunity to meet each other.





## AGENDA ITEM REPORT

Item 12– Items pulled from Consent

Meeting Date: January 14, 2019

Department: Administration/Finance

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted by: Staff

Amount: N/A

### Discussion / Justification:

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

### Discussion / Justification:

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

Staff recommends approval.

### Sample Motion(s):

I move to approve ...

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

To: Mayor Richard Dormier  
Ovilla City Council  
John Dean City Manager

Subject: Police Department Monthly Activity Report

Calls For Service	December 2018	December 2018 YTD	December 2017	December 2017 YTD
Accident	0	46	6	28
Alarms	23	213	7	159
Arrest	6	62	7	96
Assault/Assault FV	1	15	2	16
Assists	96	762	74	935
Building / House Security Check	682	6861	382	6877
Burglary	1	2	0	6
Burglary of Motor Vehicle	2	4	0	4
Criminal Mischief	1	8	2	12
Disturbance	10	108	10	118
Neighborhood Check	1467	13551	1140	17047
Other Calls for Service	94	750	41	572
Suspicious Person	13	83	12	97
Suspicious Vehicle	15	192	15	294
Theft	1	11	4	21
Traffic Assignment/School Enforcement	26	147	24	598
<b>TOTAL CALLS FOR SERVICE</b>	<b>2438</b>	<b>22815</b>	<b>1726</b>	<b>26880</b>

Volunteer and Reserve Officer Hours	14	332.5	30	223.8
Average Response Time (Minutes)	4.5	4.345	4.37	4.5
Total Citations	80	1142	110	1355
Total Traffic Stops *****	276	3336	270	
Traffic Stop Disposition Warning *****	197	2255	166	
Traffic Stop Disposition Citation *****	79	1081	104	
<b>PERCENT OF STOPS RECEIVING CITATIONS</b>	<b>28.6</b>	<b>32.4</b>	<b>38.5</b>	<b>#DIV/0!</b>
Manual Response time				

**\*\* These lines are new and we will not have  
the info for the months before March 2017**

December 2018	TO	January 2019	MILEAGE	MAINTENANCE PERFORMED
Police Unit #	Begin	End	Accrued	
103	145065	145319	254	
105	107746	108867	1121	Windshield wipers replaced
116	70556	73900	3344	Inspection/Registration, Recall door trim repaired
117	59000	61173	2173	Registration, Brake Pads, Rotors, 2 new tires
118	22720	in shop	#VALUE!	Oil change and tire rotation, transmission
216	18060	18926	866	
Vehicles	Begin	End	Accrued	
2017 F250 4x4	10703	11339	636	
2015 2500 HD Silverado	38057	38752	695	
2011 3500HD Silverado	52715	53089	374	
2008 2500HD Animal Control	82568	82881	313	
2019 f250 Animal Control	924	1570	646	
2008 1500 Silverado	111035	111344	309	
2006 1500 Silverado	119639	119902	263	
2001 C6500 Dump Truck	184592	185124	532	
1999 International Patch Trk	311845	311881	36	
1998 Ford Dump Truck	53805	53880	75	
	HOURS	HOURS	HOURS	
New Holland Skid LS60	1209.7	1217.2	7.5	
1999 Kubota Tractor	971.1	971.1	0	
1992 Ford Tractor	1081.2	1081.8	0.6	
Sweeper	619.9	619.9	0	
310K John Deere Backhoe	1639	1678	39	
Stone Packer 3100	4507.5	4507.5	0	

Ingersoll Mobil Air Compress	1320.8	1320.8	0	
Green Golf Cart	763.1	763.1	0	
Jet Machine	484	485	1	
Vac Machine 2017	75	84	9	
Boomag 900-50 packer	190.8	190.8	0	
2016 Exmark	256.7	259.7	3	
2013 Exmark	367	368.1	1.1	
2004 Exmark	1025	1026.7	1.7	
JCB Backhoe	29.8	29.8	0	



# Ovilla Fire Department December Monthly Report



**Fire Chief**  
Brandon Kennedy

105 S. Cockrell Hill Road  
Ovilla Texas, 75154  
[cityofovilla.org](http://cityofovilla.org)

## Mission Statement

The mission of the Ovilla Fire Department is to provide services designed to protect citizens and property of the City of Ovilla and outlying areas. All persons and or departments requesting assistance from the Ovilla Fire Department because of the adverse effects of fire, medical emergencies, or hazardous conditions created by man or nature will be dealt with in a professional manner, consistent with the economic capability of the community.

## Summary of Staffing for the Department

- Currently the Department has 1 Firefighter EMT-Basic position open
- Currently the Department has 4 Volunteer Firefighter Positions open. This is due to the volunteers getting hired on at full time departments. We are currently looking for more volunteers.
- Current Staffing
  - 2 Chiefs
  - 5 Captains
  - 24 Firefighter Paramedics
  - 6 Firefighter EMT-Basics
  - 8 Volunteer Firefighters
  - Total Staffing of 45 out of 50 positions
- Of the Volunteers on staff,
  - 4 of them are Dual Certified, meaning they have their Fire Certs and EMT Basic
  - 1 has their Fire Certs
  - 2 have their EMT- Basic
  - 1 Volunteer does not have any Certification at this time.

## Grants Report

- Have turned in four Texas Forestry Service Grants, waiting for notification of award
- Received \$ 5,072.16 from the Texas Forestry Service for insurance reimbursement
- \$7700 received for workers comp and VFIS
  - Have applied for a bunker gear grant that we are still waiting to hear if awarded
  - Have applied for a Brush Truck Chassis grant that we are still waiting to hear if awarded
  - Have applied for a Brush Truck grant that we are still waiting to hear if awarded
  - Waiting for SAFER Grant to open to submit application

## Summary of Events for the Department

- December was another steady month, as we had 2 structure fire in our city, with most of our calls being some type of medical, for a total of 69 incidents responded to.
- Training with the Volunteers on their regular scheduled nights, on Fire and Life Safety Initiatives.
- Bay project is complete.
- Hydrant testing and maintenance is complete.

## Summary of Staffing for the Month

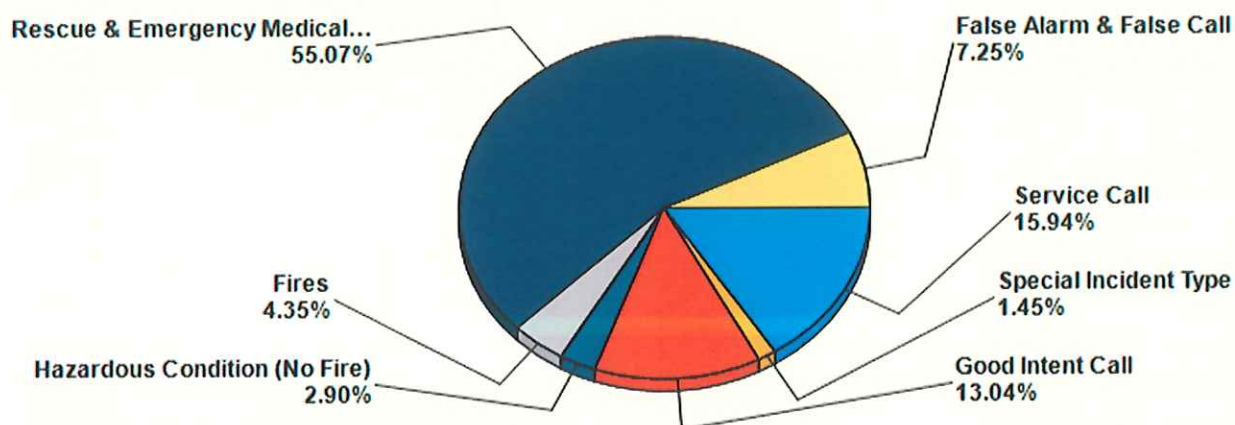
- 7 days a week we have 3 - 24-hour part time positions (0800 – 0800)
- These positions were **100%** filled this month
- 7 nights a week we have 1 – 12-hour shift that is covered by volunteers (2000 – 0800)
- Saturday and Sunday (0800 – 2000)
- **6 / 10** weekend day shifts were covered by a Volunteer
- **30 / 41** Volunteer shifts were covered, and these **30** shifts had 4 personnel on the Engine

## Summary of Activity from Deputy Chief Fire Marshal's Office

- Multiple Consults
- Fire Investigation
- Respond to incidents as available
- Multiple Meetings
- Back-Up for Ovilla PD
- QCI reports
- Training with Volunteers



## Breakdown by Major Incident Type



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	3	4.35%
Rescue & Emergency Medical Service	38	55.07%
Hazardous Condition (No Fire)	2	2.90%
Service Call	11	15.94%
Good Intent Call	9	13.04%
False Alarm & False Call	5	7.25%
Special Incident Type	1	1.45%
<b>TOTAL</b>	<b>69</b>	<b>100.00%</b>

*Average .75 fire per week*

*Average 2.23 calls per day*

*Average 17.25 calls per week*

C701 Responses | **12**

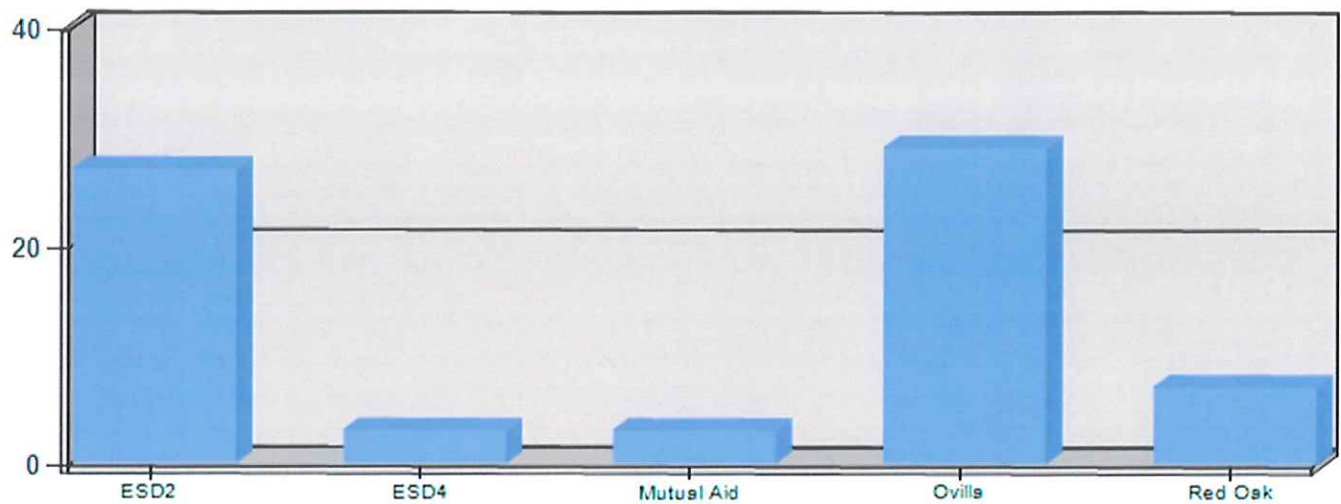
C702 Responses | **11**

Number of Overlapping Calls | **8**

**Total Ovilla Fire Department Runs | 69**



## Breakdown by Districts



District	December 2018	December 2017
ESD2 - ESD #2	27	24
ESD4 - ESD #4	3	3
Mutual Aid - Mutual Aid	3	17
Ovilla - City Limits	29	25
Red Oak - Red Oak City Limits	7	N/A
<b>TOTAL:</b>	<b>69</b>	<b>69</b>

*Districts are broken down by Cities or Areas we respond to.*

*Midlothian and Red Oak are what is called Automatic Aid due to being on the same dispatch system, and we are toned at the exact same time for an emergency that requires additional units to respond.*

*Mutual Aid is calculated by the cities that must call our dispatch center to request our help on incidents that occur in their cities. Examples are Glenn Heights, Desoto, Duncanville, Cedar Hill, Lancaster, Waxahachie, Ferris, and Wilmer.*

## Breakdown of Total Call to Date by Current Year and Past Year

MAJOR INCIDENT TYPE	2018 to Date	Total for 2017
Fires	88	56
Overpressure rupture, explosion, overhear - no fire	1	2
Rescue & Emergency Medical Service	443	403
Hazardous Condition (No Fire)	26	14
Service Call	90	113
Good Intent Call	165	142
False Alarm & False Call	51	35
Severe Weather & Natural Disaster	4	8
Special Incident Type	3	N/A
<b>TOTAL</b>	<b>871</b>	<b>773</b>

*With a total of 871 runs in 2018 compared to 773 runs made in 2017, this is an 11% increase in our overall call volume.*

## Breakdown of Average Response Times by District for the Last Two Months

District	December 2018	November 2018
Mutual Aid - Mutual Aid	19.22	18.51
Red Oak - Red Oak City Limits	9.76	7.52
ESD2 - ESD #2	9.59	11.63
ESD4 - ESD #4	9.53	18.57
Ovilla - City Limits	5.5	5.46

Response times are figured by Time of Dispatch to Arrival at scene time. Overall the goal is that in our "First In Districts", City Limits, ESD #2, and ESD #4, we are there in under 8 minutes.

## Average Turn Out Time Dispatch to En-Route by Apparatus

APPARATUS	December 2018	November 2018
B702	2:50	2:57
C701	1:44	2:21
C702	1:19	1:38
E701	1:42	1:56
E702	N/A	1:10
R755	4:08	1:32
STBY	1:00	1:29
<b>AVERAGE TURNOUT TIME:</b>	<b>2:07</b>	<b>1:52</b>

Turn out times are figured from time of dispatch to the time the Apparatus checks En-Route, and the goal with this time is to have a turn out time of 1:30 over 90% of our calls.

## Fleet Report

Apparatus	Beginning Mileage	Ending Mileage	Total Mileage for the Month	Total Maintenance Expenditures for the Month
B701	57,245	57,344	99	\$ -
B702	3844	3862	18	\$ 1,250.73
C701	20,793	21,214	421	\$ -
C702	97,852	98,199	347	\$ -
E701	12,242	12,770	528	\$ 1,225.95
E702	27,842	27,883	41	\$ 1,333.22
E703	14,271	14,280	9	\$ -
R755	18500	18624	124	\$ -
Totals for the Month			1,587	\$ 3,809.90



Date 1/3/19

**TO:** Honorable Mayor and City Council Members

**FROM:** Brad Piland Public Works Director

**TOPIC:** Public Works Monthly Report for December 2018

- 
1. Work orders completed
  2. Sewer Lift Station Repairs-
    - Highland Meadows lift station has been repaired and back in service with no other issues this month.
    - Removed pump 2 from Cumberland removed debris and replaced.
    - Heritage Lift station pulled pump 2 and removed debris and replaced.

**Monthly Water and Sewer Services:**

- Read water meters, service disconnects and reconnects
- Water usage: Purchased from DWU 8,796,000 gal 8,631,300 gal pumped and billed to customers. 164,700 gal flushed and lost due to water leaks.
- Replaced meters: 703 Georgetown, 821 Cockrell Hill, 100 Northwood, 208 Willowcreek, 124, Suburban, 102 Highview Ct.
- Daily water maintenance residual and pressure tests.
- Collected water samples for TCEQ reporting
- Water Maintenance – routine flushing mains and hydrant
- Meter Box repair and replace lids as needed
- Repaired water leaks:  
Johnson Ln, Silver Spur Park.

**Tree and grass maintenance:**

- Heritage Park
- Silver Spur Park
- Baseball fields and Cindy Jones Park
- 403 Burtonwood

**Street and Misc.**

- Street repairs
- Prep for Christmas tree lighting
- Updated marquee as needed
- Working on Drainage in Brookwood Addition, Suburban, Ashburn Glen

## 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).

### 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: \_\_\_\_\_

### 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 leaded 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

### NOTES:

DATE OF INSPECTION:

12-10-18

INSPECTION BY:





December 2018 / Cindy Jones 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.
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### 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).

### 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: \_\_\_\_\_

### 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.

### Lead 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)

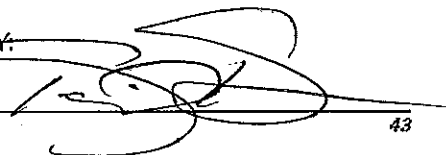
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  - ☐ Replace trash receptacle
- ☐ Trash receptacles are not full.
  - ☒ Empty trash

### NOTES:

DATE OF INSPECTION:

12-10-18

INSPECTION BY:



**APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS****Surfacing (§2.4)**

- ☒ Adequate protective surfacing under and around the equipment.
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  - ☒ 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**

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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).

**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: \_\_\_\_\_

**Durability of Equipment (§2.5)**

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**General Upkeep of Playgrounds (§4)**

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  - ☒ Empty trash

**NOTES:**

DATE OF INSPECTION:

12-10-18

INSPECTION BY:





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**DATE:** JANUARY 14, 2019  
**TO:** Honorable Mayor and Council Members  
**FROM:** Linda Harding, City Accountant  
**SUBJECT:** Accounting Department Report

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**Reports** Financials ending 11/30/2018

Over \$5,000

Bank Balances as of: 1.10.19

**Mentions to reports:** Second month of new fiscal year.

First report with Fund Accounting Software

Software developers stated software will be functional before Jan 1 has been delayed

All departments are within budget

Equipment list that includes vehicles, machinery, computers, laptops have been received and reviewed by departments. The departments are responsible for the replacement request of all equipment.

2 of 3 optional extension used by Yeldell, Wilson and Co., P.C. for period ending September 2018.

Last extension can be used through September 2019.

December 2017 Bank will use 1<sup>st</sup> of 2-year extensions.

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 payroll, sales tax.

Name	Account #	Previous Balance	NEW BALANCE	As Of
<u>Debt Fund</u>	*0291	46,851.00	46,875.00	1/10/2019
<u>General Fund Reserve</u>	608	56,605.15	56,605.15	1/10/2019
<u>GF Reserve CD</u>	*0694	250,103.11	250,103.11	1/10/2019
<u>Water Impact</u>	*2322	482.11	482.60	1/10/2019
<u>4B EDC</u>	*3691	636,840.05	636,103.21	1/10/2019
<u>Fire Dept. Auxil.</u>	*3909	2,570.00	2,570.00	1/10/2019
<u>Water Money Market</u>	*4323	190,504.80	190,504.80	1/10/2019
<u>MDD Fund</u>	*7451	287,093.41	292,223.44	1/10/2019
<u>Water Credit Card</u>	*7531	140.20	140.20	1/10/2019
<u>GF Reserves Money Mkt.</u>	*7583	129,030.41	129,123.56	1/10/2019
<u>GF Money Market</u>	*7605	232,044.24	232,211.76	1/10/2019
<u>Park Fund Money Mkt.</u>	*7613	81,468.67	81,520.56	1/10/2019
<u>Capital Projects Money Mkt.</u>	*7648	131,493.52	131,588.45	1/10/2019
<u>W&amp;S Impact-Sewer</u>	*8699	117,435.57	117,554.03	1/10/2019
<u>employee benefit trust</u>	*8777	125,281.00	676.17	1/10/2019
<u>GF Operating</u>	*9437	716,794.84	1,940,597.75	1/10/2019
<u>W&amp;S Fund Operating</u>	*9445	891,874.00	1,037,458.13	1/10/2019
<u>Police Special Fund</u>	*9792	215.51	495.47	1/10/2019
<b>SUB TOTAL</b>		<b>3,896,827.59</b>	<b>5,146,833.39</b>	
TexPool - CAPITAL PROJECT	1878	314.44	314.44	1/10/2019
TexStar - GENERAL FUND	1110	3,823.22	3,823.22	1/10/2019
TexStar - GENERAL FUND	1120	952.99	952.99	1/10/2019
TexStar - W&S IMPACT	3540	3,235.02	3,235.02	1/10/2019
TexStar - CAPITAL PROJECT	5340	1,424.77	1,424.77	1/10/2019
TexStar - W&S FUND	5350	1,173.81	1,173.81	1/10/2019
Bryson Manor - GENERAL FUND	8662	299,415.87	299,517.59	1/10/2019
Leose	2510	1,601.79	1.79	1/10/2019
<b>TOTAL BANK BALANCES</b>		<b>4,208,769.50</b>	<b>5,457,277.02</b>	





DATE: January 14, 2019

TO: Honorable Mayor and Council Members

FROM:  
Linda Harding, Accountant

SUBJECT: Transactions Over \$5,000 For November 2018

City of Ovilla  
Transaction Detail Report  
11/1/2018 - 11/30/2018

General Fund and Water & Sewer

Post Date	Transaction Date	Source	Check #	Line Description	Credit
11/2/2018	11/6/2018	AP Payment		United States Treasury	7,940.20
11/2/2018	11/8/2018	AP Payment		NetGenius, Inc.	7,520.76
11/6/2018	11/6/2018	AP Payment		Prosperity Bank	5,727.45
11/7/2018	11/7/2018	AP Payment		City of Midlothian	15,924.00
11/8/2018	11/8/2018	AP Payment		Citibank	10,869.87
11/8/2018	11/8/2018	AP Payment		TML Intergovernmental Risk Pool	16,971.25
11/13/2018	11/13/2018	AP Payment		Progressive Waste Solutions of TX, Inc.	21,297.16
11/13/2018	11/13/2018	AP Payment		T. M. R. S.	16,878.42
11/14/2018	11/14/2018	AP Payment		Clifford Power Systems, Inc.	8,238.38
11/16/2018	11/15/2018	AP Payment		Sam Houston State University	15,000.00
11/16/2018	11/16/2018	AP Payment		Citibank	10,435.76
11/30/2018	11/30/2018	AP Payment		Citi Cards	6,574.08
11/30/2018	12/4/2018	AP Payment		Internal Revenue Service	8,522.69
				Total	<u>151,900.02</u>



DATE: January 14, 2019

TO: Honorable Mayor and Council Members

FROM:  
Linda Harding, Accountant

SUBJECT: Financial Statements Through November 2018

City of Ovilla  
Financial Statement  
As of November 30, 2018

<b>100 - General Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Taxes	136,799.28	361,487.67	224,688.39	160,298.51	4,337,852.00	3.70%	4,177,553.49
Licenses-Permits-Fees	3,852.96	9,007.16	5,154.20	17,633.16	108,086.00	16.31%	90,452.84
Services	200.00	49,041.33	48,841.33	1,063.60	588,496.00	0.18%	587,432.40
Fines & Forfeitures	8,449.52	21,058.75	12,609.23	19,178.72	252,705.00	7.59%	233,526.28
Other Revenue	10,443.97	13,192.51	2,748.54	25,619.56	158,310.00	16.18%	132,690.44
Not Categorized	0.00	0.00	0.00	1,323.59	0.00	0.00%	(1,323.59)
Transfers	1,250.00	36,510.08	35,260.08	2,360.00	438,121.00	0.54%	435,761.00
Revenue Totals	<u>160,995.73</u>	<u>490,297.50</u>	<u>329,301.77</u>	<u>227,477.14</u>	<u>5,883,570.00</u>	<u>3.87%</u>	<u>5,656,092.86</u>
<b>Expense Summary</b>							
Employee Benefits	23,501.97	36,905.14	13,403.17	39,282.18	442,858.00	8.87%	403,575.82
Special Expenses	3,919.05	2,825.00	(1,094.05)	3,985.03	33,900.00	11.76%	29,914.97
Other Expense	8,925.97	5,710.28	(3,215.69)	13,924.85	68,527.00	20.32%	54,602.15
Personnel	178,870.83	127,173.16	(51,697.67)	250,879.58	1,526,078.00	16.44%	1,275,198.42
Special Services	4,423.77	6,328.09	1,904.32	6,884.77	75,937.00	9.07%	69,052.23
Contractual Services	3,328.13	27,499.82	24,171.69	31,295.04	329,998.00	9.48%	298,702.96
Operating Services	5,387.95	7,243.17	1,855.22	13,624.94	86,918.00	15.68%	73,293.06
Supplies	1,285.78	5,608.34	4,322.56	17,079.99	67,300.00	25.38%	50,220.01
Not Categorized	3,460.09	577.34	(2,882.75)	6,651.93	6,928.00	96.02%	276.07
Professional Development	2,669.52	2,442.49	(227.03)	7,606.79	29,310.00	25.95%	21,703.21
Software & Computer Equipment	0.00	4,750.00	4,750.00	36,017.68	57,000.00	63.19%	20,982.32
Printing Expense	2,697.42	1,719.50	(977.92)	5,086.69	20,634.00	24.65%	15,547.31
Utilities	27,610.56	28,480.67	870.11	52,626.80	341,768.00	15.40%	289,141.20
Repairs - Bldg & Machinery	11,187.08	12,504.16	1,317.08	20,900.09	150,050.00	13.93%	129,149.91
Insurance	0.00	3,299.25	3,299.25	9,666.75	39,591.00	24.42%	29,924.25
Minor Capital Outlay	6,665.88	4,933.08	(1,732.80)	9,179.17	59,197.00	15.51%	50,017.83
Capital Outlay	5,877.45	43,999.99	38,122.54	254,105.73	528,000.00	48.13%	273,894.27
Reserve	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Vehicle Expenses	5,570.55	3,583.33	(1,987.22)	10,690.24	43,000.00	24.86%	32,309.76
Rentals	222.44	250.00	27.56	667.32	3,000.00	22.24%	2,332.68
Expense Totals	<u>295,604.44</u>	<u>325,832.81</u>	<u>30,228.37</u>	<u>790,155.57</u>	<u>3,909,994.00</u>	<u>20.21%</u>	<u>3,119,838.43</u>



City of Ovilla  
Financial Statement  
As of November 30, 2018

<b>110 - LEOSE</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Transfers	0.00	96.00	96.00	0.00	1,152.00	0.00%	1,152.00
Revenue Totals	0.00	96.00	96.00	0.00	1,152.00	0.00%	1,152.00
<b>Expense Summary</b>							
Professional Development	0.00	96.00	96.00	0.00	1,152.00	0.00%	1,152.00
Expense Totals	0.00	96.00	96.00	0.00	1,152.00	0.00%	1,152.00

City of Ovilla  
Financial Statement  
As of November 30, 2018

<b>120 - Street Improvement Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Taxes	0.00	4,394.92	4,394.92	0.00	52,739.00	0.00%	52,739.00
Other Revenue	0.00	8.33	8.33	0.00	100.00	0.00%	100.00
Transfers	0.00	15,583.33	15,583.33	0.00	187,000.00	0.00%	187,000.00
Revenue Totals	0.00	19,986.58	19,986.58	0.00	239,839.00	0.00%	239,839.00
<b>Expense Summary</b>							
Capital Outlay	170.00	15,583.33	15,413.33	170.00	187,000.00	0.09%	186,830.00
Reserve	0.00	4,403.25	4,403.25	0.00	52,839.00	0.00%	52,839.00
Expense Totals	170.00	19,986.58	19,816.58	170.00	239,839.00	0.07%	239,669.00

City of Ovilla  
Financial Statement  
As of November 30, 2018

<b>130 - Court Technology</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Fines & Forfeitures	0.00	452.00	452.00	0.00	5,424.00	0.00%	5,424.00
Revenue Totals	0.00	452.00	452.00	0.00	5,424.00	0.00%	5,424.00
<b>Expense Summary</b>							
Software & Computer Equipment	0.00	315.00	315.00	0.00	3,780.00	0.00%	3,780.00
Reserve	0.00	137.00	137.00	0.00	1,644.00	0.00%	1,644.00
Expense Totals	0.00	452.00	452.00	0.00	5,424.00	0.00%	5,424.00

City of Ovilla  
Financial Statement  
As of November 30, 2018

<b>140 - Court Security</b>	<b>Current Month Actual</b>	<b>Current Month Budget</b>	<b>Budget Variance</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>							
Fines & Forfeitures	0.00	339.00	339.00	0.00	4,068.00	0.00%	4,068.00
Revenue Totals	0.00	339.00	339.00	0.00	4,068.00	0.00%	4,068.00
<b>Expense Summary</b>							
Other Expense	0.00	80.33	80.33	0.00	964.00	0.00%	964.00
Reserve	0.00	258.67	258.67	0.00	3,104.00	0.00%	3,104.00
Expense Totals	0.00	339.00	339.00	0.00	4,068.00	0.00%	4,068.00



City of Ovilla  
Financial Statement  
As of November 30, 2018

<b>150 - Equipment Replacement Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Transfers	0.00	5,909.42	5,909.42	0.00	70,913.00	0.00%	70,913.00
Revenue Totals	0.00	5,909.42	5,909.42	0.00	70,913.00	0.00%	70,913.00
<b>Expense Summary</b>							
Reserve	0.00	1,326.08	1,326.08	0.00	15,913.00	0.00%	15,913.00
Minor Capital Outlay	0.00	4,583.33	4,583.33	0.00	55,000.00	0.00%	55,000.00
Expense Totals	0.00	5,909.41	5,909.41	0.00	70,913.00	0.00%	70,913.00

City of Ovilla  
Financial Statement  
As of November 30, 2018

<b>200 - Water And Utilities Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Services	(23,168.35)	104,293.25	127,461.60	160,204.23	1,251,519.00	12.80%	1,091,314.77
Other Revenue	0.00	5,594.34	5,594.34	0.00	67,132.00	0.00%	67,132.00
Transfers	0.00	3,125.00	3,125.00	2,500.00	37,500.00	6.67%	35,000.00
Not Categorized	0.00	17,774.50	17,774.50	0.00	213,294.00	0.00%	213,294.00
Revenue Totals	<u>(23,168.35)</u>	<u>130,787.09</u>	<u>153,955.44</u>	<u>162,704.23</u>	<u>1,569,445.00</u>	<u>10.37%</u>	<u>1,406,740.77</u>
<b>Expense Summary</b>							
Reserve	0.00	14,331.09	14,331.09	0.00	171,973.00	0.00%	171,973.00
Personnel	30,281.66	28,677.74	(1,603.92)	30,281.66	344,133.00	8.80%	313,851.34
Employee Benefits	3,983.51	7,104.08	3,120.57	5,944.01	85,249.00	6.97%	79,304.99
Special Services	0.00	754.17	754.17	0.00	9,050.00	0.00%	9,050.00
Contractual Services	725.95	1,720.84	994.89	725.95	20,650.00	3.52%	19,924.05
Supplies	0.00	400.01	400.01	180.00	4,800.00	3.75%	4,620.00
Professional Development	0.00	183.34	183.34	0.00	2,200.00	0.00%	2,200.00
Software & Computer Equipment	100.00	1,858.00	1,758.00	2,700.00	22,296.00	12.11%	19,596.00
Printing Expense	0.00	479.16	479.16	0.00	5,750.00	0.00%	5,750.00
Utilities	285.88	57,969.00	57,683.12	32,985.59	695,628.00	4.74%	662,642.41
Repairs - Bldg & Machinery	10,470.28	3,091.68	(7,378.60)	14,384.64	37,100.00	38.77%	22,715.36
Other Expense	662.79	577.07	(85.72)	1,303.55	6,925.00	18.82%	5,621.45
Capital Outlay	0.00	10,257.66	10,257.66	1,439.81	123,092.00	1.17%	121,652.19
Rentals	0.00	20.83	20.83	0.00	250.00	0.00%	250.00
Operating Services	3,256.34	1,559.84	(1,696.50)	3,329.54	18,718.00	17.79%	15,388.46
Vehicle Expenses	1,282.65	933.33	(349.32)	2,385.93	11,200.00	21.30%	8,814.07
Insurance	0.00	660.93	660.93	1,705.75	7,931.00	21.51%	6,225.25
Minor Capital Outlay	0.00	208.34	208.34	554.39	2,500.00	22.18%	1,945.61
Expense Totals	<u>51,049.06</u>	<u>130,787.11</u>	<u>79,738.05</u>	<u>97,920.82</u>	<u>1,569,445.00</u>	<u>6.24%</u>	<u>1,471,524.18</u>

City of Ovilla  
Financial Statement  
As of November 30, 2018

<b>250 - WWW Infrastructure Improvements</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Services	0.00	5,727.00	5,727.00	0.00	68,724.00	0.00%	68,724.00
Revenue Totals	0.00	5,727.00	5,727.00	0.00	68,724.00	0.00%	68,724.00
<b>Expense Summary</b>							
Reserve	0.00	5,727.00	5,727.00	0.00	68,724.00	0.00%	68,724.00
Expense Totals	0.00	5,727.00	5,727.00	0.00	68,724.00	0.00%	68,724.00

City of Ovilla  
Financial Statement  
As of November 30, 2018

<b>300 - Capital Projects Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Other Revenue	0.00	22.50	22.50	0.00	270.00	0.00%	270.00
Revenue Totals	0.00	22.50	22.50	0.00	270.00	0.00%	270.00
<b>Expense Summary</b>							
Reserve	0.00	22.50	22.50	0.00	270.00	0.00%	270.00
Expense Totals	0.00	22.50	22.50	0.00	270.00	0.00%	270.00



City of Ovilla  
Financial Statement  
As of November 30, 2018

<b>400 - Debt Service Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Taxes	22,736.00	38,659.17	15,923.17	22,736.00	463,910.00	4.90%	441,174.00
Other Revenue	0.00	45.83	45.83	0.00	550.00	0.00%	550.00
Transfers	0.00	9,207.50	9,207.50	0.00	110,490.00	0.00%	110,490.00
Revenue Totals	<u>22,736.00</u>	<u>47,912.50</u>	<u>25,176.50</u>	<u>22,736.00</u>	<u>574,950.00</u>	<u>3.95%</u>	<u>552,214.00</u>
<b>Expense Summary</b>							
Long Term Debt	<u>0.00</u>	<u>47,912.50</u>	<u>47,912.50</u>	<u>0.00</u>	<u>574,950.00</u>	<u>0.00%</u>	<u>574,950.00</u>
Expense Totals	<u>0.00</u>	<u>47,912.50</u>	<u>47,912.50</u>	<u>0.00</u>	<u>574,950.00</u>	<u>0.00%</u>	<u>574,950.00</u>

City of Ovilla  
Financial Statement  
As of November 30, 2018

<b>500 - Municipal Development District Fund</b>	<b>Current Month Actual</b>	<b>Current Month Budget</b>	<b>Budget Variance</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>							
Taxes	5,224.61	4,208.33	(1,016.28)	10,118.01	50,500.00	20.04%	40,381.99
Other Revenue	0.00	50.00	50.00	0.00	600.00	0.00%	600.00
Revenue Totals	<u>5,224.61</u>	<u>4,258.33</u>	<u>(966.28)</u>	<u>10,118.01</u>	<u>51,100.00</u>	<u>19.80%</u>	<u>40,981.99</u>
<b>Expense Summary</b>							
Special Services	0.00	133.33	133.33	0.00	1,600.00	0.00%	1,600.00
Supplies	0.00	8.33	8.33	0.00	100.00	0.00%	100.00
Insurance	0.00	22.67	22.67	0.00	272.00	0.00%	272.00
Reserve	0.00	4,052.33	4,052.33	0.00	48,628.00	0.00%	48,628.00
Expense Totals	<u>0.00</u>	<u>4,216.66</u>	<u>4,216.66</u>	<u>0.00</u>	<u>50,600.00</u>	<u>0.00%</u>	<u>50,600.00</u>

City of Ovilla  
Financial Statement  
As of November 30, 2018

<b>600 - 4B Economic Development Fund</b>	<b>Current Month Actual</b>	<b>Current Month Budget</b>	<b>Budget Variance</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>							
Taxes	12,744.83	8,833.33	(3,911.50)	22,068.83	106,000.00	20.82%	83,931.17
Other Revenue	0.00	175.00	175.00	0.00	2,100.00	0.00%	2,100.00
Transfers	0.00	7,860.33	7,860.33	0.00	94,324.00	0.00%	94,324.00
Revenue Totals	<u>12,744.83</u>	<u>16,868.66</u>	<u>4,123.83</u>	<u>22,068.83</u>	<u>202,424.00</u>	<u>10.90%</u>	<u>180,355.17</u>
<b>Expense Summary</b>							
Other Expense	0.00	2,091.66	2,091.66	0.00	25,100.00	0.00%	25,100.00
Reserve	0.00	6,602.67	6,602.67	0.00	79,232.00	0.00%	79,232.00
Special Services	0.00	41.67	41.67	0.00	500.00	0.00%	500.00
Supplies	0.00	8.33	8.33	0.00	100.00	0.00%	100.00
Professional Development	0.00	233.33	233.33	0.00	2,800.00	0.00%	2,800.00
Printing Expense	0.00	25.00	25.00	0.00	300.00	0.00%	300.00
Insurance	0.00	22.67	22.67	0.00	272.00	0.00%	272.00
Expense Totals	<u>0.00</u>	<u>9,025.33</u>	<u>9,025.33</u>	<u>0.00</u>	<u>108,304.00</u>	<u>0.00%</u>	<u>108,304.00</u>

City of Ovilla  
Financial Statement  
As of November 30, 2018

<b>700 - Park Impact Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Services	334.52	717.75	383.23	1,338.08	8,613.00	15.54%	7,274.92
Other Revenue	0.00	15.00	15.00	0.00	180.00	0.00%	180.00
Revenue Totals	<u>334.52</u>	<u>732.75</u>	<u>398.23</u>	<u>1,338.08</u>	<u>8,793.00</u>	<u>15.22%</u>	<u>7,454.92</u>
<b>Expense Summary</b>							
Reserve	0.00	551.50	551.50	0.00	6,618.00	0.00%	6,618.00
Minor Capital Outlay	0.00	41.67	41.67	0.00	500.00	0.00%	500.00
Capital Outlay	0.00	139.58	139.58	0.00	1,675.00	0.00%	1,675.00
Expense Totals	<u>0.00</u>	<u>732.75</u>	<u>732.75</u>	<u>0.00</u>	<u>8,793.00</u>	<u>0.00%</u>	<u>8,793.00</u>



City of Ovilla  
Financial Statement  
As of November 30, 2018

<b>800 - Water And Utilities Impact Fee Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Services	2,190.22	4,563.00	2,372.78	8,760.88	54,756.00	16.00%	45,995.12
Revenue Totals	2,190.22	4,563.00	2,372.78	8,760.88	54,756.00	16.00%	45,995.12
<b>Expense Summary</b>							
Reserve	0.00	4,563.00	4,563.00	0.00	54,756.00	0.00%	54,756.00
Expense Totals	0.00	4,563.00	4,563.00	0.00	54,756.00	0.00%	54,756.00

Code Enforcement Report  
 105 S Cockrell Hill Rd  
 Ovilla, TX 75154  
 (972) 617-7262

To: Mayor Richard Dormier  
 Ovilla City Council  
 City Manager John Dean

Subject: **Code Enforcement Monthly Report**

	Dec. 2018	Dec.2018 YTD	Dec.2017	
Calls For Service				
Complaint (Nuis 16 Permit 11,Parking 14)	41	494	34	
Follow up (Nuis 20 Permit 11 Park 14)	45	569	34	
Door Notice (Nui -12, Permit-8, Parking 10)	30	270	28	
Mail Notice ( Park 5 nuis 3 perm 6 )	14	186	15	
Posted Property (nuisance 3)	3	106	4	
Court 3 Nuisance,3 parking , 3 JV	\$0	\$1,855	\$199.00	
Citizen Contacts	32	614	41	
Permits Reviewed	17	169	11	
Permits Issued	14	114	8	
Inspections	18	180	9	
Nuisance Abated by City	1	8	3	
Nuisance Signs (Garage sale-13 other 32 )	45	477	47	
Board of Adjustment O	0	14	0	

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

To: Mayor Richard Dormier  
Ovilla City Council  
City Manager Mr. John Dean

Subject: **Animal Control Monthly Report**

	Dec.2018	Dec.2018 YTD	Dec.2017	
Calls For Service				
Complaint (Regist-27 At Large 22 Bark 2)	51	401	18	
Follow up	36	439	18	
Door Notice (Regis-21, Bark 2 at large 5)	28	283	17	
Impounded Animal (Dog 5 cat 1 )	6	106	3	
Animal welfare check	17	104	11	
Impound Results (Transport 3 Ret to own 3)	6	105	3	
Impound fee collected	\$220.00	\$2,255.00	65	
Court	\$0.00	\$381.00	0	
Citizen Contacts	57	404	23	
Animal registration \$96	8	187	9	
Registration Letters Mailed	18	252	23	
Nuisance letter - 1 barking 2 At large	3	34	1	
Animals released 1 Snake, 3 racc, 1 Possum	5	22	2	
Deceased removed	24	246	24	
Oak Leaf - 1 Dog	1	22	0	
Traps Checked Out	4	57	4	

# Ovilla Municipal Court Report

<b>FY-2018-2019</b>	<b>Total Traffic Cases Filed</b>	<b>City Ordinance Filed</b>	<b>Total Revenue</b>	<b>Amount Kept by City</b>	<b>Amount sent to State</b>	<b>Warrants Issued</b>	<b>Warrants Cleared</b>	<b>Uncontested Disposition</b>	<b>Defensive Driving</b>	<b>Deferred Disposition</b>	<b>Compliance Dismissals</b>	<b>Trial</b>
<b>October</b>	72	3	\$17,292.87	\$11,166.04	\$6,126.83	27	14	29	25	36	3	0
<b>November</b>	103	0	\$13,685.20	\$8,633.25	\$5,051.95	29	4	27	14	43	1	0
<b>December</b>	88	6	\$17,303.50	\$10,482.81	\$6,820.69	18	10	37	24	11	4	0
<b>January</b>												
<b>February</b>												
<b>March</b>												
<b>April</b>												
<b>May</b>												
<b>June</b>												
<b>July</b>												
<b>August</b>												
<b>September</b>												
<b>Totals</b>	<b>263</b>	<b>9</b>	<b>\$48,281.57</b>	<b>\$30,282.10</b>	<b>\$17,999.47</b>	<b>74</b>	<b>28</b>	<b>93</b>	<b>63</b>	<b>90</b>	<b>8</b>	<b>0</b>

2017-2018 FY

<b>December</b>	119	0	\$13,100.10	\$7,642.71	\$5,457.39	43
<b>FY Totals</b>	<b>266</b>	<b>6</b>	<b>\$50,952.02</b>	<b>\$29,479.30</b>	<b>\$21,472.72</b>	<b>78</b>





To: Mayor and City Council Members  
From: John R. Dean, City Manager  
Date: 01/4/2019

Re: City Manager's Monthly Report (December)

Hidden Valley Estates:

- Work was still ongoing on the sewer line during the month of December.
- The manhole lining was approved by Council to be done by the contractor.

Personnel Policy Review: Proposed revisions were approved at the December meeting.

Street Information:

- Public Works crew addressed potholes this month.
- PW fixed the guard rail on North Cockrell Hill.

Integrated Software Transition: Implemented time entry and employee portal applications.

New Property:

- Authorized asbestos abatement.
- Received estimates on electrical upgrades, ADA compliance, an equipment building, parking and other issues on the new site.

Solid Waste: Completed the transition of service with CWD and Waste Connections.

Fire Hydrant Testing: Completed.

Fire Hydrant Painting: Authorized the painting of hydrants, which should occur in January weather dependent.

Drainage:

- Public works has identified many areas in the city that need improvements.
- They have continued working on those areas.
- Authorized the concrete work to be done on Westlawn as is approved in the budget. This work is scheduled to be done the second full week of January, weather permitting.

Bridges: I received a proposal from Eikon to proceed with the project for engineering services through completion of the project. We are currently reviewing and intend to present for Council consideration in January.

Golf Carts: As of the end of December, we had issued three golf cart permits.

Project Progress:

City Facilities connected to sewer:

- The City Engineer has prepared an estimate of cost. We presented the cost estimate to the EDC to as a project. The EDC called for a public hearing on the project.

Pavilion: Parks Board has started developing a pavilion design to present to City Council for consideration to move on to engineering.

FY 2019 Street Improvements: Provided the FY 2019 to Commissioner Butler.

Westlawn Drive

Holly Lane

Slippery Elm Drive

Green Wood Drive

Willow Wood Lane

Preparing to do drainage work for the street improvements so that they are completed prior to the county doing street work later in the year.

Ticket Writers: We have contacted Brazos but cannot proceed until after January 2019.

Christmas Tree Lighting: The event was cancelled due to inclement weather.

New Development: Met with a developer/property owner on a possible development north of Meadow Glen on Cockrell Hill.

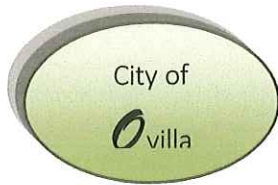
Administrative:

- Concluded internal investigation and action on a policy issue.
- Conducted employee meetings with the City staff to address changes to the Employee Policies and other things including expectations.
- Scheduled County probation to do cleanup on January 19<sup>th</sup>. Locations are not set at this time.
- Worked with Charlie Morton regarding the markers for the Veterans Memorial.
- Tammy McCoy Retired.
- Cathy Gaeta moved to Permitting.
- Ashley Thompson moved to Utility Billing to replace Cathy.
- Currently advertising for the Admin Assistant at the PD.

Upcoming Items

- City Council Meeting – Monday, January 14th, 2019 at 6:00 pm
- City Hall Closed - Monday, January 21st, 2019

Respectfully Submitted,  
John R. Dean, Jr.  
City Manager



# Ovilla City Council

## Monthly Permit Activity

Meeting Date: January 14, 2019

☒ Discussion ☐ Action

Presented By: John. R. Dean, Jr., City Manager

Attachments:
Monthly permit reports during FY2018-2019
Agenda Item / Topic:
Receive and discuss a report from City Staff regarding the previous month's activities and residential construction.
Discussion / Justification:
Activity Report: I. Building permits issued since October 2018: Total Homes = 5 <ul style="list-style-type: none"><li>• October - New home construction: 2 / Other: 16</li><li>• November - New home construction: 1 / Other: 14</li><li>• December - New home construction: 2 / Other: 17</li></ul> (Other: plumbing, flatwork, fences, mechanical, swimming pools, etc.)
Sample Motion(s):