

City of OVILLE 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, February 11, 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 NOTICE OF the February 11, 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, on the 08th day of February 2019 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



Pamela Woodall, City Secretary

DATE OF POSTING: 2-8-19 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.

City of OVILLE City Council

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John R. Dean, Jr. City Manager

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, February 11, 2019

6:30 P.M.

Council Chamber Room

AGENDA

NOTICE is hereby given of a **Regular Meeting** of the City Council of the City of Ovilla, to be held on **Monday, February 11, 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 R2019-02 authorizing the execution of the Depository Services Contract between the City of Ovilla and Prosperity Bank.
- C2. Authorize the City Manager to execute a quote on street improvements submitted by Ellis County Precinct 4.
- C3. Investment Report for quarter ended December 2018
- C4. Committed Fund Balance Report as of December 2018
- C5. Minutes of the January 14, 2019 Briefing Session and Regular Meeting.

III. REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Consideration of and action on Ordinance 2019-05 of the City of Ovilla, Texas, Amending Ordinance No. 2018-19 providing for Budget Amendment Number Four (4) 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.

City of OVILLE 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

ITEM 2. **DISCUSSION/ACTION** – Consideration of and action on the work order for engineering services for the repair of the Water Street bridge.

ITEM 3. **DISCUSSION/ACTION** – Consideration of and action on Ordinance 2019-06, authorizing the execution and delivery of a Continuing Disclosure Agreement by and between the City of Ovilla, Texas and the Trinity River Authority of Texas.

ITEM 4. **DISCUSSION** – Review and discuss Article 3.05 Fences of the Ovilla Code of Ordinances as requested by Councilman Oberg.

ITEM 5. **DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

IV. DEPARTMENT REPORTS

■ Department Activity Reports / Discussion

• Police Department	Chief B. Windham
• Monthly Report	
• Texas Law Enforcement Agency Ovilla Annual Racial Profiling 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
• December 2018 Financials and transactions	
• Bank Balances through February 6, 2019	
• Administration	Code/AC Officer M. Dooly
• Monthly Code/Animal Control Reports	
• Monthly Municipal Court Report	
• City Manager Reports	City Secretary P. Woodall
	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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*City of O*VILLA City Council

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Dean Oberg, Place Two

David Griffin, Place Three, Mayor Pro Tem

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Doug Hunt, Place Four

Michael Myers, Place Five

John R. Dean, Jr. City Manager



Pamela Woodall, City Secretary

DATE OF POSTING: 2-8-19 TIME: 10:00 am/pm

DATE TAKEN DOWN: _____ TIME: _____ am/pm

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CONSENT ITEMS C1 – C5

Meeting Date: February 11, 2019

Department: Administration/Finance

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: Staff

Amount: N/A

Attachments:

- C1. Resolution R2019-02 authorizing the execution of the Depository Services Contract between the City of Ovilla and Prosperity Bank.
- C2. Authorize the City Manager to execute a quote on street improvements submitted by Ellis County Precinct 4.
- C3. Investment Report for quarter ended December 2018
- C4. Committed Fund Balance Report as of December 2018
- C5. Minutes of the January 14, 2019 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.

RESOLUTION R2019-02
CITY OF OVILLA, TEXAS

**Board Resolution Extending Depository Contract for
Funds of the City of Ovilla, Texas**

Be it resolved by the City of Ovilla that:

Prosperity Bank, Depository, located in the City of Red Oak, Ellis County, State of Texas, being a bank, and the City of Ovilla agree to extend for an additional 1 year term from June 1, 2019 through May 31, 2020, making an exception the existing terms and conditions for banking services and rates previously agreed to in the Depository Contract in effect from June 1, 2015 through May 31, 2018 from: **Interest Bearing Checking Accounts** pays interest on the net collected balance in your account at our posted **NOW account rate plus (+) .30**; **Our Prosperfect Investment Money Market Accounts**, interest would be paid on the net collected balance at the posted rate, to: **Interest Bearing Checking Accounts** pays interest on the net collected balance in your account at our posted **NOW account rate plus (+) .30, with a Floor of 1.0%**; **Our Prosperfect Investment Money Market Accounts**, interest would be paid on the net collected balance at the posted rate

AGREED and ACCEPTED on behalf of the City of Ovilla

this _____ day of _____, 20 ____.

Signature: City Manager

AGREED and ACCEPTED on behalf of Depository this _____ day or _____, 20 ____.

Prosperity Bank, Depository

By: _____
Print Name: Jo Ann Brewer
Title: Banking Center President

ACKNOWLEDGMENT

State of Texas
Ellis County

Before me, the undersigned authority in and for said county and state, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument on behalf of said depository, and acknowledge to me that (s)he executed the same as the act and deed of said depository, for the purpose therein expressed and in the capacity therein stated.

Given under my hand and seal of office this the _____ day of _____, 20 ____.

(Seal)

Signature of Notary
Notary Public in and for Ellis County, Texas.

RESOLUTION R2019-02
CITY OF OVILLA, TEXAS

**Board Resolution Extending Depository Contract for
Funds of the City of Ovilla, Texas**

Be it resolved by the City of Ovilla that:

Prosperity Bank, Depository, located in the City of Red Oak, Ellis County, State of Texas, being a bank, and the City of Ovilla agree to extend for an additional 1 year term from June 1, 2019 through May 31, 2020, making an exception the existing terms and conditions for banking services and rates previously agreed to in the Depository Contract in effect from June 1, 2015 through May 31, 2018 from: **Interest Bearing Checking Accounts** pays interest on the net collected balance in your account at our posted **NOW account rate plus (+) .30**; **Our Prosperfect Investment Money Market Accounts**, interest would be paid on the net collected balance at the posted rate, to: **Interest Bearing Checking Accounts** pays interest on the net collected balance in your account at our posted **NOW account rate plus (+) .30, with a Floor of 1.0%**; **Our Prosperfect Investment Money Market Accounts**, interest would be paid on the net collected balance at the posted rate

AGREED and ACCEPTED on behalf of the City of Ovilla

this _____ day of _____, 20 ____.

Signature: City Manager

AGREED and ACCEPTED on behalf of Depository this _____ day or _____, 20 ____.

Prosperity Bank, Depository

By: _____
Print Name: Jo Ann Brewer
Title: Banking Center President

ACKNOWLEDGMENT

Sate of Texas
Ellis County

Before me, the undersigned authority in and for said county and state, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument on behalf of said depository, and acknowledge to me that (s)he executed the same as the act and deed of said depository, for the purpose therein expressed and in the capacity therein stated.

Given under my hand and seal of office this the _____ day of _____, 20 ____.

(Seal)

Signature of Notary
Notary Public in and for Ellis County, Texas.



PROSPERITY BANK®

January 29, 2019

City of Ovilla
105 Cockrell Hill Rd
Ovilla, TX 75154

Dear Mayor Dormier:

The Depository Services Contract between City of Ovilla and Prosperity Bank has been renewed for a one year basis. The previous renewal of the contract by and between the City and the Bank was as of June 1, 2018.

By signing this letter and returning it for our files, you agree to renewal of this contract for an additional year- June 1, 2019 through May 31, 2020. All terms will remain the same except for the following:

NOW Accounts- Prosperity Bank NOW sheet rate +.30% with a floor of 1.00%; with an APY 1.00%

We appreciate our business relationship with the City of Ovilla and look forward to working with you in the future. If you have any questions, please let me know. I may be reached at 972-617-1509 or by email joann.brewer@prosperitybankusa.com.

Sincerely,


Jo Ann Brewer,
Banking Center President

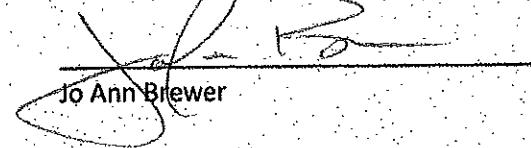
Agreed and accepted on behalf of City of Ovilla:

City of Ovilla

Title

Date

Agreed and accepted on behalf of Prosperity Bank:


Jo Ann Brewer

Banking Center President

Title

1-29-19

Date



QUOTE

**ELLIS COUNTY PRECINCT 4
1011 EASTGATE
MIDLOTHIAN, TX. 76065**

OFFICE: 972-825-5305

Date: January 30, 2019

Customer: City of Ovilla
105 S. Cockrell Hill Road
Ovilla, TX. 75154
972-617-7262

RE: Quotes

Ellis County - Rehabilitate, Process Cement Super Slurry, make ready for asphalt Laydown and Prime seal.

Texas Bit contactor - 2.5 Laydown Compact 2"

Westlawn Dr. - .4 x 18' = 4224 SY (County \$19,008.00)

(Cont. \$50,900.00)

Willow Wood Ln. - .3 x 18' = 3168 SY (County \$14,256.00)

(Cont. \$38,175.00)

Green Wood Dr. - .2 x 18' = 2112 SY (County \$9,504.00)

(Cont. \$25,445.00)

Slippery Elm Dr. - .4 x24' = 5632 SY (Cont. \$67,866.00)

******* Per our agreement, once job is completed on Slippery Elm Dr., City of Ovilla will then take over road maintenance of entire road.*******

Dusty Oak Trl. - .1 x 14' = 821 SY (County \$3,695.00)

(Cont. \$9,894.00)

Holly Lane - .2 x 14' = 1625 SY (County \$9,063.00) Will need to extend cross pipe culvert 36" on both sides and take out trees.

(Cont. \$19,582.00)

Total County = \$55,526.00

Contractor = \$211,867.00 (Estimated cost for Contractor from county measurements could be +/-)

Bids are good thru September 1st 2019.

Contractor's price could vary to the County/City measurements of the roadway. The Contractor that is chosen will need to verify measurements before beginning. CITY will deal directly with the contractor and the COUNTY will help schedule time when our job is complete. You will also pay Contractor separately from the County.

Please return with signature of approval

City of Ovilla

By:



DATE: February 11, 2019

TO: Honorable Mayor and Council Members

FROM:
Linda Harding, Accountant

SUBJECT: Investment Report for Quarter Ending December 31, 2018

**City of Ovilla
Investment Report
For Quarter Ending DECEMBER 31, 2018**

Fund	Bank	Investment Type	Description	Bank Account Number	Quick Books Account #	Inception Date	Maturity Date	Rate	Beginning Market Value 9-30-2018	Activity During Quarter	Ending Market Value 12/31/2018	Book Value 12/31/2018	Difference
GENERAL FUND													
GF	Prosperity Bank	Operating	General	6602109437	1012500	N/A	N/A	0.4000%	\$ 817,680.84	Interest Earned Net Deposit Net Withdrawals Ending Balance	\$ 801.96 \$ 876,772.20 \$ 1,505,964.68 \$ 657,073.26	\$657,073.26	\$0.00
GF	Texstar Investment		Pool	701711110	1012525	N/A	N/A	2.306900%	\$ 3,823.22	Interest Earned Withdrawal Ending Balance	\$ 21.52 \$ - \$ 3,844.74	\$3,844.74	\$0.00
GF	Prosperity Bank		Money Market	9307605	1012520	3/2/11	N/A	0.8500%	\$231,714.96	Interest Earned Withdrawal Ending Balance	\$ 496.80 \$ - \$232,211.76	\$232,211.76	(\$0.00)
GF	Texstar Investment		Pool	701711120	1011525	N/A	N/A	2.306900%	\$ 952.99	Interest Earned	\$ 6.47	\$958.46	\$658.46
GF	Prosperity Bank		Money Market	9307583	1012250	N/A	N/A	0.8500%	\$ 128,847.31	Interest Earned Net Deposit Net Withdrawals Ending Balance	\$ 276.25 \$ - \$ - \$ 129,123.56	\$129,123.56	\$0.00
GF	Prosperity Bank		Leose		1012510	N/A	N/A	0.0000%	\$ 1,601.00	Interest Earned Net Deposit Net Withdrawal	\$ - \$ - \$ 1,599.21	\$1.79	\$1.79
GF	Prosperity Bank		CD	670010694	1012260	2/25/14	2/25/15	0.9000%	\$ 249,537.04	Interest Earned Net Deposit Net Withdrawals Ending Balance	\$ 566.07 \$ - \$ - \$ 250,103.11	\$250,103.11	\$0.00
GF	Prosperity Bank		CD	670010608	1012290	10/17/12	10/17/13	0.6500%	\$ 56,419.97	Interest Earned	\$ 92.59	\$56,512.56	\$56,512.56
GF	Prosperity Bank		Bryson Manor	216188662	1012295	6/25/15	n/a	0.4000%	\$ 299,215.81	Interest Earned Net Deposit Net Withdrawals Ending Balance	\$ 301.78 \$ - \$ - \$ 299,517.59	\$299,517.59	\$0.00
DEBT SERVICE													
Debt	Prosperity Bank	Savings Account	Sinking Fund	6606020291	1010000	N/A	N/A	0.4100%	\$ 525,742.98	Interest Earned Deposits Deductions Ending Balance	\$ 181.33 \$ 5,322.29 \$ 484,442.24 \$ 46,804.36	\$46,804.36	\$46,804.36
Water & Sewer Utility Fund													
W&S	Prosperity Bank	Operating	Utility	6602109445	1021500	N/A	N/A	0.8500%	\$ 906,289.19	Interest Earned Net Deposit Net Withdrawals	\$ 1,014.11 \$ 202,365.81 \$ 72,210.98	\$1,037,458.13	\$1,037,458.13

**City of Ovilla
Investment Report
For Quarter Ending DECEMBER 31, 2018**

**City of Ovilla
Investment Report
For Quarter Ending DECEMBER 31, 2018**



DATE: February 11, 2019

TO: Honorable Mayor and Council Members

FROM:
Linda Harding, Accountant

SUBJECT: Committed Fund Balance Report as of December 31, 2018

Committed Fund Balance Report

for General Fund for FY 2018-2019

	Account	General Fund 2018-2019
	Number	Budget
FY 2018-2019 Budget		3,649,994
CAPITAL ASSETS and RESERVE ACCOUNTS:		
Machinery and Equipment	5106440	(1,000)
Furniture	5106465	(3,000)
Audio and Visual Equipment	5106470	0
Buildings	5107420	0
Machinery and Equipment	5107440	0
Reserve for Contingency	5109001	0
Reserve for PD and FD Radios	5109015	0
Machinery and Equipment	5206440	(8,100)
Personal Protective Equipment	5206445	(2,600)
Capital Outlay - Vehicles	5206450	0
Machinery and Equipment	5306440	(10,300)
Personal Protective Equipment	5306445	(20,247)
Capital Outlay - Vehicles	5307450	0
Machinery and Equipment	5406440	(1,500)
Capital Outlay - Vehicles	5407450	0
Machinery and Equipment	5506440	(2,500)
Personal Protective Equipment	5506445	(300)
Minor Capital Outlay	5506490	(850)
Land Improvements	5606410	6,800
Machinery and Equipment	5606440	(2,000)
Transfer from 4B EDC	5607410	(75,000)
Machinery and Equipment	5607440	(6,000)
Total 2018-2019 Budget Less Capital Assets and Reserve		3,523,397
Resolution Number 2013-002		25%
REQUIRED UNASSIGNED FUND BALANCE IN GENERAL FUND		\$ 880,849.25

ALL G/F BANK ACCOUNT BALANCES AS OF 12/10/2018

Prosperity Bank (Operating Acct 9437)	1012500	\$ 657,073.26
Prosperity Money Market (Acct #9307605)	1012520	\$ 232,211.76
TexStar Reserves (Acct. #07017-1110)	1012525	\$ 3,844.74
TexStar Money Market (Acct 1112)	1011525	\$ 958.48
Prosperity Money Market Reserve (Acct. #9307583)	1012250	\$ 129,123.56
Prosperity CD (Acct. #670010694)	1012260	\$ 250,103.11
Prosperity Bank CD (Acct. #670010608)	1012290	\$ 56,512.56

ALL BANK ACCOUNTS Total Unassigned Fund Balance in General Fund

\$ 1,329,827.47

REQUIRED UNASSIGNED FUND BALANCE IN GENERAL FUND

\$ 880,849.25

Excess in Unassigned Fund Balance in ALL ACCOUNTS

\$ 448,978.22

CITY OF OVILLA MINUTES

Monday, January 14, 2019
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 various 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 2 was discussed and clarified.

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 February 11, 2019

CITY OF OVILLA MINUTES

Monday, January 14, 2019

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

Mayor Pro Tem Griffin 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 her personal opinion regarding the City's purchase of and planned use of the Main Street property. She added that the City should focus on street paving repairs rather than spending money to refurbish the Main Street property and, specifically street repairs to Holly Lane and Dusty Oaks.

CONSENT AGENDA

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

PL4 Hunt moved to approve the consent items as presented, seconded by PL5 Myers.

No oppositions, no abstentions.

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

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.

Staff advised that 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 will contract 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.

PL5 Myers moved to 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, seconded by PL1 Huber.

No oppositions, no abstentions.

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

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

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 R08-005. 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. This special election has continued every four year since that time, and it is again time to hold an election before expiration.

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.

Mayor Pro Tem Griffin moved that Council approve 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 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, seconded by PL1 Huber.

No oppositions, no abstentions.

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

ITEM 3. DISCUSSION/ACTION – Consideration of and action 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.

The presented ordinance was an amendment 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.

PL4 Hunt moved that Council approve 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, seconded by PL5 Myers.

No oppositions, no abstentions.

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

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.

Staff advised the necessity 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 city fees with regard to charges for public records.

PL5 Myers moved 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, effective immediately, seconded by PL4 Hunt.

No oppositions, no abstentions.

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

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

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 R2014-010 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 were no changes in state law, therefore, no changes to the policy adopted in January 2018.

PL4 Hunt moved to approve the review of the City of Ovilla Investment Policy, seconded by Mayor Pro Tem Griffin.

No oppositions, no abstentions.

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

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

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. Staff presented the recommended sketch from the Park Advisory Board 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. A \$75,000 budget was approved for this project in the FY 2019 Budget.

The City Council varied in their opinions on whether or not the presented drawing was acceptable, based on the roof slope and size. Staff advised that many of their specifics and concerns would be addressed in the final drawings and construction. Staff reminded Council that the presented sketch was a concept.

PL2 Oberg moved to approve the presented design as the basic concept for a park pavilion in Founders Park and authorize the City Manager to move forward with the engineering necessary for the project, seconded by PL1 Huber. PL5 Myers voted in opposition.

No abstentions.

VOTE: The motion to approve carried: 4-1.

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

The consensus of the Council was favorable, albeit asking for more information on the financial impact and more information from the City's engineers. Staff advised they would bring this item back to Council once additional information was acquired.

No Action.

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

At the request of PL5 Myers, Mayor Dormier placed this item on the agenda for discussion. This is in the Strategic Guide and was to be considered in FY 2019. PL5 Myers and Council discussed the future plans/planning for Ovilla's city infrastructure, specifically city hall and the police facilities. It was agreed that all municipal offices needed expansion and updates, whether it be with new buildings or refurbishing what existed. The consensus of the Council and staff was to schedule a planning workshop to discuss the needs of the departments and financial options. March 25, 2019 was a tentative workshop date.

No Action.

ITEM 9. DISCUSSION – Update on Park Development Fee.

Staff reported that 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

Council consensus was to allow staff to move forward with looking at the current plans and projected expenses to revise the current ordinance to reflect projected needs of our current plan.

No Action.

ITEM 10. DISCUSSION – Update on Strategic Plan.

Staff reported the following information:

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.

No Action.

ITEM 11. DISCUSSION – Update on Strategic Guide.

Staff updated Council on the status of tasks outlined in the Strategic Guide. City Manager John Dean asked Council to consider removing the goal that addressed branding for the City.

No Action.

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

N/A

III. DEPARTMENT REPORTS

- Department Activity Reports / Discussion
 - Police Department Chief B. Windham
 - Monthly Report was presented.
 - Fire Department Chief B. Kennedy
 - Monthly Report was presented.
 1. The Safe Grant was on hold due to government shutdown.
 2. Fire hydrants are being painted.
 - Public Works Director B. Piland
 - Monthly Report was presented.
 1. Monthly Park Maintenance Reports were reviewed.
 - Finance Department Accountant L. Harding
 - November 2018 Financials and transactions were reviewed.
 - Bank Balances through January 10, 2019 were reviewed.
 - Administration – all 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.

EXECUTIVE SESSION - None**REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS BY COUNCIL AND STAFF**

1. Mayor Dormier	None
2. PL1 Huber	Service League Spaghetti Dinner set for February 15, Grace Church
3. PL2 Oberg	None
4. PL3 Griffin	None
5. PL4 Hunt	None
6. PL5 Myers	Discuss blue fence near the downtown area.
7. City Manager	None

ADJOURNMENT

PL2 Oberg moved to adjourn the meeting of January 14, 2019, seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 8:43 p.m.

ATTEST:

Pamela Woodall, City Secretary

Richard Dormier, Mayor

Approved February 11, 2019

Attachments: Citizens Forum sheet

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

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

WELCOME TO THE CITY OF OVILLA CITIZENS FORUM

**The Ovilla City Council and 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: 1-14 2019

PHONE: 214 546 9532

DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? YES NO

NAME: Linnie Wade

ORGANIZATION / DEPARTMENT:

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 or representative 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 each month at 6:30 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 Linnie Wade"

AGENDA ITEM REPORT

Item: 1

Meeting Date: February 11, 2019

Discussion Action

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

Reviewed By: City Manager City Secretary City Attorney

Accountant

Other: PW Director B. Piland

Attachments:

1. Ordinance 2019-05
2. Exhibit A, Budget Revision

Agenda Item / Topic:

ITEM 1. **DISCUSSION/ACTION** – Consideration of and action on Ordinance 2019-05 of the City of Ovilla, Texas, Amending Ordinance NO. 2018-19 providing for Budget Amendment Number Four (4) 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 allocate funds for the street improvements that were scheduled for the previous Fiscal Year that did not occur.

Recommendation / Staff Comments:

Recommends approval of the budget amendment.

Sample Motion(s):

I move that Council approve/deny Ordinance 2019-05 of the City of Ovilla, Texas, Amending Ordinance NO. 2018-19 providing for Budget Amendment Number Four (4) 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. 2019-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AMENDING ORDINANCE NO. 2018-19 PROVIDING FOR BUDGET AMENDMENT NUMBER FOUR (4) 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 ENROSSMENT 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. 2019-05

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 Four (4) 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. 2019-05

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 11th day of February 2019.

Richard Dormier, Mayor
City of Ovilla, Texas

ATTEST:

Pam Woodall, City Secretary
City of Ovilla, Texas

Exhibit A
City of Ovilla
Budget Amendment Number Four (4) for the 2019 Fiscal Year

11-Feb-19

<u>Items</u>		<u>Fund or Account</u>	<u>2019 Budget</u>	<u>2019 Amendment</u>	<u>Increase (Decrease)</u>
<u>Street Improvement Fund</u>					
<u>Revenue</u>					
Rehabilitate Willow Wood and Greenwood	120-4000915	Transfer in	187,000	214,661	27,661
<u>Expenditures</u>					
Rehabilitate Willow Wood and Greenwood	120-55-57460	Infrastructure	187,000	267,500	80,500
Rehabilitate Willow Wood and Greenwood	120-55-59001	Reserve for Contingency	52,839.00	0.00	(52,839)
<u>General Fund</u>					
<u>Revenue</u>					
Rehabilitate Willow Wood and Greenwood	100-4000990	Reduction in fund balance	76,091.00	103,752.00	27,661
<u>Expenditures</u>					
Rehabilitate Willow Wood and Greenwood	100-50-57460	Infrastructure	187,000.00	214,661.00	27,661

AGENDA ITEM REPORT

Item: 2

Meeting Date: February 11, 2019

Department: Administration/Public Works

Discussion Action

Budgeted Expense: YES NO N/A

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

Amount: \$25,500.00

Reviewed By: City Manager City Secretary City Attorney
 Accountant Other: PW Director B. Piland

Attachments:

1. Work Order

Agenda Item / Topic:

ITEM 2. **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. They cost has been reduced by \$1,000 from the previously submitted work order. I made a request to the County to have the County Engineer give us a cost on doing the same work. I was told that the County Engineer is swamped with their own work at this time.

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 February 5, 2019 Rev3

Client John Dean, MPA, ICMA-CM
City Manager
City of Ovilla
105 S Cockrell Hill Road
Ovilla, Texas 75154
(972) 612-2762
JDEAN@cityofvilla.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)
 - Opinion of Probable Cost
- 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
 - 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: \$4,000
Construction Administration: \$5,000 (Hourly, NTE)
TOTAL: \$25,500

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

By: _____
Name: Robert M. Stengele, P.E.
Title: Director of Civil Engineering
Date January 22, 2019

CLIENT

By: _____
Name: _____
Title: _____
Date: _____

AGENDA ITEM REPORT

Item: 3

Meeting Date: February 11, 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: PW Director B. Piland

Attachments:

1. Ordinance 2019-06
2. TRA Continuing Disclosure Agreement

Agenda Item / Topic:

ITEM 3. **DISCUSSION/ACTION** – Consideration of and action on Ordinance 2019-06, authorizing the execution and delivery of a Continuing Disclosure Agreement by and between the City of Ovilla, Texas and the Trinity River Authority of Texas.

The Ordinance updates revisions to Rule 15c2-12, which defines debt information each entity is required by Municipal Securities Rulemaking Board (MSRB) to make available.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

I move to approve/deny Ordinance 2019-06, authorizing the execution and delivery of a Continuing Disclosure Agreement by and between the City of Ovilla, Texas and the Trinity River Authority of Texas, effective immediately.

Trinity River Authority of Texas



General Office

January 8, 2019

To: Trinity River Authority Customer Entity

Re: Continuing Disclosure Rule 15c2-12

Dear Customer:

The Securities and Exchange Commission (SEC) Rule 15c2-12 of the Securities Exchange Act requires that municipal security issuers provide certain information to the Municipal Securities Rulemaking Board (MSRB) about their securities on an ongoing basis. To meet this requirement, the Authority has had Continuing Disclosure Agreements (CDA) as a part of each bond resolution, as well as with each customer entity, since the rule has been in effect. The Authority and the customer have responsibilities related to this SEC rule. As obligated persons on Authority bonds, the customer is the main credit source for repayment of the obligations on Authority bonds.

Required continuing disclosure consists of important information that reflects the financial health and operating condition of the customer entity as long as the customer is obligated for Authority revenue bonds. Because of revisions to the Rule 15c2-12 over the years but, especially the 2018 revisions, the Authority is in the process of updating CDA's with each customer. The updated agreements clarify the information to be provided by each customer, as it relates to only that customer. The rule and, therefore, these agreements include three items required to be provided to the MSRB by customer entities:

1. Certain annual financial and operating information and audited financial statements, if/when available;
2. Timely notice of the occurrence of certain events including the two events added by recent Rule 15c2-12 amendment:
 - a) Incurrence of a *financial obligation* (considered *debt, debt-like, or debt-related*), of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the obligated person, any of which affect security holders, if material; and
 - b) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a *financial obligation* of the obligated person, any of which reflect financial difficulties; and
3. Timely notice of the failure of an issuer or customer entity to provide required annual financial information on or before the date specified in the continuing disclosure agreement

Importantly, the first of the new events (2.a above) includes a requirement of materiality. The SEC included the requirement of materiality because "it provides a framework for issuers and obligated persons to assess their disclosure obligations in the context of the *specific facts and circumstances*. TRA believes each customer entity is in a better position than TRA to determine whether the city's incurrence of a financial obligation is material and each determination should be based on whether the information would be important to the total mix of information made available to your investors. Therefore, we have clarified the type of information that would be required to be filed with respect to these new events to "only those events which relate to or impact the credit of the Authority's Bonds." For example, the Authority's Bonds are secured by payments by the city under the contract between the Authority and the city; such payments constitute an operating expense of the city's water and sewer system. Therefore, notice of events which impact the city's water and sewer system may require a filing to be made if the city concludes that it is material under the Rule. Events affecting the city's general obligation or tax-supported debt obligations would not require a filing to be made because they do not relate to or impact the credit of the Authority's Bonds.

All disclosures related to Authority revenue bonds must be linked to Authority CUSIPs. The Authority will provide these CUSIP numbers to the customer entity each fiscal year.

Attached is the revised CDA and a suggested form of resolution for your council to approve this CDA. Please review the material with your bond counsel and financial advisor. Because of the time sensitive nature of the amendments to the SEC Rule, we would ask that this CDA be placed on your council's agenda for approval by March 15, 2019. Please mail the executed agreement and resolution to me at the address on the previous page. Also, email a copy of the documents to me at mackeya@trinityra.org if possible.

Please do not hesitate to call me at (817) 493-5118 or email me if you have questions or concerns.

Respectfully,

Alison A. Mackey
Chief Financial Officer
Trinity River Authority of Texas

CONTINUING DISCLOSURE AGREEMENT

This Continuing Disclosure Agreement (the "Agreement"), dated as of ____, 2019 is executed and delivered by the Trinity River Authority of Texas (the "Authority") and the City of [], Texas (the "City") in connection with the issuance, from time to time, of the Authority's bonds ("Bonds") with respect to which the City is an "obligated person" (defined below). The information to be provided consists of: (i) certain annual financial and operating information and audited financial statements, if available; (ii) timely notices of the occurrence of certain events and (iii) timely notices of the failure of the Authority or City to provide required annual financial information on or before the date specified herein. Terms not defined herein have the meaning assigned in the Rule (defined below).

SECTION 1. Definitions.

As used in this Agreement, the following terms have the meanings ascribed to such terms below:

"Financial Obligation" has the meaning assigned in the Rule. For convenience, such definition means (a) a debt obligation; (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (c) a guarantee of (a) or (b) above. Pursuant to the Rule, the term Financial Obligation does not include municipal securities for which a final official statement has been provided to the MSRB consistent with the Rule.

"MSRB" means the Municipal Securities Rulemaking Board and any successor to its duties.

"Obligated Person" means any person, including an issuer of municipal securities, who is either generally or through an enterprise, fund, or account of such person committed by contract or other arrangement to support payment of all, or part of the obligations on the municipal securities to be sold (other than providers of municipal bond insurance, letters of credit, or other liquidity facilities). With respect to the Authority's Bonds, the City is an "obligated person."

"Rule" means SEC Rule 15c2-12, as amended from time to time.

"SEC" means the United States Securities and Exchange Commission and any successor to its duties.

SECTION 2. Annual Reporting; Obligations of City.

(a) *Information Specified in the Authority's Official Statements.* The City shall provide to the MSRB via its Electronic Municipal Market Access System ("EMMA"), on an annual basis, financial information and operating data pertaining to the City as specified and included in Appendix B of any final official statement relating to the Authority's Bonds. Such information shall be (i) filed with the MSRB within six months after the end of each of its fiscal years ending on or after 2019 and (ii) in an electronic format that is prescribed by the MSRB. The City may provide such information through an agent designated by the City, if the City has designated such agent, or through an agent designated by the Authority.

(b) *Annual Financial Statements.* The City shall provide to the MSRB its audited financial statements when and if available, and in any event, within twelve months after the end of each fiscal year ending in or after 2019. If the audit of the City's financial statements is not complete within twelve months after any such fiscal year end, then the City shall file unaudited financial statements within such twelve month period and audited financial statements for the applicable fiscal year, when and if the audit report on such statements becomes available. Any financial statements to be provided shall be (1) prepared in accordance with the accounting principles described in the notes to the financial

statements or such other accounting principles as the City may be required to employ from time to time pursuant to state law or regulation, and (2) audited, if the City commissions an audit of such statements and the audit is completed within the period during which it must be provided.

(c) If the City changes its fiscal year, it will notify the MSRB in writing of the change (and of the date of the new fiscal year end) prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

(d) The financial information and operating data to be provided pursuant to this Section (i) shall be filed either directly by the City or through an authorized agent and (ii) may be set forth in full in one or more documents or may be incorporated by specific reference to any document or specific part thereof (including an official statement or other offering document, if it is available from the MSRB) that has been provided to the MSRB.

(e) The City shall provide, in a timely manner, notice of any failure by the City to provide annual financial statements and operating data in accordance with this Section to the MSRB and the Authority.

(f) All documents provided to the MSRB shall be accompanied by identifying information as prescribed by the MSRB and shall be linked to all CUSIPs for all of the Authority's Bonds. The Authority agrees to provide the City with all CUSIP numbers to Bonds for which the City is an obligated person within ten business days after this Agreement has been executed by both parties and, in the case of future Bond issues, within ten days of closing on such Bonds.

SECTION 3. Notice of Certain Events.

(a) The City shall notify the MSRB in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten Business Days after the occurrence of the event) of any of the following events that relate to the City and with respect to the Authority's Bonds:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;

(6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;

- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;

(10) Release, substitution, or sale of property securing repayment of the securities, if material;

- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the City;
- (13) The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) Incurrence of a Financial Obligation of the City, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the City, any of which affect security holders, if material; and
- (16) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the City, any of which reflect financial difficulties.

(b) For the purposes of the event identified in (a)(12) above, the event is considered to occur when any of the following occur: The appointment of a receiver, fiscal agent or similar officer for the City in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City.

(c) All documents provided to the MSRB shall be accompanied by identifying information as prescribed by the MSRB and shall be linked to all CUSIPs for all of the Authority's Bonds. The Authority agrees to provide the City with all CUSIP numbers to Bonds for which the City is an obligated person within ten business days after this Agreement has been executed by both parties and, in the case of future Bond issues, within ten days of closing on such Bonds.

(d) For purposes of this Section, and particularly with the events described in (a)(15) and (a)(16), the City shall make filings for only those events which relate to or impact the credit of the Authority's Bonds. For example, the Authority's Bonds are secured by payments by the City under the contract between the Authority and the City; such payments constitute an operating expense of the City's water and sewer system. Therefore, notice of events which impact the City's water and sewer system may require a filing to be made if the City concludes that it is material under the Rule. Events affecting the City's general obligation or tax-supported debt obligations would not require a filing to be made because they do not relate to or impact the credit of the Authority's Bonds. The Authority will defer to the City to make its own determination of materiality with respect to the events listed above.

(e) The City will also notify the Authority at the time of the filing of any event disclosures filed with the MSRB.

SECTION 4. Limitations, Disclaimers, and Amendments.

The Authority shall ensure each of its bond resolutions contains an agreement requiring the Authority to comply with the Rule. The Authority and the City shall be obligated to observe and perform the covenants specified in this Agreement for so long as, but only for so long as, the City remains an "obligated person" with respect to Bonds within the meaning of the Rule, except that the Authority in any event will give notice to the City of any deposit made that causes Bonds no longer to be outstanding.

The provisions of this Agreement are for the sole benefit of (and may be enforced by) the bondholders and beneficial owners of Bonds and the parties to this Agreement, and nothing in this Agreement, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Authority and the City undertake to provide only the financial information, operating data, financial statements, and notices which each has expressly agreed to provide pursuant to this Agreement and do not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Authority's or the City's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Agreement or otherwise, except as expressly provided herein. Neither the Authority nor the City make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE AUTHORITY OR THE CITY, BE LIABLE TO THE BONDHOLDER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE AUTHORITY OR THE CITY, RESPECTIVELY, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS AGREEMENT, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

No default by the Authority or the City in observing or performing their respective obligations under this Agreement shall comprise a breach of or default under any resolution of the Authority authorizing the issuance of Bonds, or any contract relating thereto, for purposes of any other provision of this Agreement. Nothing in this Agreement is intended or shall act to disclaim, waive, or otherwise limit the duties of the Authority or the City under federal and state securities laws.

With the consent of the other party, the provisions of this Agreement may be amended by the Authority or the City from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Authority or the City, but only if (1) the provisions of this Agreement, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the bondholders or beneficial owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Agreement that authorizes such an amendment) of outstanding Bonds consent to such amendment or (b) an entity that is unaffiliated with the Authority or the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interest of the bondholders and beneficial owners of Bonds and is permitted by the terms of the Agreement. If the Authority or the City so amend the provisions of this Agreement in connection with the financial or operating data which it is required to disclose under Section 2 hereof, the City shall provide a notice of such amendment to be filed together with an explanation, in narrative form, of the reason for the amendment and the impact of any change in the type of financial information or operating data to be so provided. The Authority or the City may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the

Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Bonds in the primary offering of Bonds.

SECTION 4. Miscellaneous.

(a) *Representations.* Each of the parties hereto represents and warrants to each other party that it has (i) duly authorized the execution and delivery of this Agreement by the officers of such party whose signatures appear on the execution pages hereto, (ii) that it has all requisite power and authority to execute, deliver and perform this Agreement under applicable law and any resolutions or other actions of such party now in effect, (iii) that the execution and delivery of this Agreement, and performance of the terms hereof, does not and will not violate any law, regulation, ruling, decision, order, indenture, decree, agreement or instrument by which such party is bound, and (iv) such party is not aware of any litigation or proceeding pending, or, to the best of such party's knowledge, threatened, contesting or questioning its existence, or its power and authority to enter into this Agreement, or its due authorization, execution and delivery of this Agreement, or otherwise contesting or questioning the issuance of Bonds.

(b) *Governing Law.* This Agreement shall be governed by and interpreted in accordance with the laws of the State of Texas and applicable federal law.

(c) *Severability.* If any provision hereof shall be held invalid or unenforceable by a court of competent jurisdiction, the remaining provisions hereof shall survive and continue in full force and effect.

(d) *Counterparts.* This Agreement may be executed in one or more counterparts, each and all of which shall constitute one and the same instrument.

(e) *Supersedes Previous Agreements.* This Agreement supersedes and replaces all previous oral or written agreements, memoranda, correspondence or other communications between the parties hereto relating to the subject matter hereof.

IN WITNESS WHEREOF, the Authority and the City have each caused their duly authorized officers to execute this Agreement as of the day and year first above written.

TRINITY RIVER AUTHORITY OF TEXAS

President, Board of Directors

ATTEST:

Secretary, Board of Directors

CITY OF , TEXAS

By: _____

Title: _____

ATTEST:

By: _____

Title: _____

AGENDA ITEM REPORT

Item: 4

Meeting Date: February 11, 2019

Department: Administration/Comm Services

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: M. Dooly, Comm. Services

Attachments:

1. Excerpt from Code of Ordinances, Article 3.05 Fences

Agenda Item / Topic:

ITEM 4. *DISCUSSION* – Review and discuss Article 3.05 Fences of the Ovilla Code of Ordinances.

Discuss and review the interpretation of this section of the Code as requested by Councilman Oberg.

Recommendation / Staff Comments:

N/A

Sample Motion(s):

Discussion only

  ARTICLE 3.05 FENCES  Sec. 3.05.001 Definitions

(a) For the purpose of this article, the following definitions shall apply:

Fence. Any wall or structure more than eighteen inches (18") in height constructed for the purpose of enclosing, screening, [or] restricting access to, [a] building or structure.

(b) Other definitions as to front yards, rear yards, lot lines, etc., are described in the city's zoning ordinance. All applicable definitions of that ordinance shall also apply to this article.

(1989 Code, ch. 3, sec. 9.01)

  Sec. 3.05.002 Penalty; additional remedies

Any person or corporation who shall violate any of the provisions of this article or fail to comply therewith or with any of the requirements thereof or who shall build or alter any building or use in violation of any statement or plan submitted and approved hereunder shall be guilty of a misdemeanor, and each owner or owners of any building or premises, or part thereof, where anything in violation of this article shall be placed or shall exist, and any architect, builder, contractor, agent, person or corporation employed in connection therewith and who may have assisted in the commission of any such violation, shall be guilty of a separate offense and upon conviction shall be fined as herein provided. The city likewise shall have the power to enforce the provisions of this article through civil action as provided by state law.

(1989 Code, ch. 3, sec. 9.12)

  Sec. 3.05.003 Permit required

(a) It shall be unlawful for any persons, group of persons, or corporation to construct, or have constructed, any type of fence, or any part of a fence, without first having secured a permit from the city.

(b) The fee shall be as set out in the fee schedule found in [appendix A](#) of this code.

(1989 Code, ch. 3, sec. 9.02)

  Sec. 3.05.004 Application for permit

Any person, group of persons, or corporation must supply the following information when applying for a permit to erect a fence:

- (1) Applicant's name and address; and, if the person represents a company or corporation, the name and address of the company representative making the request and the name of the company's president;
- (2) Name of the owner of the property;
- (3) Local address where the fence is to be erected;
- (4) Type of fence, i.e., stone, brick, wood picket, etc.;
- (5) Height of fence;
- (6) Graphic outline of the property to be fenced, with the fence signified by a dark line(s);
- (7) Section of fence drawn to show post sizes and proposed depth to be set in the ground;
- (8) Approximate value.

(1989 Code, ch. 3, sec. 9.03)

Sec. 3.05.005 Height requirements for residential fences

- (a) It shall be unlawful to erect a fence at a height exceeding eight feet (8') in any side yard or rear yard.
- (b) Front yard fences must be of the "open air" type, such as chain link, cedar posts, split rail, decorative iron, etc. Such fences may [not] exceed six feet (6') in height. If subdivision restrictions prohibit such fences, then such restrictions shall prevail.

(1989 Code, ch. 3, sec. 9.04)

Sec. 3.05.006 Types of fence and construction

- (a) It shall be unlawful for any fence that is electrically charged in any form or manner to be erected in an area zoned for residential use. This does not apply to usage for restraining livestock in which case electrical charge warning signs must be posted every

seventy-five feet (75'). Electrical charging units must be UL approved and of the DC variety only.

(b) Fences will be constructed in such a manner to ensure structural stability. Posts will be set in concrete of sufficient thickness to provide stability. Wooden fences: The posts and rails of a new or extended fence must not be exposed to an adjacent street, or a neighbor's yard, in other words, the smooth side of a fence must face an adjacent public street or a neighbor's property. Also, both new and replacement wooden fences must have metal posts set in concrete.

(c) Fences shall be constructed of city code approved wire, wood, wrought iron, vinyl, brick, pierced brick, stone, mortar, blocks, wood or other fence parks or a combination of some or all. The density and design is subject to the building code of the city. Wooden fences are required to be natural wood with metal posts except for decorative wooden rail fences. Wood byproducts and wood particleboards or sheets of wood byproducts of any type are prohibited.

(d) All fences listed under subsection (c) as listed above must have appropriate support, as approved by the building inspector.

(e) In order to allow for the entrance and exit of fire department and police department personnel, there must be at least one (1) gate no less than three feet (3') wide on each fence that is adjacent or parallel to a public alley or utility easement. This does not pertain to those easements which the city has allowed to be completely fenced in.

(f) In all residential developments with rear or side entry access to a garage or carport, the fence height must provide visibility of the street or alley from the driveway for a distance of at least ten feet (10') on both sides of the driveway.

(g) A fence higher than three and one-half feet (3-1/2') above the established street grades cannot be constructed within twenty feet (20') of any street intersection (refer to Ordinance 160 revised, part II, section 10-2).

(h) Materials that are not usual fence materials, i.e., chicken wire, hardware cloth, etc., shall not be used as fencing unless for agricultural usage.

(i) Barbed wire shall be used only for agricultural use, to restrain livestock.

(Ordinance 2013-021 adopted 7/8/13)



Sec. 3.05.007 Swimming pool fences

(a) Every outdoor swimming pool must be enclosed by a wall or fence not less than four feet (4') in height. It shall be constructed in such a manner so that there are no gaps or openings, other than gates or doors, larger than four inches (4") measured horizontally on vertical fences and measured vertically on horizontal fences. A dwelling or building may be used as part of the fence or enclosure.

(b) All gates and/or doors permitting entrance and exit to the pool area shall be equipped with a self-closing and self-latching device for keeping the gate and/or door closed at all times when not in actual use.

(c) Hot tubs and individual spas must be covered when not in use. Locking devices, where practical, are suggested.

(d) Existing facilities not meeting the requirements of this section must be brought into compliance within one (1) year of issuance of this section. If the provisions of this section conflict with any provisions in the Uniform Swimming Pool, Spa and Hot Tub Code, the more stringent provisions shall govern.

(1989 Code, ch. 3, sec. 9.06)

State law references—Swimming pool enclosures, V.T.C.A., Local Government Code, sec. 214.101 et seq.; pool yard enclosure for multiunit rental complex, property owners' association, etc., V.T.C.A., Health and Safety Code, ch. 757.

Sec. 3.05.008 Intrusion on public property

No fence, guy wires, braces, or brackets of such fence shall be allowed to be constructed upon, or extend over, any property belonging to the city, or that the general public has control and dominion of, or any property which has an easement on, above, under or through same, except that property which allows such intrusions. (1989 Code, ch. 3, sec. 9.07)

Sec. 3.05.009 Inspections

Upon completion of the installation of the fence, the building inspector shall be called for the purpose of making an inspection. A certificate of acceptance will be issued for compliance with this article or a rejection slip will be issued for defects in construction materials or procedure. Once a certificate of acceptance is received, the fence shall be maintained to comply with the requirements of this article at all times. Any appeal from a decision of the building inspector under the terms of this article shall be made to the city council. (1989 Code, ch. 3, sec. 9.09)

Sec. 3.05.010 Maintenance

(a) Any person, group of persons or corporation owning or having control of any fence within the city shall be responsible to maintain the fence in a safe and visibly presentable condition. This shall include replacement of broken or defective boards, posts, wire, wood, wrought iron, vinyl, brick, pierced brick, stone, mortar, blocks, wood or other fence parts or a combination of some or all. This section requires owners to remove, repair, or replace fences identified in violation that may cause the fence to be unsafe or unsightly.

(b) No permit will be required for normal fence maintenance; however, if the fence has deteriorated beyond fifty percent (50%) of the fence value, and does not comply with the provisions of this article including subsection (d) below, then the terms of this article shall prevail.

(c) A fence is considered dilapidated if 10% of its pickets, bricks, stones, blocks, wire or structural members are damaged, missing, broken or rotted; or if any 8-foot section is more than 15 degrees off vertical alignment.

(d) New fences and replacement fences that replace 50% or more of one side of a fence require permits from the city.

(e) Wooden fences: The posts and rails of a new or extended fence must not be exposed to an adjacent street, or a neighbor's yard, in other words, the smooth side of a fence must face an adjacent public street or a neighbor's property. Also, both new and replacement wooden fences must have metal posts set in concrete.

(f) Wooden fences must maintain uniformly colored wood or other permanent material, which creates an appearance of equal character or visual integrity.

(g) Fences shall be constructed of city code approved wire, wood, wrought iron, vinyl, brick, pierced brick, stone, mortar, blocks, wood or other fence parts or a combination of some or all. The density and design is subject to the building code of the city. Wooden fences are required to be natural wood with metal posts except for decorative wooden rail fences. Wood byproducts and wood particleboards or sheets of wood byproducts of any type are prohibited.

(h) Subsection (a) above requires property owners of fences or those having control of the fences to maintain their fences in a structurally sound, safe and presentable condition. This section requires owners to remove, repair, or replace fences identified in violation. (Removal is not an option where a pool barrier fence, including a locked pool gate, is involved or when zoning regulations specifically require a fence and a locked gate.)



Sec. 3.05.011 Existing fences

Existing fences are subject to inspection and may be tagged as safety hazards or public nuisances if not adequately maintained per [section 3.05.010\(c\)](#) and (e). Should such notification occur, the owner of the property has ninety days (90) to rectify. Property owners or residents may seek a one-time ninety-day (90) extension from the city administrator or designee.

(Ordinance 2013-018 adopted 6/10/13)

AGENDA ITEM REPORT

Item 5– Items pulled from Consent

Meeting Date: February 11, 2019

Department: Administration/Finance

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: Staff

Amount: N/A

Discussion / Justification:

ITEM 5. **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	January 2019	January 2019 YTD	January 2018	January 2018 YTD
Accident	7	7	6	6
Alarms	20	20	12	12
Arrest	3	3	10	10
Assault/Assault FV	1	1	1	1
Assists	77	77	66	66
Building / House Security Check	747	747	376	376
Burglary	0	0	0	0
Burglary of Motor Vehicle	0	0	0	0
Criminal Mischief	1	1	0	0
Disturbance	7	7	3	3
Neighborhood Check	1378	1378	1051	1051
Other Calls for Service	79	79	36	36
Suspicious Person	5	5	7	7
Suspicious Vehicle	10	10	15	15
Theft	1	1	5	5
Traffic Assignment/School Enforcement	24	24	10	10
TOTAL CALLS FOR SERVICE	2360	2360	1598	1598

Volunteer and Reserve Officer Hours	28	28	105	105
Average Response Time (Minutes)	4.03	4.03	6.33	6.33
Total Citations	78	78	146	146
Total Traffic Stops *****	264	264	295	295
Traffic Stop Disposition Warning *****	214	214	155	155
Traffic Stop Disposition Citation *****	50	50	140	140
PERCENT OF STOPS RECEIVING CITATIONS	18.9	18.9	47.5	47.5
Manual Response time			3.41	3.41

** These lines are new and we will not have
 the info for the months before March 2017

January 2019	TO	February 2019	MILEAGE	MAINTENANCE PERFORMED
Police Unit #	Begin	End	Accrued	
103	145319	145488	169	
105	108867	110058	1191	All 4 tires replaced and new wiper blades
116	73900	76858	2958	2 front tires replaced
117	61173	63000	1827	LP light bulb replaced
118	shop	27186	#VALUE!	New Transmission (warranty) & 2 front tires replaced
216	18926	19359	433	
Vehicles	Begin	End	Accrued	
2017 F250 4x4	11339	11691	352	Inspection and registration
2015 2500 HD Silverado	38752	39288	536	Inspection and registration and wipers replaced
2011 3500HD Silverado	53089	53408	319	
2008 2500HD Animal Control	82881	83090	209	Oil and filter change
2019 f250 Animal Control	1570	2141	571	
2008 1500 Silverado	111344	111763	419	Inspection and registration
2006 1500 Silverado	119902	120165	263	Inspection and registration
2001 C6500 Dump Truck	185124	185128	4	
1999 International Patch Trk	311881	311960	79	Replaced batteries, horn, headlights, and blades
1998 Ford Dump Truck	53880	54020	140	
	HOURS	HOURS	HOURS	
New Holland Skid LS60	1217.2	1228.6	11.4	Tune up. Oil, filter, fuel filter replaced
1999 Kubota Tractor	971.1	973	1.9	
1992 Ford Tractor	1081.8	1086.4	4.6	
Sweeper	619.9	619.9	0	
310K John Deere Backhoe	1678	1705	27	
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	485	492	7	
Vac Machine 2017	84	86.8	2.8	
Boomag 900-50 packer	190.8	190.8	0	
2016 Exmark	259.7	259.7	0	
2013 Exmark	368.1	372.4	4.3	
2004 Exmark	1026.7	1028.1	1.4	
JCB Backhoe	29.8	38.9	9.1	

Racial Profiling Report | Full report

Agency Name:	Ovilla Police Dept
Reporting Date:	01/29/2019
TCOLE Agency Number:	139209
Chief Administrator:	Brian Windham
Agency Contact Information:	
Phone:	9726177262
Email:	bwindham@cityofovilla.org
Mailing Address:	105 S. Cockrell Hill

This Agency filed a full report

Ovilla Police Dept has adopted a detailed written policy on racial profiling. Our policy:

- 1.) clearly defines acts constituting racial profiling;
- 2.) strictly prohibit peace officers employed by the Ovilla Police Dept from engaging in racial profiling;
- 3.) implements a process by which an individual may file a complaint with the Ovilla Police Dept if the individual believes that a peace officer employed by the Ovilla Police Dept has engaged in racial profiling with respect to the individual;
- 4.) provides public education relating to the agency's complaint process;
- 5.) requires appropriate corrective action to be taken against a peace officer employed by the Ovilla Police Dept who, after an investigation, is shown to have engaged in racial profiling in violation of the Ovilla Police Dept's policy adopted under this article;
- 6.) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - a.) the race or ethnicity of the individual detained;
 - b.) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - c.) whether the peace officer knew the race or ethnicity of the individual detained before

7.) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision(6) to:

- a.) the Commission on Law Enforcement; and
- b.) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

Executed by: Brian Windham

Chief Administrator

Ovilla Police Dept

Date: 01/29/2019

Total stops: 3268

Gender

Female: 1348

Male: 1920

Race or ethnicity

Black: 851

Asian/Pacific Islander: 32

White: 2104

Hispanic/Latino: 277

Alaska Native/American Indian: 4

Was race or ethnicity known prior to stop?

Yes: 21

No: 3247

Reason for stop?

Violation of law: 16

Pre existing knowledge: 14

Moving traffic violation: 2473

Vehicle traffic violation: 765

Street address or approximate location of the stop

City street: 3140

US highway: 1

State highway: 0

County road: 127

Private property or other: 0

Was a search conducted?

Yes: 157

No: 3111

Reason for Search?

Consent: 54

Contraband: 0

Probable cause: 92

Was Contraband discovered?

Yes: 75

No: 82

Description of contraband

Drugs: 52

Currency: 0

Weapons: 5

Alchohol: 4

Stolen property: 0

Other: 14

Result of the stop

Verbal warning: 2137

Written warning: 0

Citation: 1096

Written warning and arrest: 0

Citation and arrest: 0

Arrest: 35

Arrest based on

Violation of Penal Code: 19

Violation of Traffic Law: 0

Violation of City Ordinance: 0

Outstanding Warrant 16

Was physical force resulting in bodily injury used during stop

Yes: 0

No: 3268

Submitted electronically to the



The Texas Commission on Law Enforcement

OVILLA POLICE DEPARTMENT
MEMO
(Form 7.01-1)

Date: January 30, 2019

To: TCOLE/Ovilla City Council

Fr: Brian Windham, Chief of Police

Ref.: Racial Profiling Report 2018

Cc: Click here to enter text.

According to the Texas Code of Criminal Article 2.134, the Ovilla Police Department is required to submit a report to the Commission and the municipal governing body concerning the following information:

- (1) a comparative analysis of the information compiled under Article 2.133 to:
 - (A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;
 - (B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and
 - (C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and
- (2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

According to the United States Census, the demographics for the counties of Dallas and Ellis are as follows:

Dallas

- White-29.2%
- African American-23.4%
- Hispanic-40.2%

- Asian/Pacific Islander-6.6%
- Alaska Native/Native American-1.1

Ellis

- White-60.8%
- African American-10.8%
- Hispanic-26.3%
- Asian/Pacific Islander-.9%
- Alaska Native/Native American-.9%

The breakdown of motor vehicle contacts as made by the Ovilla Police Department are found in Table 1 of the attached documents. The table shows that out of the total stops, more contacts occurred with White individuals than any other. Further it shows, that White contacts were cited at a rate of 35.6% for their subset while African American contacts were cited at a rate of 32.6% and Hispanics at a rate of 26%. Asian/Pacific Islander contacts were cited at a higher rate of 43.8% and Native Americans at a rate of 0%. According to the data, the two largest subsets were stopped at a 2.5 to 1 ratio. As a result of the contact, those subsets were cited at similar percentages.

Table 2 and Table 3 of the attached documents concern Motor Vehicle Searches and associated data. The department conducted 156 searches of motor vehicles. 54 of those searches were consensual leaving 102 nonconsensual. The majority of the searches were conducted on White individuals. Of the nonconsensual, 47 were conducted on White individuals and 40 were conducted on African American individuals. In the Hispanic subset, 15 of 20 were nonconsensual.

In reference to Table 3, out of the 156 searches that were conducted, 47% of those searches resulted in the location of contraband. Out of the 74 cases of contraband, 34 resulted in arrest. Therefore 74% of individuals arrested after search were White, 15% were African American, and 12% were Hispanic. Of the three subsets that had searches conducted, the Hispanic subset had a higher rate of contraband being discovered at 80% than did the other two subsets. Overall, White individuals were searched at a rate of 4%, African Americans at a rate of 6% and Hispanics at a rate of 7%. The other categories had no representation.

During the year of 2018 the Ovilla Police Department had no complaints filed concerning racial profiling.

This report is respectfully submitted.

Brian Windham
Chief of Police

**DEL CARMEN
CONSULTING, LLC**

Ovilla Police Department
1/28/2019

Table 1. (Motor Vehicle Contacts Including Tickets, Citations and Warnings)
(01/01/2018-12/31/2018)

Race/Ethnicity	All Motor Vehicle Contacts*		Tickets or Citations		Verbal Warnings		Written Warnings	
	N	%	N	%	N	%	N	%
White	2104	64.38	750	67.32	1336	62.52	0	-
Black	851	26.04	278	24.96	575	26.91	0	-
Hispanic or Latino	277	8.48	72	6.46	204	9.55	0	-
Asian or Pacific Islander	32	0.98	14	1.26	18	0.84	0	-
Alaska Native or American	4	0.12	0	0.00	4	0.19	0	-
Middle Eastern**	0	0.00	0	0.00	0	0.00	0	-
Other**	0	0.00	0	0.00	0	0.00	0	-
Total	3268	100	1114	100	2137	100	0	0

* Includes stops for alleged violation of a law or ordinance, tickets/citations, and verbal and written warnings "N" represents "number" of all motor vehicle-related contacts

** Race/Ethnicity is defined by HB 3051.

** Not Required Racial/Ethnic Components

Table 2. (Motor Vehicle Searches and Arrests)
(01/01/2018-12/31/2018)

Race/Ethnicity	Searches		Consensual Searches		Custody Arrests	
	N	%	N	%	N	%
White	87	55.77	40	74.07	8	80.00
Black	49	31.41	9	16.67	0	0.00
Hispanic or Latino	20	12.82	5	9.26	2	20.00
Asian or Pacific Islander	0	0.00	0	0.00	0	0.00
Alaska Native or American	0	0.00	0	0.00	0	0.00
Middle Eastern**	0	0.00	0	0.00	0	0.00
Other**	0	0.00	0	0.00	0	0.00
Total	156	100	54	100	10	100

* Includes stops for alleged violation of a law or ordinance, tickets/citations, and verbal and written warnings "N" represents "number" of all motor vehicle-related contacts

** Race/Ethnicity is defined by HB 3051.

** Not Required Racial/Ethnic Components

Table 3. Total Number of Instances where Officers Knew/did not Know Race/Ethnicity of Individuals Before Being Detained (01/01/2018-12/31/2018)

Total Number of Instances where Officers <u>Knew</u> Race and Ethnicity of Individuals Before Being Detained	Total Number of Instances where Officers <u>Did Not Know</u> the Race and Ethnicity of Individuals Before Being Detained
0	0

Table 4. Instances Where Peace Officers Used Physical Force that Resulted in Bodily Injury (01/01/2018-12/31/2018)

Instances Where Peace Officers Used Physical Force that Resulted in Bodily Injury	Location of the Stop	Reason for the Stop
N/A	N/A	N/A

Table 5. Search Data
(01/01/2018-12/31/2018)

Race/Ethnicity	Searches		Contraband / Evidence Found		Contraband / Evidence Not Found		Arrests	
	N	%	N	%	N	%	N	%
White	87	55.77	41	55.41	46	56.10	25	73.53
Black	49	31.41	17	22.97	32	39.02	5	14.71
Hispanic or Latino	20	12.82	16	21.62	4	4.88	4	11.76
Asian or Pacific Islander	0	0.00	0	0.00	0	0.00	0	0.00
Alaska Native or American	0	0.00	0	0.00	0	0.00	0	0.00
Middle Eastern**	0	0.00	0	0.00	0	0.00	0	0.00
Other**	0	0.00	0	0.00	0	0.00	0	0.00
Total	156	100	74	100	82	100	34	100

"N" represents "number" of all motor vehicle-related contacts

** Race/Ethnicity is defined by HB 3051.

**** Not Required Racial/Ethnic Components**

Agency Name: Ovilla Police Department
 Reporting Date: Jan 1, 2018 - Dec 31, 2018
 TCOLE Agency Number:
 Chief Administrator:
 Agency Contact Information:
 Phone:
 Email:
 Mailing Address: 105 S. Cockrell Hill Rd., Ovilla, TX 76065

Agency Racial Profiling Information

Total stops:

3,268

1. Gender - CCP 2.133(b)(1)(a) - Total: 3,268

1,348	1.1 Female (41.2%)
1,920	1.2 Male (58.8%)

2. Race or ethnicity - CCP 2.132(a)(3), 2.132(b)(6)(A), 2.133(b)(1)(B) - Total: 3,268

851	2.1 Black (26.0%)
32	2.2 Asian/Pacific Islander (1.0%)
2,104	2.3 White (64.4%)
277	2.4 Hispanic/Latino (8.5%)
4	2.5 Alaska Native/American Indian (.1%)

3. Was race or ethnicity known prior to stop? - CCP 2.132(b)(6)(C) - Total: 3,268

21	3.1 Yes (.6%)
3,247	3.2 No (99.4%)

4. Reason for stop - CCP 2.132(b)(6)(F), 2.133(b)(2) - Total: 3,268

15	4.1 Violation of law (.5%)
14	4.2 Pre existing knowledge (.4%)
2,473	4.3 Moving traffic violation (75.7%)
765	4.4 Vehicle traffic violation (23.4%)

5. Street address or approximate location of the stop - CCP 2.132(b)(6)(E), 2.133(b)(7) - Total: 3,268

3,140	5.1 City street (96.1%)
1	5.2 US highway (.0%)
127	5.3 County road (3.9%)
-	5.4 State highway (.0%)
-	5.5 Private property or other (.0%)

6. Was a search conducted? - CCP 2.132(b)(6)(B), 2.133(b)(3) - Total: 3,268

157	6.1 Yes (4.8%)
3,111	6.2 No (95.2%)

7. Reason for Search - Total: 157

54	7.1 Consent - CCP 2.132(b)(6)(B), 2.133(b)(3)	(34.4%)
-	7.2 Contraband in plain view - CCP 2.133(b)(5)(A)	(.0%)
92	7.3 Probable cause - CCP 2.133(b)(5)(B)	(58.6%)
1	7.4 Inventory - CCP 2.133(b)(5)(C)	(.6%)
10	7.5 Incident to arrest - CCP 2.133(b)(5)(C)	(6.4%)

8. Was Contraband discovered? - CCP 2.133(b)(4) - Total: 3,268

75	8.1 Yes (2.3%)
3,193	8.2 No (97.7%)

9. Description of contraband - CCP 2.133(b)(4) - Total: 75

52	9.1 Drugs (69.3%)
-	9.2 Currency (.0%)
5	9.3 Weapons (6.7%)
4	9.4 Alcohol (5.3%)
-	9.5 Stolen property (.0%)
14	9.6 Other (18.7%)

10. Result of the stop - Total: 3,233

2,137	10.1 Verbal warning - CCP 2.133(b)(8) (66.1%)	3233
-	10.2 Written warning - CCP 2.133(b)(8) (.0%)	+ 35
1,096	10.3 Citation - CCP 2.133(b)(8) (33.9%)	3268
-	10.4 Written warning and arrest (.0%)	
-	10.5 Citation and Arrest (.0%)	
35	10.6 Arrest - CCP 2.133(b)(6) (1.1%)	

35 Arrest Total

11. Arrest based on - CCP 2.133(b)(6) - Total: 35

19	11.1 Violation of Penal Code (.54.3%)
-	11.2 Violation of Traffic Law (.0%)
-	11.3 Violation of City Ordinance (.0%)
16	11.4 Outstanding Warrant (45.7%)

12. Was physical force resulting in bodily injury used during stop? - CCP 2.132(b)(6)(D), 2.133(b)(9) - Total: 3,268

-	12.1 Yes (2.3%)
3,268	12.2 No (97.7%)

Ovilla Fire Department

January Monthly Report



Fire Chief
Brandon Kennedy

105 S. Cockrell Hill Road
Ovilla Texas, 75154
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

- January was a busy month to start out the new year. Although it was slightly slower than January 2018, we ran 86 calls through dispatch and several public service calls that were not dispatched. These come from a resident calling the station phone and need assistance with smoke detector batteries. We are trying to reach out to the residents to let them know we can assist them with smoke detector batteries and installation. We will not purchase them but as long as they purchase the detector and or batteries, we will be happy to assist them.
- Training with the Volunteers on their regular scheduled nights, on Hose Streams.
- Working on landscape and flower bed at the southeast corner of the station
- Working on a new sign design for the front of the station

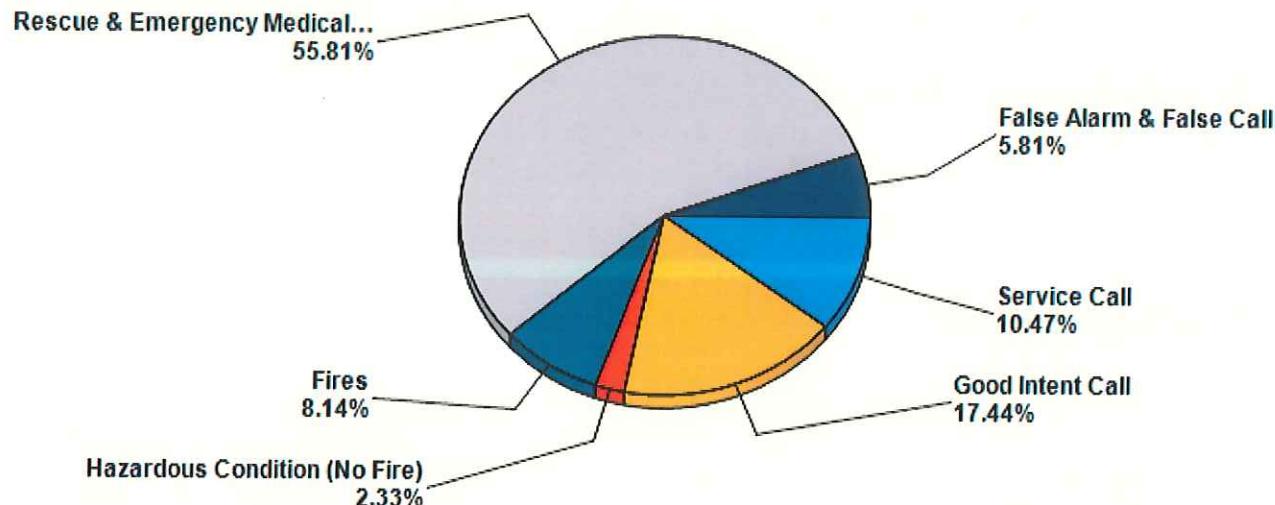
Summary of Staffing for the Month

- 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)
- 8 / 8 weekend day shifts were covered by a Volunteer
- 36 / 39 Volunteer shifts were covered, and these 36 shifts had 4 personnel on the Engine

Summary of Activity from Deputy Chief Fire Marshal's Office

- 3 Consults
- 1 New Inspection
- Respond to incidents as available
- Meetings
- Back-Up for Ovilla PD
- QCI reports
- Training with Volunteers
- Attended Fire Marshal Conference in Richardson

Breakdown by Major Incident Type



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	7	8.14%
Rescue & Emergency Medical Service	48	55.81%
Hazardous Condition (No Fire)	2	2.33%
Service Call	9	10.47%
Good Intent Call	15	17.44%
False Alarm & False Call	5	5.81%
TOTAL	86	100.00%

Average 1.75 fires per week

Average 2.77 calls per day

Average 21.5 calls per week

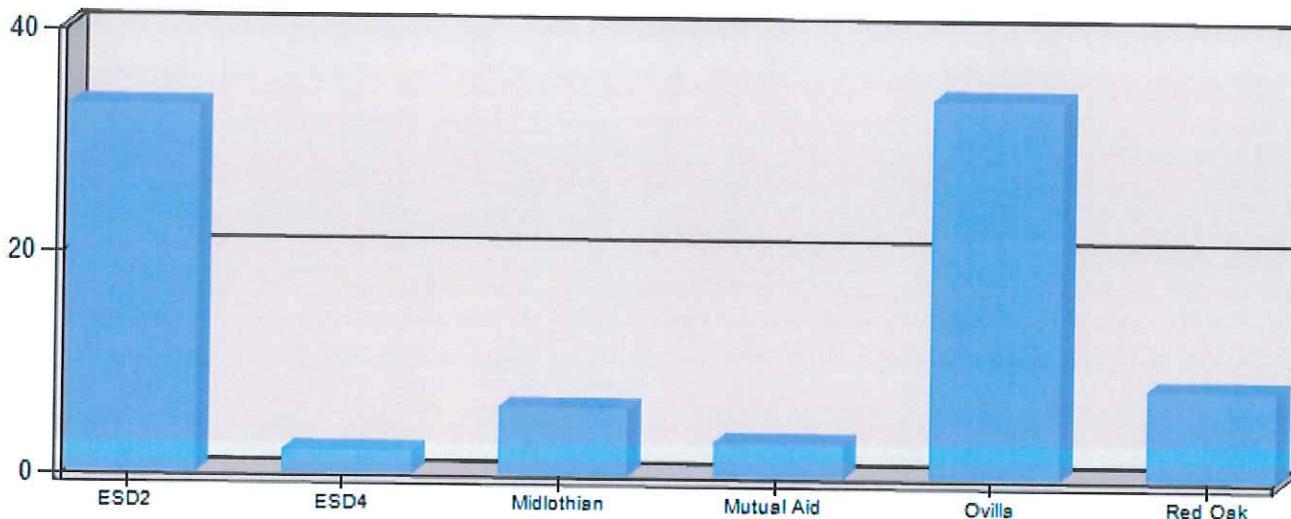
C701 Responses | 22

C702 Responses | 11

Number of Overlapping Calls | 4

Total Ovilla Fire Department Runs | 86

Breakdown by Districts



District	2019	2018	2017
ESD2 - ESD #2	33	37	24
ESD4 - ESD #4	2	16	7
Midlothian - Midlothian City Limits	6	5	N/A
Mutual Aid - Mutual Aid	3	13	4
Ovilla - City Limits	34	33	26
Red Oak - Red Oak City Limits	8	6	N/A
TOTAL:	86	110	61

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 paged 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 Average Response Times by District for the Last Two Months

District	January 2019	December 2018
Mutual Aid - Mutual Aid	17.57	19.22
Red Oak - Red Oak City Limits	5.88	9.76
ESD2 - ESD #2	8.51	9.59
ESD4 - ESD #4	8.43	9.53
Ovilla - City Limits	6.49	5.5
Average	7.33	8.59

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	January 2019	December 2018
B701	1:52	2:50
C701	1:15	1:44
C702	1:37	1:19
E701	1:57	1:42
E702	1:11	N/A
R755	1:46	4:08
AVERAGE TURNOUT TIME:	1:36	2:07

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	\$ 570.00
B702	3,844	3,862	18	\$ -
C701	20,793	21,214	421	\$ 95.49
C702	97,852	98,199	347	\$ -
E701	12,242	12,770	528	\$ -
E702	27,842	27,883	41	\$ -
E703	14,271	14,280	9	\$ -
R755	18,500	18,624	124	\$ -
Totals for the Month			1,587	\$ 665.49



Date 2/6/2019

TO: Honorable Mayor and City Council Members

FROM: Brad Piland Public Works Director

TOPIC: Public Works Monthly Report for January

1. 9 work orders completed from gov-pilot
2. Sewer Lift Station Repairs-
 - Highland Meadows lift station had no issues this month
 - Removed pump 2 from Cumberland removed debris and replaced.
 - Heritage Lift station pulled pump 1 and removed debris and replaced.

Monthly Water and Sewer Services:

- Read water meters, service disconnects and reconnects
- Water usage: Purchased from DWU 9,700,070. 9,273,000 gal pumped and billed to customers. 142,235 gal flushed and lost due to water leaks.
- Replaced meters: 102 Brookwood, 606 Creekview, 752 Cockrell Hill Rd, 102 Northwood, 611 Malloy.
- 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: 212 Lariat Tr, North Westmoreland and Ovilla Rd
- Cleaned and inspected Sewer lines Meadow Glen, Suburban, and Ashburn Glen.

Tree and grass maintenance:

- Heritage Park
- Silver Spur Park
- Baseball fields and Cindy Jones Park

Street and Misc.

- Street repairs
- Remove Christmas lights and Banners
- Updated marquee as needed
- Built flower beds at city signs.

APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

Surfacing (§2.4)

Adequate protective surfacing under and around the equipment.

Install/replace surfacing

Surfacing materials have not deteriorated.

Replace surfacing

Other maintenance: _____

Loose-fill surfacing materials have no foreign objects or debris.

Remove trash and debris

Loose-fill surfacing materials are not compacted.

Rake and fluff surfacing

Loose-fill surfacing materials have not been displaced under heavy use areas such as under swings or at slide exits.

Rake and fluff surfacing

Drainage (§2.4)

The entire play area has satisfactory drainage, especially in heavy use areas such as under swings and at slide exits.

Improve drainage

Other maintenance: _____

General Hazards

There are no sharp points, corners or edges on the equipment (§3.4).

There are no missing or damaged protective caps or plugs (§3.4).

There are no hazardous protrusions (§3.2 and Appendix B).

There are no potential clothing entanglement hazards, such as open S-hooks or protruding bolts (§2.5.2, §3.2, §5.3.8.1 and Appendix B).

There are no crush and shearing points on exposed moving parts (§3.1).

There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

NOTES:

DATE OF INSPECTION:

1-9-19

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 lead paint chips or accumulation of lead dust.

Mitigate lead paint hazards

General Upkeep of Playgrounds (§4)

There are no user modifications to the equipment, such as strings and ropes tied to equipment, swings looped over top rails, etc.

Remove string or rope

Correct other modification

The entire playground is free from debris or litter such as tree branches, soda cans, bottles, glass, etc.

Clean playground

There are no missing trash receptacles.

Replace trash receptacle

Trash receptacles are not full.

Empty trash

INSPECTION BY:

Daniel Durham

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

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There are no potential clothing entanglement hazards, such as open S-hooks or protruding bolts (§2.5.2, §3.2, §5.3.8.1 and Appendix B).

There are no crush and shearing points on exposed moving parts (§3.1).

There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

NOTES:

DATE OF INSPECTION:

1-9-19

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Replace fasteners

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Other maintenance: _____

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Clean playground

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Empty trash

INSPECTION BY:

Daniel Durham

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Rake and fluff surfacing

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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

There are no sharp points, corners or edges on the equipment (§3.4).

There are no missing or damaged protective caps or plugs (§3.4).

There are no hazardous protrusions (§3.2 and Appendix B).

There are no potential clothing entanglement hazards, such as open S-hooks or protruding bolts (§2.5.2, §3.2, §5.3.8.1 and Appendix B).

There are no crush and shearing points on exposed moving parts (§3.1).

There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

NOTES:

DATE OF INSPECTION:

1-16-19

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

INSPECTION BY:

Daniel Durham

Silver Spur Park

January 2019

The following repairs were made to silver spur park on the month of January 2019

1. Replaced broken back board on basketball goal.
2. Had to repair broken park bench.
3. Replaced broken fence panels / pickets.

All repairs made might have been possible vandalism.

Inspection of damage and repairs completed by Daniel Durham.



DATE: FEBRUARY 11, 2019
TO: Honorable Mayor and Council Members
FROM: Linda Harding, City Accountant
SUBJECT: Accounting Department Report

Reports Financials ending 12/31/2018

Over \$5,000

Bank Balances as of: 2.6.19

Mentions to reports: Third month of new fiscal year.

Software developers are continuing to work on software.

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 1st 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.



DATE: February 11, 2019

TO: Honorable Mayor and Council Members

FROM:
Linda Harding, Accountant

SUBJECT: Transactions Over \$5,000 For December 2018

CITY OF OVILLA

Dec-18

OVER \$5,000

Check Date	Check #	Vendor	Invoice Description	Invoice Amount
12/13/2018	DRAFT	United Health Care	uhc	16,697.74
12/14/2018	DRAFT	Internal Revenue Service	PR 12 14 18	9,509.75
12/28/2018	DRAFT	Internal Revenue Service	pr 12 28 2018	8,871.07
12/7/2018	048492	Gexa Energy LP	91893 2	5,384.61
12/7/2018	048505	Russell Byrum Signs, Inc.	MONUMENT SIGNS - 50% (NOT F	12,000.00
12/7/2018	048509	Trinity River Authority of Texas	DECEMBER	27,877.00
12/7/2018	048521	T. M. R. S.	NOVEMBER	26,764.98
12/14/2018	048536	Progressive Waste Solutions of TX	NOVEMBER	21,244.52
12/19/2018	048543	RDC Construction, LLC	CHANGE ORDER - BAY PROJECT	13,760.00
12/21/2018	048552	City of Dallas	WATER	41,937.88
12/21/2018	048563	Trinity River Authority of Texas	JANUARY	27,877.00



DATE: February 11, 2019

TO: Honorable Mayor and Council Members

FROM:
Linda Harding, Accountant

SUBJECT: Financial Statements Through December 2018

**City of Ovilla
Financial Statement
As of December 31, 2018**

100 - General Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Taxes	526,115.37	361,487.67	(164,627.70)	707,357.41	4,337,852.00	16.31%	3,630,494.59
Licenses-Permits-Fees	9,474.44	9,007.16	(467.28)	27,107.60	108,086.00	25.08%	80,978.40
Services	22,903.00	49,041.33	26,138.33	23,966.60	588,496.00	4.07%	564,529.40
Fines & Forfeitures	10,185.66	21,058.75	10,873.09	29,364.38	252,705.00	11.62%	223,340.62
Not Categorized	5.30	0.00	(5.30)	1,328.89	0.00	0.00%	(1,328.89)
Other Revenue	10,549.31	13,192.51	2,643.20	36,168.87	158,310.00	22.85%	122,141.13
Transfers	12,245.05	36,510.08	24,265.03	14,605.05	438,121.00	3.33%	423,515.95
Revenue Totals	<u>591,478.13</u>	<u>490,297.50</u>	<u>(101,180.63)</u>	<u>839,898.80</u>	<u>5,883,570.00</u>	<u>14.28%</u>	<u>5,043,671.20</u>
Expense Summary							
Employee Benefits	23,689.58	36,905.14	13,215.56	62,971.76	442,858.00	14.22%	379,886.24
Special Expenses	1,268.93	2,825.00	1,556.07	5,253.96	33,900.00	15.50%	28,646.04
Other Expense	1,626.77	5,710.28	4,083.51	15,551.62	68,527.00	22.69%	52,975.38
Personnel	122,055.19	127,173.16	5,117.97	372,934.77	1,526,078.00	24.44%	1,153,143.23
Special Services	4,675.80	6,328.09	1,652.29	11,560.57	75,937.00	15.22%	64,376.43
Contractual Services	23,017.47	27,499.82	4,482.35	54,312.51	329,998.00	16.46%	275,685.49
Operating Services	17,850.17	7,243.17	(10,607.00)	31,475.11	86,918.00	36.21%	55,442.89
Supplies	2,049.67	5,608.34	3,558.67	19,129.66	67,300.00	28.42%	48,170.34
Not Categorized	2,971.27	577.34	(2,393.93)	9,623.20	6,928.00	138.90%	(2,695.20)
Professional Development	210.98	2,442.49	2,231.51	7,817.77	29,310.00	26.67%	21,492.23
Software & Computer Equipment	0.00	4,750.00	4,750.00	36,017.68	57,000.00	63.19%	20,982.32
Printing Expense	265.10	1,719.50	1,454.40	5,351.79	20,634.00	25.94%	15,282.21
Utilities	44,703.35	28,480.67	(16,222.68)	97,330.15	341,768.00	28.48%	244,437.85
Repairs - Bldg & Machinery	20,649.14	12,504.16	(8,144.98)	41,549.23	150,050.00	27.69%	108,500.77
Insurance	0.00	3,299.25	3,299.25	9,666.75	39,591.00	24.42%	29,924.25
Minor Capital Outlay	468.44	4,933.08	4,464.64	9,647.61	59,197.00	16.30%	49,549.39
Capital Outlay	330.00	43,999.99	43,669.99	254,435.73	528,000.00	48.19%	273,564.27
Reserve	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Vehicle Expenses	841.04	3,583.33	2,742.29	11,531.28	43,000.00	26.82%	31,468.72
Rentals	222.44	250.00	27.56	889.76	3,000.00	29.66%	2,110.24
Expense Totals	<u>266,895.34</u>	<u>325,832.81</u>	<u>58,937.47</u>	<u>1,057,050.91</u>	<u>3,909,994.00</u>	<u>27.03%</u>	<u>2,852,943.09</u>

City of Ovilla
 Financial Statement
 As of December 31, 2018

110 - LEOSE	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
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
Expense Summary							
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 December 31, 2018

120 - Street Improvement Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
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
Expense Summary							
Capital Outlay	0.00	15,583.33	15,583.33	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	0.00	19,986.58	19,986.58	170.00	239,839.00	0.07%	239,669.00

City of Ovilla
 Financial Statement
 As of December 31, 2018

130 - Court Technology	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
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
Expense Summary							
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 December 31, 2018

140 - Court Security	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Fines & Forfeitures	0.00	339.00	339.00	0.00	4,068.00	0.00%	4,068.00
Revenue Totals	<u>0.00</u>	<u>339.00</u>	<u>339.00</u>	<u>0.00</u>	<u>4,068.00</u>	<u>0.00%</u>	<u>4,068.00</u>
Expense Summary							
Other Expense	0.00	80.33	80.33	0.00	964.00	0.00%	964.00
Reserve	<u>0.00</u>	<u>258.67</u>	<u>258.67</u>	<u>0.00</u>	<u>3,104.00</u>	<u>0.00%</u>	<u>3,104.00</u>
Expense Totals	<u>0.00</u>	<u>339.00</u>	<u>339.00</u>	<u>0.00</u>	<u>4,068.00</u>	<u>0.00%</u>	<u>4,068.00</u>

City of Ovilla
 Financial Statement
 As of December 31, 2018

150 - Equipment Replacement Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
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
Expense Summary							
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 December 31, 2018**

200 - Water And Utilities Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Services	82,473.51	104,293.25	21,819.74	362,498.16	1,251,519.00	28.96%	889,020.84
Other Revenue	0.00	5,594.34	5,594.34	0.00	67,132.00	0.00%	67,132.00
Not Categorized	0.00	17,774.50	17,774.50	0.00	755,522.00	0.00%	755,522.00
Transfers	0.00	3,125.00	3,125.00	2,500.00	37,500.00	6.67%	35,000.00
Revenue Totals	<u>82,473.51</u>	<u>130,787.09</u>	<u>48,313.58</u>	<u>364,998.16</u>	<u>2,111,673.00</u>	<u>17.28%</u>	<u>1,746,674.84</u>
Expense Summary							
Reserve	0.00	14,331.09	14,331.09	0.00	714,201.00	0.00%	714,201.00
Personnel	21,844.86	28,677.74	6,832.88	52,126.52	344,133.00	15.15%	292,006.48
Employee Benefits	5,397.55	7,104.08	1,706.53	11,341.56	85,249.00	13.30%	73,907.44
Special Services	0.00	754.17	754.17	0.00	9,050.00	0.00%	9,050.00
Contractual Services	1,350.00	1,720.84	370.84	2,075.95	20,650.00	10.05%	18,574.05
Supplies	2,907.52	400.01	(2,507.51)	3,087.52	4,800.00	64.32%	1,712.48
Professional Development	0.00	183.34	183.34	0.00	2,200.00	0.00%	2,200.00
Software & Computer Equipment	4,070.00	1,858.00	(2,212.00)	6,770.00	22,296.00	30.36%	15,526.00
Printing Expense	0.00	479.16	479.16	0.00	5,750.00	0.00%	5,750.00
Utilities	78,040.11	57,969.00	(20,071.11)	111,025.70	695,628.00	15.96%	584,602.30
Repairs - Bldg & Machinery	17,549.74	3,091.68	(14,458.06)	31,934.38	37,100.00	86.08%	5,165.62
Other Expense	500.00	577.07	77.07	1,803.55	6,925.00	26.04%	5,121.45
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	173.20	1,559.84	1,386.64	3,502.74	18,718.00	18.71%	15,215.26
Vehicle Expenses	0.00	933.33	933.33	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>131,832.98</u>	<u>130,787.11</u>	<u>(1,045.87)</u>	<u>229,753.80</u>	<u>2,111,673.00</u>	<u>10.88%</u>	<u>1,881,919.20</u>

City of Ovilla
 Financial Statement
 As of December 31, 2018

250 - WWW Infrastructure Improvements	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
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
Expense Summary							
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 December 31, 2018

300 - Capital Projects Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
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
Expense Summary							
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 December 31, 2018**

400 - Debt Service Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Taxes	121,464.24	38,659.17	(82,805.07)	147,448.98	463,910.00	31.78%	316,461.02
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>121,464.24</u>	<u>47,912.50</u>	<u>(73,551.74)</u>	<u>147,448.98</u>	<u>574,950.00</u>	<u>25.65%</u>	<u>427,501.02</u>
Expense Summary							
Long Term Debt	0.00	47,912.50	47,912.50	0.00	574,950.00	0.00%	574,950.00
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 December 31, 2018

500 - Municipal Development District Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Taxes	5,031.50	4,208.33	(823.17)	15,149.51	50,500.00	30.00%	35,350.49
Other Revenue	0.00	50.00	50.00	0.00	600.00	0.00%	600.00
Revenue Totals	<u>5,031.50</u>	<u>4,258.33</u>	<u>(773.17)</u>	<u>15,149.51</u>	<u>51,100.00</u>	<u>29.65%</u>	<u>35,950.49</u>
Expense Summary							
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 December 31, 2018

600 - 4B Economic Development Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Taxes	0.00	8,833.33	8,833.33	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	0.00	16,868.66	16,868.66	22,068.83	202,424.00	10.90%	180,355.17
Expense Summary							
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	533.00	233.33	(299.67)	533.00	2,800.00	19.04%	2,267.00
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	533.00	9,025.33	8,492.33	533.00	108,304.00	0.49%	107,771.00

City of Ovilla
 Financial Statement
 As of December 31, 2018

11:49:23 AM

700 - Park Impact Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Services	669.04	717.75	48.71	2,007.12	8,613.00	23.30%	6,605.88
Other Revenue	0.00	15.00	15.00	0.00	180.00	0.00%	180.00
Revenue Totals	<u>669.04</u>	<u>732.75</u>	<u>63.71</u>	<u>2,007.12</u>	<u>8,793.00</u>	<u>22.83%</u>	<u>6,785.88</u>
Expense Summary							
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 December 31, 2018

11:49:23 AM

800 - Water And Utilities Impact Fee Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Services	4,380.44	4,563.00	182.56	13,141.32	54,756.00	24.00%	41,614.68
Revenue Totals	4,380.44	4,563.00	182.56	13,141.32	54,756.00	24.00%	41,614.68
Expense Summary							
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

	Name	Account #	Previous Balance	NEW BALANCE	As Of
<u>Debt Fund</u>	<input checked="" type="checkbox"/>	*0291	46,875.00	46,875.00	2/6/2019
<u>General Fund Reserve</u>		608	56,605.15	56,840.57	2/6/2019
<u>GF Reserve CD</u>	<input checked="" type="checkbox"/>	*0694	250,103.11	250,103.11	2/6/2019
<u>Water Impact</u>	<input checked="" type="checkbox"/>	*2322	482.60	482.60	2/6/2019
<u>4B EDC</u>	<input checked="" type="checkbox"/>	*3691	636,103.21	363,319.31	2/6/2019
<u>Fire Dept. Auxil.</u>	<input checked="" type="checkbox"/>	*3909	2,570.00	3,590.00	2/6/2019
<u>Water Money Market</u>	<input checked="" type="checkbox"/>	*4323	190,504.80	190,790.93	2/6/2019
<u>MDD Fund</u>	<input checked="" type="checkbox"/>	*7451	292,223.44	297,644.58	2/6/2019
<u>Water Credit Card</u>	<input checked="" type="checkbox"/>	*7531	140.20	140.35	2/6/2019
<u>GF Reserves Money Mkt.</u>	<input checked="" type="checkbox"/>	*7583	129,123.56	129,224.21	2/6/2019
<u>GF Money Market</u>	<input checked="" type="checkbox"/>	*7605	232,211.76	232,392.76	2/6/2019
<u>Park Fund Money Mkt.</u>	<input checked="" type="checkbox"/>	*7613	81,520.56	81,577.18	2/6/2019
<u>Capital Projects Money Mkt.</u>	<input checked="" type="checkbox"/>	*7648	131,588.45	131,691.02	2/6/2019
<u>W&S Impact-Sewer</u>	<input checked="" type="checkbox"/>	*8699	117,554.03	117,554.03	2/6/2019
<u>employee benefit trust</u>	<input checked="" type="checkbox"/>	*8777	676.17	677.24	2/6/2019
<u>GF Operating</u>	<input checked="" type="checkbox"/>	*9437	1,940,597.75	2,207,991.53	2/6/2019
<u>W&S Fund Operating</u>	<input checked="" type="checkbox"/>	*9445	1,037,458.13	1,037,810.58	2/6/2019
<u>Police Special Fund</u>	<input checked="" type="checkbox"/>	*9792	495.47	495.47	2/6/2019
SUB TOTAL			5,146,833.39	5,149,200.47	
TexPool - CAPITAL PROJECT		1878	314.44	314.44	2/6/2019
TexStar - GENERAL FUND		1110	3,823.22	3,844.74	2/6/2019
TexStar - GENERAL FUND		1120	952.99	958.46	2/6/2019
TexStar - W&S IMPACT		3540	3,235.02	3,253.22	2/6/2019
TexStar - CAPITAL PROJECT		5340	1,424.77	1,439.85	2/6/2019
TexStar - W&S FUND		5350	1,173.81	1,180.38	2/6/2019
Bryson Manor - GENERAL FUND		8662	299,517.59	299,619.34	2/6/2019
Leose		2510	1.79	1.79	2/6/2019
TOTAL BANK BALANCES			5,457,277.02	5,459,812.69	

Ovilla Municipal Court Report

FY-2018- 2019	City			Amount Kept by City	Amount sent to State	Warrants Issued	Warrants Cleared	Uncontested Disposition	Defensive Driving	Deferred Disposition	Compliance Dismissals	Trial
	Total Traffic Cases Filed	Ordinance Filed	Total Revenue									
October	72	3	\$17,292.87	\$11,166.04	\$6,126.83	27	14	29	25	36	3	0
November	103	0	\$13,685.20	\$8,633.25	\$5,051.95	29	4	27	14	43	1	0
December	88	6	\$17,303.50	\$10,482.81	\$6,820.69	18	10	37	24	11	4	0
January	84	0	\$13,301.60	\$8,003.11	\$5,298.49	22	16	23	25	36	4	0
February												
March												
April												
May												
June												
July												
August												
September												
Totals	347	9	\$61,583.17	\$38,285.21	\$23,297.96	96	44	116	88	126	12	0

2017-2018 FY

January	165	0	\$20,725.22	\$12,793.73	\$7,931.49	19
FY Totals	431	6	\$71,677.24	\$42,273.03	\$29,404.21	97

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**

Calls For Service	Jan. 2019	Jan 2019 YTD	Jan.2018	
Complaint (Nuis 16,Permit 3,Parking 10)	49	49	29	
Follow up (Nuis 18 Permit 3 Park 10)	55	55	31	
Door Notice (Nui -10, Permit-3, Parking10)	30	30	23	
Mail Notice (Parking 4 nuisance10 permit3)	0	0	17	
Posted Property (nuisance 4)	0	0	4	
Court 4 guilty,2 FTA.1 postponed 1 probation	\$740	\$740	\$199.00	
Citizen Contacts	44	44	26	
Permits Reviewed	17	17	12	
Permits Issued	12	12	8	
Inspections	19	19	10	
Nuisance Abated by City 1 Illegal dump	3	3	0	
Nuisance Signs (Garage sale-18 business 23)	41	41	26	
Board of Adjustment App 1 metal bldg	1	1	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**

Calls For Service	Jan.2019	Jan.2019 YTD	Jan.2018	
Complaint (Regist-28 At Large 15 Bark 3)	46	46	22	
Folow up	52	52	28	
Door Notice (Regis-24, Bark 1 at large 2)	29	29	15	
Impounded Animal (Dog 6,)	6	6	10	
Animal welfare check	11	11	5	
Impound Results (Ret to own 6)	6	6	3	
Impound fee collected	\$240.00	\$240.00	105	
Court 1 guilty at large	\$0.00	\$0.00	127	
Citizen Contacts	38	38	16	
Animal registration \$156	13	13	35	
Registration Letter Mailed	23	23	22	
Nuisance letter -2 barking 3 at large	5	5	1	
Animals released 5 Raccoon, 2 Possum	7	7	0	
Deceased removed	18	18	26	
Oak Leaf - 4 call (2 dog 2 Raccoon)	4	4	1	
Traps Checked Out	3	3	4	



To: Mayor and City Council Members
From: John R. Dean, City Manager
Date: 02/1/2019

Re: City Manager's Monthly Report (January)

Hidden Valley Estates:

- Work was still ongoing on the sewer line during the month of January.

New Development:

- Bryson Manor Phase III development meeting was conducted.

Street Information:

- Public Works crew addressed potholes this month.

Fire Hydrant Painting: Completed.

Drainage:

- Public works has continued to identify 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. Work was not completed in January due to weather.

Bridges: I received a proposal from Eikon to proceed with the project for engineering services through completion of the project. Work order was not acted on by Council. They have re worked the order reducing the cost slightly. I have asked the County engineer if they can engineer the project. Still awaiting an answer one way or the other.

New Building: We are holding off on the abatement until we have a better idea of the future of the building. The abatement quote we received was only to abate the areas necessary for the reconfiguration of the structure for our use. If demolition could be possible in the future, we would need to abate more area.

Facility Workshop Preparation:

- I also spoke with the engineer (Isbell) about gathering municipal building projects that are similar to what our needs may be for our future facility workshop. They are also calculating costs for both Shiloh Rd and Westmoreland Rd to be improved in accordance with the thoroughfare plan.
- I spoke with our financial advisers regarding our bonding capacity and they are preparing information for our future facilities workshop as well.

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. The hearing will be held in February at the EDC meeting.

Pavilion: Parks Board presented a design that was approved by Council. The rendering has been submitted to the City engineer.

FY 2019 Street Improvements:

- Westlawn Drive
- Holly Lane
- Slippery Elm Drive
- Green Wood Drive
- Willow Wood Lane
- Dusty Oaks Trail

- Received the estimate from the County for these improvements and will be presented to Council for consideration in February.

Ticket Writers: We have contacted Brazos but cannot proceed until after January 2019. No update on timeline in January.

Administrative:

- Scheduled County probation to do cleanup on January 19th. Did not occur due to inclement weather. It will be rescheduled.
- Admin Assistant position with the PD will be filled on February 11th.
- Continued with the implementation of FAST software.
- Dealt with a personnel issue.
- Talked to Charlie Morton regarding the markers for the Veterans Memorial. We assisted Mr. Morton in picking up new bricks for memorial
- Gave an update on what is happening around the City to the Ovilla Service League.
- Spoke to Ashburne Glen HOA at the annual meeting.

Upcoming Items

- City Council Meeting – Monday, February 11th, 2019 at 6:00 pm
- City Hall Closed - Monday, February 18th, 2019

Respectfully Submitted,
John R. Dean, Jr.
City Manager

Ovilla City Council

Monthly Permit Activity

Meeting Date: February 11, 2019

Discussion Action

Presented By: John. R. Dean, Jr., City Manager

Attachments:

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 in FY 2019: Total Homes = 9

- October - New home construction: 2 / Other: 16
- November - New home construction: 1 / Other: 14
- December - New home construction: 2 / Other: 17
- January - New home construction: 4 / Other: 21
(Other: plumbing, flatwork, fences, mechanical, swimming pools, etc.)

Sample Motion(s):