

# City of *OVILLA* City Council

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

Richard Dormier, Mayor

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

## NOTICE OF CITY COUNCIL BRIEFING SESSION

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, March 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 March 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](http://www.cityofovilla.org), on the 08<sup>th</sup> day of March 2019 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



  
Pamela Woodall, City Secretary

DATE OF POSTING: 3.8.2019 TIME: 10:00 am/pm  
DATE TAKEN DOWN: \_\_\_\_\_ TIME: \_\_\_\_\_ am/pm

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

# City of *OVILLA* City Council

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

Richard Dormier, Mayor

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

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, March 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, March 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**

- Presentation:
  1. City Secretary delivery to the Ovilla City Council certification of unopposed candidates.
- 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. Authorize the City Manager to allow the early closing of City Offices on April 26, 2019 for Employee Customer Service Training for all employees.
- C2. Approve staff recommendation to declare surplus property
- C3. Minutes of the February 11, 2019 Briefing Session and Regular Meeting.

### **IV. REGULAR AGENDA**

- ITEM 1. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2019-07 of the City of Ovilla, Texas, declaring unopposed candidates in the Mayor 04, 2019 General City Election elected to office; canceling the General Election; providing a savings clause; providing a severability clause; and providing an effective date.

**DISCUSSION/ACTION** – ORDENANZA DE LA CIUDAD DE OVILLA, TEXAS, DECLARANDO CANDIDATOS SIN OPOSICIÓN EN LA ELECCIÓN GENERAL DE LA CIUDAD DEL 04 DE MAYO DEL 2019; CANCELACIÓN DE LA ELECCIÓN; PROPORCIONANDO UNA CLÁUSULA DE SALVAGUARDA; PROPORCIONANDO UNA CLÁUSULA DE DIVISIBILIDAD; Y PROPORCIONANDO UNA FECHA DE ENTRADA EN VIGOR.

# City of *OVILLA* City Council

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Michael Myers, Place Five

John R. Dean, Jr. City Manager

- ITEM 2. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2019-03 approving the filing of the Fire Department Safer Grant and authorize the City Manager to execute the application documents.
- ITEM 3. **DISCUSSION** – Receive recommendation from the Economic Development Corporation for funding not to exceed \$150,000, for the construction of a wastewater line to serve Founders Park and adjacent properties located in the City of Ovilla.
- a. **FIRST READING** – Pursuant to § 505.158 of the Local Government Code, conduct the first reading of Resolution R2019-04 to consider an infrastructure project funded by the Ovilla Economic Development Corporation (OEDC) for the construction of a wastewater line to serve Founders Park and adjacent properties located in the city of Ovilla.
- ITEM 4. **DISCUSSION/ACTION** – Consideration of and action on volunteer board appointment to serve a term on the Planning and Zoning Commission and/or direct staff to continue solicitation for new applicants.
- ITEM 5. **DISCUSSION/ACTION** – Consideration of and action to approve a proposed Budget Calendar for Fiscal Year 2019-2020 budget preparations.
- ITEM 6. **DISCUSSION/ACTION** – Consideration of and action to allow the Garden Club to reserve Heritage Park for a one-time use.
- ITEM 7. **DISCUSSION/ACTION** – Consideration of and action on Ordinance 2019-08, amending Appendix A “Fee Schedule,” Article A200 “Miscellaneous Fees,” of the Code of Ordinances of the City of Ovilla, Texas, providing a rental fee for use of the gazebo at Heritage Park; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.
- ITEM 8. **DISCUSSION/ACTION** – Consideration of and action on entering into a merchant agreement with Worldpay, LLC and Government Payment Service, Inc. doing business as “GovPayNet” and to authorize the City Manager to execute the agreement.
- ITEM 9. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2019-05 authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five-cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.
- ITEM 10. **DISCUSSION/ACTION** – Consideration of and action to amend certain sections of Chapter 3.05 Fences, and 35.3 Fences in Residential Districts, directing staff as necessary.
- ITEM 11. **DISCUSSION** – Discuss water variance report and customer notification process.
- ITEM 12. **DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

## V. DEPARTMENT REPORTS

### ▪ Department Activity Reports / Discussion

- Police Department
- 1. Monthly Report

Chief B. Windham

# City of OVILLA City Council

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

Richard Dormier, Mayor

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

- Fire Department  
2. Monthly Report  
Chief B. Kennedy
- Public Works  
3. Monthly Report  
Director B. Piland
- 1. Monthly Park Maintenance Reports
- Finance Department  
4. January 2019 Financials and transactions  
5. Bank Balances through March 06, 2019  
Accountant L. Harding
- Administration  
6. Monthly Code/Animal Control Reports  
7. Monthly Municipal Court Report  
8. City Manager Reports  
Code/AC Officer M. Dooly  
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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Pamela Woodall, City Secretary

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**CERTIFICATION OF UNOPPOSED CANDIDATES FOR  
OTHER POLITICAL SUBDIVISIONS (NOT COUNTY)  
CERTIFICACIÓN DE CANDIDATOS ÚNICOS  
PARA OTRAS SUBDIVISIONES POLITICAS (NO EL CONDADO)**

**To:** Presiding Officer of Governing Body  
**Al:** Presidente de la entidad gobernante

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 04, 2019.

*Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el mayo 04, 2019.*

List offices and names of candidates:  
*Lista de cargos y nombres de los candidatos:*

Offices /Cargos

Mayor  
City Council Place 2  
City Council Place 3

Candidates/Candidatos

Richard A. Dormier  
Dean L. Oberg  
Douglas W. Hunt

Signature (Firma)



Pamela Woodall

Printed Name (Nombre en letra de molde)

City Secretary  
Title (Puesto)



DATE of signing: March 11, 2019  
FECHA de firma: marzo 11, 2019



03.11.2019

## Consent Item 1 Information Sheet

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To  
Honorable Mayor  
and Council

Comments:

From  
John R. Dean,  
City Manager

**BACKGROUND AND JUSTIFICATION:**

I tentatively scheduled for customer service training to be conducted for all full-time city employees. The only way that we can reasonably accomplish this is to close the offices during the day. I am requesting that we close the city offices at noon on Friday April 26<sup>th</sup>, 2019 for us to have the training. Dr. Amy Holt from UNT will conduct the training.

CC

**STAFF RECOMMENDATION:**

Staff recommends Council approval to close the city offices at noon on April 26<sup>th</sup>, 2019.

Re  
Closing City Offices

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**City of Ovilla**

Tel 972-617-7262

105 S. Cockrell Hill Road  
Ovilla, Texas 75154

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



03.11.2019

## Consent Item 2 Information Sheet

To  
Honorable Mayor  
and Council

From  
Brian Windham, Police  
Chief

CC  
John R. Dean, Jr., City  
Manager

Re  
SURPLUS PROPERTY

### Comments:

#### BACKGROUND AND JUSTIFICATION:

Pursuant to the City of Ovilla Policy and Procedure Guide to Purchasing, Section 6: Disposal of Surplus Property, the Council should declare any asset over \$2,000 surplus property and recommend a disposal method.

The Police Department has taken a 2011 Ford Crown Victoria Police Interceptor (VIN 2FABP7BV6BX108638) out of service. The replacement vehicle is soon to be ready. At last check the vehicle has 122,483+ miles of service and is not in proper mechanical order.

1. Kelly Blue Book Trade in Value
2. Kelly Blue Book Private Party Value

#### STAFF RECOMMENDATION:

Staff recommends Council declare the 2011 Ford Crown Victoria Police vehicle surplus property and authorize the disposal in accordance with current policy.

City of Ovilla

Tel 972-617-7262

105 S. Cockrell Hill Road  
Ovilla, Texas 75154

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



## Request for Disposition or Sale of Surplus Property

Directions: complete the form in its entirety and forward to the City Manager for consideration.

NOTE: Assets valued over \$2,000 must be declared surplus by Council action. Council recommends method of disposal of those assets: sale (by auction or formal bidding), trade-in, or destruction. Council will have final decision on assets over \$2,000 being sold using the formal bidding process (Section 6. g.)

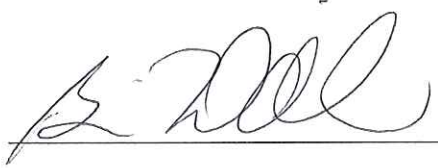
### Item/ Description

2011 Ford Crown Victoria 2FABP7BV6BX108638


mileage 122,483

Kelly Blue Book trade in value \$1,855.00

Kelly Blue Book private party value \$4,176.00

 3/7/19

Recommending Department Director/Date

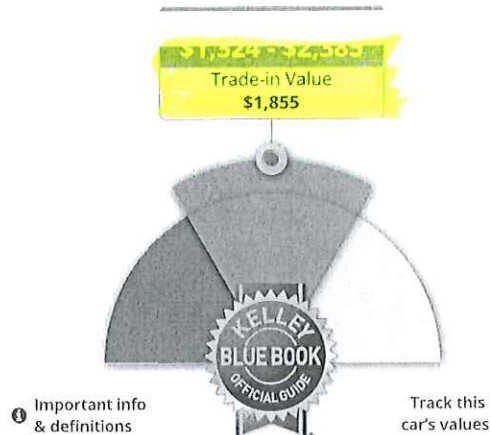
 3/7/19

City Manager Approval/Date

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Council Approval Date/Mayor Signature



[Home](#) > [What's My Car Worth](#) > [Options & Condition](#) > LX Sedan 4D**TRADE-IN VALUE**

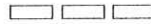
This estimated value helps you confidently negotiate with dealers.

Average Time to Trade-In:



**DAYS**

Level of Effort:



**Medium**

[See Overview of Values](#)

Condition: Fair

Valid for ZIP Code 75154 through 03/07/2019

**Overall Consumer Rating 4.7 / 5**

★★★★☆ 389 Ratings

[Write a review](#)

## 2 Start the Trade-in Process Online

Plus, get a no-obligation quote for your next car.



Your Trade-in Vehicle  
**2011 Ford Crown Victoria LX Sedan 4D**

[Change Vehicle](#)

What Vehicle Are You Shopping For?

Make



Model

75154

[See Local Dealers](#)

## 3 Shop for Your Next Car

Browse photos, read reviews, see pricing and more.

New



Make



Model



Take a

Look

### Similar Vehicles



2019 Ford Escape



2018 Nissan LEAF

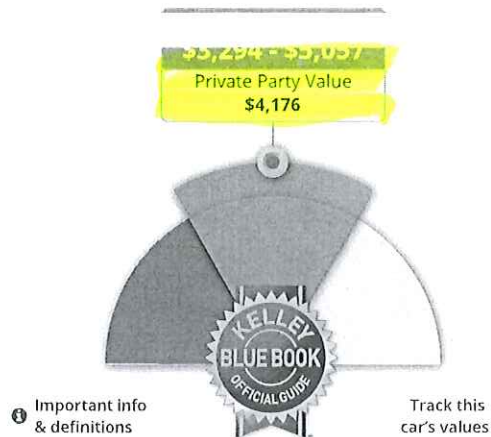


2019 Chevrolet Traverse



2018 Dodge Durango



[Home](#) > [What's My Car Worth](#) > [Options & Condition](#) > LX Sedan 4D

Condition: Fair  
Valid for ZIP Code 75154 through 03/07/2019

Overall Consumer Rating 4.7 / 5

★★★★☆ 389 Ratings

[Write a review](#)

#### PRIVATE PARTY VALUE

Leverage this value to set your price and negotiate with private-party buyers.

Average Time to Sell:



DAYS

Level of Effort:



High

[See Overview of Values](#)

## 2 See How Others Price Your Car

See what others are asking for your car.

[Search Cars for Sale Near You](#)

## 3 Place an Ad

Reach serious car shoppers on both KBB.com and Autotrader.

[Get Started](#)



Autotrader

### Start the Trade-in Process Online

Plus, get a no-obligation quote for your next car.

Your Trade-in Vehicle

2011 Ford Crown Victoria LX Sedan 4D

[Change Vehicle](#)



What Vehicle Are You Shopping For?

Make



Model



75154

[See Local Dealers](#)

## Trade Up to a New Car

[2019 Ford Escape](#)

[2018 Nissan LEAF](#)

[2019 Chevrolet Traverse](#)

[2018 Dodge Durango](#)

# CITY OF OVILLA MINUTES

**Monday, February 11, 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. There were no questions.

## **ADJOURNMENT**

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:05 p.m.

ATTEST:

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

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

***Approved March 11, 2019***

**CITY OF OVILLA MINUTES**  
**Monday, February 11, 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**

PL4 Hunt gave the invocation. PL5 Myers led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

**COMMENTS, PRESENTATIONS & ANNOUNCEMENTS**

**Announcement**

PL1 Huber announced that the Service League Benefit Dinner was scheduled on Friday, February 15, 2019 at 6:00 pm. She welcomed all and asked that everyone be mindful of the new location this year at Grace Church of Ovilla on Westmoreland Road.

**Citizen Comments**

1. MS Linda Chastain, 604 Valley View Court: voiced concern over her perception of staff's indifference to her water bill issue and asked that Ovilla look into better reporting and a notification system for residents pertaining to leak detection.

**CONSENT AGENDA**

- 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.

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 2019-05 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.

Staff presented the ordinance for an amendment to allocate funds for the street improvements to Willowood and Greenwood, that were funded in the previous Fiscal Year, but did not make the scheduling.

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

*No oppositions, no abstentions.*

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

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

The work order presented to Council would allow the City Engineers to design, bid and oversee the repairs to the Water Street bridge after the damage from the September 2018 flooding. The cost was reduced by \$1,000 from the previously submitted work order. City Manager asked for a quote from the County but was advised that the County Engineer was unable to help at this time. Repairs include both sides of the bridge and the County would be responsible for the dirt-work. Total guesstimate cost for the repair would be \$160,000 - \$180,000. The engineer's work order included out-of-pocket expenses, plus an additional 10% fee. The work order will be amended to eliminate the 10% additional fee.

Mayor Pro Tem Griffin moved to approve the work order for engineering services for the repair of the Water Street bridge, amended with the additional 10% out-of-pocket fee removed, seconded by PL4 Hunt.

*No oppositions, no abstentions.*

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

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

PL2 Oberg moved to approve 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, seconded by PL1 Huber.

*No oppositions, no abstentions.*

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

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



Staff and Council discussed the interpretation of this section of the Code with differing opinions. Staff was advised to bring this item back with word modification and better understand for consideration.  
*Discussion Only.*

ITEM 5. **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 – meeting scheduled on 02/14 to review software of “Ticket Writer”.
    - Texas Law Enforcement Agency Ovilla Annual Racial Profiling Report.
  - Fire Department A-Fire Chief Lindsey
    - Monthly Report - Still not able to file Safer Grant because of government issues.
  - Public Works - Director B. Piland
    - Monthly Report – discussed meter readings, water usage and purchase from DWU with regard to reporting. Potholes needing repairs were mentioned.
      - 1. Monthly Park Maintenance Reports
  - Finance Department Accountant L. Harding
    - December 2018 Financials and transactions – still waiting on auditors.
    - Bank Balances through February 6, 2019
  - Administration
    - Monthly Code/Animal Control Reports Code/AC Officer M. Dooly
    - Monthly Municipal Court Report City Secretary P. Woodall
    - City Manager Reports City Manager, John R. Dean, Jr.
      - 1. Advised difficulty in filing part-time animal control position but hopeful.

### **EXECUTIVE SESSION - None**

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

- |                  |   |
|------------------|---|
| 1. Mayor Dormier | None  |
| 2. PL1 Huber     | None  |
| 3. PL2 Oberg     | Return with amendments to the fence ordinance for discussion. |
| 4. PL3 Griffin   | Discussion on report for water variances and leak detection.  |
| 5. PL4 Hunt      | None  |
| 6. PL5 Myers     | None  |
| 7. City Manager  | None  |

### **ADJOURNMENT**

PL2 Oberg moved to adjourn the meeting of February 11, 2019, seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 7:54 p.m.

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

ATTEST:

\_\_\_\_\_  
Pamela Woodall, City Secretary  
Attachment: Citizens Forum sheet

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

**Approved March 11, 2019**

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



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



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

## WELCOME TO THE CITY OF OVILLA CITIZENS FORUM

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

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

The form must be complete.

DATE: 2/11/19 PHONE: 214-356-3369  
DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? ☒ YES ☐ NO  
NAME: Linda Chastain  
ORGANIZATION / DEPARTMENT: \_\_\_\_\_  
ADDRESS: 604 Valley View Ct  
CITY / ZIP: Ovilla TX 75154

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

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

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

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

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

(Circle one) FOR AGAINST

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

Would you be interested in serving on an appointed board or commission of the City of Ovilla?

☒ Yes ☐ No

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

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



# Ovilla City Council

## AGENDA ITEM REPORT

### Item 1

Meeting Date: March 11, 2019

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ City Secretary

☒ City Attorney

☒ Accountant

☒ Other: Deputy City Secretary

#### Attachments:

1. Ordinance 2019-07 English and Spanish

#### Agenda Item / Topic:

**ITEM 1.** *DISCUSSION/ACTION* – Consideration of and action on Ordinance 2019-07 of the City of Ovilla, Texas, declaring unopposed candidates in the Mayor 04, 2019 General City Election elected to office; canceling the General Election; providing a savings clause; providing a severability clause; and providing an effective date.

*DISCUSSION/ACTION* – ORDENANZA DE LA CIUDAD DE OVILLA, TEXAS, DECLARANDO CANDIDATOS SIN OPOSICIÓN EN LA ELECCIÓN GENERAL DE LA CIUDAD DEL 04 DE MAYO DEL 2019; CANCELACIÓN DE LA ELECCIÓN; PROPORCIONANDO UNA CLÁUSULA DE SALVAGUARDA; PROPORCIONANDO UNA CLÁUSULA DE DIVISIBILIDAD; Y PROPORCIONANDO UNA FECHA DE ENTRADA EN VIGOR.

#### Discussion / Justification:

Texas Election Code, Chapter 2, Section 2.051 -2.053 provides procedures that allow for the cancellation of the general election after the certificate of unopposed status is completed and delivered. The governing body must meet in open forum and vote to cancel the election and certify the unopposed candidates "elected."

#### Recommendation / Staff Comments:

Staff recommends approval of Ordinance 2019-07

#### Sample Motion(s):

I move to approve/deny Ordinance 2019-07 of the City of Ovilla, Texas, declaring unopposed candidates in the Mayor 04, 2019 General City Election elected to office; canceling the General Election.



## ORDINANCE 2019-07

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, DECLARING UNOPPOSED CANDIDATES IN THE MAY 04, 2019 GENERAL CITY ELECTION ELECTED TO OFFICE; CANCELING THE ELECTION; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

**WHEREAS**, Ordinance 2019-01, approved and passed on January 14, 2019 called the Order of Election for Mayor and Council Members, Place 2, and Place 4, all at large positions in and for the City of Ovilla Texas; and,

**WHEREAS**, at the deadline to file application for a place on the ballot and the deadline to file as a declared write-in candidate, only one candidate had filed to run for the following positions:

Mayor:	Richard A. Dormier
Council Member Place 2:	Dean L. Oberg
Council Member Place 4:	Douglas W. Hunt

**WHEREAS**, as prescribed in Section §2.052(a) of the Texas Election Code, the City Secretary certifies that:

- 1) Each candidate whose name is to appear on the ballot is unopposed;
- 2) No candidate's name is to be placed on a list of write-in candidates for the above described offices under applicable law;

**WHEREAS**, as prescribed in Section §2.053 of the Texas Election Code, that if another city election is held on election day:

- 1) If the City is holding a separate election on election day such as a proposition election or an election to fill a vacancy that has opposed candidates, the ballots used in that election must include:
- 2) A list of the offices and names of the candidates that have been declared elected;
- 3) Listed separately after the measures or contested races in the separate election;
- 4) Under the heading "Unopposed Candidates Declared Elected";
- 5) With the candidates grouped in the same relative order prescribed for the ballot generally; and
- 6) Listed in a way that prevents voters from casting votes in connection with candidates {EC §2.053(c)}

**NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Ovilla, Texas, that:

**1. CANCELLATION OF MAY 4, 2019 GENERAL ELECTION**

Based on information received, and in accordance with Sections §2.052 and §2.053, the City Council hereby authorizes the cancellation of the general election of Mayor, City Council Members Place 2, and Place 4 called for May 04, 2019, and hereby declares the unopposed candidates elected to the office.

**2. CERTIFICATES OF ELECTION TO BE ISSUED**

The said unopposed candidates shall be issued a certificate of election following the time the election would have been canvassed.

**3. NOTICE AND POSTING OF ORDINANCE**

The City Secretary is directed to cause a copy of this ordinance to be posted on election day at the polling places that would have been used in the election.

## ORDINANCE 2019-07

### 4. SAVINGS CLAUSE

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

### 5. SEVERABILITY CLAUSE

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

### 6. EFFECTIVE DATE

This ordinance shall take effect upon its passage, approval and adoption.

PASSED, APPROVED and ADOPTED this the 11<sup>th</sup> day of March 2019.

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

ATTEST:

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

Approved as to form:

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

## ORDENANZA 2019-07

UNA ORDENANZA DE LA CIUDAD DE OVILLA, TEXAS, DECLARANDO A LOS CANDIDATOS SIN OPOSICIÓN EN LA ELECCIÓN GENERAL DE LA CIUDAD DEL 04 DE MAYO DE 2019 ELEGIDOS PARA EL CARGO; CANCELANDO LA ELECCIÓN; PROPORCIONANDO UNA CLÁUSULA DE SALVAGUARDIA; PROPORCIONANDO UNA CLÁUSULA DE SEPARABILIDAD; Y PROPORCIONANDO UNA FECHA EFECTIVA

**CONSIDERANDO QUE**, la Ordenanza 2019-01, aprobada y comunicada el 14 de enero de 2019, llamada Orden de Elección para Alcalde y Miembros del Concejo, Plaza 2 y Plaza 4, todos en puestos generales en y para la Ciudad de Ovilla, Texas; y,

**CONSIDERANDO QUE**, en la fecha límite para presentar la solicitud para un lugar en la votación y en la fecha límite para presentarse como candidato inscrito declarado, solo un candidato se había presentado para postularse para las siguientes posiciones:

Alcalde:	Richard A. Dormier
Miembro del Concejo, Plaza 2:	Dean L. Oberg
Miembro del Concejo, Plaza 4:	Douglas W. Hunt

**CONSIDERANDO QUE**, según lo ordenado en la Sección §2.052(a) del Código Electoral de Texas, el Secretario de la Ciudad certifica que:

- 1) Todo candidato cuyo nombre aparezca en la boleta no tiene oposición;
- 2) No hay nombre de candidato para colocar en una lista de candidatos no registrados para los cargos descritos anteriormente según la ley aplicable;

**CONSIDERANDO QUE**, según lo ordenado en la Sección §2.053 del Código Electoral de Texas, que si se realiza otra elección en la ciudad el día de la elección:

- 1) Si la Ciudad celebra una elección por separado el día de la elección, como una elección de propuesta o una elección para cubrir una vacante que tiene candidatos oponentes, las papeletas electorales utilizadas en esa elección deben incluir:
- 2) Una lista de los cargos y nombres de los candidatos que han sido declarados electos;
- 3) Listado por separado después de las medidas o contiendas disputadas en la elección separada;
- 4) Bajo el encabezado "Candidatos sin oposición declarados electos";
- 5) Con los candidatos agrupados en el mismo orden relativo ordenado para la votación en general; y
- 6) Listado de una manera que evite que los votantes emitan su votos en relación con candidatos {EC §2.053 (c)}

**POR LO TANTO, SE ORDENA** por el Concejo Municipal de la Ciudad de Ovilla, Texas, que:

**1. CANCELACIÓN DE LA ELECCIÓN GENERAL DEL 4 DE MAYO DE 2019**

Con base en la información recibida, y de acuerdo con las Secciones §2.052 y §2.053, el Concejo Municipal autoriza la cancelación de la elección general de Alcalde, Plazas 2 y 4 del Concejo Municipal convocados para el 04 de mayo de 2019, y declara por la presente a los candidatos sin oposición elegidos para el cargo.

**2. CERTIFICADOS DE ELECCIÓN QUE DEBEN SER EMITIDOS**

A dichos candidatos sin oposición se les emitirá un certificado de elección después del momento en que la elección hubiera sido analizada.

**3. AVISO Y PUBLICACIÓN DE ORDENANZA**



## **ORDENANZA 2019-07**

Se ordena al Secretario de la Ciudad que haga que se publique una copia de esta ordenanza el día de las elecciones en los lugares de votación que se habrían utilizado en la elección.

### **4. CLÁUSULA DE SALVAGUARDIA**

En el caso de que cualquier otra Ordenanza de la Ciudad de Ovilla, Texas, promulgada hasta ahora en conflicto con las disposiciones de la Ordenanza, esta Ordenanza prevalecerá.

### **5. CLÁUSULA DE SEPARABILIDAD**

Si alguna sección, subsección, oración, cláusula, frase o parte de esta Ordenanza es, por cualquier razón, considerada inválida o inconstitucional por cualquier tribunal o jurisdicción competente, se considerará una disposición separada, distinta e independiente, y dicha consideración no afectará la validez de las partes restantes de la misma.

### **6. FECHA EFECTIVA**

Esta ordenanza entrará en vigencia a partir de su comunicación, aprobación y adopción.

**COMUNICADO, APROBADO y ADOPTADO** este 11 de marzo de 2019.

\_\_\_\_\_  
Richard Dormier, Alcalde

DOY FE:

\_\_\_\_\_  
Pamela Woodall, Secretaria Municipal

Aprobado en cuanto a la forma:

\_\_\_\_\_  
Ron G. MacFarlane, Jr. Abogado Municipal



## AGENDA ITEM REPORT

### Item 2

**Meeting Date:** March 11, 2019

☒ Discussion ☒ Action

**Submitted By:** Fire Chief Kennedy

**Reviewed By:** ☒ City Manager

☒ Accountant

**Department:** Fire

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

**Amount:**

☒ City Secretary

☐ City Attorney

☐ Other:

#### Attachments:

1. Resolution R2019-03
2. Letter sample
3. Cost breakdown

#### Agenda Item / Topic:

**ITEM 2. DISCUSSION/ACTION** – Consideration of and action on Resolution R2019-03 approving the filing of the Fire Department Safer Grant and authorize the City Manager to execute the application documents.

#### Discussion / Justification:

**Background/History:** Staff addressed the grant request with Council during the December 2018 meeting, asking for permission to apply when the grant application period was open.

This grant, if approved would move the part-time paid on an 8-hour schedule, to 1 – 24-hour person per shift, to now 3 part-time paid employees every shift. Moving forward as the city grows, needs increase as well as call volume, we are planning for the part-time positions to begin to fade and start replacing these positions with full-time staff. Doing this we are trying to accomplish it with the least amount of impact on the city budget as possible and have found that we can apply for the SAFER Grant through FEMA.

**Findings/Current Activity:** SAFER (Staffing for Adequate Fire Emergency Response)

- Because we would be creating new full-time positions, we do qualify to apply
- It will be a Match Grant
- Allows the City to create positions and adjust to the cost over a 3-year period
- Application period was extended to March 22, 2019
- Part of submitting the grant process, Council will be asked to approve a Resolution as a commitment to create the positions.
- If awarded, funding would be for FY 19 – 20 at the latest
- Plan to apply for 2 per shift at minimum, for a total of 6 full-time personnel

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

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

<b>Recommendation / Staff Comments:</b>
Staff recommends approval.
<b>Sample Motion(s):</b>
I move to approve/deny Resolution R2019-03 approving the filing of the Fire Department Safer Grant and authorize the City Manager to execute the application and letter documents, effective immediately.

RESOLUTION NO. R2019-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA AUTHORIZING THE CITY MANAGER TO SIGN A LETTER OF SUPPORT FOR THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT REQUEST FOR NINE (9) FULL TIME FIREFIGHTERS WITH THREE (3) OF THOSE BEING SHARED POSITIONS.

**WHEREAS**, the Federal Emergency Management Agency and the United States Fire Administration provides Assistance to Firefighters Grant Program to fire departments on an annual basis, and;

**WHEREAS**, the purpose of the Staffing for Adequate Fire and Emergency Response (SAFER) program is to provide grants to fire service agencies to provide financial assistance for firefighter staffing, and;

**WHEREAS**, the goal of the grant program is to assist local fire departments with staffing and deployment capabilities in order to respond to emergencies, assuring communities have adequate protection from fire and fire related hazards, and;

**WHEREAS**, in addition, assist departments in an effort to meet the minimum staffing as defined in National Fire Protection Agency (NFPA) 1710 and 1720, as well as OSHA Respiratory standard 29 CFR 1910.134(g)(4)(ii), and;

**WHEREAS**, SAFER funding will pay a cost share over three (3) years of 75 percent of the salary and benefit costs for newly hired firefighters (exclusive of overtime), for year one, 75 percent for year two (2), 35 percent year three (3) and;

**WHEREAS**, the fire department will request that nine (9) firefighter positions with three (3) of those being shared positions, be funded at an estimated amount of \$1,102,831 and;

**WHEREAS**, the requested funding will pay for the nine (9) positions as a cost share for three (3) years, at 75 percent for the first two (2) years and 35 percent for the third (3) year, and;

**WHEREAS**, there is no obligation to commit to retaining SAFER-funded firefighters beyond the period of performance which is three (3) years. However, no firefighter layoffs are permitted – either SAFER-funded or non-SAFER firefighters during the grant's period of performance, and;

**WHEREAS**, if awarded this grant it will insure at all times the fire department will be able to respond with sufficient personnel meeting OSHA standard 1910.134, and;

**WHEREAS**, should the City Council approve this request and the grant is awarded, anticipated notification will occur in FY 2019-20. Should the Fire Department receive the grant award, the Fire Department will return to the City Council for consideration of approval to receive the grant, request the necessary appropriations, make any necessary budgetary adjustments and request authorization to begin the recruitment process.

**NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Ovilla does hereby:**

**Section 1.** Authorize the City Manager to sign a letter of support for the 2018 Staffing for Adequate Fire and Emergency Response (SAFER) grant application for nine (9) full-time firefighters, with three (3) of these positions being shared positions.

***PASSED AND ADOPTED*** at a regular meeting of the City Council of the City of Ovilla duly held on the 11<sup>th</sup> day of March 2019 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

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Richard A. Dormier, Mayor

ATTEST:

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Pamela Woodall, City Secretary



{Date}

RE: FY18 SAFER Application

To Whom it May Concern:

The City of Ovilla Fire Department agrees to maintain operational staffing at the level that exists at the time of award and will also retain all SAFER-funded positions throughout the grant's full period of performance.

SAFER funding will pay a cost share over three (3) years of 75 percent of the salary and benefit costs for newly hired firefighters (exclusive of overtime), for year one, 75 percent for year two (2), 35 percent year three (3). The fire department will request that nine (9) firefighter positions with three (3) of those being shared positions.

Furthermore, the City of Ovilla Fire Department understands that laying off any operational personnel during the three-year period of performance will be considered an action that is in default of our grant and that the award will be terminated. We also understand and accept that we may be required to return any federal funds disbursed under the grant award if this should happen.

Sincerely,

John R. Dean, Jr.  
City Manager

### SAFER Worksheet of FEMA vs. City Cost Share Comparison

					FEMA 75%	City 25%
Year 1	12 - Shared Positions	\$	156,773.34	\$	117,580.01	\$ 39,193.34
FY19-20	6 - Fulltime Positions	\$	421,276.14	\$	315,957.10	\$ 105,319.03
		\$	578,049.48	\$	433,537.11	\$ 144,512.37
Year 2	12 - Shared Positions	\$	161,476.54	\$	121,107.41	\$ 40,369.14
FY20-21	6 - Fulltime Positions	\$	432,622.22	\$	324,466.67	\$ 108,155.56
		\$	594,098.76	\$	445,574.07	\$ 148,524.69
Year 3	12 - Shared Positions	\$	166,320.84	\$	FEMA 35% 58,212.29	City 65% \$ 108,108.54
FY21-22	6 - Fulltime Positions	\$	444,308.69	\$	155,508.04	\$ 288,800.65
		\$	610,629.53	\$	213,720.33	\$ 396,909.19
Year 4	12 - Shared Positions	\$	171,310.46		FEMA 0%	City 100% \$ 171,310.46
FY22-23	6 - Fulltime Positions	\$	456,345.75			\$ 456,345.75
		\$	627,656.21	\$	-	\$ 627,656.21

### SAFER vs. Keeping Part Time 4 Year Comparison Cost to the City

	Full Time w/ SAFER	Part Time w/o SAFER
	Difference	
Year 1 - FY19-20	\$ 274,887.00	\$ 579,793.00
	\$ (304,906.00)	
Year 2 - FY20-21	\$ 282,810.56	\$ 597,187.00
	\$ (314,376.44)	
Year 3 - FY21-22	\$ 535,223.64	\$ 615,103.00
	\$ (79,879.36)	
Year 4 - FY22-23	\$ 770,120.09	\$ 633,556.00
	\$ 136,564.09	

These numbers are projections by using the history of the city raises at 3% each year. If the city is awarded the SAFER Grant, we could potentially save approximately \$699,162 over the next three years. Year 4 if you look at the fulltime column compared to the part time column, the city would only be paying approximately \$136,564 more dollars for Full Time Staff, compared to if we continue as we are with the Part Time Staff four years from now.



# Ovilla City Council

## AGENDA ITEM REPORT Item 3

Meeting Date: March 11, 2019

Department: Administration

☒ 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. Resolution R2019-04
2. Engineers opinion of probable construction cost
3. Legal notice

### Agenda Item / Topic:

**ITEM 3. DISCUSSION** – Receive recommendation from the Economic Development Corporation for funding not to exceed \$150,000, for the construction of a wastewater line to serve Founders Park and adjacent properties located in the City of Ovilla.

- a. **FIRST READING** – Pursuant to § 505.158 of the Local Government Code, conduct the first reading of Resolution R2019-04 to consider an infrastructure project funded by the Ovilla Economic Development Corporation (OEDC) for the construction of a wastewater line to serve Founders Park and adjacent properties located in the city of Ovilla.

### Discussion / Justification:

Conduct the first reading of the resolution.

### Recommendation / Staff Comments:

The OEDC has identified the project to be an authorized project and approved funding the project up to \$150,000. The OEDC recommends that the City Council conduct the required readings of the resolution and authorize the OEDC to move forward with the project.

Legal notice of the public hearing was posted on the City website, Waxahachie Daily Light and the City bulletin board. No one appeared at the OEDC public hearing to speak either for or against the project. The wastewater line project provides the ability to enhance Founders Park by removing the city facilities from an aerobic septic system to increase the land available for use at Founders Park. The engineers estimate of probable cost of the project is \$137,810.

Because the expense of the project is greater than \$10,000 the City Council must adopt a resolution authorizing the project after having at least two separate readings of the resolution for the project to proceed.

### Sample Motion(s):

NO MOTION.



## RESOLUTION NO. R2019-04

**A RESOLUTION AUTHORIZING THE OVILLA ECONOMIC DEVELOPMENT CORPORATION TO FUND A WASTEWATER LINE PROJECT IN AN AMOUNT NOT TO EXCEED \$150,000.00 TO THE VICINITY OF FOUNDERS PARK TO SERVE THE PARK AND ADJACENT PROPERTIES.**

**WHEREAS**, the City of Ovilla, Texas is a Type A general-law municipality located in Ellis and Dallas Counties, created in accordance with the provisions of Chapter 6 of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the Ovilla Economic Development Corporation is a Type-B corporation created in accordance with the provisions of Chapter 505 of the Texas local Government Code; and

**WHEREAS**, the Ovilla Economic Development Corporation has determined that the wastewater line project is an acceptable project in accordance with Section 505.152 of the Texas Local Government Code; and

**WHEREAS**, the Ovilla Economic Development Corporation posted legal notice of the public hearing on the City website, Waxahachie Daily Light and the City bulletin board; and

**WHEREAS**, the Ovilla Economic Development Corporation held a public hearing in accordance with Section 505.159 of the Texas Local Government Code on February 19, 2019 to receive public comment on the project; and

**WHEREAS**, the Ovilla City Council is required to adopt a resolution authorizing a Type B corporation expenditure of more than \$10,000.00 after giving the resolution at least two separate readings in accordance with Section 505.158 of the Texas Local Government Code.

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

### SECTION 1.

That the City Council hereby authorizes the "Wastewater Line Project" by the Ovilla Economic Development Corporation in an amount not to exceed \$150,000.00.

### SECTION 2.

That this Resolution shall take effect immediately and it is so Resolved.

***PASSED AND APPROVED on this 25th day of March 2019.***

\_\_\_\_\_  
Richard A. Dormier, MAYOR

ATTEST:

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



DESIGNING CONFIDENCE

ENGINEERS OPINION OF PROBABLE CONSTRUCTION COST  
FOR PUBLIC IMPROVEMENTS  
MAIN STREET SANITARY SEWER ALIGNMENT 'B' (18138)  
CITY OF OVILLA, TX  
October 10, 2018

ITEM	DESCRIPTION	UNIT	UNIT PRICE	QNTY	TOTAL
1.00 - SANITARY SEWER					
1.01	8" ASTM D3034 SDR35 PVC Sewer, with Trenching & Backfill (5'-15' Depth)	LF	\$ 40	737	\$ 29,480
1.02	6" ASTM D3034 SDR35 PVC Sewer, with Trenching & Backfill (5'-15' Depth)	LF	\$ 35	423	\$ 14,805
1.03	4' Diam. Sanitary Sewer Manhole (6-ft Height)	EA	\$ 3,500	7	\$ 24,500
1.04	Additional Depth for Manholes	VF	\$ 100	24	\$ 2,400
1.05	4" Service Tap	EA	\$ 500	7	\$ 3,500
1.06	HMAC Removal and Replacement	SY	\$ 70	645	\$ 45,150
SUB-TOTAL:					\$ 119,835
CONTINGENCY (15%)					\$ 17,975
TOTAL:					<b>\$ 137,810</b>
					<b>GRAND</b>
					<b>TOTAL</b>

\* Note this Engineers Opinion of Probable Construction Cost was created following the alignment from 2008 Construction Plans, "Main Street Sanitary Sewer From F.M. 664 to City Hall," prepared by Birkhoff, Hendricks & Conway Consulting Engineers.

\* Assumes no utility relocation are required within R.O.W.

\*Please note that the engineer has no control over

## NOTICE OF PUBLIC HEARING OF THE ECONOMIC DEVELOPMENT BOARD

In accordance with the Development Corporation Act, Sections 505.159 and 505.160 of the Texas Local Government Code, a public hearing will be held by the Ovilla Economic Development Corporation, a Type B economic development corporation, on February 19, 2019 at 6:00 pm, at the Ovilla City Hall located at 105 South Cockrell Hill Road, Ovilla, Texas, to solicit input prior to expending funds in support of the following project: to provide funding not to exceed \$150,000 for economic development purposes towards the design and construction of a wastewater line to serve Founders Park and adjacent properties located in the City of Ovilla. It is requested that you make your views known, either in person or by writing to the Ovilla Economic Development Corporation.

*Notice posted at the Ovilla City Hall, February 8, 2019.*

CITY Website  
Bulletin Board  
Newspaper

Feb. 8. 2019





# Ovilla City Council

## AGENDA ITEM REPORT Item 4

Meeting Date: March 11, 2019

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ City Secretary

☐ City Attorney

☐ Accountant

☒ Other: Deputy City Secretary

### Attachments:

1. Application

### Agenda Item / Topic:

ITEM 4. **DISCUSSION/ACTION** – Consideration of and action on volunteer board appointment to serve a term on the Planning and Zoning Commission and/or direct staff to continue solicitation for new applicants.

### Discussion / Justification:

**EXCERPT: Pursuant to Chapter 14 , Section 47.3 of the Ovilla Code of Ordinances:**

The Planning and Zoning Commission shall consist of seven (7) members. The members shall be residents of the City and qualified voters. They shall be appointed by a majority vote of the members of the City Council at a regular or specially called meeting thereof.



#### 47.3 TERMS OF OFFICE

Each member shall serve a term of office of two years. After the expiration of a two-year term of office, a member shall serve until a successor is appointed. The terms of four of the members shall expire on the first meeting in July of each odd-numbered year, and the terms of **three of the members shall expire on the first Monday in July of each even-numbered year**. The members of the commission shall be identified by place numbers one through seven. The odd-numbered places shall expire in the odd-numbered years; the even-numbered places shall expire in the even-numbered years. Vacancies shall be filled for unexpired terms by the city council in the same manner as the original appointment was made. Newly appointed members shall be installed at the first regular commission meeting after their appointment. The city council may remove a commission member for cause on a written charge and after public hearing.

Place 5 position of the Planning and Zoning Commission has been vacant for months. This term expires in May 2019. Staff recently received an application from Mr. Lewis who desires to serve on the Planning and Zoning Commission.

### Recommendation / Staff Comments:

### Sample Motion(s):

I move to approve/deny the appointment of Josh Lewis to serve the term of Place 5 on the Planning and Zoning Commission.



RETURN TO CITY SECRETARY'S OFFICE OR EMAIL TO [pwoodall@cityofovilla.org](mailto:pwoodall@cityofovilla.org)  
DATE RECEIVED: \_\_\_\_\_



This Information is a Public Record  
*Public Service opportunities are offered by the City Of Ovilla without regard  
To race, color, national origin, religion, sex or disability.*

**CITY OF OVILLA  
BOARDS AND COMMISSIONS  
INFORMATION STATEMENT AND APPLICATION**

*The City of Ovilla desires qualified, interested citizens to serve on city boards and/or commissions. We appreciate your interest in Ovilla's current needs and future. If you believe you meet the requirements and have the allowed time to serve on a board or commission, please complete the following.*

**Board and commission members must meet the required qualifications listed below:**

- ✓ Be a resident of the city for at least 6 months prior to date of appointment;
- ✓ Be a qualified voter at the time of the appointment;
- ✓ Have no criminal record that is considered by the City Council to be so serious that it serves as a disqualification (i.e. felony conviction);
- ✓ Not be an adversary party to pending litigation or claim against the city (except for eminent domain proceedings);
- ✓ Not to be an employee or a business associate of either an adversary party or a representative of an adversary party;
- ✓ Not in arrears on city taxes, water service charges or other obligations owed to the city; and
- ✓ Have a creditable record of attendance and performance in any previous board service.

If you are interested in applying for more than one position, please indicate your top three choices in order of your preference by placing a number in the space to the left of the board/commission/committee for which you are applying (#1 being your 1<sup>st</sup> choice, #3 being your last choice)

BOARDS, COMMISSIONS, COMMITTEES	MEETING INFORMATION
<u>2</u> Planning and Zoning Commission	1 <sup>st</sup> Monday of each month or as necessary – 7:00 PM
<u>   </u> Board of Adjustment	3 <sup>rd</sup> Monday of each month or as necessary – 7:00 PM
<u>   </u> Economic Development Corporation	3 <sup>rd</sup> Monday of each month or as necessary – 6:00 PM
<u>   </u> Municipal Development District	As necessary
<u>   </u> Municipal Services Advisory Committee	As necessary
<u>1</u> Park Development & Improvement	As necessary

NAME Josh Lewis  
HOME ADDRESS 144 Water St  
Ovilla, TX 75154  
HOW LONG HAVE YOU LIVED IN OVILLA? 3 yrs EMAIL j. Lewis  
HOME TELEPHONE \_\_\_\_\_ BUSINESS TELEPHONE \_\_\_\_\_  
PROFESSION Military (IT)  
INTERESTS sports, education, outdoor activities

RETURN TO CITY SECRETARY'S OFFICE OR EMAIL TO [pwoodall@cityofovilla.org](mailto:pwoodall@cityofovilla.org)

- 1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

Experienced leader and planner for government

- 2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

No

- 3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?

No

If yes to one or both, please list the municipality, committee and dates served:


- 4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- ♦ Youth Sports Coach
- ♦ Chamber of Commerce
- ♦

- 5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR (NO)) If yes, please list:

- 6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) Texas Air National

Guard

**STATEMENT OF INTENT:** If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.



SIGNATURE

13 Feb 19

DATE

Josh Lewis

PRINTED NAME OF APPLICANT



CITY OF OVILLA OFFICIAL USE ONLY

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262

ATTENTION: Pamela Woodall



# Ovilla City Council

## AGENDA ITEM REPORT Item 5

Meeting Date: March 11, 2019

Department: Finance/Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ City Secretary

☐ City Attorney

☒ Accountant

☐ Other: Staff

### Attachments:

1. Budget Calendar for Fiscal Year 2019-2020

### Agenda Item / Topic:

ITEM 5. **DISCUSSION/ACTION** – Consideration of and action to approve a proposed Budget Calendar for Fiscal Year 2019-2020 budget preparations.

### Discussion / Justification:

To assure staff and Council meet target dates in compliance with Truth-N-Taxation for the creation of budget and the tax rate, staff has prepared a proposed Fiscal Year 2019-2020 Budget Calendar for consideration. **Key Dates:**

**Thursday, May 16 - (Special Meeting) – Budget Workshop #1** with City Council 5:00 p.m. Review General Fund, Capital Improvements, Equipment Purchases, Streets Capital Improvement Plan.

**Thursday, May 23 - (Special Meeting) - Budget Workshop #2** with City Council 5:00 p.m. Review Water & Sewer Fund, Park Impact Fund, W&S Impact Fund, 4B EDC Fund, MDD, Fire Auxiliary, Police Special Fund and Debt Service. Review Water Rates, Review Sewer Rates, Review Health Benefit Rates.

**Thursday, June 20 - (Special Meeting) – Budget Workshop #3** at 5:00 p.m. Review revisions to proposed budget from Workshops #1 and #2.

**Thursday, August 01- (Special Meeting) – Workshop #4**, at 5:30 p.m. to review preliminary determination of tax rate (Dallas, Ellis) and revisions.

**Monday, August 12 - (Regular Meeting) – Regular Council Meeting:** Present Effective, Rollback Tax Rate, Schedules and Fund Balances. City Council to discuss Tax Rate. If proposed Tax Rate exceeds the Effective Rate or the Rollback Rate, take record vote and schedule required public hearings on proposed Tax Rate. A record vote is not required if the City Council keeps the Tax Rate at or below the zero effective rate.

**Monday, August 19 - (Special Meeting)** - First public hearing at 5:30 p.m. on Tax Rate (if needed)

**Monday, August 26 - (Special Meeting)** - Second public hearing at 5:30 p.m., To adopt Tax Rate. (if needed)

**Monday, Sept. 9<sup>th</sup> - (Regular Meeting)** - Public Hearing on Budget; adopt Budget; adopt Tax Rate.

### Recommendation / Staff Comments:

N/A

### Sample Motion(s):

I move to approve/deny the Budget Calendar for Fiscal Year 2019-2020 budget preparations.



**CITY OF OVILLA**  
**Budget Calendar for Fiscal Year 2020**

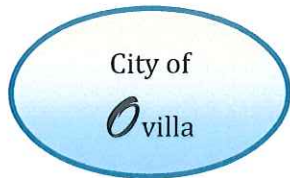
DAY	DATE	ACTION	Responsible Party
Monday	March 11, 2019	FY 2018-2019 Budget Kick-off. Calendar presented to Council.	Council, CM, Finance
	March 18 – April 8, 2019	City Manager interviews department directors and reviews financial projections for FY 2020 preparations begin for FY 2020 preliminary budget.	CM, Finance, Dept Heads
Monday	May 13, 2019	*Post 72 Hour notice for Workshop #1 and Workshop #2	CS
Thursday	May 16, 2019	Workshop #1 FY 2020 Proposed Budget at 5:00 PM, Review General Fund, Capital Improvements, Equipment Purchases, Streets Capital Improvement Plan	Council, CM, Finance, Dept Heads
Thursday	May 23, 2019	Workshop #2 FY 2020 Proposed Budget at 5:00 PM. Review W&S Fund, Park Impact Fund, W&S Impact Fund, 4B EDC Fund, MDD, Fire Auxiliary, Police Special Fund and Debt Service. Review Water Rates, Review Sewer Rates	Council, CM, Finance, Dept Heads
	May 24 to June 14, 2019	Revisions to proposed budget from Workshops #1 & #2 and prepare preliminary tax rate.	CM, Finance
Thursday	June 20, 2019	Workshop #3 FY 2020 at 5:00 PM. Revisions to proposed budget from Workshops #1 & #2.	Council, CM, Finance, Dept Heads
Tuesday	July 2, 2019	Draft of FY 2020 of Proposed budget delivered to department directors and Council.	Council, CM, Finance, Dept Heads
Friday	July 20, 2018	Certified Taxable Values from Dallas County Appraisal District and Ellis County	CM, Finance
Monday	July 23, 2018	Certified Taxable Values will be sent to Ellis County for Tax Calculations.	
Monday	July 27, 2018	Post 72-hour notice for City Council Preliminary Workshop Meeting #4	CS
Thursday	August 1, 2019	Workshop #4 5:30 PM Review preliminary determination of tax rate (Dallas, Ellis) and revisions.	Council, CM, Finance, Dept Head
Tuesday	August 6, 2019	Proposed budget Filed with City Secretary,	CM, Finance
Tuesday	August 6, 2019	Delivered to Council Members.	CS
Friday	August 9, 2019	City Secretary posts 72 hour Notice of City Council Meeting to discuss Tax	CS
Friday	August 9, 2019	Rate at August 13th meeting Newspaper publishes effective and rollback tax rates, schedules and fund balances. Deadline to provide newspaper with "Notice of Public Hearings on Tax Increase" is the first quarter-page in newspaper.	CS
Monday	August 12, 2019	Regular Council Meeting Present Effective, Rollback Tax Rate, Schedules and Fund Balances to City Council. City Council to discuss Tax Rate. If proposed Tax Rate exceeds the Effective Rate or the Rollback Rate, take record vote and schedule required public hearing on proposed Tax Rate.	Council, CM



Monday	August 19, 2019	1 <sup>st</sup> Hearing on Tax Rate, 5:30 PM, Providing there is Tax Increase. Present Effective, Rollback Tax Rate, Schedules and Fund Balances to City Council. City Council to discuss Tax Rate. If proposed Tax Rate exceeds the Effective Rate or the Rollback Rate, take record vote and schedule required public hearing on proposed Tax Rate.	Council
Thursday	August 22, 2019	Post 72 hr. notice of 2nd hearing on Tax Rate	CS
Thursday	August 22, 2019	Final day to send notification to post in the newspaper and public notice of budget. September 1, 2019 is the final date for posting.	CS, Finance
Monday	August 26, 2019	2nd Hearing on Tax Rate. 5:30 PM *** Providing there is tax increase.	Council
Friday	September 7, 2018	Post 72 hr. notice for meeting at which City Council will adopt Tax Rate	CS
Monday	September 9, 2019	Regular Council Meeting, Adopt FY 2019-20 Budget, Tax Rate, Tax Roll, Water Rate, Sewer Rate. Adopt Budget, Approve Tax Rate, Approve and adopt Budget raising more revenue from property taxes than in previous year.	Council, CM, Finance
Tuesday	September 18, 2018	File adopted Budget with City Secretary if no hearings; City Secretary to file Budget with County Clerk.	CM, CS, Finance

\* Per Senate Bill 1510 (2013) attached

\*\* Local Government Code 102.005, 102.0065, 102,0065(d) 140.010, 140.010(f) attached.



# Ovilla City Council

## AGENDA ITEM REPORT

### Item 6

Meeting Date: March 11, 2019

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ City Secretary

☒ City Attorney

☐ Accountant

☒ Other: Staff

#### Attachments:

1. Excerpt from TX Constitution

#### Agenda Item / Topic:

**ITEM 6. DISCUSSION/ACTION** – Consideration of and action to allow the Garden Club to reserve Heritage Park for a one-time use.

#### Discussion / Justification:

The City would most likely face an unconstitutional grant under Article III, Sec. 52 of the Texas Constitution. The only way around it would be if we had an ordinance allowing any person or organization to RENT the park.

The Garden Club could however use the park, just not exclusively.

#### Recommendation / Staff Comments:

Staff does not recommend approval.

#### Sample Motion(s):

I move to approve/deny the Garden Club to reserve Heritage Park for a one-time use.

## ARTICLE III TX CONSTITUTION

Sec. 52. RESTRICTIONS ON LENDING CREDIT OR MAKING GRANTS BY POLITICAL CORPORATIONS OR POLITICAL SUBDIVISIONS; AUTHORIZED BONDS; INVESTMENT OF FUNDS. (a) Except as otherwise provided by this section, the Legislature shall have no power to authorize any county, city, town or other political corporation or subdivision of the State to lend its credit or to grant public money or thing of value in aid of, or to any individual, association or corporation whatsoever, or to become a stockholder in such corporation, association or company. However, this section does not prohibit the use of public funds or credit for the payment of premiums on nonassessable property and casualty, life, health, or accident insurance policies and annuity contracts issued by a mutual insurance company authorized to do business in this State.

(b) Under Legislative provision, any county, political subdivision of a county, number of adjoining counties, political subdivision of the State, or defined district now or hereafter to be described and defined within the State of Texas, and which may or may not include, towns, villages or municipal corporations, upon a vote of two-thirds majority of the voting qualified voters of such district or territory to be affected thereby, may issue bonds or otherwise lend its credit in any amount not to exceed one-fourth of the assessed valuation of the real property of such district or territory, except that the total bonded indebtedness of any city or town shall never exceed the limits imposed by other provisions of this Constitution, and levy and collect taxes to pay the interest thereon and provide a sinking fund for the redemption thereof, as the Legislature may authorize, and in such manner as it may authorize the same, for the following purposes to wit:

(1) The improvement of rivers, creeks, and streams to prevent overflows, and to permit of navigation thereof, or irrigation thereof, or in aid of such purposes.

(2) The construction and maintenance of pools, lakes, reservoirs, dams, canals and waterways for the purposes of irrigation, drainage or navigation, or in aid thereof.

### ARTICLE III TX CONSTITUTION

(3) The construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof.

(c) Notwithstanding the provisions of Subsection (b) of this Section, bonds may be issued by any county in an amount not to exceed one-fourth of the assessed valuation of the real property in the county, for the construction, maintenance, and operation of macadamized, graveled, or paved roads and turnpikes, or in aid thereof, upon a vote of a majority of the voting qualified voters of the county, and without the necessity of further or amendatory legislation. The county may levy and collect taxes to pay the interest on the bonds as it becomes due and to provide a sinking fund for redemption of the bonds.

(d) Any defined district created under this section that is authorized to issue bonds or otherwise lend its credit for the purposes stated in Subdivisions (1) and (2) of Subsection (b) of this section may engage in fire-fighting activities and may issue bonds or otherwise lend its credit for fire-fighting purposes as provided by law and this constitution.

(e) A county, city, town, or other political corporation or subdivision of the state may invest its funds as authorized by law.

(Amended Nov. 8, 1904; Subsecs. (a) and (b) amended and (c) added Nov. 3, 1970; Subsec. (d) added Nov. 7, 1978; Subsec. (a) amended Nov. 4, 1986; Subsec. (e) added Nov. 7, 1989; Subsecs. (a), (b), and (c) amended Nov. 2, 1999.) (TEMPORARY TRANSITION PROVISIONS for Sec. 52: See Appendix, Note 1.)

Sec. 52-a. PROGRAMS AND LOANS OR GRANTS OF PUBLIC MONEY FOR ECONOMIC DEVELOPMENT. Notwithstanding any other provision of this constitution, the legislature may provide for the creation of programs and the making of loans and grants of public money, other than money otherwise dedicated by this constitution to use for a different purpose, for the public purposes of development and diversification of the economy of



### ARTICLE III TX CONSTITUTION

the state, the elimination of unemployment or underemployment in the state, the stimulation of agricultural innovation, the fostering of the growth of enterprises based on agriculture, or the development or expansion of transportation or commerce in the state. Any bonds or other obligations of a county, municipality, or other political subdivision of the state that are issued for the purpose of making loans or grants in connection with a program authorized by the legislature under this section and that are payable from ad valorem taxes must be approved by a vote of the majority of the registered voters of the county, municipality, or political subdivision voting on the issue. A program created or a loan or grant made as provided by this section that is not secured by a pledge of ad valorem taxes or financed by the issuance of any bonds or other obligations payable from ad valorem taxes of the political subdivision does not constitute or create a debt for the purpose of any provision of this constitution. An enabling law enacted by the legislature in anticipation of the adoption of this amendment is not void because of its anticipatory character.

(Added Nov. 3, 1987; amended Nov. 8, 2005.)

Sec. 52-b. LOAN OF STATE'S CREDIT, GRANT OF PUBLIC MONEY, OR ASSUMPTION OF DEBT FOR TOLL ROAD PURPOSES. The Legislature shall have no power or authority to in any manner lend the credit of the State or grant any public money to, or assume any indebtedness, present or future, bonded or otherwise, of any individual, person, firm, partnership, association, corporation, public corporation, public agency, or political subdivision of the State, or anyone else, which is now or hereafter authorized to construct, maintain or operate toll roads and turnpikes within this State except that the Legislature may authorize the Texas Department of Transportation to expend, grant, or loan money, from any source available, for the acquisition, construction, maintenance, or operation of turnpikes, toll roads, and toll bridges.

### ARTICLE III TX CONSTITUTION

(Added Nov. 2, 1954; amended Nov. 5, 1991, and Nov. 6, 2001.)

Sec. 52-c. (Blank.)

Sec. 52d. COUNTY OR ROAD DISTRICT TAX FOR ROAD AND BRIDGE PURPOSES IN HARRIS COUNTY. (a) Upon the vote of a majority of the qualified voters so authorizing, a county or road district may collect an annual tax for a period not exceeding five (5) years to create a fund for constructing lasting and permanent roads and bridges or both. No contract involving the expenditure of any of such fund shall be valid unless, when it is made, money shall be on hand in such fund.

(b) At such election, the Commissioners' Court shall submit for adoption a road plan and designate the amount of special tax to be levied; the number of years said tax is to be levied; the location, description, and character of the roads and bridges; and the estimated cost thereof. The funds raised by such taxes shall not be used for purposes other than those specified in the plan submitted to the voters. Elections may be held from time to time to extend or discontinue said plan or to increase or diminish said tax. The Legislature shall enact laws prescribing the procedure hereunder.

(c) The provisions of this section shall apply only to Harris County and road districts therein.

(Added Aug. 23, 1937; amended Nov. 2, 1999.) (TEMPORARY TRANSITION PROVISIONS for Sec. 52d: See Appendix, Note 1.)

Sec. 52e. COUNTY PAYMENT OF MEDICAL EXPENSES OF LAW ENFORCEMENT OFFICIALS. Each county in the State of Texas is hereby authorized to pay all medical expenses, all doctor bills and all hospital bills for Sheriffs, Deputy Sheriffs, Constables, Deputy Constables and other county and precinct law enforcement officials who are injured in the course of their official duties; providing that while said Sheriff, Deputy

## ARTICLE III TX CONSTITUTION

Sheriff, Constable, Deputy Constable or other county or precinct law enforcement official is hospitalized or incapacitated that the county shall continue to pay his maximum salary; providing, however, that said payment of salary shall cease on the expiration of the term of office to which such official was elected or appointed. Provided, however, that no provision contained herein shall be construed to amend, modify, repeal or nullify Article 16, Section [31](#), of the Constitution of the State of Texas.

(Added Nov. 11, 1967.)

Sec. 52f. PRIVATE ROAD WORK BY COUNTIES WITH POPULATION OF 7,500 OR LESS. A county with a population of 7,500 or less, according to the most recent federal census, may construct and maintain private roads if it imposes a reasonable charge for the work. The Legislature by general law may limit this authority. Revenue received from private road work may be used only for the construction, including right-of-way acquisition, or maintenance of public roads.

(Added Nov. 4, 1980; amended Nov. 3, 2015.)

Sec. 52g. DALLAS COUNTY BOND ISSUES FOR ROADS AND TURNPIKES. Bonds to be issued by Dallas County under Section [52](#)(b)(3) of Article III of this Constitution may, without the necessity of further or amendatory legislation, be issued upon a vote of a majority of the voting qualified voters of said county, and bonds heretofore or hereafter issued under Subsections (a) and (b) of said Section 52 shall not be included in determining the debt limit prescribed in said Section.

(Added Nov. 5, 1968; amended Nov. 4, 1997, and Nov. 2, 1999.)

(TEMPORARY TRANSITION PROVISIONS for Sec. 52g: See Appendix, Note 1.)

### ARTICLE III TX CONSTITUTION

Sec. 52h. DONATIONS BY MUNICIPALITIES OF OUTDATED OR SURPLUS FIRE FIGHTING EQUIPMENT TO UNDERDEVELOPED COUNTRIES. A municipality may donate to an underdeveloped country outdated or surplus equipment, supplies, or other materials used in fighting fires.

(Added Nov. 6, 2001.)

Sec. 52i. DONATIONS BY MUNICIPALITIES OF SURPLUS FIRE FIGHTING EQUIPMENT FOR RURAL FIRE PROTECTION. (a) A municipality may donate surplus equipment, supplies, or other materials used in fighting fires to the Texas Forest Service or to a successor agency authorized to cooperate in the development of rural fire protection plans.

(b) The Texas Forest Service or the successor agency may, based on need, redistribute to rural volunteer fire departments the equipment, supplies, or materials donated under Subsection (a).

(Added Sept. 13, 2003.)

Sec. 52j. SALE OF REAL PROPERTY ACQUIRED THROUGH EMINENT DOMAIN. A governmental entity may sell real property acquired through eminent domain to the person who owned the real property interest immediately before the governmental entity acquired the property interest, or to the person's heirs, successors, or assigns, at the price the entity paid at the time of acquisition if:

- (1) the public use for which the property was acquired through eminent domain is canceled;
- (2) no actual progress is made toward the public use during a prescribed period of time; or
- (3) the property is unnecessary for the public use.

(Added Nov. 6, 2007.)



## ARTICLE III TX CONSTITUTION

Sec. 52k. COUNTY OR MUNICIPAL BONDS OR NOTES TO ACQUIRE LAND ADJACENT TO MILITARY INSTALLATIONS. The legislature by general law may authorize a municipality or county to issue bonds or notes to finance the acquisition of buffer areas or open spaces adjacent to a military installation for the prevention of encroachment or for the construction of roadways, utilities, or other infrastructure to protect or promote the mission of the military installation. The municipality or county may pledge increases in ad valorem tax revenues imposed in the area by the municipality, county, or other political subdivisions for repayment of the bonds or notes.



# Ovilla City Council

## AGENDA ITEM REPORT Item 7

Meeting Date: March 11, 2019

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ City Secretary

☒ City Attorney

☐ Accountant

☒ Other: Staff

### Attachments:

1. Ordinance 2019-08

### Agenda Item / Topic:

ITEM 7. **DISCUSSION/ACTION** – Consideration of and action on Ordinance 2019-08, amending Appendix A “Fee Schedule,” Article A200 “Miscellaneous Fees,” of the Code of Ordinances of the City of Ovilla, Texas, providing a rental fee for use of the gazebo at Heritage Park; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

### Discussion / Justification:

A \$10 fee has been in place for several years but has not been included in the fee schedule. Staff is not recommending a change to the current fee only that the fee be adopted by the City Council.

### Recommendation / Staff Comments:

Staff recommends approval.

### Sample Motion(s):

I move to approve/deny Ordinance 2019-08, amending the fee schedule to include a Heritage Park gazebo rental fee.

ORDINANCE NO. 2019-08

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING APPENDIX A "FEE SCHEDULE," ARTICLE A2.000 "MISCELLANEOUS FEES," OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS; PROVIDING A RENTAL FEE FOR USE OF THE GAZEBO AT HERITAGE PARK; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE OVILLA CODE OF ORDINANCES; PROVIDING FOR IMMEDIATE EFFECT; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City of Ovilla owns and maintains a public park named Heritage Park; and

WHEREAS, the use of the electrical power at the gazebo at Heritage Park increases electrical and maintenance costs for the City; and

WHEREAS, the City Council finds and determines that it is necessary and in the best interests of the citizens of the City of Ovilla to require a rental fee for use of the gazebo at Heritage Park.

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

SECTION 1. AMENDMENT OF APPENDIX A, ARTICLE A2.000 OF THE  
OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA

Appendix A, Article A2.000 of the Code of Ordinances of the City of Ovilla is hereby amended by the addition of the following provision:

**Sec. A2.009      Rental Use Fee - Heritage Park Gazebo**

The rental fee for use of the gazebo at Heritage Park shall be ten dollars (\$10.00) per day.

SECTION 2. SAVINGS CLAUSE

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

SECTION 3. SEVERANCE CLAUSE

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

SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES

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

ORDINANCE NO. 2019-08

**SECTION 5.            EFFECTIVE DATE**

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

**SECTION 6.            PUBLICATION**

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

**PASSED, ADOPTED and APPROVED** by the City Council of Ovilla, Texas, on this the 11 day of March 2019.

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

ATTEST:

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

APPROVED AS TO FORM:

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





# Ovilla City Council

## AGENDA ITEM REPORT

### Item 8

Meeting Date: March 11, 2019

Department: Finance/Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ City Secretary

☒ City Attorney

☒ Accountant

☐ Other: Staff

#### Attachments:

1. GovPayNet Merchant Agreement

#### Agenda Item / Topic:

**ITEM 8.** *DISCUSSION/ACTION* – Consideration of and action enter into a merchant agreement with Worldpay, LLC and Government Payment Service, Inc. doing business as “GovPayNet” and to authorize the City Manager to execute the agreement.

#### Discussion / Justification:

This agreement will allow us to have a single credit card processing vendor and reduce the fees charged to our customers from 3% + to 2%. I have been looking at companies for many months. This is the best rate we have been able to secure. The City attorney has reviewed the agreement and the company made several changes requested by the City Attorney. The City Attorney has reviewed and approved the agreement with the changes.

We will not be able to move the Utility Billing to this system until we have made the transition from AVR to FAST.

#### Recommendation / Staff Comments:

Staff recommends approval of the agreement.

#### Sample Motion(s):

I move to approve/deny the Merchant Agreement with Worldpay, LLC, and Government Payment Service, Inc. doing business as “GovPayNet” and authorize the City Manager to execute the agreement.

## MERCHANT AGREEMENT

This Merchant Agreement ("Agreement") is by, between and among:

CITY OF OVILLA  
105 COCKRELL HILL  
OVILLA, TX 75154

referred to herein as "Merchant"; Worldpay, LLC, for itself and its affiliates, a Delaware Limited Liability Company with a business address at 8500 Governors Hill Drive, Symmes Township, Ohio 45249 (hereinafter "Worldpay"); and Government Payment Service, Inc. (d/b/a "GovPayNet"), a Delaware corporation having a principal place of business at 7102 Lakeview Parkway West Drive, Indianapolis, Indiana 46268 ("GPS").

**WHEREAS**, GPS provides the "GovPayNet Payment Network," consisting of governmental entities that have each contracted with GPS to accept payments on their behalf made using credit cards and debit cards by their authorized users (individually, a "Cardholder" and collectively, "Cardholders") for transmission to such entities, and Merchant, in order to improve Merchant's services and enhance administration, desires to accept payments through GPS with such related support services as GPS provides; and

**WHEREAS**, the entities that establish and govern the rules, regulations and guidelines for the credit card and debit card systems such as Visa U.S.A., Inc. and MasterCard International Incorporated (collectively, the "Payment Type Organizations" or "PTOs") require that Merchant enter into a contractual relationship with an entity that is a member of the PTOs and agrees to comply with PTO rules and regulations ("PTO Rules") as they apply to credit and debit card transactions that are submitted to Worldpay by GPS on Merchant's behalf; and

**WHEREAS**, by Merchant executing this Agreement, Worldpay is made a party to this Agreement and Merchant understands that (i) Merchant has contracted with GPS to obtain certain processing services; (ii) GPS has agreed to be responsible for all or part of Merchant's obligations contained herein; and (iii) Merchant is fulfilling the PTO Rules.

**NOW, THEREFORE**, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Merchant, Worldpay, and GPS agree as follows:

### 1. Recitals.

The above recitals are by this reference incorporated into and made a part of this Agreement.

### 2. Security and Compliance.

- 2.1 Merchant acknowledges and agrees that certain PTO Rules apply to Merchant's acceptance of Cardholders' payments. Merchant further acknowledges and agrees that security standards and guidelines published by the Payment Card Industry ("PCI") Security Standards Council including PCI Data Security Standards ("DSS") are also applicable to Merchant's acceptance of payments from Cardholders. **In lieu of directly complying with all PTO Rules and PCI DSS requirements, Merchant may and hereby does appoint GPS as its agent to accept debit and credit cards and comply in full with all applicable PTO Rules and PCI DSS requirements, as they may be modified from time to time, on its behalf and GPS accepts such appointment subject to any limitations in this Agreement and any attachments hereto.** If any PTO requires an audit and/or forensic investigation due to an actual or suspected data security compromise event in connection with transactions processed hereunder, an audit and/or forensic investigation of GPS and its operations shall be sufficient for such purposes provided, however, that Merchant agrees to cooperate with such audit and/or forensic investigation as GPS may reasonably request.
- 2.2 Merchant acknowledges that any Cardholder personal information it obtains will be obtained lawfully, shall be retained only as necessary for the performance of Merchant's official duties, and will not be used by Merchant in violation of any PTO Rules or regulations or applicable law.

- 2.3 If at any time Merchant or GPS believes that Cardholder information has been compromised as a result of a breach of the GPS system, Merchant or GPS, as the case may be, must notify the other and GPS shall notify Worldpay, PTOs, Cardholders, and any other parties GPS is required to notify.
- 2.4 Merchant and GPS each additionally agrees to comply, at each party's expense, with all federal, state, and local laws and the requirements of regulatory agencies as they pertain to the respective parties' businesses and operations.

### **3. GPS Obligations**

GPS will enable Cardholders to pay amounts owed to Merchant by doing the following:

- 3.1 GPS shall obtain on Merchant's behalf authorization to process a charge to the Cardholder's credit card account or debit such Cardholder's debit card account for purposes of funding payment(s) by such Cardholder to Merchant. Such charges or debits shall be subject to acceptance by the card issuer, PTO rules, and any other applicable laws or regulations.
- 3.2 GPS shall act on Merchant's behalf in accepting payments from Cardholders made by credit cards and debit cards at the service fees listed on Attachment "A" to this Agreement. Cardholder shall pay all service fees unless Merchant advises GPS Merchant intends to pay all or any part of the service fees in the manner provided in this Agreement. For any service fees Merchant elects to pay, Merchant shall follow the payment procedures described in Attachment "B" to this Agreement. Merchant hereby authorizes GPS to net and retain as GPS's sole compensation service fees paid by Cardholders in addition to the payment amounts. GPS may modify Cardholder fees at its sole option, providing Merchant with 30 days' notice of such modification and a revised attachment reflecting modified fees prior to imposing a new fee structure. Service fees are non-refundable.
- 3.3 GPS shall transmit payment transactions on Merchant's behalf to Worldpay for further processing and shall further direct Worldpay to transfer Merchant's portion of all settling funds received from PTOs to Merchant in accordance with then-standard GPS practices. GPS shall establish unique payment codes on its system for the routing of Cardholder funds to Merchant. Such codes shall be available to Cardholders through Merchant or by accessing GPS's services.
- 3.4 GPS shall be responsible for the safety and security of all Cardholder information it obtains (such as the customer's PTO account number, expiration date, and CVV2) in connection with the processing services provided under this Agreement. GPS will maintain proper security and responsibility for Cardholder data while it is in GPS's possession, all at GPS's sole cost in accordance with applicable PCI DSS requirements.
- 3.5 GPS shall be responsible for all chargebacks initiated not more than 180 days after the transaction. When a cardholder initiates a chargeback within 180 days of a transaction, it automatically results in a provisional credit to the cardholder from a GPS account. If GPS determines that a chargeback may be inappropriate, GPS expects Merchant to provide reasonable assistance in any challenge GPS makes to the chargeback. GPS reserves the right to adjust service and security levels as GPS reasonably deems necessary to maintain payment security and integrity.
- 3.6 GPS reserves the right to charge Merchant for services or equipment beyond the scope of this Agreement, such as custom software development, non-GPS standard peripheral devices, and other services and support as the parties may agree upon from time to time.
- 3.7 GPS shall provide administrative support to Cardholders and to Merchant through a toll-free telephone help line and the Internet.
- 3.8 GPS shall provide Merchant with participation procedures, toll-free telephone numbers, web addresses, and promotional and instructional materials to market and explain the GPS service to

Cardholders, and shall train Merchant staff on how to access and use, and how to assist Cardholders to access and use the GovPayNet Payment Network.

- 3.9 GPS shall be responsible for all federal, state, and local taxes that may be imposed upon its services only.

#### **4. Merchant Obligations**

Merchant's continued participation in the GovPayNet Payment Network is conditioned upon the following:

- 4.1 Merchant understands and agrees that its cooperation in promoting use of the GovPayNet Payment Network is a significant consideration for Merchant and GPS entering into this Agreement. Merchant shall therefore (i) ensure that the appropriate employees participate in any GPS training or refresher training on the use and promotion of the GovPayNet Payment Network and its associated services; (ii) keep available for reference any user manuals and instructional materials GPS provides to Merchant; (iii) display logos, signage, literature, and other promotional and instructional materials that GPS provides and otherwise inform, encourage and assist Cardholders to use GPS for their payments to Merchant; and (iv) cooperate with all reasonable GPS requests to encourage greater use of the GovPayNet Payment Network. All marketing and promotion of GPS services by Merchant shall conform to guidelines provided by GPS from time to time.
- 4.2 Merchant shall provide telecommunication capabilities, such as telephone, facsimile, and Internet connections to enable Cardholders to access GPS from Merchant locations and enable GPS to communicate with Merchant. Further, Merchant shall be responsible for establishing and maintaining secure access at its locations to the GPS administrative system, including user identification, passwords and precautions for accessing all confidential information. GPS shall be entitled to rely on any communications or instructions initiated with Merchant's user identification, passwords or other security and identity tokens or devices. Merchant shall designate a primary contact and a secondary contact with which GPS may communicate on operational, technical, and administrative issues.
- 4.3 Merchant shall raise any claimed transaction or settlement errors with GPS within 12 months of the date of Merchant's receipt of the GPS report on which the claimed error appeared and shall otherwise follow the GovPayNet Payment Network participation procedures that GPS provides to Merchant, as such procedures may be updated from time to time. Merchant shall cooperate with GPS in the event of an overpayment to refund to GPS funds that GPS can demonstrate exceed Cardholder liabilities to Merchant.
- 4.4 Merchant shall provide GPS with prompt written notice of any change in the information Merchant provides to GPS necessary for Merchant's participation in the GovPayNet Payment Network, including but not limited to any change in its bank routing and account numbers.
- 4.5 In the event Merchant receives a payment from GPS that appears to have been obtained through the commission of civil or criminal fraud, Merchant shall cooperate in any resulting investigation.
- 4.6 Merchant shall not enter into any other agreement or make any other arrangement for services similar to those available through the GovPayNet Payment Network for the duration of this Agreement.

#### **5. Term and Termination**

- 5.1 This Agreement shall become effective upon the date it has been executed by Merchant and GPS and shall continue for one year, automatically renewing for additional one year periods. Notwithstanding the foregoing, this Agreement shall terminate if and when Worldpay ceases to provide processing services to GPS or if terminated earlier as provided herein.
- 5.2 Merchant may terminate this Agreement upon 30 days' written notice to GPS and GPS shall promptly inform Worldpay of such termination. If at any time Merchant wishes to terminate the services of GPS but continue to process transactions under this Agreement through Worldpay, Merchant shall immediately upon GPS's cessation of services become directly responsible for complying with all duties hereunder Merchant had formerly assigned to GPS.



- 5.3 GPS may terminate this Agreement (a) upon 30 days written notice prior to its annual expiration date; (b) upon 30 days written notice if Merchant fails to comply with GPS procedures for participating in the GovPayNet Payment Network (subject to Merchant's reasonable opportunity to cure); or (c) immediately if Merchant fails to comply with any other term of this Agreement.

## **6. GPS and Worldpay Representations and Warranties**

Each of Worldpay and GPS represents and warrants as follows:

- 6.1 This Agreement is valid, binding, and enforceable against the warranting party in accordance with its terms. Each party has full power and authority to execute and deliver this Agreement and perform its obligations hereunder.
- 6.2 The employees, agents and subcontractors of Worldpay and GPS shall possess the education, knowledge and experience necessary to qualify them individually for the particular duties they perform.
- 6.3 During the performance of this Agreement, each of Worldpay and GPS shall provide services in a non-discriminatory manner and shall not deny services or employment on the basis of race, creed, color, national origin, sex, age, disability, sexual orientation, military status, marital status or any other legally protected class.

## **7. Merchant Representations and Warranties**

Merchant has taken all administrative, legal and regulatory measures necessary for it to enter into this Agreement and this Agreement is valid, binding, and enforceable against Merchant in accordance with its terms. Merchant warrants that Merchant's decisions and instructions to GPS with respect to Cardholder responsibility for payment of all or any part of the Service Fee shall conform with applicable law.

## **8. Notices**

All notices permitted or required by this Agreement shall be in writing and shall be given to the respective parties in person at or by first class U.S. Mail or by recognized courier directed to the address first stated in this Agreement, or if by facsimile, to GPS at (888) 665-4755 or if to Merchant to the facsimile number Merchant provides to GPS (in each case, with a hard copy following). Notices under this section shall be deemed to be received, if sent by mail or courier, five days following their deposit in the U.S. Mail or with such courier and, if sent by facsimile, when such facsimile is transmitted to the number provided by the recipient and sender receives a confirmation of such facsimile.

## **9. Disclaimers and Limitation of Liability**

- 9.1 The sole purpose of this Agreement is to enable Merchant to participate in the GovPayNet Payment Network. Merchant understands and agrees that GPS takes no responsibility that amounts GPS transmits in payment to Merchant will fully satisfy any obligation to Merchant, and that GPS does not guarantee any particular outcome or result other than the delivery of each Cardholder's payment to Merchant.
- 9.2 Other than the limited agency of GPS to accept payments for Merchant nothing in this Agreement establishes or creates any association, partnership, joint venture, or relationship of master and servant or employer and employee between the parties or to provide either party with the right, power, or authority, expressed or implied, to create any such duty or obligation on behalf of the other party.
- 9.3 GPS shall be liable for losses or damages to Merchant to the extent provided herein only if they are caused directly by the negligence, gross negligence or willful misconduct of GPS.
- 9.4 Merchant bears all responsibility for administrative and official actions taken by Merchant. GPS accepts no liability whatsoever for Merchant actions taken based on payment information provided by GPS even if such information proves to be incorrect.

- 9.5 **THIS IS A CONTRACT FOR SERVICES. GPS LIABILITY TO MERCHANT IS LIMITED TO MAKING PAYMENTS TO MERCHANT IN THE AMOUNTS THAT GPS HAS INFORMED MERCHANT HAVE BEEN AUTHORIZED. THE GOVPAYNET PAYMENT NETWORK AND ANY INCIDENTAL GOODS AND RELATED SERVICES ARE PROVIDED ON AN AS-IS, AS-AVAILABLE BASIS. GPS MAKES NO WARRANTIES THAT GPS SERVICES WILL BE ERROR FREE OR UNINTERRUPTED AND DISCLAIMS ALL OTHER REPRESENTATIONS OR WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION ANY WARRANTIES REGARDING QUALITY, SUITABILITY, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE. NEITHER MERCHANT NOR GPS SHALL BE LIABLE FOR LOST REVENUES, PROFITS, INTEREST, GOOD WILL, OR ANY INDIRECT, INCIDENTAL, PUNITIVE, OR CONSEQUENTIAL DAMAGES SUFFERED OR INCURRED BY THE OTHER PARTY IN CONNECTION WITH OR ARISING FROM SERVICES PERFORMED UNDER THIS AGREEMENT. WORLDPAY'S FUNCTION IS TO ACCEPT AND PROCESS MERCHANT'S TRANSACTIONS FROM GPS. WORLDPAY SHALL HAVE NO LIABILITY TO MERCHANT WHATSOEVER HEREUNDER.**

#### **10. Publicity**

GPS shall not issue any press release or make any statement to the media with respect to this Agreement or the services provided hereunder without the prior written consent of Merchant.

#### **11. Intellectual Property**

Merchant acknowledges and shall not challenge GPS's ownership of GPS trademarks, service marks, trade names, patents, copyrights, or other intellectual property ("GPS Intellectual Property"). Merchant agrees that any Merchant use of GPS Intellectual Property shall be in accordance with GPS instructions and subject to the control, direction and approval of GPS; that any rights arising out of such use shall inure solely to the benefit of GPS; and that Merchant shall have no ownership or other interest in GPS Intellectual Property.

#### **12. Miscellaneous Terms and Conditions**

- 12.1 **Third-Party Beneficiaries.** There are no third-party beneficiaries to this Agreement.
- 12.2 **Assignment.** This Agreement may not be assigned, in whole or in part, by GPS or by Merchant without prior written consent of the other party, which consent shall not be unreasonably withheld.
- 12.3 **Force Majeure.** All parties are excused from performance and shall not be liable for any delay in performance or non-performance, in whole or in part, caused by the occurrence of any contingency beyond the control of the parties including, but not limited to, work stoppages, fires, civil disobedience, riots, rebellions, terrorism, loss of power or telecommunications, flood, storm, Acts of God, or similar occurrences.
- 12.4 **Governing Law and Venue.** All matters of contractual interpretation shall be governed by the internal laws of the State of Texas. Venue for any legal action arising from or related to this Agreement shall be the State District Courts of Ellis County, Texas.
- 12.5 **No Waiver.** A waiver of any portion of this Agreement shall not be deemed a waiver or renunciation of other portions. Nothing in this Agreement shall be construed as a waiver of Merchant's governmental immunity from liability or suit.
- 12.6 **Survival.** Rights and obligations under this Agreement which by their nature should survive will remain in effect after termination or expiration hereof.
- 12.7 **Severability.** In the event that any provision of this Agreement is adjudicated by any court of competent jurisdiction to be invalid, illegal, void, or unenforceable, all other provisions of this Agreement shall nevertheless remain in full force and effect.

- 12.8 Counterparts. This Agreement may be executed simultaneously in multiple counterparts, each of which is deemed an original, but all of which taken together constitute one and the same instrument. For purposes of execution and delivery, each party may rely upon the electronically imaged and emailed or faxed signature of the other party as an original document.
- 12.9 Complete Agreement. This Agreement, together with its attachments is the entire agreement between and expresses the complete understanding of the parties, superseding all prior or contemporaneous agreements, with regard to the subject matter herein and may not be altered, amended, or modified except in a writing incorporated hereto, and signed by the parties, provided, however, that GPS may revise the terms of this Agreement if required to comply with PTO rules, law, or regulation and GPS provides notice to Merchant of such change and may modify fees per Section 3.2.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their duly authorized representatives or agents as of the date written below.

**CITY OF OVILLA**

**GOVERNMENT PAYMENT SERVICE, INC.**

By: \_\_\_\_\_

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_



## ATTACHMENT “A” – SERVICE FEES AVAILABLE

***ALL SERVICE FEES ARE NON-REFUNDABLE***

<b>Service Fee Schedule for Tax and Utility Payments Via Web or Gov\$wipe®</b>	
<b>2.00%</b> <i>Minimum Fee = \$1.00</i>	
<b>Service Fee Schedule for Administrative &amp; Civil Payments Via Web or Gov\$wipe®</b>	
<b>2.00%</b> <i>Minimum Fee = \$1.00</i>	

<b>Premium Assistance Fee for All Payments Via Call Center</b>	
Add \$2.50 to each fee amount for use of operator assistance.	Add \$1.50 to each fee amount for use of Integrated Response Unit.



## ATTACHMENT "B" – ADDITIONAL SERVICES

### General Service Terms

Merchant is responsible for advising GPS as to the types of payments GPS is authorized to accept on Merchant's behalf (per the service fees stated in any Attachment to this Agreement). Merchant may at any time (i) authorize GPS to accept additional types of payments within the scope of the applicable service fees; (ii) cancel the processing through GPS of any types of payments; and (iii) modify the account(s) to which GPS shall direct payments to Merchant by specifying all such changes to GPS **in writing** (for purposes of this attachment, "**in writing**" means via letter, email, or facsimile). Any such changes require reasonable lead-time to implement and are subject to GPS acceptance and confirmation **in writing**.

### Service Fees

Service Fees may be the responsibility of Cardholder, Merchant, or shared by Cardholder and Merchant. Unless Merchant advises GPS otherwise, Merchant will be presumed to have chosen that Cardholders shall be responsible for all Service Fees. If Merchant elects to pay all or any portion of the Service Fee, Merchant must so advise GPS **in writing**. For any Service Fees Merchant elects to pay, GPS will debit Merchant's account for Merchant's share of the Service Fee in accordance with the terms of the debit authorization form Merchant completes. Merchant must allow GPS 30 days to make any changes Merchant requests to the Service Fee responsibility.

### Service Models

GPS provides an e-commerce payment solution to entities that contract to participate in the GovPayNet Payment Network. Basic service policies include a system designed to be available 24 hours a day, 7 days a week, 365 days a year; access to online administrative, analytical, and reporting capabilities; and customer service support to Merchant's payers and staff. GPS will cause funds to be forwarded electronically to Merchant's designated account(s) for all approved transactions which are accepted by Merchant within two banking days after transaction authorization, or will remit funds by check if Merchant so requests **in writing**.

Cardholders may make payment transactions via the Internet or by toll-free telephone. All payments are processed using the Internet regardless of their method of initiation. GPS makes various methods of system access available to paying parties, including integrated solutions. The following additional terms apply to Merchant's use of *Gov\$wipe*® and *ConnexYourGov*®.

By electing to utilize such services, Merchant agrees to the following:

**Gov\$wipe:** If Merchant selects *Gov\$wipe*, GPS will provide Merchant with card readers and peripheral equipment (cables, etc.), which are and will remain the property of GPS. Merchant understands that GPS card readers are embedded with proprietary technology ("Firmware"). GPS grants Merchant a license to use such card readers and Firmware for the duration, and only for purposes of this Agreement. Acceptance and use of card readers does not convey to Merchant any title, patent, copyright, or other proprietary right in or to the Firmware. At all times, GPS or its suppliers retain all rights to the Firmware, including but not limited to updates, enhancements, and additions. Merchant shall not attempt to access or disclose the Firmware to any party, or transfer, copy, license, sublicense, modify, translate, reverse engineer, decompile, disassemble, tamper with, or create any derivative work based on the Firmware.

Merchant will use reasonable care to protect card readers from loss, theft, damage or encumbrance. GPS shall provide card readers and installation instructions at service implementation and when providing replacement or additional card readers by shipment to a location Merchant designates. Or, at GPS's option, Merchant will allow GPS and its designated representatives reasonable access to Merchant's premises for purposes of training or device installation, repair, removal, modification, upgrades, or relocation. GPS is solely responsible for the maintenance of its card readers and shall supply Merchant with replacements on Merchant's request and as GPS deems appropriate. Upon termination of the Agreement, GPS may require Merchant to return card readers to GPS, at GPS's expense and by such method as GPS specifies.

Merchant may request an increase or decrease in the number of card readers deployed **in writing**. Any such changes will be subject to GPS acknowledgment and acceptance **in writing**. GPS shall communicate shipping and handling procedures and any costs to Merchant in advance of taking action.

**ConnexYourGov:** If Merchant elects to utilize GPS's *ConnexYourGov* solution, Merchant must provide GPS with photographs, graphics, digital assets, or digital images legally created, taken, or acquired by Merchant (collectively, "Images") that Merchant desires GPS to use. All Images that participating Merchants deliver to GPS become subject upon

delivery to a limited license granting GPS a non-exclusive right to reproduce, publicly display, and distribute the Images only for purposes of this Agreement. Any other GPS use of Images must be with Merchant's express written permission. Images may contain copyright management information at the discretion of Merchant in the form of either (i) a copyright notice (©) and/or (ii) other copyright and ownership information embedded in the metadata or elsewhere, unless otherwise agreed to by the parties. All rights relating to the Images remain the sole and exclusive property of Merchant.

### **Security**

If desired, GPS may connect with Merchant's systems in a variety of methods. Any interfaces GPS establishes shall be based on specifications Merchant and GPS mutually develop. Merchant is responsible for advising GPS of any system changes that may affect such interfaces prior to their implementation. A Merchant interfacing with GPS may receive Cardholder information that is subject to PCI DSS which will be the Merchant's responsibility to secure. **GPS ACCEPTS NO RESPONSIBILITY FOR SECURITY OR PCI DSS COMPLIANCE WITH RESPECT TO INFORMATION THAT RESIDES ON SYSTEMS OTHER THAN THOSE CONTROLLED BY GPS.**

*Gov\$wipe* card readers are designed to communicate Cardholder data to GPS through Merchant's computing equipment to which they are cable-attached via USB port. Internet access to GPS is required for *Gov\$wipe* transaction processing and is enabled solely by Merchant's computers and networks. Merchant is responsible to use standard safeguards and practices to keep its computers and networks secure and free from malicious software or hardware. **GPS IS NOT LIABLE TO MERCHANT FOR EXPOSURE OF MERCHANT'S COMPUTERS OR NETWORKS TO MALICIOUS SOFTWARE OR HARDWARE OF ANY KIND.**

### **American Express® Card Acceptance**

**1. American Express Compliance.** Merchant agrees to comply with all Applicable laws, rules and regulations, including the American Express Merchant Operating Guide requirements, which are incorporated into this Agreement by reference as if they were fully set forth in the Agreement. The American Express Merchant Operating Guide may be viewed at: [www.americanexpress.com/merchantopguide](http://www.americanexpress.com/merchantopguide).

**2. Processing Restrictions.** Merchant is prohibited from processing transactions or receiving payments on behalf of, or (unless required by law) re-directing payments to any other party.

**3. Third Party Beneficiary Rights.** a. Notwithstanding anything in this Agreement to the contrary, Merchant confers on American Express the third party beneficiary rights, but not obligations, to the Merchant's Agreement and subsequent addendums (collectively the "Agreement") between Merchant and GPS and, as such, American Express has the express right to enforce the terms of the Agreement against the Merchant.

b. Merchant warrants that it does not hold third party beneficiary rights to any agreements between GPS and American Express and at no time will attempt to enforce any such agreements against American Express.

**4. American Express Liability.** MERCHANT ACKNOWLEDGES AND AGREES THAT IN NO EVENT SHALL AMERICAN EXPRESS, ITS AFFILIATES, AGENTS, SUCCESSORS, OR ASSIGNS BE LIABLE TO MERCHANT FOR ANY DAMAGES, LOSSES, OR COSTS INCURRED, INCLUDING INCIDENTAL, INDIRECT, SPECULATIVE, CONSEQUENTIAL, SPECIAL, PUNITIVE, OR EXEMPLARY DAMAGES OF ANY KIND (WHETHER BASED ON CONTRACT, TORT, INCLUDING NEGLIGENCE, STRICT LIABILITY, FRAUD, OR OTHERWISE, OR STATUTES, REGULATIONS, OR ANY OTHER THEORY), ARISING OUT OF OR IN CONNECTION WITH THE AGREEMENT.



## AGENDA ITEM REPORT

### Item 9

Meeting Date: March 11, 2019

☒ Discussion ☒ Action

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ Accountant

☒ City Secretary

☒ City Attorney

Department: Administration

Budgeted Expense: ☒ YES ☐ NO ☐ N/A

Amount: \$205.70

☐ Other: Staff

#### Attachments:

1. R2019-05 Resolution authorizing continued membership and assessment
2. Staff report from ACSC
3. ACSC Year in Review and list of 178 participating ACSC cities
4. City contact information and invoice

#### Agenda Item / Topic:

**ITEM 9.** ***DISCUSSION/ACTION*** – Consideration of and action on Resolution R2019-05 authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five-cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.

#### Discussion / Justification:

The presented resolution authorizes the City's continued participation with Atmos. ACSC protects the authority of the municipality.

#### Recommendation / Staff Comments:

Staff recommends approval.

#### Sample Motion(s):

I move to approve/deny Resolution R2019-05 authorizing continued participation with the Atmos Cities Steering Committee and authorizing the payment of five-cents per capital to the ACSC, effective immediately.

A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION

- WHEREAS, the City of OVILLA is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and
- WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and
- WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and
- WHEREAS, the City is a member of ACSC; and
- WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs; NOW THEREFORE,

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

I.

That the City is authorized to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of OVILLA and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.

II.

The City is further authorized to pay its 2019 assessment to the ACSC in the amount of five cents (\$0.05) per capita.

III.

A copy of this Resolution and approved assessment fee payable to "*Atmos Cities Steering Committee*" shall be sent to:

Brandi Stigler  
Atmos Cities Steering Committee  
c/o Arlington City Attorney's Office, Mail Stop 63-0300  
101 S. Mesquite St., Suite 300  
Arlington, Texas 76010



RESOLUTION NO. R2019-05

PRESENTED AND PASSED on this the **11** day of **MARCH**, 2019, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays at a regular meeting of the City Council of the City of \_\_\_\_\_, Texas.

\_\_\_\_\_  
Signature  
Mayor

ATTEST:

\_\_\_\_\_  
Signature  
City Secretary

APPROVED AS TO FORM:  
City Attorney

BY \_\_\_\_\_

## **STAFF REPORT ON ASSESSMENT RESOLUTION FOR ATMOS CITIES STEERING COMMITTEE**

### **Purpose of the Resolution:**

Most municipalities have retained original jurisdiction over gas utility rates and services within municipal limits. The Atmos Cities Steering Committee ("ACSC") is composed of 178 municipalities in the service area of Atmos Energy Corporation, Mid-Tex Division that have retained original jurisdiction. Atmos is a monopoly provider of natural gas. Because Atmos has no competitors, regulation of the rates that it charges its customers is the only way that cities can ensure that natural gas rates are fair. Working as a coalition to review the rates charged by Atmos allows cities to accomplish more collectively than each city could do acting alone. Cities have more than 100 years experience in regulating natural gas rates in Texas.

ACSC is the largest coalition of cities served by Atmos Mid-Tex. There are 178 ACSC member cities, which represent more than 60 percent of the total load served by Atmos-Mid Tex. ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of residential and small commercial customers within the cities. Although many of the activities undertaken by ACSC are connected to rate cases (and therefore expenses are reimbursed by the utility), ACSC also undertakes additional activities on behalf of municipalities for which it needs funding support from its members.

### **The ACSC Membership Assessment Supports Important Activities:**

ACSC is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Atmos within the City. These activities will continue throughout the calendar year. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that ACSC be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

### **Explanation of Resolution Paragraphs:**

- I. This paragraph authorizes the continuation of the City's membership in ACSC.
- II. This paragraph authorizes payment of the City's assessment to the ACSC in the amount of five cents (\$0.05) per capita.
- III. This paragraph requires notification that the City has adopted the Resolution.

### **Payment of Assessment**

The assessment payment check should be made out to "*Atmos Cities Steering Committee*" and mailed to Brandi Stigler, Atmos Cities Steering Committee, c/o Arlington City Attorney's Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010.



# 2018 Year in Review

## ACSC Has Another Productive Year in 2018

This Year in Review of the Atmos Cities Steering Committee (ACSC) highlights a few of the notable proceedings in which ACSC participated throughout 2018. ACSC maintained its presence before the Railroad Commission and was successful in settling the Atmos Mid-Tex's RRM filing. ACSC expects to be equally busy in 2019, as we gear up for the legislative session.

## Atmos Under Pressure after February Explosion

In February, a massive blast knocked a house in northwest Dallas off its foundation and collapsed its roof. Twelve-year-old Linda "Michellita" Rogers was severely injured and tragically died later at the hospital. The Rogers family filed a wrongful death lawsuit against Atmos, seeking over \$1 million in damages. The blast also triggered the evacuation of about 700 students at nearby Foster Elementary School.

Atmos, which owns and operates the failed gas line responsible for the explosion, responded by stepping up its pipeline replacement and repair operations. Nevertheless, the utility faces continued public pressure to do more. It also has come under fire for a perceived lack of transparency regarding its pipeline system.

On February 26, the Railroad Commission of Texas (RRC) assigned two inspectors to work with local and federal investigators reviewing the house explosion. Investigators focused on the house explosion but also investigated two preceding house fires on a nearby street. The next day, Atmos announced that subsequent gas leaks led to the additional evacuation of about 300 homes and two apartment complexes. A consultant hired by Atmos said a confluence of heavy rains and a unique combination of geology led to the gas leaks that caused the blast.

Atmos insists that its system is safe, although it remains dedicated to replacing its aging steel and cast-iron pipe. It has said that repair and

replacement efforts accounted for nearly 60 percent of its capital spending in 2018. Atmos has embarked on similar efforts in the past. In 2010, for instance, the utility reached an agreement with ACSC to replace 100,000 aging steel gas service lines over a two-year period. In 2011, the RRC also adopted new rules calling upon Atmos and other natural gas companies to assess their systems and create plans to replace those sections at the greatest risk of failure. That RRC order came not long after the publication of an ACSC report detailing safety enforcement lapses by the agency.

The increased public and political pressure to perform utility system upgrades—efforts supported by the Atmos Cities Steering Committee—will put upward pressure on rates and may lead to legislative changes in 2019.





## **CITIES DEMAND RULE CHANGE ON ESTIMATED BILLINGS**

ACSC is currently drafting a Petition for Rulemaking to file at the Railroad Commission that will request the Commission change the rules regulating when and how gas utilities may use estimated billing.

As you will recall, last winter, several homeowners in Atmos' service territory received estimated bills that were several times the expected amount. Soon after the consumer complaints came in, Atmos stated that it would not use estimated billing between the months of November and April. However, the Railroad Commission's rules allow a gas utility to use estimated bills, provided that an actual meter reading is completed at least every six months.

It is not reasonable that gas utilities are only required to read meters twice a year. This can lead to significant overcharges. Importantly, utilities are capable of reading meters every month, and in particular, Atmos Mid-Tex has invested significantly to enhance its meter reading and billing activities. These costs are already borne by ratepayers. By the end of 2017, Atmos had put into service \$30.7 million in advanced meter infrastructure (AMI). The company also incurred \$123,000 in AMI tower rent and fees in 2017. Between 2012 and 2016, Atmos spent over \$200,000 per year on average to purchase hand held meter-reading devices. The company has also put into service a new Customer Service System intended to provide better customer process integration for improved customer service quality.

Other gas utilities have made similar investments in advanced meters and related infrastructure.

Considering these significant investments, gas utilities operating in Texas should be required to read customer meters every month. Therefore, ACSC is proposing new language that would require gas utilities to read meters every month, except for good cause like severe weather, but in no event should a meter be estimated two months in a row.

We are preparing the Petition for Rulemaking now and will file it in the coming weeks. We will keep you posted as this Petition moves forward and is considered by the Commission.

## **Atmos Pipeline Replacement Program**

As you are no doubt aware, Atmos came under fire in 2018 for its flagrant service quality violations, including multiple home explosions and evacuations.

Each year, the Texas Railroad Commission requires the filing of a work plan for pipe replacement pursuant to 16 Tex. Admin. Code § 8.209. The Atmos plan filed earlier this year called for the replacement of 17,000 steel service lines in 2018. A supplement to that plan filed on July 2 increased the projected number of service lines to be replaced in 2018 to 30,000.

The prioritization of the location of lines to be replaced is based on leak survey data and a probabilistic risk analysis approved by the Railroad Commission. Atmos accelerated its pipe replacement by adding 20 additional crews to the 90 crews that

had already been performing pipe replacement prior to the North Dallas explosion that occurred earlier this year.

Atmos has stated that it plans on continuing an entire system replacement of a significant portion of northwest Dallas by the end of 2019, and to eliminate cast iron from the Mid-Tex distribution system by 2021.





## **RRMs Reach Settlement, Effect of Increase Limited by Reduced Taxes**

Last Summer, Atmos and the Atmos Cities Steering Committee (ACSC) reached a settlement in Atmos' Mid-Tex division Rate Review Mechanism (RRM) filing. The RRM is a systematic process collaboratively developed by Atmos and the cities, specifying how rates will be set over a specified period of time. The process benefits ratepayers by avoiding litigation and providing for transparent review of the utility's expenses and investment.

Atmos Mid-Tex initially requested to increase revenues by \$41.9 million on a total system basis. ACSC and the Company reached an agreement to reduce the Company's request by \$17 million.

The settlement approved a rate increase of \$24.9 million on a system-wide basis, or \$17.8 million for the Mid-Tex rate division, exclusive of the City of Dallas.

The monthly residential customer charge is now \$18.85 and the consumption charge is \$0.148 per Ccf.

Atmos also agreed to reflect reduced federal income taxes in its cost-of-service, in the RRM Tariff. Where the average Mid-Tex customer would have seen a 1.94% increase in rates, the increase is largely offset by the lower federal income tax rates, such that out-of-pocket expense to consumers should be roughly the same under new rates as what was experienced by consumers last winter.

The new rates went into effect October 1st.

## **Atmos Pipeline-Texas Appeals Rate Case Decision**

In October 2018 Atmos Pipeline-Texas (APT), a division of Atmos Energy Corporation, appealed the Texas Railroad Commission's ("RRC") decision concerning its proposed rate change in 2017. APT filed its appeal in the Travis County District Court, arguing that the RRC's final order impermissibly adopted a capital structure methodology that was not part of the evidentiary record, impermissibly adopted an 11.5% ROE, excluded reasonable incentive compensation, and imposed an arbitrary and unsupported limitation on the results of the cost allocation methodology. ACSC, the RRC, and Texas Industrial Energy Customers intervened in APT's appeal.

On November 15, 2018, APT filed its initial brief. Response briefs are due February 1, 2019, which ACSC is currently preparing. APT's reply to response briefs will be due March 4, 2019.

### **Questions?**

For questions or concerns regarding any ACSC matter or communication, please contact the following representatives, who will be happy to provide assistance:

**Geoffrey Gay**  
512-322-5875  
ggay@lglawfirm.com

**Thomas Brocato**  
512-322-5857  
tbrocato@lglawfirm.com

**Georgia Crump**  
512-322-5832  
gcrump@lglawfirm.com



Lloyd Gosselink Rochelle and Townsend, P.C.

816 Congress Avenue Suite 1900  
Austin, Texas 78701

## ACSC Cities (178 Members)

Abilene	Fairview	Northlake
Addison	Farmers Branch	Oak Leaf
Albany	Farmersville	Ovilla
Allen	Fate	Palestine
Alvarado	Flower Mound	Pantego
Angus	Forest Hill	Paris
Anna	Forney	Parker
Argyle	Fort Worth	Pecan Hill
Arlington	Frisco	Petrolia
Aubrey	Frost	Plano
Azle	Gainesville	Ponder
Bedford	Garland	Pottsboro
Bellmead	Garrett	Prosper
Benbrook	Georgetown	Quitman
Beverly Hills	Glenn Heights	Red Oak
Blossom	Grand Prairie	Reno (Parker County)
Blue Ridge	Grapevine	Rhome
Bowie	Groesbeck	Richardson
Boyd	Gunter	Richland
Bridgeport	Haltom City	Richland Hills
Brownwood	Harker Heights	River Oaks
Buffalo	Haskell	Roanoke
Burkburnett	Haslet	Robinson
Burleson	Hewitt	Rockwall
Bryan	Highland Park	Roscoe
Caddo Mills	Highland Village	Rowlett
Canton	Honey Grove	Royse City
Carrollton	Hurst	Sachse
Cedar Hill	Hutto	Saginaw
Celeste	Iowa Park	Sansom Park
Celina	Irving	Seagoville
Centerville	Justin	Sherman
Cisco	Kaufman	Snyder
Clarksville	Keene	Southlake
Cleburne	Keller	Springtown
Clyde	Kemp	Stamford
College Station	Kennedale	Stephenville
Colleyville	Kerens	Sulphur Springs
Colorado City	Kerrville	Sweetwater
Comanche	Killeen	Temple
Commerce	Krum	Terrell
Coolidge	Lakeside	The Colony
Coppell	Lake Dallas	Trophy Club
Copperas Cove	Lake Worth	Tyler
Corinth	Lancaster	University Park
Crandall	Lavon	Venus
Crowley	Lewisville	Vernon
Dalworthington Gardens	Little Elm	Waco
Denison	Lorena	Watauga
Denton	Madisonville	Waxahachie
DeSoto	Malakoff	Westlake
Draper	Mansfield	Westover Hills
Duncanville	McKinney	Westworth Village
Early	Melissa	Whitesboro
Eastland	Mesquite	White Settlement
Edgecliff Village	Midlothian	Wichita Falls
Emory	Murphy	Woodway
Ennis	Newark	Wylie
Eules	Nocona	
Everman	North Richland Hills	

# REQUEST FOR CONTACT INFORMATION

February, 2019

## CONTACTS

*Please provide contact information for the following coalitions:*

- ☐ OCSC (Oncor Cities Steering Committee)
- ☐ ACSC (Atmos Cities Steering Committee)
- ☐ TCCFUI (Texas Coalition of Cities for Utility Issues)

*Please type or print clearly*

### *MAIN CONTACT*

Name:	John R. Dean, Jr.
Title:	City Manager
City of:	Ovilla
Address:	105 S. Cockrell Hill Road
Phone:	972-617-7262
Fax:	972-515-3221
Email:	jdean@cityofovilla.org

### *ADDITIONAL CONTACT*

Name:	Pamela Woodall
Title:	City Secretary
City of:	Ovilla
Address:	105 S. Cockrell Hill Road
Phone:	972-617-7262
Fax:	972-515-3221
Email:	pwoodall@cityofovilla.org

### *CONTACT TO SEND INVOICES OR CHECKS*

Name:	Linda Harding
Title:	City Accountant
City of:	Ovilla
Address:	105 S. Cockrell Hill Road
Phone:	972-617-7262
Fax:	972-515-3221
Email:	lharding@cityofovilla.org

Please duplicate if more room needed.

(Please complete and return to: Thomas Brocato @ [tbrocato@lglawfirm.com](mailto:tbrocato@lglawfirm.com)).

City of Arlington, c/o Atmos Cities Steering Committee  
Attn: Brandi Stigler  
101 S. Mesquite St., Ste 300  
MS #63-0300  
Arlington, TX 76010

# Invoice

Date	Invoice #
2/21/2019	19-113

Bill To
City of Ovilla

Item	Population	Per Capita	Amount
2019 Membership Assessment	4,114	0.05	205.70
Please make check payable to: Atmos Cities Steering Committee and mail to Atmos Cities Steering Committee, Attn: Brandi Stigler, Arlington City Attorney's Office, 101 S. Mesquite St., Ste 300, MS #63-0300, Arlington, Texas 76010			<b>Total</b> \$205.70



## AGENDA ITEM REPORT

Item: 10

Meeting Date: March 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 and 35.3 Fences in residential districts

### Agenda Item / Topic:

ITEM 10. **DISCUSSION/ACTION** – Consideration of and action to amend certain sections of Chapter 3.05 Fences, and 35.3 Fences in Residential Districts, directing staff as necessary.

Discuss and consider recommending changes to the section of the Code regarding fences.

### Recommendation / Staff Comments:

N/A

### Sample Motion(s):

Direct staff as Council deems necessary.

## 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.

Adjacent. Immediately next to and parallel to a public right of way or platted residential lot.

(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 approved by the City Manager or his/her designee.

(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)

### [Sec. 3.05.012 Appeals](#)

[Any appeal of an administrative decision of this article shall be made to the city council. The appeal must be made in writing and submitted to the City Secretary within 5 days of the administrative decision.](#)

### **35.3 FENCES IN RESIDENTIAL DISTRICTS**

A. Maximum Height. Screening elements and fences shall be restricted to a maximum height of eight feet (8'), measured from the adjacent grade line, except as otherwise permitted in this section. Fences may be permitted to be constructed to a height exceeding eight feet (8') by special exception as approved by the Zoning Board of Adjustment.

B. Trash Storage Areas. Garbage, refuse and trash collection and storage areas in any multifamily development, mobile home development or other nonresidential use permitted in a residential district shall be fully enclosed on three sides by a dense screening element to adequately screen such area from view of the surrounding area.

C. Setbacks. No screening element or fence shall be erected, placed or planted beyond the front or side building line of any permitted building in a residential district, either on a corner lot or interior lot.

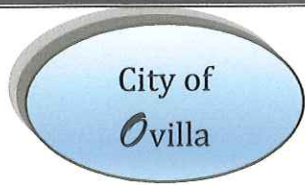
D. Support and Rails.

1. Fences may be constructed to the property line upon approval of a special exception by the Zoning Board of Adjustment. Fencing located on or behind the building line shall not exceed eight feet (8') in height.

2. Panel fences shall be constructed such that the support rails are located on the inside of the lot and the panel is located on the outside of the lot, so as to present a "smooth side out" appearance to the fence.

(Ordinance 2010.015 adopted 8/9/10)





## AGENDA ITEM REPORT

Item: 11

Meeting Date: March 11, 2019

Department: Administration/Utility Billing/PW

☒ 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:

### Attachments:

1. Water Variance Report

### Agenda Item / Topic:

ITEM 11. *DISCUSSION* – Discuss water variance report and customer notification process.

Discuss water variance report as requested by Mayor Pro-Tem Griffin.

### Recommendation / Staff Comments:

N/A

### Sample Motion(s):

Discussion only.

DISTRICT: 93 CITY OF OVILLA-93 RUN MONTH: FEB

METER READERS REPORT

Date:02/26/2019 Page: 1

\*\*\*\*\* CLOSEOUT REPORT (PRE CALCULATE) \*\*\*\*\*

ACCOUNT NO. MESSAGES	NAME	SERVICE ADDRESS	STATUS SERVICE METER NO.	DAYS RTE	CB LOCATION SEQ NOTE	READ DATE	MRI	-----READS-----		CURRENT USAGE	AVERAGE USAGES	U S A G E S			
								MAR	FEB			FEB	JAN	DEC	NOV
1-01-01140-03 WARNING LOW READING	GERSEWSKI, ANN & PH	217 LARIAT TRAIL	REGULAR WATER	1	450	02/07/2019	OTI	3,541.7	3,539.4	2.3	10.8	3.4	5.3	28.3	6.2
1-01-01176-04 WARNING LOW READING	TURNER, MICHAEL	214 LARIAT TRAIL	REGULAR WATER	1	60	02/07/2019	OTI	801.3	798.0	3.3	8.8	3.3	5.0	3.2	23.8
1-01-01310-01 WARNING LOW READING	GONZALEZ, JACOB & FR	200 LARIAT TRAIL	REGULAR WATER	1	130	02/07/2019	OTI	771.1	764.5	6.6	16.3	13.4	42.4	3.8	5.4
1-01-01440-00 WARNING LOW READING	ERATON, LEVON	117 LARIAT TRAIL	REGULAR WATER	1	350	02/07/2019	OTI	4,459.0	4,452.9	6.1	19.7	5.9	7.2	14.9	50.8
1-01-01653-02 WARNING LOW READING	MCCLOUD, CAROL & STE	719 WESTMORELAND	REGULAR WATER	2	90	02/07/2019	JC	5,451.4	5,445.8	5.6	12.7	4.8	5.4	5.1	35.3
1-01-01800-02 WARNING HIGH READING (e)	TIBBS, CHRIS & LISA	617 BUCKBOARD	REGULAR WATER	2	520	02/07/2019	JC	267.5	236.0	31.5	9.0	7.9	9.4	10.8	8.0
1-01-02211-00 WARNING HIGH READING (e)	OVILLA ROAD BAPTIST	3251 OVILLA RD	REGULAR WATER	2	815	02/07/2019	JC	3,510.0	3,415.6	94.4	0.1	0.1	0.0	0.1	0.0
1-01-02275-02 WARNING LOW READING	MAYAKA, MILLICENT	744 COCKRELL HILL RD	REGULAR WATER	3	40	02/07/2019	BO	6,044.3	6,038.4	5.9	12.7	6.7	5.8	5.0	33.1
1-01-02400-00 WARNING LOW READING	BUCKNER, RAYMOND	280 (F) JOHNSON LN	REGULAR WATER	3	250	02/07/2019	BO	5,688.3	5,681.2	7.1	17.4	9.4	12.6	12.2	35.5
1-01-02422-03 WARNING LOW READING	ORDERO, CHRISTINA & 307	JOHNSON LN	REGULAR WATER	3	290	02/07/2019	BO	1,931.4	1,925.7	5.7	17.8	6.6	7.7	26.6	30.4
1-01-02459-01 WARNING HIGH READING (e)	REIFEL, STEVEN & JUD	606 GREEN MEADOWS LN	REGULAR WATER	3	380	02/07/2019	BO	5,965.5	5,862.0	103.5	20.2	30.9	24.4	9.4	16.0
1-01-02590-04 WARNING HIGH READING (e)	MARTINEZ, LYNDA & LO	1921 DUNCANVILLE RD	REGULAR WATER	18	120	02/07/2019	BO	3,732.6	3,658.0	74.6	19.0	55.2	6.3	6.1	8.3
1-01-02605-00 WARNING LOW READING	WEAVER, GARY	1906 DUNCANVILLE RD	REGULAR WATER	18	270	02/07/2019	BO	1,148.7	1,143.9	4.8	10.2	4.0	4.4	27.2	5.1

DISTRICT: 93 CITY OF OVILLA-93 RUN MONTH: FEB

METER READERS REPORT

Date:02/26/2019 Page: 2

\*\*\*\*\* CLOSEOUT REPORT (PRE CALCULATE) \*\*\*\*\*

ACCOUNT NO. MESSAGES	NAME	SERVICE ADDRESS	STATUS SERVICE METER NO.	DAYS RTE	CR LOCATION SEQ NOTE	RRAD DATE	MRI	-----READS----- MAR CHK FEB	CURRENT USAGE	AVERAGE USAGES	-----U S A G E S----- FEB JAN DEC NOV
1-01-02780-01 WARNING LOW READING	CORMIER, ROY & FRANC	915 COCKRELL HILL RD	REGULAR WATER	18	350	02/07/2019	BO	5,754.3 5,748.5	5.8	14.6	25.7 6.3 2.5 24.0
1-01-02865-01 WARNING LOW READING	YOUNG, RICHARD	834 COCKRELL HILL RD	REGULAR WATER 11082066	18	475	02/07/2019	BO	504.0 501.0	3.0	9.9	3.3 3.6 19.3 13.2
1-01-02930-01 WARNING LOW READING	CONTIERAS, GILBERTO	821 COCKRELL HILL RD	REGULAR WATER 00830525	18	530	02/07/2019	BO	728.4 702.9	25.5	66.6	66.6 0.0 0.0 0.0
1-01-03030-00 WARNING LOW READING	THORN, RANDY	804 COCKRELL HILL RD	REGULAR WATER	18	650	02/07/2019	BO	1,962.2 1,958.1	4.1	11.1	3.7 4.2 11.8 24.5
1-01-03110-05 WARNING LOW READING	GRAY, CHARLES & JULY	620 CARDINAL DR	NEW FIN WATER 74361603	22	Y	01/30/2019		806.8 806.5	0.3	10.5	1.1 12.9 12.2 15.6
1-01-03110-06 WARNING LOW READING		620 CARDINAL DR	NEW 1-UP WATER 74361603	4	70	01/30/2019		806.8 806.8	0.0	10.5	0.0 0.0 0.0 0.0
1-01-03170-00 WARNING LOW READING	MAY, CHRISTINE	613 CARDINAL DR	REGULAR WATER	4	130	02/07/2019	JC	2,680.9 2,678.3	2.6	7.7	6.6 4.4 9.9 10.0
1-01-03180-05 WARNING LOW READING	STROKLUND, JESSICA	615 CARDINAL DR	REGULAR WATER S9032211	4	100	02/07/2019	JC	1,869.5 1,864.6	4.9	13.6	7.1 19.5 18.9 8.7
1-01-03930-00 WARNING LOW READING	JOHNSON, CHARLES	206 WILLOW CREEK CT	REGULAR WATER 201230879	6	90	02/07/2019	RB	537.5 534.6	2.9	13.4	5.5 3.2 9.4 32.4
1-01-04620-02 WARNING LOW READING	FARES, MELINDA	207 SPLIT ROCK TERRACE	REGULAR WATER 99121094	9	40	02/07/2019	D&Z	3,827.9 3,811.2	16.7	34.0	40.0 34.0 27.5 34.4
1-01-04674-02 WARNING LOW READING	CARGILE, BILLY & DON	102 HIGH VIEW CT	REGULAR WATER 01051964	7	60	02/07/2019	JC	9.4 3.7	5.7	18.2	3.7 6.2 56.1 6.6
1-01-04677-00 WARNING HIGH READING (c)	CHASTAIN, LINDA	604 VALLEY VIEW CT	REGULAR WATER	7	170	02/07/2019	JC	5,786.4 5,461.8	324.6	64.7	214.3 27.5 1.0 15.8
1-01-04682-01 WARNING LOW READING	ROBERTS, GEORGE & JA	301 OVILLA OAKS DR	REGULAR WATER	7	290	02/07/2019	JC	6,939.3 6,933.8	5.5	34.0	4.7 48.3 41.5 41.3

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RUN MONTH: FEB

METER READERS REPORT

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\*\*\*\*\* CLOSEOUT REPORT (PRE CALCULATE) \*\*\*\*\*

ACCOUNT NO. MESSAGES	NAME	SERVICE ADDRESS	STATUS SERVICE METER NO.	DAYS RTE	CB LOCATION SEQ NOTE	READ DATE	MRI	-----READS----- MAR CHK FEB	CURRENT USAGE	AVERAGE USAGES	-----U S A G E S----- FEB JAN DEC NOV				
1-01-04686-02 WARNING LOW READING	CROW, PAPIR & BRITT	302 OVILLA OAKS DR	REGULAR 59032207	7	310	02/07/2019	JC	3,237.2 3,230.3	6.9	22.6	4.9	6.3	36.7	42.3	
1-01-04698-01 WARNING LOW READING	GERRAGHTY, BRENDAN	604 CEDAR RIDGE CT	REGULAR	7	270	02/07/2019	JC	431.3 427.8	3.5	14.5	9.6	18.1	9.0	21.1	
1-01-04754-01 WARNING LOW READING	TRAMMELL, STEPHEN	201 WINDING WAY	REGULAR 97370866	8	610	02/07/2019	JC	8,994.8 8,990.4	4.4	12.9	5.1	4.1	10.5	32.0	
1-01-04766-02 WARNING LOW READING	WARNOCK, TONY & MARY	502 OVILLA OAKS DR	REGULAR 00261432	7	470	02/07/2019	JC	2,421.7 2,405.1	16.6	37.7	17.7	27.9	62.0	43.1	
1-01-04774-01 WARNING LOW READING	SEIF, PAT & JEFF	907 OVILLA OAKS DR	REGULAR	8	390	02/07/2019	JC	5,275.5 5,272.9	2.6	10.9	7.2	11.7	10.8	13.7	
1-01-04776-00 WARNING LOW READING	ADAME, ALVINO	101 SLIPPERY ROCK CT	REGULAR 99488612	8	90	02/07/2019	JC	2,735.6 2,735.5	0.1	6.9	8.5	7.1	5.8	6.2	
1-01-04779-02 WARNING LOW READING	WILLIAMS, MARYE & DW	101 WOODRIDGE CT	REGULAR	8	230	02/07/2019	JC	2,056.3 2,051.4	4.9	17.4	26.5	18.0	9.3	15.8	
1-01-04801-02 WARNING LOW READING	KAEMLERLING, RUSSELL	907 SLIPPERY ELM DR	REGULAR 97399266	8	445	02/07/2019	JC	3,610.8 3,604.1	6.7	13.8	7.4	6.1	7.6	33.9	
1-01-04807-03 WARNING LOW READING	HORN, CHRISTOPHER &	204 WINDING WAY SPRINKLER	REGULAR WATER	8	560	02/07/2019	JC	1,854.2 1,854.2	0.0	10.0	0.0	0.0	29.9	0.0	
1-01-04812-04 WARNING LOW READING	MINIALOFF, ROBERT	200 WINDING WAY	REGULAR WATER	8	600	02/07/2019	JC	8,163.6 8,157.2	6.4	14.2	3.2	26.0	5.5	22.1	
1-01-04813-01 WARNING LOW READING	ALDRIDGE, JAMES & GA	634 EAST HIGHLAND RD	REGULAR WATER	8	520	02/07/2019	JC	5,082.5 5,076.7	5.8	16.2	20.9	35.0	3.0	5.8	
1-01-04945-02 WARNING LOW READING	GODWIN, BRANDON	100 PEBBLE RIDGE CT	REGULAR WATER	9	230	02/07/2019	D&Z	2,885.3 2,879.9	5.4	13.4	3.4	30.0	15.2	5.0	
1-01-04980-00 WARNING LOW READING	HARP, RICHARD	300 THORNTREE DR	REGULAR WATER	9	390	02/07/2019	D&Z	60.4 57.6	2.8	10.0	9.9	5.4	2.6	21.9	



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\*\*\*\*\* CLOSEOUT REPORT (PRE CALCULATE) \*\*\*\*\*

ACCOUNT NO. MESSAGES	NAME	SERVICE ADDRESS	STATUS SERVICES	METER NO.	DAYS RTE	CB LOCATION SEQ NOTE	READ DATE	MRI	-----READS----- MAR CHK FEB	CURRENT USAGE	AVERAGE USAGES	-----U S A G E S----- FEB JAN DEC NOV
1-01-05056-01 WARNING LOW READING	BOYD, BRYAN & AMANDA	127 SUBURBAN DR	REGULAR		19	140	02/07/2019	RB	3,694.7 3,691.5	3.2	8.7	3.2 3.7 10.4 17.3
1-01-05140-02 WARNING LOW READING	LOERA, DISAN & PAULI	313 SHADOWWOOD TRAIL	REGULAR	99121086	10	140	02/07/2019	RB	2,044.4 2,039.1	5.3	16.3	4.3 15.6 17.5 27.8
1-01-05310-00 WARNING LOW READING	HANSON, JAMES L.	326 SHADOWWOOD TRAIL	REGULAR	00261429	10	240	02/07/2019	RB	988.3 995.0	3.3	11.9	2.7 6.6 8.4 29.8
1-01-05380-03 WARNING LOW READING	FITZGERALD, BRIAN	403 SHADOWWOOD TRAIL	REGULAR	117337	10	320	02/07/2019	RB	2,363.2 2,362.0	1.2	8.0	1.2 1.8 5.8 23.3
1-01-05455-00 WARNING LOW READING	BELLOWY, RANDY	409 SHADOWWOOD TRAIL	REGULAR	99585757	10	400	02/07/2019	RB	1,912.4 1,909.4	3.0	10.1	4.2 6.3 5.3 24.5
1-01-05543-00 WARNING LOW READING	SMITH, DARREYL	904 RED OAK CREEK RD	REGULAR	108663	11	675	02/07/2019	D&E	1,803.2 1,801.6	1.6	7.8	1.9 2.5 2.5 24.1
1-01-05742-03 WARNING LOW READING	MARTIN, MARSHALL & J	404 BILL CT	REGULAR	98500134	11	240	02/07/2019	D&E	3,727.8 3,724.4	3.4	9.1	5.4 4.4 17.4 9.2
1-01-06012-01 WARNING LOW READING	JACOBS, MICHAEL & CY	102 ASHBURNE GLEN LN	REGULAR		12	480	02/07/2019	BO	6,120.4 6,114.1	6.3	32.9	7.1 3.8 46.5 74.0
1-01-06016-01 WARNING LOW READING	JONES, ROY	509 FOREST EDGE LN	CONNECT	109307	12	530	02/11/2019	BO	3,683.4 3,683.4	0.0	9.8	0.0 0.0 0.0 0.0
1-01-06034-02 WARNING LOW READING	HUNTINGTON, GREG & P	514 FOREST EDGE LN	REGULAR		12	585	02/07/2019	BO	4,937.9 4,934.6	3.3	12.7	3.4 2.7 8.0 36.6
1-01-06040-01 WARNING LOW READING	GRISBY, DOLPH	518 FOREST EDGE LN	REGULAR		12	570	02/07/2019	BO	2,294.3 2,290.8	3.5	19.3	18.2 20.5 18.4 20.1
1-01-06045-02 WARNING LOW READING	LOGAN, MICHAEL & SOS	616 FOREST EDGE LN	REGULAR		12	130	02/07/2019	BO	5,001.3 5,997.8	3.5	8.6	3.9 4.6 3.1 22.7
1-01-06080-04 WARNING LOW READING	MCRAE, KENNETH & DOR	101 ASHBURNE GLEN LN	REGULAR		12	140	02/07/2019	BO	5,578.1 5,575.6	2.5	9.6	6.8 9.5 2.2 20.0

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\*\*\*\*\* CLOSEOUT REPORT (PRE CALCULATE) \*\*\*\*\*

ACCOUNT NO. MESSAGES	NAME	SERVICE ADDRESS	STATUS SERVICE	METER NO.	DAYS RTE	CB LOCATION SEQ NOTE	READ DATE	MRI	-----READS-----		CURRENT USAGE	AVERAGE USAGES	-----U S A G E S-----			
									MAR	CHK			FEB	FEB	JAN	DEC
1-01-06130-02	SUAREZ, LUIS	506 FOREST EDGE LN	REGULAR													
WARNING LOW READING		WATER			12	620	02/07/2019	BO	4,241.9	4,236.0	5.9	18.8	4.5	6.0	26.9	37.8
1-01-06132-03	PROPPS, JULIE & WILL	617 EDGEWOOD LN	REGULAR													
WARNING LOW READING		WATER	96468517		12	270	02/07/2019	BO	5,971.9	5,967.0	4.9	13.4	4.3	5.5	6.0	37.7
1-01-06133-02	FLCRESS, SONIA	613 EDGEWOOD LN	REGULAR													
WARNING LOW READING		WATER	96468515		12	280	02/07/2019	BO	5,859.0	5,851.5	7.5	16.4	7.9	8.4	12.5	36.9
1-01-06142-01	DANIELS, CHARLES	601 EDGEWOOD LN	REGULAR													
WARNING LOW READING		WATER	96331686		12	340	02/07/2019	HO	2,820.0	2,816.0	4.0	13.9	14.1	21.1	10.4	9.8
1-01-06144-00	BEHMANN, CHRYSSTYNA	505 EDGEWOOD LN	REGULAR													
WARNING LOW READING		WATER			12	370	02/07/2019	BO	4,076.2	4,071.9	4.3	9.6	6.4	10.5	5.5	8.1
1-01-06147-03	JARVIS, MARIA & AINS	503 EDGEWOOD LN	REGULAR													
WARNING LOW READING		WATER	97389432		12	360	02/07/2019	BO	5,958.0	5,962.9	5.1	11.3	3.2	6.6	2.7	32.6
1-01-06165-01	FLETCHER, BILL & MAR	501 ASHBURNE GLEN CIR	REGULAR													
WARNING LOW READING		WATER			12	410	02/07/2019	BO	5,900.2	5,895.4	4.8	22.1	4.6	26.4	19.5	38.0
1-01-06245-00	MODVIT, PETER F.	106 HUMMINGBIRD LN	REGULAR													
WARNING LOW READING		WATER	93736277		20	40	02/07/2019	BO	6,446.9	6,444.0	2.9	14.2	2.5	6.2	9.5	38.7
1-01-06261-02	DICKEY, KATHY	103 ROBIN GLEN LN	REGULAR													
WARNING LOW READING		WATER	69845478		20	340	02/07/2019	BO	621.1	619.7	1.4	8.1	2.7	7.2	14.7	7.7
1-01-06269-02	SHORT, KATHY	101 ROBIN GLEN LN	REGULAR													
WARNING LOW READING		WATER			20	350	02/07/2019	BO	4,020.6	4,019.6	1.0	6.9	3.7	13.1	1.3	9.3
1-01-06275-02	REZZ, FAYEZ	103 HUMMINGBIRD LN	REGULAR													
WARNING LOW READING		WATER			20	180	02/07/2019	BO	6,868.9	6,863.7	5.2	31.3	5.5	28.5	35.7	55.3
1-01-06293-02	TURK, KERRY & RESA	113 NOB HILL LN	REGULAR													
WARNING LOW READING		WATER	9054240		20	480	02/07/2019	BO	5,508.1	5,504.9	3.2	13.6	2.9	10.8	16.8	23.9
1-01-06295-01	HUNT, TRACY	109 NOB HILL LN	REGULAR													
WARNING HIGH READING (e)		WATER	60039786		20	490	02/07/2019	BO	6,581.8	6,552.6	29.2	8.2	6.4	9.6	5.8	11.1

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\*\*\*\*\* CLOSOUT REPORT (PRE CALCULATE) \*\*\*\*\*

ACCOUNT NO. MESSAGES	NAME	SERVICE ADDRESS	STATUS SERVICE METER NO.	DAYS RTE	CS LOCATION SEQ NOTE	READ DATE	MRI	[-----READS-----]		CURRENT USAGE	AVERAGE USAGES	[-----U S A G E S-----]				
								MAR	FEB			FEB	JAN	DEC	NOV	
1-01-07020-07 WARNING HIGH READING (c)	FRANKS, ABRAHAM	705 WEST MAIN ST	REGULAR WATER	13	40	02/07/2019	MAR	299.7	266.7	33.0	7.1	6.3	9.0	5.5	7.6	
1-01-07250-01 WARNING LOW READING	HAMILTON, JONATHAN	826 EAST MAIN ST	REGULAR WATER	14	400	02/07/2019	MAR	2,683.2	2,680.1	3.1	8.2	5.8	9.5	10.6	7.0	
1-01-07260-00 WARNING HIGH READING (c)	COLE, PAUL	830 EAST MAIN ST	REGULAR WATER	14	420	02/07/2019	MAR	3,081.7	3,008.1	73.6	6.5	7.2	7.2	5.2	6.4	
1-01-07299-01 WARNING LOW READING	SILVA, LOREEN	1412 RED OAK CREEK RD	REGULAR WATER	14	470	02/07/2019	MAR	5,655.9	5,652.5	3.4	18.1	1.3	1.8	19.8	49.3	
1-01-07350-00 WARNING LOW READING	OVILLA UNITED METHOD	1403 RED OAK CREEK RD	REGULAR WATER	14	610	02/07/2019	MAR	2,495.5	2,488.6	6.9	27.1	11.6	34.7	25.2	36.9	
1-01-07368-02 WARNING LOW READING	BROWN, MAYA & GRAYLE	1215 RED OAK CREEK RD	CONNECT WATER	14	650	02/25/2019	MAR	3,488.1	3,488.1	0.0	18.8	0.0	0.0	0.0	0.0	
1-01-07440-02 WARNING HIGH READING (c)	ELCHEHIMI, ABED & NA	3418 OVILLA RD	REGULAR WATER	14	810	02/07/2019	MAR	897.1	868.1	29.0	8.6	7.7	8.3	7.9	10.3	
1-01-07443-01 WARNING LOW READING	ALMAKADAD, GUHAINA	3412 OVILLA RD (SPRINKLER)	REGULAR WATER	14	740	02/07/2019	MAR	34,488.5	34,483.4	5.1	15.6	7.3	6.1	3.5	45.5	
1-01-07615-03 WARNING LOW READING	LEVELL, JOHNIE & JOY	104 SILVERWOOD	REGULAR WATER	13	680	02/07/2019	MAR	1,856.3	1,848.3	8.0	22.2	7.0	10.5	18.3	52.9	
1-01-07700-00 WARNING LOW READING	CLEVELAND, COY	104 WESTLAWN DR	REGULAR WATER	13	610	02/07/2019	MAR	2,421.7	2,419.2	2.5	8.0	9.2	8.0	5.4	9.3	
1-01-07740-00 WARNING LOW READING	DAVIS, MIKEL	102 WILLOW WOOD LN	REGULAR WATER	13	520	02/07/2019	MAR	170.9	169.0	1.9	9.8	12.0	11.0	8.1	0.1	
1-01-08019-02 WARNING LOW READING	REIMBOLD, JASON & ES	202 BURTONWOOD CIR	REGULAR WATER	17	230	02/07/2019	BO	1,567.8	1,560.4	7.4	26.0	30.4	38.0	19.9	15.5	
1-01-08021-01 WARNING LOW READING	SHEPHERD, JOHN & SHI	104 BURTONWOOD CIR	REGULAR WATER	17	60	02/07/2019	BO	993.8	993.8	0.0	5.4	6.0	4.1	4.6	6.9	

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ACCOUNT NO. MESSAGES	NAME	SERVICE ADDRESS	STATUS SERVICE METER NO.	DAYS RTS	CB LOCATION SEQ NOTE	READ DATE	MRI	-----READS----- MAR CHK FEB	CURRENT USAGE	AVERAGE USAGES	-----U S A G E S----- FEB JAN DEC NOV
1-01-08105-01 WARNING LOW READING	COLBERT, KEVIN & ORE	401 BURTONWOOD CIR	REGULAR 00926594	17	93	02/07/2019	BO	216.5 213.0	3.5	26.7	4.0 93.4 3.8 5.4
1-01-09030-02 WARNING LOW READING	HILLERY, SEAN & LOLA	134 MEADOW GLEN LN	REGULAR 19982730	15	310	02/07/2019	JC	4,466.8 4,464.7	2.1	12.1	10.0 13.3 5.5 19.5
1-01-09050-02 WARNING LOW READING	JONES, YOLANDA	137 MEADOW GLEN LN	REGULAR 97388689	15	200	02/07/2019	JC	3,874.7 3,872.1	2.6	10.5	2.5 3.1 5.9 30.5
1-01-10006-01 WARNING LOW READING	VINTON, PAUL & MARY	101 BENT TREE LN	REGULAR 97433577	16	220	02/07/2019	JC	9,557.6 9,552.5	5.1	18.3	5.0 21.6 27.5 18.8
1-01-10007-04 WARNING LOW READING	VANEK, DEBBIE	103 BENT TREE LN	NEW FIN 97532137	37 16	Y 230	02/14/2019	JC	2,804.1 2,799.9	4.2	24.1	1.6 6.5 1.0 87.4
1-01-10007-05 WARNING LOW READING	WARD, JR, CHARLES &	103 BENT TREE LN	CONNECT 97532137	16	230	02/14/2019	JC	2,804.1 2,804.1	0.0	24.1	0.0 0.0 0.0 0.0
1-01-10014-01 WARNING LOW READING	JEFFERSON, KENRY & S	112 BENT TREE LN	REGULAR 98449181	16	280	02/07/2019	JC	7,829.2 7,825.2	4.0	10.6	3.4 6.4 4.8 27.7
1-01-10015-02 WARNING LOW READING	RICH, ADAM & ABBY	106 BENT TREE LN	REGULAR 96486425	16	310	02/07/2019	JC	6,117.0 6,113.0	4.0	10.9	5.5 7.5 11.0 19.4
1-01-10028-01 WARNING LOW READING	SILVA, LOREEN	103 WOODLANDS CT	REGULAR 97385655	16	320	02/07/2019	JC	5,551.4 5,546.2	5.2	14.3	6.2 12.2 12.2 26.5
1-01-10035-01 WARNING LOW READING	CANADA, JAMES & MINN	102 WOODLANDS CT	REGULAR 35323	16	390	02/07/2019	JC	4,999.7 4,992.6	7.1	16.6	3.1 8.0 25.4 29.8
1-01-11010-05 WARNING LOW READING	VAN WRIGHT, MELANIE	119 CUMBERLAND DR	REGULAR 57077874	16	100	02/07/2019	JC	3,682.7 3,677.9	4.8	17.1	3.9 4.0 16.8 43.6

TOTAL NUMBER OF ERRORS 0

TOTAL NUMBER OF WARNINGS 89



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ACCOUNT NO.	NAME	SERVICE ADDRESS	STATUS	DAYS	CB LOCATION	READ DATE	MRI	-----READS-----	CURRENT	AVERAGE	-----U S A G E S-----					
MESSAGES			SERVICE METER NO.	RTE	SEQ NOTE			MAR	CHK	FEB	USAGE	USAGES	FEB	JAN	DEC	NOV
1-01-00015-00	WHITE, JERRY	827 RED OAK CREEK RD	REGULAR			02/07/2019		0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
STUCK METER																
1-01-00016-00	GROGAN, DON & CYNTHI	1707 JOE WILSON RD	REGULAR			02/07/2019		0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
STUCK METER																
1-01-00018-01	PHILLIPS, JASON & BR	839 RED OAK CREEK RD	REGULAR			02/07/2019		0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0
STUCK METER																
1-01-01840-02	PRUETT, GAYLE & CRAI	715 BUCKBOARD	REGULAR	2	600	02/07/2019	JC	592.6		592.6	0.0	1.3	0.7	1.8	1.3	1.3
STUCK METER																
1-01-02207-00	OVILLA ROAD BAPTIST	3251 OVILLA RD	REGULAR			02/07/2019	JC	176.6		176.6	0.0	0.0	0.0	0.0	0.0	0.0
STUCK METER																
1-01-02376-00	KEENAN, JAY	223-A JOHNSON LN	REGULAR			02/07/2019	BO	882.4		882.4	0.0	0.0	0.0	0.0	0.0	0.0
STUCK METER																
1-01-02485-00	DUPRIEST, HARVEY R.	610 GREEN MEADOWS LN	REGULAR			02/07/2019	BO	2,054.6		2,054.6	0.0	0.1	0.0	0.1	0.0	0.0
STUCK METER																
1-01-02493-02	GARCIA, AUGUSTINE &	617 GREEN MEADOWS LN	REGULAR			02/07/2019	BO	1,976.3		1,976.3	0.0	0.0	0.0	0.0	0.0	0.0
STUCK METER																

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ACCOUNT NO.	NAME	SERVICE ADDRESS	STATUS	DAYS	CB LOCATION	READ DATE	MRI	-----READS-----	CURRENT	AVERAGE	-----U S A G E S-----				
MESSAGES			SERVICE METER NO.	RTE	SEQ NOTE			MAR CHK	FEB	USAGE	USAGES	FEB	JAN	DEC	NOV
1-01-02649-03	MIRACLE, WILLIAM	764 JOHNSON LN	REGULAR	18	230	02/07/2019	BO	2,506.8	2,506.8	0.0	0.0	0.0	0.0	0.0	0.0
STUCK METER															
1-01-02850-00	CARRELL, DON	901 COCKRELL HILL RD	REGULAR	18	440	02/07/2019	BO	894.1	894.1	0.0	0.0	0.0	0.0	0.0	0.0
STUCK METER															
1-01-02950-01	HUNKE, LOUIS & MARSH	818 COCKRELL HILL RD	REGULAR	18	550	02/07/2019	BO	2,919.9	2,919.9	0.0	0.2	0.0	0.3	0.0	0.0
STUCK METER															
1-01-04304-00	PAPYLLION DREI	107 ELMWOOD DR	CONNECT	3	Y	02/12/2019		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
STUCK METER															
1-01-04693-00	SIDLER, MIKE	608 OAK RIDGE CT	REGULAR	7	500	02/07/2019	JC	1,551.6	1,551.6	0.0	0.0	0.0	0.0	0.0	0.0
STUCK METER															
1-01-04704-01	NOICE, MATHEW	300 OVILLA OAKS DR	REGULAR	7	220	02/07/2019	JC	1,341.1	1,341.1	0.0	0.0	0.0	0.0	0.0	0.0
STUCK METER															
1-01-04742-00	HOLLIER, FERNAND	900 OVILLA OAKS DR	REGULAR	8	360	02/07/2019	JC	4,397.9	4,397.9	0.0	0.4	0.1	0.0	0.2	1.3
STUCK METER															
1-01-04744-00	DAVIDSON, TERRY	901 OVILLA OAKS DR	REGULAR	8	345	02/07/2019	JC	3,087.4	3,087.4	0.0	2.4	2.0	2.0	2.2	3.5
STUCK METER															

DISTRICT: 93

CITY OF OVILLA-93

RUN MONTH: FEB

NO CONSUMPTIONS

Date:02/26/2019 Page: 11

\*\*\*\*\* CLOSEOUT REPORT (PRE CALCULATE) \*\*\*\*\*

ACCOUNT NO.	NAME	SERVICE ADDRESS	STATUS	DAYS	CB LOCATION	READ DATE	MRI	-----READS-----	CURRENT	AVERAGE	U S A G E S				
MESSAGES			SERVICE METER NO.	RTE	SEQ NOTE			MAR	CHK	FEB	USAGES	FEB	JAN	DEC	NOV
1-01-04762-02	BRADLEY, LAWRENCE &	501-A OVILLA OAKS DR	REGULAR												
STUCK METER			98449155	7	550	02/07/2019	JC	1,944.7	1,944.7	0.0	2.1	0.0	0.0	0.0	8.2
1-01-04770-00	JONES, POLLY	101 RIDGEWAY GAP	REGULAR												
STUCK METER				8	130	02/07/2019	JC	22.4	22.4	0.0	0.0	0.0	0.0	0.0	0.0
1-01-04781-00	MATTOX, JAMES JR.	104 RIDGEWAY GAP SPRINKLER	REGULAR												
STUCK METER			93721823	8	190	02/07/2019	JC	2,867.8	2,867.8	0.0	0.0	0.0	0.0	0.0	0.0
1-01-04803-03	AKECH, PAUL & LANTEY	637 EAST HIGHLAND RD	REGULAR												
STUCK METER			53268135	8	540	02/07/2019	JC	5.8	5.8	0.0	0.0	0.0	0.0	0.0	0.0
1-01-04807-03	HORN, CHRISTOPHER &	204 WINDING WAY SPRINKLER	REGULAR												
STUCK METER				8	560	02/07/2019	JC	1,854.2	1,854.2	0.0	10.0	0.0	0.0	29.9	0.0
1-01-05021-00	S.E.N.A.	SUBURBAN ENTRY	REGULAR												
STUCK METER			99355476	19	15	02/07/2019	RB	153.3	153.3	0.0	0.6	0.0	0.0	0.0	2.2
1-01-05080-01	BUTLER, BRANDY & CHA	207 SHADONWOOD TRAIL	REGULAR												
STUCK METER				10	40	02/07/2019	RB	255.2	255.2	0.0	0.7	0.0	0.0	0.1	2.8
1-01-05200-00	POLLARD, EDWARD	317 SHADONWOOD TRAIL	REGULAR												
STUCK METER				10	180	02/07/2019	RB	1,126.3	1,126.3	0.0	0.0	0.0	0.0	0.0	0.0



DISTRICT: 93

CITY OF OVILLA-93

RUN MONTH: FEB

NO CONSUMPTIONS

Date: 02/26/2019 Page: 12

\*\*\*\*\* CLOSEOUT REPORT (PRE CALCULATE) \*\*\*\*\*

ACCOUNT NO. MESSAGES	NAME	SERVICE ADDRESS	STATUS SERVICE METER NO.	DAYS RTE	CB LOCATION SEQ NOTE	READ DATE	MRI	[-----READS-----] MAR CHK FEB	CURRENT USAGE	AVERAGE USAGES	[-----U S A G E S-----] FEB JAN DEC NOV				
1-01-05610-05	MORRIS, CHERYL & STE	913 RED OAK CREEK RD	REGULAR	11	580	02/07/2019	D&Z	3,093.2	3,093.2	0.0	0.8	0.5	0.6	0.1	1.8
1-01-05651-01	MENDRIX, RALPH & SAL	844 RED OAK CREEK RD	NEW FIN	23	Y	01/31/2019		270.7	270.7	0.0	0.1	0.0	0.0	0.0	0.5
1-01-05720-01	PILAND, BRADLEY & AM	111 OAK CREEK LN	REGULAR			02/07/2019		345.1	345.1	0.0	0.0	0.0	0.0	0.0	0.0
1-01-05730-01	MURPHY, LARRY & JAMI	107 OAK CREEK LN	REGULAR			02/07/2019		1,663.5	1,663.5	0.0	0.0	0.0	0.0	0.0	0.0
1-01-05740-01	WELLS, ROBERT	103 OAK CREEK LN	REGULAR			02/07/2019		1,904.5	1,904.5	0.0	0.0	0.0	0.0	0.0	0.0
1-01-05743-00	TEXAS STERLING CONST	3180 OVILLA RD	REGULAR		90	02/07/2019		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1-01-05747-03	NOBLES, RONALD	3151 OVILLA RD	REGULAR			02/07/2019		128.1	128.1	0.0	0.0	0.0	0.0	0.0	0.0
1-01-06016-01	JONES, ROY	509 FOREST EDGE LN	CONNECT	0	N	02/11/2019	BO	3,683.4	3,683.4	0.0	9.8	0.0	0.0	0.0	0.0

DISTRICT: 93

CITY OF OVILLA-93

RUN MONTH: FEB

NO CONSUMPTIONS

Date:02/26/2019 Page: 13

\*\*\*\*\* CLOSEOUT REPORT (PRE CALCULATE) \*\*\*\*\*

ACCOUNT NO. MESSAGES	NAME	SERVICE ADDRESS	STATUS SERVICE	METER NO.	DAYS RTE	CB SEQ	LOCATION NOTE	READ DATE	MRI	-----READS----- MAR CHK FEB	CURRENT USAGE	AVERAGE USAGES	-----U S A G E S----- FEB JAN DEC NOV				
1-01-06160-00	ASHBURN GLEN COMMIT	NORTH ENTRY	REGULAR	00734193	20	540	000000000000	02/07/2019	BO	253.5	253.5	0.0	1.3	0.0	0.0	0.0	5.2
1-01-07014-07	CALVERY, ANDREA	709 WEST MAIN ST	REGULAR		13	65		02/07/2019	MAR	239.1	239.1	0.0	3.2	0.1	12.5	0.1	0.2
1-01-07040-01	CITY OF OVILLA - WHI	708 WEST MAIN ST	REGULAR	2801679	13	110		02/07/2019	MAR	1,034.3	1,034.3	0.0	0.9	0.0	0.0	2.8	0.0
1-01-07054-01	OYBA	105 COCKRELL HILL RD	REGULAR	07313568	13	125		02/07/2019	MAR	189.5	189.5	0.0	3.4	0.0	0.1	0.1	13.2
1-01-07056-00	CITY OF OVILLA - BLU	105 COCKRELL HILL RD	REGULAR	00197162	13	127		02/07/2019	MAR	108.6	108.6	0.0	0.3	0.2	0.0	0.1	0.7
1-01-07183-00	ANIMAL HOSPITAL OF O	3357-A OVILLA RD	REGULAR		14	275		02/07/2019	MAR	2,173.7	2,173.7	0.0	0.0	0.0	0.0	0.0	0.0
1-01-07303-02	SILVA, LOREEN	1410 RED OAK CREEK RD	REGULAR	98432470	14	510		02/07/2019	MAR	98.6	98.6	0.0	0.0	0.0	0.0	0.0	0.0
1-01-07313-01	SILVA, LOREEN	1404 RED OAK CREEK RD-COMM	REGULAR	97551302	14	540		02/07/2019	MAR	216.2	216.2	0.0	0.1	0.1	0.1	0.0	0.0

DISTRICT: 93

CITY OF OVILLA-93

RUN MONTH: FEB

NO CONSUMPTIONS

Date:02/26/2019 Page: 14

\*\*\*\*\* CLOSEOUT REPORT (PRE CALCULATE) \*\*\*\*\*

ACCOUNT NO. MESSAGES	NAME	SERVICE ADDRESS	STATUS SERVICE METER NO.	DAYS RTE	CB LOCATION SEQ NOTE	READ DATE	MRY	-----READS----- MAR CHK FEB	CURRENT USAGE	AVERAGE USAGES	-----U S A G E S----- FEB JAN DEC NOV
1-01-07368-02	BROWN, MAYA & GRAYLE	1215 RED OAK CREEK RD	CONNECT 99355480	0 14	N 650	02/25/2019	MAR	3,488.1 3,488.1	0.0	18.8	0.0 0.0 0.0 0.0
1-01-07765-00	ROGOWICZ, RAY	141 WATER ST	REGULAR 93522186	14	150	02/07/2019	MAR	432.1 432.1	0.0	0.1	0.0 0.0 0.0 0.5
1-01-07835-01	.	108 WATER ST	REGULAR 119477	14	10	02/07/2019	MAR	56.9 56.9	0.0	0.0	0.0 0.0 0.0 0.0
1-01-08021-01	SHEPHERD, JOHN & SHI	104 BORTONWOOD CIR	REGULAR 109375	17	60	02/07/2019	BO	993.8 993.8	0.0	5.4	6.0 4.1 4.6 6.9
1-01-09000-00	MEADOW GLEN COMMITTEE	MEADOW GLEN ENTRY	REGULAR	15	10	02/07/2019	JC	3,860.6 3,860.6	0.0	0.3	0.0 0.0 0.0 1.2
1-01-10007-05	HARD, JR, CHARLES &	103 BENT TREE LN	CONNECT 97532137	0 16	N 230	02/14/2019	JC	2,804.1 2,804.1	0.0	24.1	0.0 0.0 0.0 0.0
1-01-10023-03	HUDSON, GARY	103 WINDSONG CIR	NEW FIN 16341833	9 16	Y 430	01/17/2019		6,098.6 6,098.6	0.0	0.0	0.0 0.0 0.0 0.0
1-01-14007-01	WALKER, ISABEL & DAV	317 FOUNTAIN CREEK CT	REGULAR			02/07/2019		0.0 0.0	0.0	0.0	0.0 0.0 0.0 0.0

DISTRICT: 93

CITY OF OVILLA-93

RUN MONTH: FEB

NO CONSUMPTIONS

Date:02/26/2019 Page: 15

\*\*\*\*\* CLOSEOUT REPORT (PRE CALCULATE) \*\*\*\*\*

ACCOUNT NO.	NAME	SERVICE ADDRESS	STATUS	DAYS	CB LOCATION	READ DATE	MRI	-----READS-----	CURRENT	AVERAGE	-----U S A G E S-----				
MESSAGES			SERVICE METER NO.	RTE	SEQ NOTE			MAR CHK FEB	USAGE	USAGES	FEB JAN DEC NOV				
1-01-90000-02	ICI CONSTRUCTION	FIRE HYDRANT METER	REGULAR												
	STUCK METER		WATER	FH4839782	11	83	02/07/2019 D&Z	8.1	8.1	0.0	0.7	0.0	0.0	1.2	1.6

TOTAL NUMBER OF ERRORS 0

TOTAL NUMBER OF WARNINGS 57





## AGENDA ITEM REPORT

Item 12 – Item(s) pulled from consent agenda

**Meeting Date:** March 11, 2019

**Department:** Administration/Finance

☒ Discussion ☒ Action

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

**Submitted by:** Staff

**Amount:** N/A

<b>Attachments:</b>	
1. None	
<b>Agenda Item / Topic:</b>	
ITEM 12.	<b>DISCUSSION/ACTION</b> – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.
<b>Discussion / Justification:</b>	
All consent items are attached for Council consideration. Any items pulled from the Consent agenda will be reviewed under this item.	
<b>Recommendation / Staff Comments:</b>	
Staff recommends approval.	
<b>Sample Motion(s):</b>	
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	February 2019	February 2019 YTD	February 2018	February 2018 YTD
Accident	8	15	5	11
Alarms	8	28	8	20
Arrest	6	9	5	15
Assault/Assault FV	0	1	2	3
Assists	82	159	54	120
Building / House Security Check	521	1268	412	788
Burglary	0	0	0	0
Burglary of Motor Vehicle	0	0	0	0
Criminal Mischief	1	2	0	0
Disturbance	9	16	8	11
Neighborhood Check	1231	2609	927	1978
Other Calls for Service	88	167	57	93
Suspicious Person	10	15	7	14
Suspicious Vehicle	14	24	25	40
Theft	0	1	0	5
Traffic Assignment/School Enforcement	8	32	15	25
<b>TOTAL CALLS FOR SERVICE</b>	<b>1986</b>	<b>4346</b>	<b>1525</b>	<b>3123</b>

Volunteer and Reserve Officer Hours	7	35	74.5	179.5
Average Response Time (Minutes)	4.34	4.185	4.36	5.345
Total Citations	68	146	100	246
Total Traffic Stops *****	226	490	264	559
Traffic Stop Disposition Warning *****	164	378	169	324
Traffic Stop Disposition Citation *****	61	111	95	235
<b>PERCENT OF STOPS RECEIVING CITATIONS</b>	<b>27.0</b>	<b>22.7</b>	<b>36.0</b>	<b>42.0</b>

\*\* 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	145488		-145488	
105	110058	111100	1042	Oil Change
116	76858	79514	2656	Oil Change and LP light changed
117	63000	68107	5107	Recall and Replaced Spot light bulb
118	27186	29455	2269	Front Passanger Rotar replaced and breaks
216	19359	19999	640	
Vehicles	Begin	End	Accrued	
2017 F250 4x4	11691		-11691	Inspection and registration
2015 2500 HD Silverado	39288		-39288	Inspection and registration and wipers replaced
2011 3500HD Silverado	53408		-53408	
2008 2500HD Animal Control	83090		-83090	Oil and filter change
2019 f250 Animal Control	2141		-2141	
2008 1500 Silverado	111763		-111763	Inspection and registration
2006 1500 Silverado	120165		-120165	Inspection and registration
2001 C6500 Dump Truck	185128		-185128	
1999 International Patch Trk	311960		-311960	Replaced batteries, horn, headlights, and blades
1998 Ford Dump Truck	54020		-54020	
	HOURS	HOURS	HOURS	
New Holland Skid LS60	1228.6		-1228.6	Tune up. Oil, filter, fuel filter replaced
1999 Kubota Tractor	973		-973	
1992 Ford Tractor	1086.4		-1086.4	
Sweeper	619.9		-619.9	
310K John Deere Backhoe	1705		-1705	
Stone Packer 3100	4507.5		-4507.5	

Ingersoll Mobil Air Compress	1320.8		-1320.8	
Green Golf Cart	763.1		-763.1	
Jet Machine	492		-492	
Vac Machine 2017	86.8		-86.8	
Boomag 900-50 packer	190.8		-190.8	
2016 Exmark	259.7		-259.7	
2013 Exmark	372.4		-372.4	
2004 Exmark	1028.1		-1028.1	
JCB Backhoe	38.9		-38.9	

# Ovilla Fire Department February Monthly Report



**Fire Chief**  
Brandon Kennedy

105 S. Cockrell Hill Road  
Ovilla Texas, 75154  
[cityofovilla.org](http://cityofovilla.org)



## Mission Statement

The mission of the Ovilla Fire Department is to provide services designed to protect citizens and property of the City of Ovilla and outlying areas. All persons and or departments requesting assistance from the Ovilla Fire Department because of the adverse effects of fire, medical emergencies, or hazardous conditions created by man or nature will be dealt with in a professional manner, consistent with the economic capability of the community.

## Summary of Staffing for the Department

- Currently the Department has 1 Firefighter EMT-Basic position open
- Currently the Department has 1 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
  - 22 Firefighter Paramedics
  - 7 Firefighter EMT-Basics
  - 11 Volunteer Firefighters
  - Total Staffing of 47 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
  - 4 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
  - SAFER Grant has opened and paperwork has been turned in.

## Summary of Events for the Department

- February was a busy month with 68 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.
- Siren Testing complete and all working properly.
- Training with the Volunteers on their regular scheduled nights, on Ladder Operations and SCBA's.
- Landscape and flower bed at the southeast corner of the station has been updated and project is complete.
- New sign is in production for the front of the station.
- Hired Michael Turner as a part time Firefighter / EMT-Basic
- Hired Jamahd Baxter as a Volunteer
- Hired Joseph Schepps as a Volunteer
- Hired Creed Coston as a Volunteer

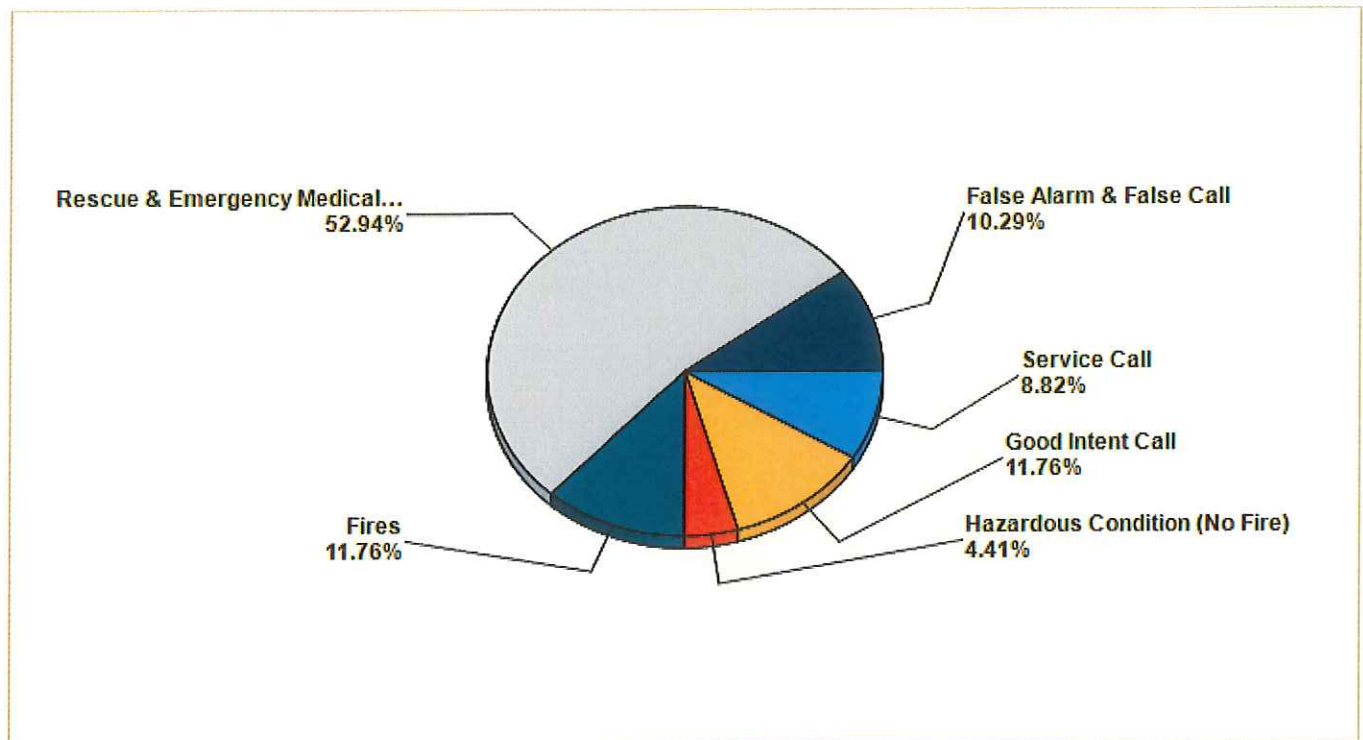
## Summary of Staffing for the Month

- 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)
- **5 / 8** weekend day shifts were covered by a Volunteer
- **26 / 36** Volunteer shifts were covered, and these **26** shifts had 4 personnel on the Engine

## Summary of Activity from Deputy Chief Fire Marshal's Office

- 6 Consults
- 1 Re-Inspection
- Respond to incidents as available
- 6 Meetings
- Back-Up for Ovilla PD
- QCI reports
- Training with Volunteers
- TCOLE training

## Breakdown by Major Incident Type



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	8	11.76%
Rescue & Emergency Medical Service	36	52.94%
Hazardous Condition (No Fire)	3	4.41%
Service Call	6	8.82%
Good Intent Call	8	11.76%
False Alarm & False Call	7	10.29%
<b>TOTAL</b>	<b>68</b>	<b>100.00%</b>

*Average 2 fires per week*

*Average 2.43 calls per day*

*Average 17 calls per week*

C701 Responses | **15**

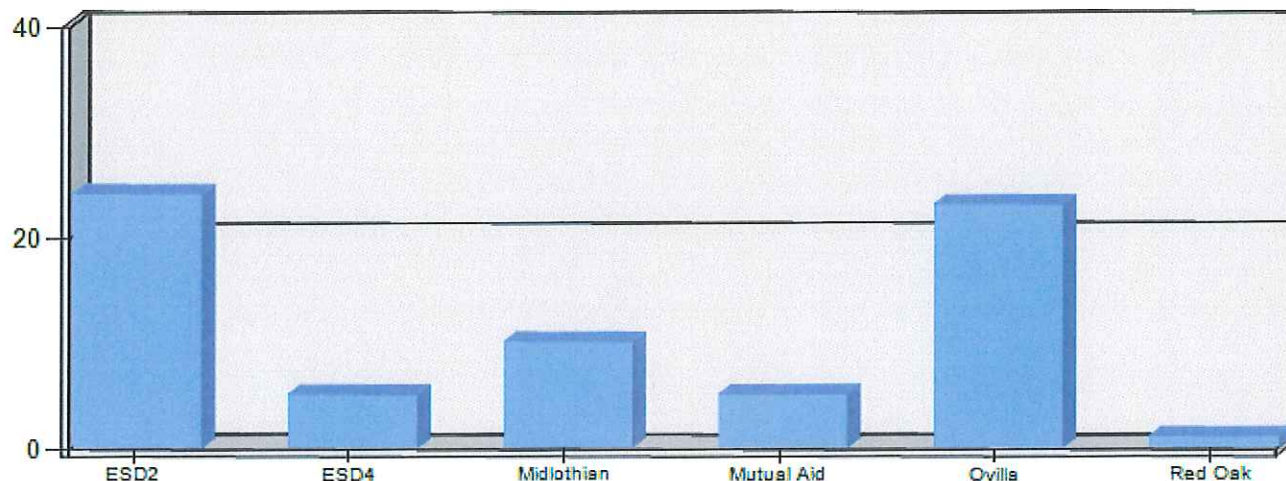
C702 Responses | **10**

Number of Overlapping Calls | **8**

**Total Ovilla Fire Department Runs | 68**



### Breakdown by Districts



ZONE	2019	2018
ESD2 - ESD #2	24	26
ESD4 - ESD #4	5	6
Midlothian - Midlothian City Limits	10	7
Mutual Aid - Mutual Aid	5	5
Ovilla - City Limits	23	25
Red Oak - Red Oak City Limits	1	5
<b>TOTAL:</b>	<b>68</b>	<b>74</b>

*Districts are broken down by Cities or Areas we respond to.*

*Midlothian and Red Oak are what is called Automatic Aid due to being on the same dispatch system, and we are toned at the exact same time for an emergency that requires additional units to respond.*

*Mutual Aid is calculated by the cities that must call our dispatch center to request our help on incidents that occur in their cities. Examples are Glenn Heights, Desoto, Duncanville, Cedar Hill, Lancaster, Waxahachie, Ferris, and Wilmer.*

### Breakdown of Average Response Times by District for the Last Two Months

DISTRICT	February-19	January-19
Mutual Aid - Mutual Aid	22.79	17.57
Midlothian - Midlothian City Limits	9.46	8.51
ESD4 - ESD #4	9.06	8.43
ESD2 - ESD #2	7.25	6.49
Ovilla - City Limits	5.22	5.88
Average Overall Response Time	7.75	7.33

*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	Feb-19	Jan-19
AIDAU	2:07	N/A
B701	1:04	1:52
C701	1:12	1:15
C702	0:48	1:37
E701	1:45	1:57
R755	2:18	1:46
E702	N/A	1:11
<b>AVERAGE TURNOUT TIME:</b>	<b>1:32</b>	<b>1:36</b>

Turn out times are figured from time of dispatch to the time the Apparatus checks En-Route, and the goal with this time is to have a turn out time of 1:30 over 90% of our calls.

## Incident Count Per Apparatus

APPARATUS	# of INCIDENTS
AIDAU	1
B701	2
C701	15
C702	10
E701	52
R755	4

This is showing how many runs were made by apparatus. AIDAU is number of runs made by an Automatic Aid Unit due to our unit being on another call.

## Fleet Report

Apparatus	Beginning Mileage	Ending Mileage	Mileage for the Month	Maintenance Expenditures
B701	57,344	57,510	166	\$ -
B702	3,862	3,880	18	\$ -
C701	21,214	22,068	854	\$ -
C702	98,804	99,684	880	\$ -
E701	12,770	13,706	936	\$ -
E702	27,883	28,117	234	\$ -
E703	14,280	14,281	1	\$ -
R755	18,624	18,834	210	\$ -
Totals for the Month			3,299	\$ -











Date 3/7/2019

**TO:** Honorable Mayor and City Council Members

**FROM:** Brad Piland Public Works Director

**TOPIC:** Public Works Monthly Report for February

- 
1. 8 work orders completed from gov-pilot
  2. Sewer Lift Station Repairs-
    - Highland Meadows lift station had no issues this month
    - Removed pump 1 from Cumberland removed debris and replaced.
    - Heritage Lift station had no issues this month

**Monthly Water and Sewer Services:**

- Read water meters, service disconnects and reconnects
- Water usage:
- Replaced meters: 104 Burtonwood, 605 Buckboard
- 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: 1941 Duncanville Rd, 114 Hummingbird Ln, 217 Willowcreek, Installed new valve at Oakwood-Willowcreek.
- New water tap at 107 Elmwood
- Unclog sewer at 122 Meadow Glen and 107 Oak forest

**Tree and grass maintenance:**

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

**Street and Misc.**

- Street repairs:
  - Repaired potholes: Westmoreland, Shiloh, Joe Wilson, Johnson Ln, Bryson, and Malloy.
- Daily inspections of 12-inch sewer line and the final walk-through.
- Updated marquee as needed
- Started prep work at 714 Hosford for fire training.

## APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

### Surfacing (§2.4)

- ☒ Adequate protective surfacing under and around the equipment.
  - ☐ Install/replace surfacing
- ☒ Surfacing materials have not deteriorated.
  - ☐ Replace surfacing
  - ☐ Other maintenance: \_\_\_\_\_
- ☐ Loose-fill surfacing materials have no foreign objects or debris.
  - ☒ Remove trash and debris
- ☐ Loose-fill surfacing materials are not compacted.
  - ☒ Rake and fluff surfacing
- ☐ Loose-fill surfacing materials have not been displaced under heavy use areas such as under swings or at slide exits.
  - ☒ Rake and fluff surfacing

### Drainage (§2.4)

- ☒ The entire play area has satisfactory drainage, especially in heavy use areas such as under swings and at slide exits.
  - ☐ Improve drainage
  - ☐ Other maintenance: \_\_\_\_\_

### General Hazards

- ☒ There are no sharp points, corners or edges on the equipment (§3.4).
- ☒ There are no missing or damaged protective caps or plugs (§3.4).
- ☒ There are no hazardous protrusions (§3.2 and Appendix B).
- ☒ There are no potential clothing entanglement hazards, such as open S-hooks or protruding bolts (§2.5.2, §3.2, §5.3.8.1 and Appendix B).
- ☒ There are no crush and shearing points on exposed moving parts (§3.1).
- ☒ There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

### Security of Hardware (§2.5)

- ☒ There are no loose fastening devices or worn connections.
  - ☐ Replace fasteners
  - ☐ Other maintenance: \_\_\_\_\_
- ☒ Moving parts, such as swing hangers, merry-go-round bearings, and track rides, are not worn.
  - ☐ Replace part
  - ☐ Other maintenance: \_\_\_\_\_

### Durability of Equipment (§2.5)

- ☒ There are no rust, rot, cracks, or splinters on any equipment (check carefully where it comes in contact with the ground).
- ☒ There are no broken or missing components on the equipment (e.g., handrails, guardrails, protective barriers, steps, or rungs).
- ☒ There are no damaged fences, benches, or signs on the playground.
- ☒ All equipment is securely anchored.

### Leaded Paint (§2.5.4)

- ☒ Paint (especially lead paint) is not peeling, cracking, chipping, or chalking.
- ☒ There are no areas of visible leaded paint chips or accumulation of lead dust.
  - ☐ Mitigate lead paint hazards

### General Upkeep of Playgrounds (§4)

- ☒ There are no user modifications to the equipment, such as strings and ropes tied to equipment, swings looped over top rails, etc.
  - ☐ Remove string or rope
  - ☐ Correct other modification
- ☐ The entire playground is free from debris or litter such as tree branches, soda cans, bottles, glass, etc.
  - ☒ Clean playground
- ☒ There are no missing trash receptacles.
  - ☐ Replace trash receptacle
- ☐ Trash receptacles are not full.
  - ☒ Empty trash

### NOTES:

DATE OF INSPECTION:

2-19-19

INSPECTION BY:

Daniel D

Cindy Jones Park, Feb 2019

## APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

### Surfacing (§2.4)

- ☒ Adequate protective surfacing under and around the equipment.
  - ☐ Install/replace surfacing
- ☒ Surfacing materials have not deteriorated.
  - ☐ Replace surfacing
  - ☐ Other maintenance: \_\_\_\_\_
- ☐ Loose-fill surfacing materials have no foreign objects or debris.
  - ☒ Remove trash and debris
- ☐ Loose-fill surfacing materials are not compacted.
  - ☒ Rake and fluff surfacing
- ☐ Loose-fill surfacing materials have not been displaced under heavy use areas such as under swings or at slide exits.
  - ☒ Rake and fluff surfacing

### Drainage (§2.4)

- ☒ The entire play area has satisfactory drainage, especially in heavy use areas such as under swings and at slide exits.
  - ☐ Improve drainage
  - ☐ Other maintenance: \_\_\_\_\_

### General Hazards

- ☒ There are no sharp points, corners or edges on the equipment (§3.4).
- ☒ There are no missing or damaged protective caps or plugs (§3.4).
- ☒ There are no hazardous protrusions (§3.2 and Appendix B).
- ☒ There are no potential clothing entanglement hazards, such as open S-hooks or protruding bolts (§2.5.2, §3.2, §5.3.8.1 and Appendix B).
- ☒ There are no crush and shearing points on exposed moving parts (§3.1).
- ☒ There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

### Security of Hardware (§2.5)

- ☒ There are no loose fastening devices or worn connections.
  - ☐ Replace fasteners
  - ☐ Other maintenance: \_\_\_\_\_
- ☒ Moving parts, such as swing hangers, merry-go-round bearings, and track rides, are not worn.
  - ☐ Replace part
  - ☐ Other maintenance: \_\_\_\_\_

### Durability of Equipment (§2.5)

- ☒ There are no rust, rot, cracks, or splinters on any equipment (check carefully where it comes in contact with the ground).
- ☒ There are no broken or missing components on the equipment (e.g., handrails, guardrails, protective barriers, steps, or rungs).
- ☒ There are no damaged fences, benches, or signs on the playground.
- ☒ All equipment is securely anchored.

### Leaded Paint (§2.5.4)

- ☒ Paint (especially lead paint) is not peeling, cracking, chipping, or chalking.
- ☒ There are no areas of visible leaded paint chips or accumulation of lead dust.
  - ☐ Mitigate lead paint hazards

### General Upkeep of Playgrounds (§4)

- ☒ There are no user modifications to the equipment, such as strings and ropes tied to equipment, swings looped over top rails, etc.
  - ☐ Remove string or rope
  - ☐ Correct other modification
- ☐ The entire playground is free from debris or litter such as tree branches, soda cans, bottles, glass, etc.
  - ☒ Clean playground
- ☒ There are no missing trash receptacles.
  - ☐ Replace trash receptacle
- ☐ Trash receptacles are not full.
  - ☒ Empty trash

### NOTES:

DATE OF INSPECTION:

2-19-19

INSPECTION BY:

Daniel. D



**APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS****Surfacing (§2.4)**

- ☒ Adequate protective surfacing under and around the equipment.
  - ☐ Install/replace surfacing
- ☒ Surfacing materials have not deteriorated.
  - ☐ Replace surfacing
  - ☐ Other maintenance: \_\_\_\_\_
- ☐ Loose-fill surfacing materials have no foreign objects or debris.
  - ☒ Remove trash and debris
- ☐ Loose-fill surfacing materials are not compacted.
  - ☒ Rake and fluff surfacing
- ☐ Loose-fill surfacing materials have not been displaced under heavy use areas such as under swings or at slide exits.
  - ☒ Rake and fluff surfacing

**Drainage (§2.4)**

- ☒ The entire play area has satisfactory drainage, especially in heavy use areas such as under swings and at slide exits.
  - ☐ Improve drainage
  - ☐ Other maintenance: \_\_\_\_\_

**General Hazards**

- ☒ There are no sharp points, corners or edges on the equipment (§3.4).
- ☒ There are no missing or damaged protective caps or plugs (§3.4).
- ☒ There are no hazardous protrusions (§3.2 and Appendix B).
- ☒ There are no potential clothing entanglement hazards, such as open S-hooks or protruding bolts (§2.5.2, §3.2, §5.3.8.1 and Appendix B).
- ☒ There are no crush and shearing points on exposed moving parts (§3.1).
- ☒ There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

**Security of Hardware (§2.5)**

- ☒ There are no loose fastening devices or worn connections.
  - ☐ Replace fasteners
  - ☐ Other maintenance: \_\_\_\_\_
- ☒ Moving parts, such as swing hangers, merry-go-round bearings, and track rides, are not worn.
  - ☐ Replace part
  - ☐ Other maintenance: \_\_\_\_\_

**Durability of Equipment (§2.5)**

- ☒ There are no rust, rot, cracks, or splinters on any equipment (check carefully where it comes in contact with the ground).
- ☒ There are no broken or missing components on the equipment (e.g., handrails, guardrails, protective barriers, steps, or rungs).
- ☒ There are no damaged fences, benches, or signs on the playground.
- ☒ All equipment is securely anchored.

**Leaded Paint (§2.5.4)**

- ☒ Paint (especially lead paint) is not peeling, cracking, chipping, or chalking.
- ☒ There are no areas of visible leaded paint chips or accumulation of lead dust.
  - ☐ Mitigate lead paint hazards

**General Upkeep of Playgrounds (§4)**

- ☒ There are no user modifications to the equipment, such as strings and ropes tied to equipment, swings looped over top rails, etc.
  - ☐ Remove string or rope
  - ☐ Correct other modification
- ☐ The entire playground is free from debris or litter such as tree branches, soda cans, bottles, glass, etc.
  - ☒ Clean playground
- ☒ There are no missing trash receptacles.
  - ☐ Replace trash receptacle
- ☐ Trash receptacles are not full.
  - ☒ Empty trash

**NOTES:**

DATE OF INSPECTION:

2-19-19

INSPECTION BY:

Daniel. D



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

---

**Reports** Financials ending 1/31/2019  
  
Over \$5,000  
  
Bank Balances as of: 3.6.19

**Mentions to reports:** Fourth month of new fiscal year.

Software developers are continuing to work on software.

Auditors will begin in-house review March 25, 2019

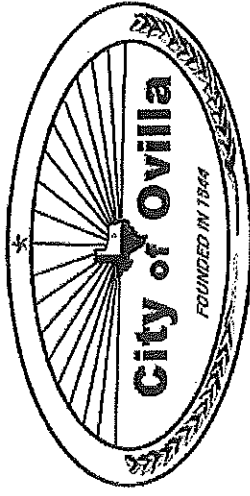
Equipment list that includes vehicles, machinery, computers, laptops have been received and reviewed by departments. The departments are responsible for the replacement request of all equipment.

**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.**

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.



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DATE: March 11, 2019

TO: Honorable Mayor and Council Members

FROM:  
Linda Harding, Accountant

SUBJECT: Financial Statements Through January 2019

City of Ovilla  
January 2019

<b>100 - General Fund</b>	Current Month Actual	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>					
Taxes	4,382.87	711,740.28	2,364,276.00	30.10%	1,652,535.72
Licenses-Permits-Fees	7,925.78	35,033.38	108,086.00	32.41%	73,052.62
Services	23,728.99	47,695.59	588,496.00	8.10%	540,800.41
Fines & Forfeitures	6,043.57	35,407.95	252,705.00	14.01%	217,297.05
Not Categorized	19,275.90	20,604.79	0.00	0.00%	(20,604.79)
Other Revenue	9,446.59	45,615.46	158,310.00	28.81%	112,694.54
Transfers	2,500.00	7,360.00	438,121.00	1.68%	430,761.00
Revenue Totals	<u>73,303.70</u>	<u>903,457.45</u>	<u>3,909,994.00</u>	<u>23.11%</u>	<u>3,006,536.55</u>
<b>Expense Summary</b>					
Employee Benefits	33,374.14	96,345.90	442,858.00	21.76%	346,512.10
Special Expenses	2,504.57	7,758.53	33,900.00	22.89%	26,141.47
Other Expense	(708.50)	14,843.12	68,527.00	21.66%	53,683.88
Personnel	178,249.03	551,091.48	1,526,078.00	36.11%	974,986.52
Special Services	735.00	12,295.57	75,937.00	16.19%	63,641.43
Contractual Services	14,407.23	68,719.74	329,998.00	20.82%	261,278.26
Operating Services	8,442.24	27,917.35	86,918.00	32.12%	59,000.65
Supplies	3,460.08	11,719.87	62,200.00	17.41%	50,480.13
Not Categorized	2,404.59	12,027.79	12,028.00	100.00%	0.21
Professional Development	1,877.63	9,695.40	29,310.00	33.08%	19,614.60
Software & Computer Equipment	3,085.62	39,103.30	57,000.00	68.60%	17,896.70
Printing Expense	1,355.57	6,707.36	20,634.00	32.51%	13,926.64
Utilities	26,198.51	123,528.66	341,768.00	36.14%	218,239.34
Repairs - Bldg & Machinery	8,737.17	50,286.40	150,050.00	33.51%	99,763.60
Insurance	9,916.75	19,583.50	39,591.00	49.46%	20,007.50
Minor Capital Outlay	6,732.56	16,380.17	59,197.00	27.67%	42,816.83
Capital Outlay	0.00	254,435.73	528,000.00	48.19%	273,564.27
Reserve	0.00	0.00	0.00	0.00%	0.00
Vehicle Expenses	3,850.05	15,381.33	43,000.00	35.77%	27,618.67
Rentals	222.44	1,112.20	3,000.00	37.07%	1,887.80
Expense Totals	<u>304,844.68</u>	<u>1,338,933.40</u>	<u>3,909,994.00</u>	<u>34.24%</u>	<u>2,571,060.60</u>



City of Ovilla  
January 2019

<b>110 - LEOSE</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Transfers	0.00	0.00	1,152.00	0.00%	1,152.00
Revenue Totals	0.00	0.00	1,152.00	0.00%	1,152.00
<b>Expense Summary</b>					
Professional Development	0.00	0.00	1,152.00	0.00%	1,152.00
Expense Totals	0.00	0.00	1,152.00	0.00%	1,152.00

City of Ovilla  
January 2019

<b>120 - Street Improvement Fund</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Taxes	20,951.80	20,951.80	52,739.00	39.73%	31,787.20
Other Revenue	0.00	0.00	100.00	0.00%	100.00
Transfers	0.00	0.00	187,000.00	0.00%	187,000.00
Revenue Totals	20,951.80	20,951.80	239,839.00	8.74%	218,887.20
<b>Expense Summary</b>					
Capital Outlay	0.00	170.00	187,000.00	0.09%	186,830.00
Reserve	0.00	0.00	52,839.00	0.00%	52,839.00
Expense Totals	0.00	170.00	239,839.00	0.07%	239,669.00

City of Ovilla  
January 2019

<b>130 - Court Technology</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Fines & Forfeitures	1,155.65	1,155.65	5,424.00	21.31%	4,268.35
Revenue Totals	1,155.65	1,155.65	5,424.00	21.31%	4,268.35
<b>Expense Summary</b>					
Software & Computer Equipment	0.00	0.00	3,780.00	0.00%	3,780.00
Reserve	0.00	0.00	1,644.00	0.00%	1,644.00
Expense Totals	0.00	0.00	5,424.00	0.00%	5,424.00

City of Ovilla  
January 2019

<b>140 - Court Security</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Fines & Forfeitures	866.75	866.75	4,068.00	21.31%	3,201.25
Revenue Totals	866.75	866.75	4,068.00	21.31%	3,201.25
<b>Expense Summary</b>					
Other Expense	3,650.21	3,650.21	964.00	378.65%	(2,686.21)
Reserve	0.00	0.00	3,104.00	0.00%	3,104.00
Expense Totals	3,650.21	3,650.21	4,068.00	89.73%	417.79



City of Ovilla  
January 2019

<b>150 - Equipment Replacement Fund</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Transfers	0.00	0.00	70,913.00	0.00%	70,913.00
Revenue Totals	0.00	0.00	70,913.00	0.00%	70,913.00
<b>Expense Summary</b>					
Reserve	0.00	0.00	15,913.00	0.00%	15,913.00
Minor Capital Outlay	0.00	0.00	55,000.00	0.00%	55,000.00
Expense Totals	0.00	0.00	70,913.00	0.00%	70,913.00

City of Ovilla  
January 2019

<b>200 - Water And Utilities Fund</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Services	107,672.20	470,170.36	1,251,519.00	37.57%	781,348.64
Other Revenue	0.00	0.00	67,132.00	0.00%	67,132.00
Not Categorized	0.00	0.00	755,522.00	0.00%	755,522.00
Transfers	0.00	2,500.00	37,500.00	6.67%	35,000.00
Revenue Totals	<u>107,672.20</u>	<u>472,670.36</u>	<u>2,111,673.00</u>	<u>22.38%</u>	<u>1,639,002.64</u>
<b>Expense Summary</b>					
Reserve	0.00	0.00	714,201.00	0.00%	714,201.00
Personnel	33,368.21	85,587.05	344,133.00	24.87%	258,545.95
Employee Benefits	8,662.84	20,004.40	85,249.00	23.47%	65,244.60
Special Services	0.00	0.00	9,050.00	0.00%	9,050.00
Contractual Services	0.00	2,075.95	19,550.00	10.62%	17,474.05
Supplies	748.03	3,835.55	4,800.00	79.91%	964.45
Professional Development	0.00	0.00	2,200.00	0.00%	2,200.00
Software & Computer Equipment	385.00	7,155.00	22,296.00	32.09%	15,141.00
Printing Expense	58.00	58.00	5,750.00	1.01%	5,692.00
Utilities	50,824.38	161,850.08	686,028.00	23.27%	524,177.92
Repairs - Bldg & Machinery	14,813.70	46,748.08	46,800.00	100.67%	51.92
Other Expense	500.00	2,303.55	6,925.00	33.26%	4,621.45
Capital Outlay	1,134.99	2,574.80	123,092.00	2.09%	120,517.20
Rentals	0.00	0.00	250.00	0.00%	250.00
Operating Services	95.28	3,598.02	16,218.00	22.19%	12,619.98
Vehicle Expenses	354.81	2,740.74	9,200.00	29.79%	6,459.26
Insurance	1,705.75	3,411.50	7,931.00	43.01%	4,519.50
Minor Capital Outlay	0.00	554.39	8,000.00	6.93%	7,445.61
Expense Totals	<u>112,650.99</u>	<u>342,497.11</u>	<u>2,111,673.00</u>	<u>16.22%</u>	<u>1,769,175.89</u>

City of Ovilla  
January 2019

<b>250 - WWW Infrastructure Improvements</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Services	21,450.71	21,450.71	68,724.00	31.21%	47,273.29
Revenue Totals	21,450.71	21,450.71	68,724.00	31.21%	47,273.29
<b>Expense Summary</b>					
Reserve	0.00	0.00	68,724.00	0.00%	68,724.00
Expense Totals	0.00	0.00	68,724.00	0.00%	68,724.00

City of Ovilla  
January 2019

<b>300 - Capital Projects Fund</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Other Revenue	0.00	0.00	270.00	0.00%	270.00
Revenue Totals	0.00	0.00	270.00	0.00%	270.00
<b>Expense Summary</b>					
Reserve	0.00	0.00	270.00	0.00%	270.00
Capital Outlay	1,220.00	1,220.00	0.00	0.00%	(1,220.00)
Expense Totals	1,220.00	1,220.00	270.00	451.85%	(950.00)

City of Ovilla  
January 2019

<b>400 - Debt Service Fund</b>	Current Month Actual	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>					
Taxes	1,941.92	149,390.90	463,910.00	32.20%	314,519.10
Other Revenue	0.00	0.00	550.00	0.00%	550.00
Transfers	0.00	0.00	110,490.00	0.00%	110,490.00
Revenue Totals	<u>1,941.92</u>	<u>149,390.90</u>	<u>574,950.00</u>	<u>25.98%</u>	<u>425,559.10</u>
<b>Expense Summary</b>					
Long Term Debt	<u>87,225.00</u>	<u>87,225.00</u>	<u>574,950.00</u>	<u>15.17%</u>	<u>487,725.00</u>
Expense Totals	<u>87,225.00</u>	<u>87,225.00</u>	<u>574,950.00</u>	<u>15.17%</u>	<u>487,725.00</u>



City of Ovilla  
January 2019

<b>500 - Municipal Development District Fund</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Taxes	5,320.64	20,470.15	50,500.00	40.53%	30,029.85
Other Revenue	0.00	0.00	600.00	0.00%	600.00
Revenue Totals	5,320.64	20,470.15	51,100.00	40.06%	30,629.85
<b>Expense Summary</b>					
Special Services	0.00	0.00	1,600.00	0.00%	1,600.00
Supplies	0.00	0.00	100.00	0.00%	100.00
Insurance	0.00	0.00	272.00	0.00%	272.00
Reserve	0.00	0.00	49,128.00	0.00%	49,128.00
Expense Totals	0.00	0.00	51,100.00	0.00%	50,600.00

City of Ovilla  
January 2019

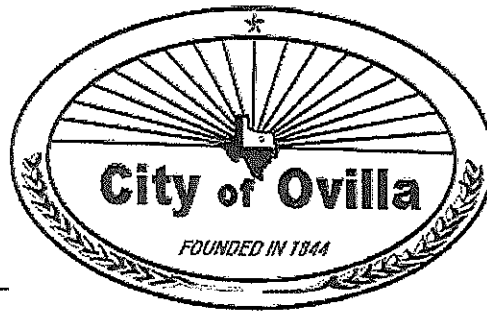
<b>600 - 4B Economic Development Fund</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Taxes	10,089.71	41,903.59	106,000.00	39.53%	64,096.41
Other Revenue	0.00	0.00	2,100.00	0.00%	2,100.00
Transfers	0.00	0.00	94,324.00	0.00%	94,324.00
Revenue Totals	<u>10,089.71</u>	<u>41,903.59</u>	<u>202,424.00</u>	<u>20.70%</u>	<u>160,520.41</u>
<b>Expense Summary</b>					
Other Expense	0.00	0.00	25,100.00	0.00%	25,100.00
Reserve	0.00	12,000.00	161,732.00	15.15%	149,732.00
Special Services	0.00	0.00	12,220.00	0.00%	11,120.00
Supplies	0.00	0.00	100.00	0.00%	100.00
Professional Development	0.00	533.00	2,800.00	19.04%	2,267.00
Printing Expense	0.00	0.00	300.00	0.00%	300.00
Insurance	0.00	0.00	272.00	0.00%	272.00
Expense Totals	<u>0.00</u>	<u>12,533.00</u>	<u>202,424.00</u>	<u>11.57%</u>	<u>189,891.00</u>

City of Ovilla  
January 2019

<b>700 - Park Impact Fund</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Services	669.04	2,676.16	8,613.00	31.07%	5,936.84
Other Revenue	0.00	0.00	180.00	0.00%	180.00
Revenue Totals	669.04	2,676.16	8,793.00	30.44%	6,116.84
<b>Expense Summary</b>					
Reserve	0.00	0.00	6,618.00	0.00%	6,618.00
Minor Capital Outlay	0.00	0.00	500.00	0.00%	500.00
Capital Outlay	0.00	0.00	1,675.00	0.00%	1,675.00
Expense Totals	0.00	0.00	8,793.00	0.00%	8,793.00

City of Ovilla  
January 2019

<b>800 - Water And Utilities Impact Fee Fund</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Services	4,380.44	17,521.76	54,756.00	32.00%	37,234.24
Revenue Totals	4,380.44	17,521.76	54,756.00	32.00%	37,234.24
<b>Expense Summary</b>					
Reserve	0.00	0.00	54,756.00	0.00%	54,756.00
Expense Totals	0.00	0.00	54,756.00	0.00%	54,756.00



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DATE: March 11, 2019

TO: Honorable Mayor and Council Members

FROM:  
Linda Harding, Accountant

SUBJECT: Transactions Over \$5,000 For January 2019



## City of Ovilla

Check Date	Check #	Vendor	Invoice Description	Payment Amount
1/4/2019	048590	Peterson Pump and Motor	TML CLAIM - HIGHLAND ME.	13,150.00
1/11/2019	048606	TML Intergovernmental Ri	5016 STATEMENT	26,831.50
1/11/2019	048614	Fire Hydrant Servicing	paint fire hydrant	5,640.00
1/11/2019	048622	Bureau Veritas North Ame	Contract Building Inspector	700.00
1/11/2019	048622	Bureau Veritas North Ame	SPRINKLER ALARM 2ND INS	700.00
1/11/2019	048622	Bureau Veritas North Ame 6251	7030 PLUM CT	1,218.13
1/11/2019	048622	Bureau Veritas North Ame 6263	7041 CHERRY CT	1,421.41
1/11/2019	048622	Bureau Veritas North Ame 6262	6950 CEDAR CT	1,039.49
1/11/2019	048622	Bureau Veritas North Ame 6255	112 BENT TREE	76.92
1/11/2019	048622	Bureau Veritas North Ame 6274	6960 CEDAR CT	1,110.33
1/11/2019	048622	Bureau Veritas North Ame 6290	1210 RED OAK DR	76.92
1/11/2019	048622	Bureau Veritas North Ame 6311	113 ASHBURN	76.92
				6,420.12
1/11/2019	048623	City of Midlothian	1ST QTR EMS	15,889.75
1/11/2019	048624	Community Waste Dispos	TRASH SERVICE	21,796.72
1/11/2019	048635	State Comptroller	STATE CRIMINAL COST AND	16,907.68
1/11/2019	048643	Internal Revenue Service	Biweekly Payroll 1/11/2019	10,235.32
1/15/2019	048644	T. M. R. S.	Unscheduled 12/14/2018	1,041.47
1/15/2019	048644	T. M. R. S.	Biweekly Payroll 12/14/2018	8,906.63
1/15/2019	048644	T. M. R. S.	Biweekly Payroll 12/28/2018	8,661.86
				18,609.96
1/18/2019	048645	Citibank	STATEMENT	150.00
1/18/2019	048645	Citibank	STATEMENT	6,320.89
				6,470.89
1/17/2019	048649	City of Dallas	WATER	20,271.77
1/17/2019	048661	U.S. Bank	INTEREST 149177000	87,225.00
1/25/2019	048677	Trinity River Authority of T	FEBRUARY	27,877.00
			Total	317,804.65

Name	Account #	Previous Balance	NEW BALANCE	As Of
<u>Debt Fund</u>	*0291	46,875.00	46,931.43	3/6/2019
<u>General Fund Reserve</u>	608	56,840.57	56,840.57	3/6/2019
<u>GF Reserve CD</u>	*0694	250,103.11	250,670.47	3/6/2019
<u>Water Impact</u>	*2322	482.60	482.60	3/6/2019
<u>4B EDC</u>	*3691	363,319.31	636,514.56	3/6/2019
<u>Fire Dept. Auxil.</u>	*3909	3,590.00	3,590.00	3/6/2019
<u>Water Money Market</u>	*4323	190,790.93	190,937.29	3/6/2019
<u>MDD Fund</u>	*7451	297,644.58	304,913.05	3/6/2019
<u>Water Credit Card</u>	*7531	140.35	140.35	3/6/2019
<u>GF Reserves Money Mkt.</u>	*7583	129,224.21	129,323.34	3/6/2019
<u>GF Money Market</u>	*7605	232,392.76	232,571.03	3/6/2019
<u>Park Fund Money Mkt.</u>	*7613	81,577.18	81,633.50	3/6/2019
<u>Capital Projects Money Mkt.</u>	*7648	131,691.02	131,792.04	3/6/2019
<u>W&amp;S Impact-Sewer</u>	*8699	117,554.03	117,554.03	3/6/2019
<u>employee benefit trust</u>	*8777	677.24	310.47	3/6/2019
<u>GF Operating</u>	*9437	2,207,991.53	2,246,359.85	3/6/2019
<u>W&amp;S Fund Operating</u>	*9445	1,037,810.58	1,038,129.03	3/6/2019
<u>Police Special Fund</u>	*9792	495.47	215.51	3/6/2019
<b>SUB TOTAL</b>		<b>5,149,200.47</b>	<b>5,468,909.12</b>	
TexPool - CAPITAL PROJECT	1878	314.44	314.44	3/6/2019
TexStar - GENERAL FUND	1110	3,844.74	3,844.74	3/6/2019
TexStar - GENERAL FUND	1120	958.46	958.46	3/6/2019
TexStar - W&S IMPACT	3540	3,253.22	3,253.22	3/6/2019
TexStar - CAPITAL PROJECT	5340	1,439.85	1,439.85	3/6/2019
TexStar - W&S FUND	5350	1,180.38	1,180.38	3/6/2019
Bryson Manor - GENERAL FUND	8662	299,619.34	299,711.28	3/6/2019
Leose	2510	1.79	1.79	3/6/2019
<b>TOTAL BANK BALANCES</b>		<b>5,459,812.69</b>	<b>5,779,613.28</b>	

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**

	Feb. 2019	Feb 2019 YTD	Feb.2018	
Calls For Service				
Complaint (Nuis 22,Permit 4,Parking 5)	31	80	31	
Follow up (Nuis 22 Permit 4 Park 5)	31	86	38	
Door Notice (Nui -11, Permit-1, Parking 3)	14	44	24	
Mail Notice ( Parking 4 nuisance3 permit 1	9	9	10	
Posted Property (nuisance 3 )	3	3	2	
Court 5 FTA. 3 parking 1 nuisance 1 JV	\$0	\$740	\$325.00	
Citizen Contacts	58	102	58	
Permits Reviewed	15	32	15	
Permits Issued	193	25	10	
Inspections	22	41	23	
Nuisance Abated by City 2 Illegal dump	2	5	0	
Nuisance Signs (Garage sale-10 business 35)	45	89	33	
Board of Adjustment	0	1	1	

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**

	Feb.2019	Feb.2019 YTD	Feb.2018	
Calls For Service				
Complaint (Regist-18 At Large 13 Bark 1)	32	78	25	
Folow up	26	78	38	
Door Notice (Regis-18, Bark 1 at large 1 )	20	49	18	
Impounded Animal (Dog 5, )	5	11	6	
Animal welfare check	23	34	6	
Impound Results (Ret to own 2 Trans 3)	5	11	6	
Impound fee collected	\$70.00	\$310.00	155	
Court	\$0.00	\$0.00	350	
Citizen Contacts	27	63	38	
Animal registration \$156	5	18	16	
Registration Letter Mailed	21	44	22	
Nuisance letter -2 barking 3 at large	3	3	1	
Animals released 5 Raccoon, 2 Possum	2	9	2	
Deceased removed	11	29	23	
Oak Leaf - 4 call (2 dog 2 Raccoon)	2	6	2	
Traps Checked Out	4	7	7	

## Ovilla Municipal Court Report

<b>FY-2018-2019</b>	<b>Total Traffic Cases Filed</b>	<b>City Ordinance Filed</b>	<b>Total Revenue</b>	<b>Amount Kept by City</b>	<b>Amount sent to State</b>	<b>Warrants Issued</b>	<b>Warrants Cleared</b>	<b>Uncontested Disposition</b>	<b>Defensive Driving</b>	<b>Deferred Disposition</b>	<b>Compliance Dismissals</b>	<b>Trial</b>
<b>October</b>	72	3	\$17,292.87	\$11,166.04	\$6,126.83	27	14	29	25	36	3	0
<b>November</b>	103	0	\$13,685.20	\$8,633.25	\$5,051.95	29	4	27	14	43	1	0
<b>December</b>	88	6	\$17,303.50	\$10,482.81	\$6,820.69	18	10	37	24	11	4	0
<b>January</b>	84	0	\$13,301.60	\$8,003.11	\$5,298.49	22	16	23	25	36	4	0
<b>February</b>	66	0	\$17,423.00	\$10,777.36	\$6,645.64	18	15	34	13	31	1	0
<b>March</b>												
<b>April</b>												
<b>May</b>												
<b>June</b>												
<b>July</b>												
<b>August</b>												
<b>September</b>												
<b>Totals</b>	<b>413</b>	<b>9</b>	<b>\$79,006.17</b>	<b>\$49,062.57</b>	<b>\$29,943.60</b>	<b>114</b>	<b>59</b>	<b>150</b>	<b>101</b>	<b>157</b>	<b>13</b>	<b>0</b>

2017-2018 FY

<b>February</b>	106	1	\$28,555.12	\$16,945.95	\$11,609.17	15
<b>FY Totals</b>	<b>537</b>	<b>7</b>	<b>\$100,232.36</b>	<b>\$59,218.98</b>	<b>\$41,013.38</b>	<b>112</b>





To: Mayor and City Council Members  
From: John R. Dean, City Manager  
Date: 03/1/2019

Re: City Manager's Monthly Report (February)

Hidden Valley Estates:

- Work the line was completed and inspected the last week of February. The city contracted Raven coating will be installed when the weather warms.

New Development:

- Bryson Manor Phase III plans are in the works.

Street Information:

- Public Works crew addressed potholes and bad spots this month.

Fire Department:

- Landscaping along Cockrell Hill was improved.
- The SAFER grant window did open and will be on the March agenda for Council consideration.

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 the month due to weather again.

Bridges: Work Order with Eikon to proceed with the project for engineering services through completion of the project was approved. The scheduled survey work but because of the rain has been rescheduled.

Facility Workshop Preparation: We continue to gather information in preparation for the workshop on the 25<sup>th</sup> of March.

- 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 held a public hearing on the project. The EDC committed to fund up to \$150,000 for the project. There will need to be two readings of a resolution and approval by the City Council before the project can move forward.

Pavilion: Parks Board presented a design that was approved by Council. The rendering has been submitted to the City engineer. No change from last month.

FY 2019 Street Improvements:

- Westlawn Drive
  - Holly Lane
  - Slippery Elm Drive
  - Green Wood Drive
  - Willow Wood Lane
  - Dusty Oaks Trail
- The estimate from the County for these improvements was approved by Council in February.

Administrative:

- Admin Assistant position with the PD was filled on February 11<sup>th</sup>.
- Continued with the implementation of FAST software.
- Attended Grant Workshop at NCTCOG
- Met with a grant writing company. They said we really have no projects for this round of trails or Safe Routes to Schools (SRTS) grants. They were optimistic about future opportunities though.
- Addressed issues with brush collection with the service provider.
- Met with Sardis and discussed billing issues. We have mutually agreed to work out a new agreement that allows us to do our own billing for our residents on Sardis water. Sardis has agreed to do the disconnects and reconnects for customers delinquent to us.
- Worked with a company to provide our credit card processing at a reduced fee.
- Tentatively scheduled for someone to provide customer service training to the staff in April.
- Attended SB2 and HB2 hearings regarding the property tax legislation.

Upcoming Items

- 664 Westmoreland to 287 TxDOT Public Meeting at Waxahachie Civic Center – Tuesday March 5<sup>th</sup>, 2019 at 6:00 pm
- City Council Meeting – Monday, March 11<sup>th</sup>, 2019 at 6:00 pm
- Council Workshop on facility needs - March 25<sup>th</sup>, 2019 at 5:30 pm
- I will be out of the office March 27 - 29 for an ICMA conference.

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