

City of *OVILLA* City Council

Rachel Huber, Place One
Dean Oberg, Place Two

Richard Dormier, Mayor
David Griffin, Place Three, Mayor Pro Tem

Doug Hunt, Place Four
Michael Myers, Place Five

Monday, April 13, 2020

105 S. Cockrell Hill Road, Ovilla, TX 75154
6:30 P.M.

Council Chamber Room

AGENDA

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on Monday, April 13, 2020 at 6:30 P.M. via teleconference, for the purpose of considering the following items:

SUPPLEMENTAL NOTICE OF MEETING BY TELEPHONE CONFERENCE:

In accordance with order of the Office of the Governor issued March 16, 2020, the City Council of the CITY OF OVILLA will conduct the meeting scheduled at 6:30 PM, Monday, April 13, 2020 by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19). [There will be no public access to the location described above.]

This supplemental written notice, the meeting agenda, and the agenda packet, are posted online at www.cityofovilla.org

The public toll-free dial-in number to participate in the telephonic meeting is: **1 (571) 317-3122**
Code: **596-044-821**

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting.

A recording of the telephonic meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

I. CALL TO ORDER

- Invocation
- US. Pledge of Allegiance and TX Pledge

II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS

- Place 1 Huber to announce funds received and to be presented to the Fire Department resulting from the Annual Ovilla Service League Spaghetti Dinner held in February 2020.

- **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.

1. Resolution R2020-07 authorizing denial to amend ONCOR's distribution cost recovery factor to increase distribution rates within the city and authorizing the hiring of legal counsel and consulting services.

City of *OVILLA* City Council

Rachel Huber, Place One
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2. Minutes of the Special Emergency Council meeting held on March 20, 2020
 3. Minutes of the Regular Council meeting held on March 09, 2020.
 4. Minutes of the Special Council meeting held on February 24, 2020.
 5. Minutes of the Regular Council meeting held on February 10, 2020.
 6. Minutes of the Special Council meeting held on February 05, 2020.

IV. REGULAR AGENDA

- ITEM 1. DISCUSSION/ACTION – Consideration of and action on a Developer's Participation Agreement by and between the City of Ovilla, Texas and WP Legacy, LTD. (Broadmoor Estates)
- ITEM 2. DISCUSSION/ACTION – Receive recommendation report from the Planning and Zoning commission to consider and act on a final plat application submitted by Clyde Hargrove for Broadmoor Estates Subdivision, Ovilla, Ellis County, Texas.
- ITEM 3. DISCUSSION/ACTION – Receive recommendation from the Council Finance Committee to consider and act on Resolution R2020-08 awarding Prosperity Bank as the City's bank depository service.
- ITEM 4. DISCUSSION/ACTION – Consideration of and action Ordinance 2020-06 of the City of Ovilla, Texas, amending section 4.00 City Depository of Chapter 1 General Provisions, Ovilla City Code.
- ITEM 5. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

V. STAFF REPORTS

- Department Activity Reports / Discussion
 - Police Department Chief B. Windham
 - Fire Department Chief B. Kennedy
 - Public Works
 - 1. Water/wastewater Water Superintendent D. Durham
 - a) Update Council on Main Street Sanitary Sewer Project
 - 2. Streets/Drainage/Parks Street Superintendent Johnny Cruz
 - Administration
 - 1. Financials verbal update Finance Director Sharon Jungman
 - 2. Monthly Code/Animal Control Reports Code/AC Officer M. Dooly
 - 3. Monthly Municipal Court Report City Secretary G. Miller
 - 4. Misc. updates City Manager, Pam Woodall

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

City of *OVILLA* City Council

Rachel Huber, Place One
Dean Oberg, Place Two

Richard Dormier, Mayor
David Griffin, Place Three, Mayor Pro Tem

Doug Hunt, Place Four
Michael Myers, Place Five

VIII. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the April 13, 2020 Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofovilla.org, on the 10 day of April 2020 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.


G Miller, City Secretary

DATE OF POSTING:
DATE TAKEN DOWN:

4-10-2020 TIME: 2:00 am/pm
TIME: am/pm



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

Pursuant to section 30.06, penal code (trespass by holder of license to carry a concealed handgun), a person licensed under subchapter h, chapter 411, government code (concealed handgun law), may not enter this property with a concealed handgun.

De conformidad con lo establecido en el artículo 30.06 del Código Penal (entrar sin autorización en una propiedad por parte de un titular de un permiso para portar armas ocultas) una persona con licencia bajo el subcapítulo h, capítulo 411 del código de gobierno (ley de portación oculta de armas), no puede entrar en esta propiedad portando una arma oculta.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may NOT enter this property with a handgun that is carried openly.

Conforme a la seccion 30.07, del código Penal (entrada sin autorización por titular de licencia con una pistola visible) una persona con licencia bajo el subcapítulo h, capítulo 411 del código de gobierno (ley de licencias de pistolas), no puede entrar en sta propiedad con una postola visible.

RESOLUTION NO. R2020-07

A RESOLUTION OF THE CITY OF OVILLA, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH ONCOR CITIES STEERING COMMITTEE; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of OVILLA, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the Oncor Cities Steering Committee ("OCSC") is a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area in matters before the Public Utility Commission ("Commission") and the courts; and

WHEREAS, on or about April 3, 2020, Oncor filed with the Commission an Application to Amend its Distribution Cost Recovery Factor ("DCRF"), Commission Docket No. 50734, seeking to increase distribution rates by \$75.9 million annually (an approximately \$0.88 increase to the average residential customer's bill); and

WHEREAS, the City of OVILLA will cooperate with OCSC in coordinating their review of Oncor's DCRF filing with designated attorneys and consultants, prepare a common response, negotiate with the Company, and direct any necessary litigation, to resolve issues in the Company's filing; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, working with the OCSC to review the rates charged by Oncor allows members to accomplish more collectively than each city could do acting alone; and

WHEREAS, OCSC's members and attorneys recommend that members deny Oncor's DCRF.

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

SECTION 1. That the City is authorized to participate with OCSC in Commission Docket No. 50734.

SECTION 2. That, subject to the right to terminate employment at any time, the City of OVILLA hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal Oncor's DCRF application.

RESOLUTION NO. R2020-07

SECTION 3. That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

SECTION 4. That the Company shall continue to charge its existing rates to customers within the City.

SECTION 5. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of the adoption of this Resolution.

SECTION 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 7. That a copy of this Resolution shall be sent to Tab Urbantke, Attorney for Oncor, at Hunton Andrews Kurth LLP, 1445 Ross Avenue, Suite 3700, Dallas, Texas 75202, and to Thomas Brocato, General Counsel to OCSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, TX 78767-1725, or tbrocato@lglawfirm.com.

PASSED AND APPROVED this 14 day of April, 2020.

Mayor Richard Dormier

ATTEST:

City Secretary Glennell Miller

APPROVED AS TO FORM:

City Attorney Ron G. MacFarlane, Jr.

CITY OF OVILLA MINUTES

Monday, March 20, 2020

**Special EMERGENCY City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154**

In accordance with order of the Office of the Governor issued March 16, 2020, the CITY COUNCIL of the CITY OF OVILLA conducted a meeting at 3:30 PM, Friday, March 20, 2020 by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19). [There was no public access to the location described above.]

The public was permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting.

Mayor Dormier called the Special Emergency Council Meeting of the Ovilla City Council to order at 3:35 pm, with notice of the meeting duly posted.

The following City Council Members were on teleconference call:

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 the participating Council Members, thus constituting a quorum. City Secretary, department directors and various staff were also on the teleconference call.

CALL TO ORDER

Mayor Dormier gave the invocation and led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

PRESENTATIONS, ANNOUNCEMENTS & COMMENTS

There were no presentations.

Citizen Comments:

Josh Lewis – 144 Water Street – Could the city put a senior helpline/online information in place for elderly help

CONSENT AGENDA

None

REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Consideration approving a Resolution and Order, extending a Mayoral Declaration of a State of Emergency dated March 13, 2020 as a result of the COVID-19 pandemic, and delegating the Mayor with full power and authority of the City Council to review, ratify, and adopt any subsequent Dallas County and/or Ellis County emergency orders relating to the COVID-19 pandemic, and to execute any resolution or other document to ratify and adopt any such order.

PL5 Myers moved to approve the Resolution R2020.06 Declaration of Local Disaster and Resolution, assigning the Mayor full power and authority of the City Council to review, ratify, and adopt any subsequent Dallas County/Ellis County emergency orders relating to the COVID-19 pandemic, and to execute to ratify and adopt any such order, as presented, seconded by PL2 Oberg.

No oppositions, no abstentions.

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

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

ITEM 2. DISCUSSION/ACTION – Consideration of and action on a waiving credit card processing fees to citizens for payments made online during the Local State of Emergency due to COVID-19.

Staff explained that there is a service charge to process credit card payments of approximately \$3.00. To practice Social Distancing put in place by state and local governments, discussion of the fee being waived so that citizens may pay online payments at no charge to them instead of paying in person at City Hall. Mayor Dormier reiterated that the fee would be a reimbursement to their account.

PL4 Hunt moved to approve the waiving of credit card processing fees as presented, seconded by PL2 Oberg.

No oppositions, no abstentions.

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

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

ITEM 3. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

None

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

ADJOURNMENT

PL4 Hunt moved to adjourn the meeting of February 24, 2020 seconded by PL2 Oberg. There being no further business, Mayor Dormier adjourned the meeting at 4:29 p.m.

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

Richard Dormier, Mayor

ATTEST:

Glennell Miller, City Secretary

Approved April 13, 2020

CITY OF OVILLA MINUTES
Monday, March 09, 2020
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 the presence of Council Members, thus constituting a quorum. City Secretary, department directors and various staff were also present.

CALL TO ORDER

Mayor Pro Tem Griffin gave the invocation and, PL1 Huber led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

PRESENTATIONS, ANNOUNCEMENTS & COMMENTS

There were no presentations.

Citizen Comments:

1. Mr. Brad Norman – 1551 White Rock Dr. Midlothian, TX 76065
Ellis County Sheriff Candidate introduced himself, and letting council and citizens know in May 26, 2020 there will be a Run-Off Election
2. Ms. Jimmie Wade, 606 Creekview Circle, voiced multiple concerns:
 - a. Roads – need shoulders
 - b. Parks – subdivisions need to take over own parks
 - c. Sell City property “White house”
 - d. Clean up all junk areas, trash on 664
 - e. Plan ahead for City
 - f. Public Works – move department to Duncanville Road

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.

1. Resolution R2020-05 authorizing continued participation with the Steering Committee of Cities served by ONCOR; and authorizing the payment of seven cents per capita to the Steering Committee to fund regulatory and related activities related to ONCOR Electric Delivery Company, LLC.
2. Contract extension with Eddie Peacock PLLC for accounting services.

PL4 Hunt moved to approve the consent items as presented. PL5 Myers seconded the motion.
No oppositions, no abstentions.

REGULAR AGENDA

- ITEM 1. DISCUSSION/ACTION** – Consideration of and action on an agreement to match funds if awarded by the AFG Grant, for Personal Protective Equipment (PPE) in the amount of \$4,357, authorizing Chief Kennedy to execute grant documents.

Fire Chief Kennedy explained that the documents are to be submitted on March 13, 2020. The rental program for PPE is currently active through May 2020.

PL2 Oberg moved to approve Chief Kennedy to execute grant documents with the Service Agreement to match funds if awarded by the AFG Grant for Personal Protective Equipment in the amount of \$4,357 as presented, seconded by PL1 Huber.

No oppositions, no abstentions.

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

- ITEM 2. DISCUSSION/ACTION** – Consideration of and action on a contract agreement with Target Solutions LLC., a web-based equipment check software that integrates with current incident reporting software Emergency Reporting, authorizing Chief Kennedy to execute, effective immediately.

Chief Kennedy explained that this company would be an update to the current software and it would allow the Department to move away from paper in the tracking of records. There is barcode capability which also helps with cutting the amount of time on preparing reports. He stated that the City of Red Oak has made the transition to this software and is very satisfied with it.

PL5 Myers moved to approve allowing Chief Kennedy to execute the Service Agreement with Target Solutions, LLC. to integrate with current incident reporting software as presented. Seconded by PL2 Oberg.

No oppositions, no abstentions.

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

- ITEM 3. DISCUSSION/ACTION** – Receive recommendation report from the Planning and Zoning Commission to consider and act on a preliminary plat application submitted by Clyde Hargrove for Broadmoor Estates Subdivision, Ovilla, Ellis County, Texas.

Tony Shaw – Builder/Developer explained will keep entry appearance as presented and add adjustment to the Developer Agreement.

PL4 Hunt moved to approve the Preliminary Plat for Broadmoor Estates Subdivision with either wood or masonry or iron screening wall, seconded by PL1 Huber.

One opposition, no abstentions.

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

- ITEM 4. DISCUSSION/ACTION** – Consideration of and Action on a request filed by Mr. Ed Harrison for a Meritorious Exception to place a pole sign on 664 and 100 Ovilla Creek Court, authorizing the City Manager to execute said permit.

Code Enforcement Mike Dooly explained that the sign in question went up without a permit.

The construction of the sign does not meet the requirements for the city however, there was discussion on other subdivisions under construction as well as in the past have used the same type of sign. There are 3 lots left to be purchased and built on in this area.

PL4 Hunt moved to approve the Meritorious Exception filed by Ed Harrison to place a pole sign on 664 and 100 Ovilla Creek Court, authorizing the City Manager to execute said permit for a period of 1 (one) year with a double permit fee, seconded by PL5 Myers.

One opposition, no abstentions.

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

ITEM 5. DISCUSSION/ACTION – Consideration of and Action on Ordinance 2020-05 of the City Council of the City of Ovilla, Texas, declaring unopposed candidates in the May 02, 2020 General City Election elected to office: canceling the election; providing a savings clause; providing a severability clause; and providing an effective date.

DISCUSIÓN/ACCIÓN – Consideración de una Acción a partir de la Ordenanza 2020-05 una ordenanza de la ciudad de ovilla, texas, declarando a los candidatos sin oposición en la elección general de la ciudad del 02 de mayo de 2020 elegidos para el cargo; cancelando la elección; proporcionando una cláusula de salvaguardia; proporcionando una cláusula de separabilidad; y proporcionando una fecha efectiva.

It was explained that Texas Election Law allows for cancelations of Elections if there is no one running in opposition of incumbents.

PL5 Myers moved to approve the Ordinance 2020-05 of the City of Ovilla, Texas, declaring unopposed candidates in the May 02, 2020 General City Election as presented, seconded by PL2 Oberg.

No opposition, no abstentions.

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

TEM 6. DISCUSSION/ACTION – Consider a proposal to allow a Boy Scout Eagle Project to be constructed in Heritage Park or some other City facility.

A representative of Troop 520 Tyler Homuth gave a presentation for several different ideas on a Flagpole project to be placed in tribute to 1st Responders. At this time citizen Jimmie Wade offered to fund the option of 3 poles – one for each flag – to be placed for the project. She added that the lighting for the flags needed to be a fundraiser project and taken care of by the City of Ovilla. The placement of the poles was not established and will be revisited by Council at a later date.

PL5 Myers moved to approve the concept of the proposal as presented and will bring back at a later date for location within the next 90 days, seconded by PL2 Oberg.

No opposition, no abstentions.

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

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

None

IV. STAFF REPORTS

- **Department Activity Reports / Discussion**

- Police Department

Chief B. Windham

- Fire Department

Chief B. Kennedy

- Public Works

Water Superintendent D. Durham

- 1. Water/wastewater

Street Superintendent Johnny Cruz

- 2. Streets/Drainage/Parks

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

3

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

- Administration
 1. Monthly Code/Animal Control Reports Code/AC Officer M. Dooly
 2. Monthly Municipal Court Report City Secretary G. Miller

**PL4 Doug Hunt wanted to make comment to Chief Kennedy regarding the management of the Fire Department. He expressed how impressive it was that the 50% of the part-time and volunteer firefighters have 3 years of service with the City of Ovilla. He also added that more than 25% have close to 7 years of service. He stated that it speaks highly of the leadership in the department and how it is run.

**PL4 Doug Hunt asked if Public Works could add the number of readings and re-reads they collect the monthly reports.

**PL5 Myers asked to staff to check with Govpilot on cost for modules on software for Animal Control. Code needs to be using tablet on Govpilot if offered. PL4 Hunt & PL2 Oberg inquired on 'junk vehicles' – wanted updates.

V. 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).

A. *Convene into Executive Session at 7:45 p.m.*

Closed Meeting called pursuant to Texas Government Code §551.074 – Personnel Matters.

ITEM 1. **DISCUSSION/ACTION** – Deliberate the appointment, employment, evaluation, reassignment and/or duties of the Finance Director position.

ITEM 2. **DISCUSSION/ACTION** – Deliberate the appointment, employment, evaluation, reassignment and/or duties of the Public Works Director.

A. *Reconvene into Regular (Open) Session at 8:38 p.m.*

Mayor Pro Tem Griffin moved to approve City Manager's recommendations for employment of Finance Director Sharon Jungman, as well as employment of Public Works Director Jesus Badillo, seconded by PL4 Hunt.

No opposition, no abstentions.

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

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

None

ADJOURNMENT

PL2 Oberg moved to adjourn the meeting of March 09, 2020 seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 8:39 p.m.

Richard Dormier, Mayor

ATTEST:

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

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

Glennell Miller, City Secretary
Citizens Comments: attached
Executive Session filed separately.

Approved April 13, 2020

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



Place Four Council, Doug Hunt
Place Five Council, Michael Myers
Place Three Council/ Mayor Pro Tem, David Griffin

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: March 9, 20 PHONE: 972 467-4413
DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? ☐ YES ☒ NO
NAME: Bred Norman
ORGANIZATION / DEPARTMENT: Running for Sheriff
ADDRESS: 1551 Whitlock Dr.
CITY / ZIP: Midlothian, TX 76065

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 6:30 P.M. unless otherwise noted. Special meetings may be called as deemed necessary to conduct business of the City.

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

Mayor Richard Dormler
Place One Council, Rachel Huber
Place Two Council, Dean Oberg



Place Four Council, Doug Hunt
Place Five Council, Michael Myers
Place Three Council / Mayor Pro Tem, David Griffin

WELCOME TO THE CITY OF OVILLA CITIZENS FORUM

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The form must be complete.

DATE: 3-9-2020 PHONE: 214-546-9532
DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? ☒ YES ☐ NO
NAME: Immie Wade
ORGANIZATION / DEPARTMENT: _____
ADDRESS: _____
CITY / ZIP: _____

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 6:30 P.M. unless otherwise noted.
Special meetings may be called as deemed necessary to conduct business of the City.

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

CITY OF OVILLA MINUTES
Monday, February 24, 2020
Special City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Special Council Meeting of the Ovilla City Council to order at 8:05 am., 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
David Griffin	Mayor Pro Tem, Place 3
Doug Hunt	Council Member, Place 4
Michael Myers	Council Member, Place 5

Absent: Dean Oberg Council Member, Place 2

Mayor Dormier noted the presence of Council Members, thus constituting a quorum. City Secretary, department directors and various staff were also present.

CALL TO ORDER

Mayor Dormier gave the invocation and led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

PRESENTATIONS, ANNOUNCEMENTS & COMMENTS

There were no presentations.

Citizen Comments:

There were no citizen comments.

CONSENT AGENDA

None

REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Consideration of and action on a Service Agreement between the City of Ovilla and Fund Accounting Solution Technologies, Inc., effective immediately to provide support and assistance in the execution of multiple accounting tasks.

Fund Accounting Solution Technologies, Inc. rescinded the cancellation of contract with the City Of Ovilla.

PL4 Hunt moved to approve the Service Agreement between Fund Accounting Solution Technologies, Inc. effective immediately as presented, seconded by Mayor Pro Tem Griffin.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 4-0.

ITEM 2. DISCUSSION/ACTION – Consideration of and action on a Proposal submitted by Eddie Peacock, PLLC, to provide interim staff support for the completion and execution of accounting reconciliations and adjustments for the City of Ovilla.

This company would be preparing for audit and giving support with accounting functions left undone, The discussion and consensus of the council was to approve with \$5000 cap, until more information

on fees can be given.

PL5 Myers moved to approve a proposal submitted to provide interim staff support for the completion an execution of accounting reconciliations and adjustments for the City of Ovilla with an added \$5000 cap. Seconded by PL1 Huber.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 4-0.

ITEM 3. DISCUSSION/ACTION – Consideration of and action on Work Order 05 for a Master Service Agreement with Eikon Engineering for the Ovilla Police Department Project.

There were several ideas that were discussed. Council and staff agreed on the need of having a workshop possibly in April - for the many different ideas and needs. Some are as follows:

- Expand the use of Police Department
- Parking for Police Department as well as downtown area
- Placement of Public Works

PL4 Hunt moved to approve the consideration of the possible April Workshop projects of interest as well as costs associated, seconded by PL1 Huber.

No oppositions, no abstentions.

VOTE: The motion to approve carried unanimously: 4-0.

ADJOURNMENT

PL1 Huber moved to adjourn the meeting of February 24, 2020 seconded by PL5 Myers. There being no further business, Mayor Dormier adjourned the meeting at 8:27 a.m.

Richard Dormier, Mayor

ATTEST:

Glennell Miller, City Secretary

Approved April 13, 2020

CITY OF OVILLA MINUTES

Monday, February 10, 2020

Regular City Council Meeting

105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Pro Tem David Griffin 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 Pro Tem 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
Doug Hunt	Council Member, Place 4
Michael Myers	Council Member, Place 5

Mayor Pro Tem Griffin noted the presence of Council Members, thus constituting a quorum. Mayor Dormier was noted absent. City Secretary, department directors and various staff were also present.

CALL TO ORDER

PL4 Hunt gave the invocation. PL1 Huber led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

PRESENTATIONS, ANNOUNCEMENTS & COMMENTS

Presentations, Announcements:

Proclamation:

1. Phillip Lynch

Mayor Pro Tem read and issued Proclamation to Mr. Lynch.

Mr. Lynch spoke to everyone and expressed his gratitude. Photos were taken.

Citizen Comments:

1. Ms. Jimmie Wade, 606 Creekview Circle, voiced multiple concerns:
 - a. Parking
 - b. Playground @ Ashburne Glen – let homeowners have it.
 - c. Police & Fire Departments need funding
 - d. Sell City property “White house” clean up all junk areas
 - e. No sidewalks in downtown
 - f. No more variances issued on 1600 sq. ft. homes

CONSENT AGENDA

None

IV. REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Consideration of and action on Resolution R2020-04 of the City of Ovilla Texas adopting TCAP’S Professional Services Agreement and GEXA Energy’s Commercial Electric Service Agreement for Power to be provided on and after January 01, 2023.

Staff received presentation from Gexa Energy’s account representative stating that the City of Ovilla along with 164 other municipalities were in the wholesale market. She explained that the City of Ovilla has been a member since 2011, and that our current agreement will end 2022. She directed that

cities may choose a 1 year at a time agreement however, it was much more beneficial and cost efficient to go with the 2 year in advance agreement.

PL2 Oberg moved to approve the Resolution R2020.04 adopting TCAP's Professional Services Agreement and GEXA Energy's Commercial Electric Service Agreement for Power to be provided on and after January 01, 2023, seconded by PL1 Huber.

One opposition, no abstentions.

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

ITEM 2. DISCUSSION/ACTION – Consideration of and Action on Ordinance 2020-04 of the City Council of the City of Ovilla, Texas, authorizing a general election to be held on May 02, 2020 for the purpose of electing three council members (Places 1,3 and 5) for expired terms by the qualified voters of Ovilla; establishing procedures for the election; providing for other matters incident and related to the election; providing for publication; providing a severability clause; and providing an effective date.

DISCUSIÓN/ACCIÓN – Consideración de una Acción a partir de la Ordenanza 2020-04 una elección general a llevarse a cabo el 2 de mayo de 2020 con el objetivo de elegir tres miembros del concejo (plazas 1,3 y 5) por plazos expirados por los votantes calificados de ovilla; estableciendo procedimientos para la elección; proporcionando otros asuntos incidentales y relacionados con la elección; proporcionando para publicación; proporcionando una cláusula de separabilidad; y proporcionando una fecha de entrada en vigencia.

PL4 Hunt moved to approve the General Election to be held on May 02, 2020 as presented, seconded by PL2 Oberg.

No oppositions, no abstentions.

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

ITEM 3. DISCUSSION/ACTION – Consideration of and action to move the regularly scheduled Council meeting date in March 2020, from Monday, March 09, 2020 to Monday, March 16, 2020 or Tuesday, March 17, 2020.

No Action – leave as is.

ITEM 4. DISCUSSION/ACTION – Consideration of and action for board appointments to the (temporary) Thoroughfare Plan Review Committee.

After review of the submitted Board Applications, PL4 Hunt made the motion to appoint the following applicants to the (temporary) Thoroughfare Plan Review Committee:

- Ozzie Molina
- Carol Lynch
- Linda Chastain
- Windy Zabochnik
- Sheila Domstead

Seconded by PL5 Myers

No oppositions, no abstentions.

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

ITEM 5. DISCUSSION/ACTION – Consideration of and action to dissolve the agreement with the City of Ovilla and Fund Accounting Solutions Technologies, Inc. (FAST/Fundview) Accounting Software and direct staff to begin searching for a new financial software company.

PL5 Myers made the motion to dissolve the agreement between the City of Ovilla and FAST/Fundview accounting software as presented. Seconded by PL4 Hunt.

No oppositions, no abstentions.

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

ITEM 6. DISCUSSION/ACTION – Consideration of and action on options for the replacement or upgrade of the restrooms and concession stand at the ballfields behind the City Municipal Building.

John – a resident as well as a representative with the Baseball Association, who also maintains the fields owned by the City, shared his concerns with the present restrooms.

- Toilets too small
- No urinals
- Not kid friendly
- No sidewalks around facilities

The Pre-Cast facility was discussed to mimic the restroom that was installed at Heritage Park. Council did want estimates on complete reconstruction on the current restrooms to compare.

No Action.

ITEM 7. DISCUSSION – Discuss and review the concept of planning and hosting a Civic Academy.

Chief Windham gave presentation, as well as letting staff know we should start the planning for the discussions to take place. Possibly after budget season. He suggested around September time frame. Discussion only.

ITEM 8. DISCUSSION – Discuss and consider the inclusion, costs, and requirement of electronic water meters as part of a subdivision development.

Public Works Superintendent Daniel Durham explained the several different models of electronic water meters that he has inquired about. He named AML, Badger, Master Meter and Hydropro as a few that our surrounding cities use, as well as other Municipalities. The direction of Council was to get information on the software associated with each and more in-depth knowledge of pricing and benefits of each model.

Discussion Only.

ITEM 9. DISCUSSION – Discuss code enforcement in the Historic District of Ovilla.

Discussion began with the Bar-B-Que business in the downtown area. There have been complaints on the storage of the wood on the side of the building, and how it is visible to the community. A privacy fence of some sort was discussed as well as a storage building. Enforcement is a must with the restoration that is taking place in that area.

Discussion Only.

ITEM 10. **DISCUSSION/ACTION** – Update on Main Street Sanitary Sewer Improvements.

Discussion Only.

ITEM 11. **DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

None

STAFF REPORTS were reviewed. Staff was available for questions.

- **Department Activity Reports / Discussion**
 - Police Department Chief B. Windham
 - 1. 2019 Racial Profiling Data Report
 - Fire Department Assistant Chief K. Lindsey
 - Public Works Water Superintendent D. Durham
 - Finance Accountant L. Harding
 - Administration
 - 1. Monthly Code/Animal Control Reports Code/AC Officer M. Dooly
 - 2. Monthly Municipal Court Report City Secretary G. Miller

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).

A. Convene into Executive Session. 8:04 PM

Closed Meeting called pursuant to Texas Government Code §551.074 – Personnel Matters.

ITEM 1. **DISCUSSION/ACTION** – Deliberate the appointment, employment, evaluation, reassignment and/or duties of the City Secretary.

Closed Meeting called pursuant to Texas Government Code §551.074 – Personnel Matters.

ITEM 2. **DISCUSSION/ACTION** – Deliberate the appointment, employment, evaluation, reassignment and/or duties of the City Manager.

B. Reconvene into Regular (Open) Session 8:29 PM

Mayor Pro Tem Griffin and Council reconvened into Regular Session at 8:29 p.m. Mayor Mayor Pro Tem Griffin advised that no decisions were made in Executive Session.

There was no action in Open Session.

No Action.

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

- | | |
|--------------------------|------------------------------------|
| 1. Mayor Dormier | Absent |
| 2. PL1 Huber | None |
| 3. PL2 Oberg | Junk Vehicles |
| 4. Mayor Pro Tem Griffin | None |
| 5. PL4 Hunt | Running Business out of homes. |
| 6. PL5 Myers | Fire Renting bunk gear vs purchase |

ADJOURNMENT

PL4 Hunt moved to adjourn the meeting of February 10, 2020 seconded by PL2 Oberg. There being no further business, Mayor Pro Tem Griffin adjourned the meeting at 8:31 p.m.

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

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

ATTEST:

Glennell Miller, City Secretary
Citizens Comments attached
Executive Session filed separately.

Richard Dormier, Mayor

Approved April 13, 2020

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



Place Four Council, Doug Hunt
Place Five Council, Michael Myers
Place Three Council/ Mayor Pro Tem, David Griffin

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: 2-9-2020 PHONE: 214-546 9532

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

NAME: Simmie Wade

ORGANIZATION / DEPARTMENT: _____

ADDRESS: 606 Creekview

CITY / ZIP: Ovilla 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). Parking

☐ 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 6:30 P.M. unless otherwise noted. Special meetings may be called as deemed necessary to conduct business of the City.

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

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



Place Four Council, Doug Hunt
Place Five Council, Michael Myers
Place Three Council/ Mayor Pro Tem, David Griffin

WELCOME TO THE CITY OF OVILLA CITIZENS FORUM

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The form must be complete.

DATE: 2-9-2020 PHONE: 214-546-9532
DO YOU RESIDE WITHIN THE CITY LIMITS OF OVILLA? ☒ YES ☐ NO
NAME: Limmie Wade
ORGANIZATION / DEPARTMENT: _____
ADDRESS: 606 Creekview
CITY / ZIP: Ovilla 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: Police - Fire Department

☒ 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 6:30 P.M. unless otherwise noted. Special meetings may be called as deemed necessary to conduct business of the City.

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

BENCHES

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



Place Four Council, Doug Hunt
Place Five Council, Michael Myers
Place Three Council/ Mayor Pro Tem, David Griffin

WELCOME TO THE CITY OF OVILLA CITIZENS FORUM

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The form must be complete.

DATE: 2-9-2020

PHONE: 214-546 9532

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

NAME: Summie Wade

ORGANIZATION / DEPARTMENT: _____

ADDRESS: 606 Creekview

CITY / ZIP: Ovilla 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). Parks

☐ 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 6:30 P.M. unless otherwise noted. Special meetings may be called as deemed necessary to conduct business of the City.

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

CITY OF OVILLA MINUTES
Wednesday, February 05, 2020
Special City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Special Council Meeting of the Ovilla City Council to order at 4:35 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 the presence of Council Members, thus constituting a quorum. City Manager, City Secretary, department directors and various staff were also present.

CALL TO ORDER

PL4 Hunt gave the invocation. PL1 Huber led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

PRESENTATIONS, ANNOUNCEMENTS & COMMENTS

There were no presentations.

Citizen Comments:

There were no citizen comments.

EXECUTIVE SESSION

At 4:38 p.m., Mayor Dormier Council and specific staff convened into Executive Session to discuss the following:

A. *Convene into Executive Session.*

Closed Meeting called pursuant to Texas Government Code §551.071(1)(A) – Consultation with the City Attorney regarding threatened litigation by Ashley Thompson.

No Action.

B. *Reconvene into Regular (Open) Session.*

Mayor Dormier and Council reconvened into Regular Session at 5:13 p.m. Mayor Dormier advised that no decisions were made in Executive Session.

ADJOURNMENT

PL2 Oberg moved to adjourn the meeting of February 05, 2020, seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 5:14 p.m.

ATTEST:

Glennell Miller, City Secretary

Executive Session filed separately.

Richard Dormier, Mayor

Approved April 13, 2020

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

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

AGENDA ITEM REPORT

Item 1

Meeting Date: April 13, 2020

Department: Administration

☒ Discussion ☒ ActionBudgeted Expense: ☐ YES ☐ NO ☒ N/ASubmitted By: G. Miller, City SecretaryAmount: N/AReviewed By: ☒ City Manager ☒ City Secretary ☒ City Attorney☒ Accountant☒ Other: Code Enforcement /Public Works

Attachments:

1. Developer's Agreement

Agenda Item / Topic:

ITEM 1. DISCUSSION/ACTION – Consideration of and action on a Developer's Participation Agreement by and between the City of Ovilla, Texas and WP Legacy, LTD. (Broadmoor Estates)

Discussion / Justification:

	FINAL PLAT INFORMATION
APPLICANT NAME:	CLYDE HARGROVE/BROADMOOR ESTATES
ENGINEER:	JEFF KLEMENT, PE – JBI PARTNERS
LOCATION:	NW corner of Westmoreland Road and Red Oak Creek Road
UTILITIES:	City Sewer & City Water
ZONING:	R15
PROPOSED LAND USE:	Residential Subdivision
MAJOR THOROUGHFARE:	Highway 664 Ovilla Road

Chapter 10, Subdivision Regulations, Division 2, Section 10.02.035 specifies requirements for the timing of dedication and construction including a developer's agreement at the time of filing a final subdivision plat.

EXCERPT states:

(a) The city shall require an initial demonstration that a proposed subdivision shall be adequately served by public facilities and services at the time for approval of the first development application that portrays a specific plan of development, including but not limited to a petition for establishing a planned development zoning district, or other overlay zoning district; or a **developer's agreement**; or an application for a preliminary or final plat.

(b) The obligation to dedicate rights-of-way for or to construct one or more public works improvements to serve a new subdivision may be deferred until approval of a subsequent phase of the subdivision, at the sole discretion of the city engineer, upon written request of the property owner, or at the city's own initiative. As a condition of deferring the obligation, the city may require that the subdivider include provisions in the **developer's agreement**, specifying the time for dedication of rights-of-way for or construction of public works improvements serving the subdivision.

The developer's agreement is prepared with the noted variances requested and approved during the preliminary plat phase. In order to determine the assessment for the additional right-of-way, the

developer used the Ellis County Assessed Tax Value on the property, Exhibit B. This established a value for the property and will be credited to the rough proportionality on phase 1.

The agreement has been reviewed and approved by legal counsel.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

*I move to **approve/ deny** the Developer's Participation Agreement by and between the City of Ovilla, Texas and WP Legacy, LTD. (Broadmoor Estates) submitted by Clyde Hargrove for Broadmoor Estates Subdivision, Ovilla, Ellis County, Texas.*

DEVELOPER PARTICIPATION AGREEMENT

THIS DEVELOPER PARTICIPATION AGREEMENT (this "**Agreement**") is dated _____, 2020 ("**Effective Date**"), by and between the CITY OF OVILLA, TEXAS, a Texas general law city (the "**City**") and WP LEGACY, LTD., a Texas limited partnership (the "**Company**"). The City and the Company are sometimes referred to herein together as the "Parties" and individually as a "Party."

RECITALS

WHEREAS, the Company as the developer of the Broadmoor Estates Subdivision, pursuant to the preliminary plat approved at the City Council Meeting on March 9, 2020 (herein referred to as, "**Broadmoor Estates**") within the City of Ovilla, Texas; and

WHEREAS, the Company will create a Homeowners Association ("**HOA**") to maintain all the Homeowners Associations infrastructure on the HOA lots within Broadmoor Estates;

WHEREAS, the Company is requesting a variance to construct a wood screening fence along Westmoreland Road with stone columns in lieu of a masonry screening fence; and

WHEREAS, the Company is requesting a variance to reduce the minimum front yard building setback to twenty feet (20') for Block 7, Lots 14 - 22; and

WHEREAS, the Company is requesting a variance to dedicate a ten feet (10') utility easement adjacent to the street right-of-way in lieu of a fifteen feet (15') utility easement at the rear lot lines; and

WHEREAS, the Company is dedicating additional 36,206 square feet of Westmoreland Road right-of-way to dedicate the full ninety-two feet (92') right-of-way; the City will credit the market value of the right of way to the Company via a credit on Phase 1 Proportionality Fee; and

WHEREAS, the market value of the 36,206 square feet (0.83 acres) is \$8,435.52; which is based on the 2019 Ellis County Assessed Values, (Exhibit B); and

WHEREAS, the City finds and determines that this Agreement is in the best interest of the health, safety and welfare of the citizens of Ovilla.

NOW, THEREFORE, for and in consideration of the above and foregoing recitals and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the City and the Company do hereby agree as follows:

1. **Incorporation of Recitals.** The above and foregoing recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

2. Term. This Agreement shall remain in full force and effect from the Effective Date until the City and the Company have completed their respective obligations hereunder or has been earlier terminated by the mutual agreement of the City and the Company in writing or otherwise terminated as set forth in this Agreement (the "Term").

3. Proportionality Fee. City and Company hereby agree to accept the Proportionality Study Hidden Valley Estates (herein referred to as "Broadmoor Estates") Residential Development in Ovilla, Texas dated January 22, 2020 prepared and delivered by Lee Engineering (the "Study"). Said Study concluded that the total proportionate cost of the development would be \$429,200.00. Developer is planning Broadmoor Estates to have two (2) phases. It is agreed that this total proportionality fee would be divided by the number of lots of each phase and that this fee would be due at the time of filing the final plat for each phase, (see EXHIBIT A). It is further agreed and understood that the City has formed a committee to review the City's Thoroughfare Plan, and that this committee may recommend to the City the downsizing of the size and cost of future improvement of Red Oak Creek Road. If, and only if, the City Council approved of amending the Thoroughfare Plan as it pertains to Red Oak Creek Road and the Study states a Revised Proportionality reflecting such change, then the City shall grant to Company a credit equaling the monetary difference between the original Study and the revised Study. Such credit shall first apply toward the Phase I of the Broadmoor Estates development at the time of the filing of the Final Plat of Phase I. If such credit is not determined before the Final Plat of Phase I, the credit shall carry forward and be applicable to the Phase II of the development.

4. Default and Termination. Either Party (the "Non-Defaulting Party") may terminate this Agreement in the event of default of this Agreement by the other Party (the "Defaulting Party") and a failure by the Defaulting Party to cure such default after receiving notice thereof from the Non-Defaulting Party. Default shall occur if a Party fails to observe or perform any of its duties under this Agreement. Should such a default occur, the Non-Defaulting Party shall deliver written notice to the Defaulting Party describing such default. If such default cannot be cured within twenty (20) days following receipt of the notice (or within such period of time as may be reasonably necessary for such cure so long as the Defaulting Party shall promptly commence and diligently pursue such cure within the said 20 day period together with written notice of the curative measures which it proposes to undertake (but in no event shall such period exceed forty (40) days following the occurrence of the default), the Non-Defaulting Party, at its sole option, may extend the proposed date of termination to a later date. If prior to the proposed date of termination, the Defaulting Party cures such default to the Non-Defaulting Party's satisfaction, the proposed termination shall be ineffective. If the Defaulting Party fails to cure such default prior to the proposed date of termination, the Non-Defaulting Party may terminate this Agreement, and the obligations of the parties hereunder shall end.

5. Notices. All notices, terminations, demands, acceptances, requests and approvals required or permitted to be given under this Agreement (each of which is herein sometimes referred to as a "Notice") must be in writing and must be delivered personally, or by prepaid nationally recognized overnight or second day courier, or by deposit in the United States mail, prepaid and certified or registered mail, return receipt requested, addressed in each instance to:

If to City: City of Ovilla
Attn: Pam Woodall, City Manager
105 S. Cockrell Hill Road
Ovilla, Texas 75154

With a copy to: _____

If to Company: WP Legacy, Ltd.
Attn: Clyde Hargrove
101 Valley Ridge Drive
Red Oak, TX 75154

With a copy to: Kristy Murday
500 Crescent Court, Suite 350
Dallas, Texas 75201

Each such Notice will be deemed to have been given as of the date the same is personally delivered to the party to be notified or the date the same is delivered to the address designated hereunder for the party to be notified, as the case may be, but rejection or refusal to accept or the inability to deliver because of changed address of which no notice was given will be deemed to be receipt of the notice, demand or request. Each party may from time to time and at any time upon at least ten (10) days' written notice thereof, to change its respective address, and each party may specify as its address any other address within the United States of America.

6. Independent Contractor. Company is an independent contractor, and Company shall accomplish all of its obligations and services provided for herein in such capacity, and under no circumstances shall this Agreement be construed as one of agency, partnership, joint venture, joint enterprise, or employment between the parties; provided always however that the obligations and services of Company hereunder shall be provided in a manner consistent with all applicable standards and regulations governing the same. The City shall have no control or supervisory powers as to the detailed manner or method of Company's performance of the subject matter of this Agreement. All officers, employees, personnel, contractors, subcontractors, agents, and representatives supplied or used by Company shall be deemed employees or subcontractors of Company and shall not be considered employees, agents or subcontractors of the City for any purpose whatsoever. Company shall be solely responsible for the compensation of all such persons, for the withholding of income, social security and other payroll taxes and for the coverage of all workers' compensation benefits.

7. Assignment. The terms of this Agreement may be assigned in writing by any party with written notice but without the prior written consent of the other parties. The benefits and

burdens created in this Agreement shall inure to each successive assignee.

8. No Third-Party Beneficiary. This Agreement and each of its provisions are solely for the benefit of the parties hereto and are not intended to create or grant any rights, contractual or otherwise, to any third person or entity.

9. Cumulative Remedies and Survival. Except as otherwise provided for in this Agreement, all obligations and responsibilities arising prior to the expiration or termination of this Agreement allocating responsibility or liability of or between the parties shall survive the completion or termination of this Agreement, and any rights and remedies either party may have with respect to the other arising out of the performance during the term of this Agreement shall survive the cancellation, expiration, or termination of this Agreement. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by a party shall not preclude or waive its right to use any or all other rights and remedies, and said rights and remedies are given in addition to any other rights and remedies the parties or either of them may have in law, in equity, or otherwise.

10. No Waiver. The failure of either party to enforce any provision or condition contained in this Agreement at any time will not be construed as a waiver of that condition or provision nor will it operate as a forfeiture of any right of future enforcement of the condition or provision.

11. Governing Law and Venue. The laws of the State of Texas shall govern and apply to the interpretation, validity and enforcement of this Agreement; and, with respect to any conflict of law provisions, the parties agree that such conflict of law provisions shall not affect the application of the law of Texas (without reference to its conflict of law provisions) to the governing, interpretation, validity and enforcement of this Agreement. In the event of any action under this Agreement, exclusive venue for all causes of action shall be instituted and maintained in state courts located in Dallas County, Texas.

12. DISPUTE RESOLUTION AND WAIVER OF JURY TRIAL: THE CITY AND COMPANY AGREE THAT ALL DISPUTES ARISING FROM OR RELATED TO THIS AGREEMENT, INCLUDING BUT NOT LIMITED TO ANY AND ALL REPRESENTATIONS OR WARRANTIES, EXPRESSED OR IMPLIED, WHICH CANNOT BE RESOLVED THROUGH INFORMAL NEGOTIATIONS SHALL BE RESOLVED BY WAY OF A TRIAL BEFORE A JUDGE OF A COURT OF COMPETENT JURISDICTION. THE CITY AND COMPANY EACH HEREBY WAIVE ANY AND ALL RIGHTS TO A TRIAL BY JURY. THE CITY AND COMPANY EACH HEREBY ACKNOWLEDGE AND REPRESENT THAT THEY HAVE KNOWINGLY AND VOLUNTARILY WAIVED THEIR RESPECTIVE RIGHTS TO A JURY TRIAL WITH RESPECT TO ANY LEGAL MATTER OR DISPUTE ARISING FROM OR RELATED TO THIS AGREEMENT.

13. Entire Agreement. This Agreement supersedes all previous agreements regarding the matters set forth herein and constitutes the entire understanding of the parties. Company shall

be entitled to no other benefits than those specified herein. No changes, amendments or alterations shall be effective unless in writing and signed by both parties.

14. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be illegal, invalid or unenforceable under present or future laws, such provision shall be fully severable and this Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provision is not a part hereof, and the remaining provisions hereof shall remain in full force and effect. In lieu of any illegal, invalid or unenforceable provision herein, the parties shall seek to negotiate a provision as similar in its terms to such illegal, invalid or unenforceable provision as may be possible and be legal, valid and enforceable.

[signature page follows]

IN WITNESS WHEREOF, the Parties have executed this Agreement effective as of the date first above set forth.

CITY:

CITY OF OVILLA, TEXAS

By: _____

Richard Dormier
Mayor

ATTEST:

By: _____

Glennell Miller
City Secretary

APPROVED AS TO FORM:

By: _____

Ron G. McFarlane, Jr.
City Attorney

COMPANY:

WP LEGACY, LTD.,
a Texas limited partnership

By: South Bethany Management, LLC,
a Texas limited liability company,
its general partner

By: _____

Clyde Hargrove
President

EXHIBIT A

The City of Ovilla fees owed to Company.

36,206 sq. ft. of additional Right of Way on Westmoreland Road. \$8,435.52

Development's road proportional cost owed to the City of Ovilla.

The total Proportionality Fee = \$429,200.

Phase I = 84 lots = \$215,885.02 - \$8,435.52 = \$207,449.50

Phase II = 83 lots = \$213,314.98

Credit on the Proportionality Fee of \$8,435.52 shall be applied to the Phase 1 Proportionality Fee for the dedication of the 36,206 sq. ft. of right of way for Westmoreland Road.

Revised Total Proportionality Fee \$420,764.48

EXHIBIT "B"**Tax Certificate**

Remit certificate fee to :

Customer : TITLE PLANT (Branch 10001)

Certificate Number : 9463149

User : Paige Sedate

Print Date : 09/23/2019

GF Number : 1903292-MCCB

GRS Tax Service
505 S. Henderson
Ft. Worth, TX 76104

Closer :

Fee : \$75.00 (Includes sales tax)

Buyer(s) :

Certificate Current Year Tax Summary

Jurisdiction	Tax Year	Base Tax
ELLIS COUNTY	2018	\$88.85
RED OAK ISD	2018	\$403.63
OVILLA CITY	2018	\$172.99
ELLIS COUNTY LATERAL ROAD	2018	\$8.27
Current Year Total (as available)		\$673.74

Certificate Totals of Taxes Due by Collector

PAYABLE TO:	Balance Due w/o Penalties	Amount Due 09/2019	Amount Due 10/2019
ELLIS COUNTY	\$0.00	\$0.00	\$0.00

CAD Account Number(s)

187634

Assessment Information

Assessment Information	
Account Number: 187634 (Parcel 1 of 1)	2019 Assessed Values
Owner Name(s): WP LEGACY LTD	
Mailing Address: 101 VALLEY RIDGE DR RED OAK, TX 75154-4736	Land: 1,195,040
Property Address: WESTMORELAND RD RED OAK, TX 75154	Imprv: 0
	Agri: 22,690
	Total: 22,690
Legal Description: 693 J MCNAMARA 117.584 ACRES	
Geo Id: 62.0693.000.013.00.111	
Property Class: NATIVE PASTURE	
Land Use: D1	
Acreage: 117.58400	
2019 Exemptions: AG	Total Est. Taxes w/o Exempt: \$30,718.80
Warnings: Property carries AG valuation - Rollback taxes may be due if land use changed or developed.	

AGENDA ITEM REPORT

Item 2

Meeting Date: April 13, 2020

Department: Administration

☒ Discussion ☒ ActionBudgeted Expense: ☐ YES ☐ NO ☒ N/ASubmitted By: G. Miller, City SecretaryAmount: N/AReviewed By: ☒ City Manager ☒ City Secretary ☒ City Engineer☐ Accountant☒ Other: Code Enforcement /Public Works

Attachments:

1. Final Plat Application & Documents
2. Planning & Zoning Recommendation Sheet

Agenda Item / Topic:

ITEM 2. DISCUSSION/ACTION – Receive recommendation report from the Planning and Zoning commission to consider and act on a final plat application submitted by Clyde Hargrove for Broadmoor Estates Subdivision, Ovilla, Ellis County, Texas.

Discussion / Justification:

APPLICANT NAME:	FINAL PLAT INFORMATION
ENGINEER:	CLYDE HARGROVE/BROADMOOR ESTATES
LOCATION:	JEFF KLEMENT, PE – JBI PARTNERS
UTILITIES:	NW corner of Westmoreland Road and Red Oak Creek Road
ZONING:	City Sewer & City Water
PROPOSED LAND USE:	R15
MAJOR THOROUGHFARE:	Residential Subdivision
	Highway 664 Ovilla Road

APPLICANT'S PROPOSAL: Variances were approved in the preliminary plat phase.

1. Owner requests variance to dedicate a 10- ft wide Utility Easement adjacent to the street right-of-way as shown on the plat in lieu of a 15 foot wide Utility Easement at the rear lot lines.
2. Owner requests variance to construct a wood screening fence along Westmoreland Road in lieu of articulated masonry screening wall.
3. Owner requests variance to construct optional steel tubular fence or wood screening fence along Red Oak Creek Road in lieu of articulated masonry screening wall.
4. Owner requests a variance for Lots 14-22, Block 7 for a 20 foot front building setback line in lieu of a 35 foot front building setback line.

Background during preliminary phase:

The Planning and Zoning Commission voted to forward a recommendation to City Council for approval and consideration on the final plat application with the multiple variances identified above. All but one was recommended however, the commission was most concerned with Variance #2. After much discussion, the Commission is asking Council to evaluate the need for the variance to the code for the screening wall.

Current:

The Planning and Zoning Commission met on Monday, April 06, 2020, approving and recommending the Final Plat as submitted with all four variance requests.

Recommendation / Staff Comments:
Staff recommends approval.
Sample Motion(s):
<i>I move to approve/ deny recommendation from the Planning and Zoning commission to consider and act on the final plat application documents submitted by Clyde Hargrove for Broadmoor Estates Subdivision, Ovilla, Ellis County, Texas.</i>

CITY OF OVILLA
APPLICATION FOR FINAL PLAT APPROVAL



☒ Final Plat

Applicant First Texas Homes, Inc. Phone 214-613-3400

Mailing Address 500 Crescent Court, Suite 350, Dallas TX 75201

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

Engineer or Land Planner Jeff Klement Phone 972-248-7676

Mailing Address 2121 Midway Road, Suite 300, Carrollton TX 75006

Location of Property NW corner of Red Oak Creek Rd. & Westmoreland Rd.

☒ City Limits ☐ Extraterritorial Jurisdiction (ETJ)

Subdivision Name Broadmoor Estates, Phase 1

Area in Subdivision: 59.6 Total Acres 84 Number of Lots 0.5 ^{ac.} Average Lot Size

Fee Due City for Application \$ 4,935.50 calculated as follows:

Final Plat

\$ 400 Application Fee

\$ 50 per lot X 84 total number of lots, plus

\$ 50 per acre X 0.71 ^{ac.} each acre not designated as a subdivision lot (not to include streets)

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

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

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

**CITY OF OVILLA
APPLICATION FOR FINAL PLAT APPROVAL**



Minimum Fee:

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

Plat amendment:

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

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

Plat vacation: \$275.00

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

Tree plan review: \$25.00 per lot

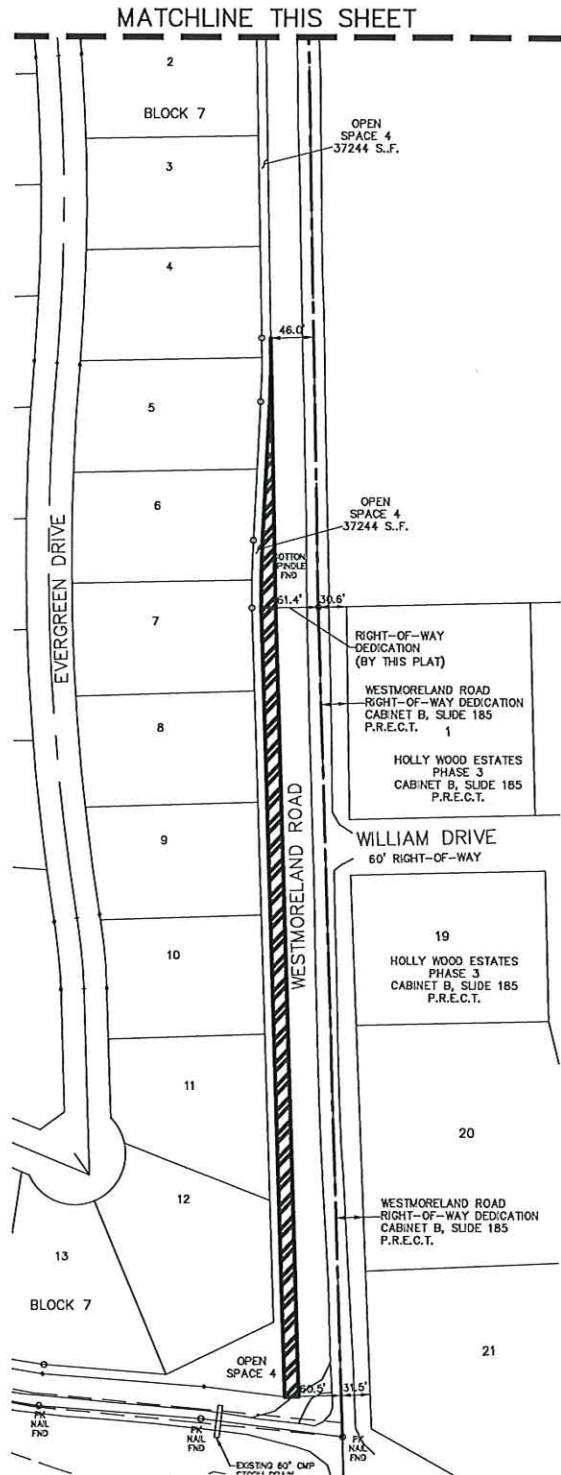
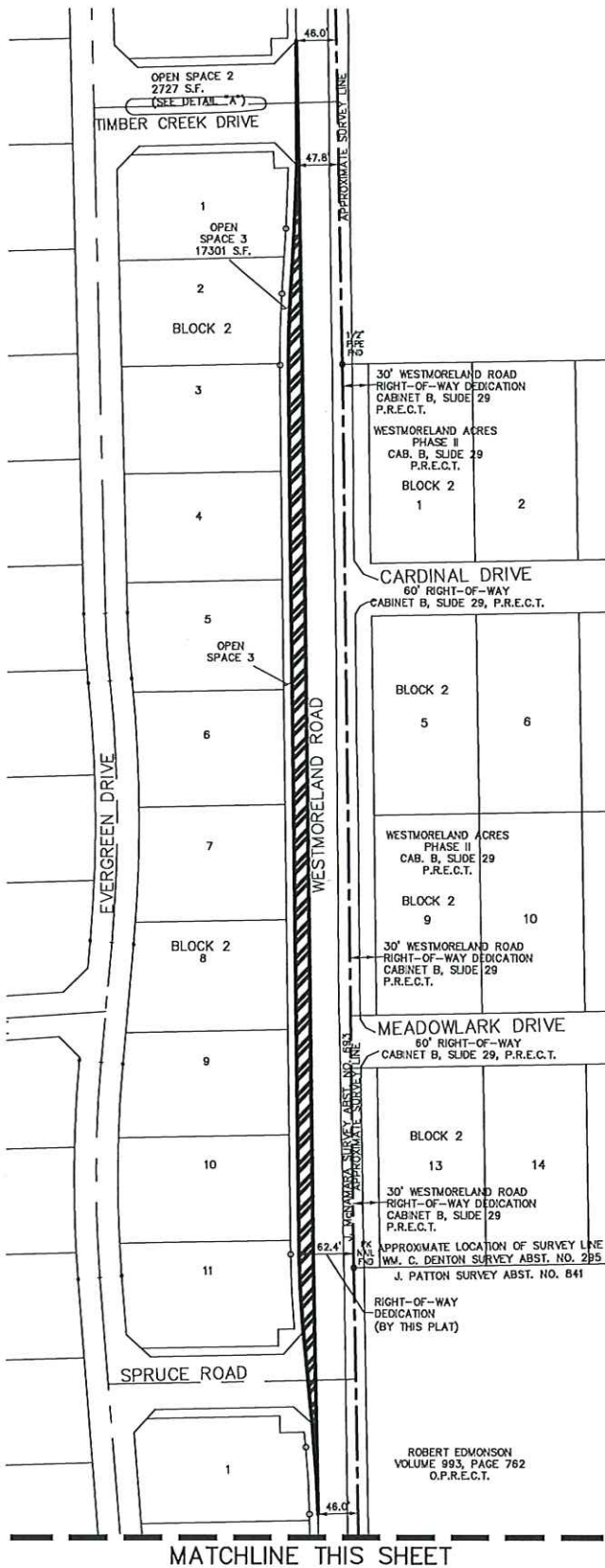
County filing fee – actual cost

Variance request (per item) \$150.00

Received on 3-6-2020 gwr Official Filing Date _____

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

RIGHT-OF-WAY EXHIBIT



ADDITIONAL RIGHT-OF-WAY AREA:
36,206 SQUARE FEET
0.83 ACRES

1"=200'



SCALE:
1" = 200'

DATE
03/31/2020

BROADMOOR ESTATES

PROJECT
FTH025

JB
PARTNERS

2121 Midway Road
Suite 300
Carrollton, Texas 75006
972.248.7676
TBPE No. F-438
TBPLS No. 10076000

CURVE TABLE					
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING
C1	79.51'	004°27'03"	990.00'	26.47'	N03°21'30"W
C2	123.01'	004°30'29"	1233.00'	61.79'	S08°31'09"W
C3	121.08'	007°51'16"	994.46'	61.01'	S07°15'36"W
C4	133.73'	007°12'40"	1062.40'	66.06'	S07°21'14"W
C5	82.03'	002°22'28"	1029.00'	45.24'	N04°34'22"E
C6	176.54'	179°46'07"	33.00'	2209.470'	N40°54'30"W
C7	162.70'	190°21'14"	55.00'	803.00'	S01°49'44"W
C8	261.22'	009°33'50"	1265.00'	120.84'	S08°30'33"E
C9	288.18'	011°12'34"	1313.00'	146.26'	S08°18'08"W
C10	453.06'	013°12'17"	1728.00'	226.24'	N00°06'57"W
C11	878.85'	013°43'37"	2335.00'	271.20'	S00°30'44"W
C12	263.65'	003°00'23"	1250.00'	142.59'	N08°08'43"E
C13	96.59'	003°01'57"	1832.00'	46.31'	S03°09'12"W
C14	113.78'	008°31'03"	1000.00'	26.44'	N06°36'11"E
C15	125.00'	007°09'44"	1000.00'	62.58'	S07°10'30"W
C16	121.46'	004°30'28"	1000.00'	60.78'	N08°31'09"E
C17	243.48'	009°30'02"	1465.00'	123.03'	S00°12'24"W
C18	295.32'	011°30'00"	1233.00'	149.83'	N00°53'32"W
C19	77.40'	004°33'31"	963.00'	36.73'	S03°46'43"E
C20	85.72'	003°02'14"	875.00'	40.99'	N00°39'22"E
C21	111.12'	006°21'40"	875.00'	53.62'	N02°16'24"W
C22	24.86'	06°29'02"	630.00'	11.30'	N02°16'40"W
C23	220.92'	009°17'46"	1503.00'	127.24'	S00°09'30"E
C24	2.26'	000°18'04"	1543.00'	3.68'	S00°17'40"E
C25	377.22'	007°23'04"	2220.00'	129.03'	S00°14'40"W
C26	182.50'	004°07'23"	2233.00'	81.23'	S04°16'48"E
C27	227.11'	006°25'38"	1946.00'	128.80'	S09°00'20"E
C28	204.30'	007°21'44"	1590.00'	120.20'	N06°03'21"E
C29	303.68'	011°16'34"	1540.00'	133.03'	S00°15'00"W
CURVE TABLE					
NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING
C30	230.23'	008°42'00"	1490.00'	128.43'	S08°00'31"W
C31	394.74'	013°00'00"	1704.21'	194.20'	N00°32'06"E
C32	426.63'	013°23'25"	1754.21'	202.40'	N00°41'30"E
C33	326.94'	008°17'20"	2200.00'	153.20'	S03°15'28"W
C34	533.03'	010°14'23"	1230.00'	283.20'	S02°30'44"W
C35	114.01'	002°13'34"	2200.00'	37.02'	S04°54'48"E
C36	278.27'	010°07'30"	1223.00'	139.14'	N00°06'43"E
C37	282.70'	010°42'03"	1223.00'	144.88'	N00°06'27"E
C38	110.02'	008°31'03"	875.00'	35.32'	N08°36'11"E
C39	123.13'	007°09'44"	1025.00'	64.10'	S07°18'30"W
C40	116.48'	004°30'28"	1025.00'	55.76'	N08°31'09"E
C41	263.43'	011°30'00"	1210.00'	147.10'	N00°33'30"W
C42	302.18'	011°06'00"	1590.00'	132.67'	N00°53'38"W
C43	76.46'	004°33'30"	890.00'	36.73'	S03°46'43"E
C44	75.46'	004°30'28"	840.00'	37.73'	S03°46'42"E
C45	113.87'	006°31'42"	1000.00'	57.02'	S00°14'34"W
C46	108.27'	006°31'42"	830.00'	34.76'	S06°14'34"W
C47	63.26'	007°02'14"	830.00'	41.79'	N00°38'22"E
C48	82.80'	007°02'14"	1000.00'	45.66'	N00°39'22"E
C49	73.94'	007°12'57"	1822.78'	36.40'	N02°16'43"E
C50	80.27'	004°13'01"	1022.00'	40.20'	S01°15'26"W
C51	98.20'	004°37'36"	1022.00'	44.17'	S02°16'02"E
C52	58.13'	002°04'77"	1923.70'	34.58'	N02°16'45"E
C53	84.76'	004°24'58"	1102.00'	42.40'	S00°10'17"E
C54	77.80'	004°24'58"	1000.00'	36.86'	N03°21'37"W
C55	32.27'	179°38'57"	0.00'	1489.933.00'	S01°31'47"E
C56	46.23'	004°48'30"	874.00'	24.12'	N09°07'30"W
C57	20.81'	179°22'28"	7.00'	63.12'	N01°31'43"W
C58	46.23'	004°48'30"	204.00'	24.03'	N08°03'30"E

LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S08°31'30"W	29.00'	L23	S48°02'28"E	27.82'
L2	N01°06'02"W	7.88'	L24	N45°43'01"E	33.40'
L3	N05°33'06"W	17.30'	L25	N41°46'33"W	24.58'
L4	S00°33'27"W	27.02'	L26	S47°04'37"E	37.33'
L5	N01°06'12"W	18.20'	L27	N43°33'00"E	36.20'
L6	S43°06'07"W	21.64'	L28	N08°37'49"E	26.61'
L7	N03°06'23"E	3.05'	L29	S43°50'33"E	26.36'
L8	N44°29'33"W	33.36'	L30	S40°10'00"W	34.86'
L9	S06°17'36"W	44.87'	L31	S48°14'08"E	33.72'
L10	S44°14'48"W	35.31'	L32	N41°37'22"E	21.81'
L11	N08°30'40"W	30.03'	L33	N23°44'33"W	15.96'
L12	N48°45'08"W	37.88'	L34	S08°42'16"W	18.00'
L13	N08°08'50"W	36.08'	L35	S01°27'20"E	18.00'
L14	S47°04'31"W	38.00'	L36	N01°40'37"W	18.00'
L15	N08°21'40"W	26.20'	L37	S08°28'15"W	16.42'
L16	S40°21'10"E	26.11'	L38	N03°33'03"E	15.70'
L17	N43°28'15"E	36.77'	L39	N01°07'04"W	18.00'
L18	S40°21'37"E	26.51'	L40	S48°31'43"E	36.77'
L19	S40°21'37"E	26.51'	L41	N43°33'16"E	36.64'
L20	N43°08'00"E	33.60'	L42	N08°20'13"E	36.50'
L21	S47°31'31"E	37.61'	L43	S08°26'15"W	31.08'
L22	N43°38'11"E	39.14'	L44	S01°09'08"E	7.06'

FINAL PLAT
 BROADMOOR ESTATES PHASE 1
 BEING 59.670 ACRES OUT OF THE
 JAMES MCNAMARA SURVEY, ABSTRACT NUMBER 683
 CITY OF OVILLA
 ELLIS COUNTY, TEXAS
 84 RESIDENTIAL LOTS
 4 OPEN SPACE LOTS

FIRST TEXAS HOMES, INC. OWNER/DEVELOPER
 500 Crescent Court, Suite 350
 Dallas, TX 75201
 Contact: Kenny Hafner (214) 613-3400

JBI PARTNERS, INC. SURVEYOR/ENGINEER
 2121 Midway Road, Suite 300
 Carrollton, Texas 75006
 Contact: Jeff Klement, PE Phone: (972) 248-7676
 TBPE No. F-438 TBPLS No. 10076000 Fax: (972) 248-1414

MARCH 27, 2019

Sheet 3 of 4

Drawing: H:\Projects\110025 - Roden Valley Estates\Phase 1\Survey\Drawings\110025P1.dwg Saved By: bja-bja Date: 3/27/2019 7:34 AM Plotted By: aaronson Plot Date: 3/27/2019 7:34 AM



City of OVILLA Planning & Zoning Commission Recommendation

DISCUSSION/ACTION – Case **PZ20.03** - Review & Consider approval of a final plat application filed by Clyde Hargrove for development of Broadmoor Estates Subdivision, located at the NW corner of Westmoreland Road and Red Oak Creek Road, Ovilla, Ellis County, Texas and forward recommendation to the Ovilla City Council.

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

PL 1 Jungman AYE
PL2 Sims AYE
PL3 Lynch AYE
PL4 Whittaker AYE

PL5 Alexander AYE
PL6 Hart AYE
PL7 Zimmermann AYE

7 FOR

0 AGAINST

0 ABSTAIN

CAROL LYNCH - gw
Presiding Officer of P&Z
(COVID-19, SOCIAL DISTANCE)

Grueller
Board Secretary

APRIL 06, 2020
Date

APRIL 06, 2020
Date

AGENDA ITEM REPORT

Item 3

Meeting Date: April 13, 2020

Department: Administration

☒ Discussion ☒ ActionBudgeted Expense: ☐ YES ☐ NO ☒ N/ASubmitted By: G. Miller, City SecretaryAmount: N/AReviewed By: ☒ City Manager ☒ City Secretary ☐ City Attorney☒ Accountant☒ Other: Council Finance Committee

Attachments:

1. Resolution R2020-07

Agenda Item / Topic:

ITEM 3. DISCUSSION/ACTION – Receive recommendation from the Council Finance Committee to consider and act on Resolution R2020-07 awarding Prosperity Bank as the City's bank depository service.

Discussion / Justification:

The City's current depository service agreement with Prosperity Bank began June 2015 for a period not to exceed 5-years. Following an initial contract term (3-years), the agreement provided for two optional, one-year renewals, awarded one-year at a time. The final one-year renewal will expire in May 2020.

During the January 2020 Council meeting a prepared Request for Proposals was presented to Council and approved. The City gave notice to local banks, posted on the City's website and published the RFP, requesting submission of applications for the performance of depository services as authorized by Chapter 105 of the TX Local Government Code. Prudent procurement practices require the evaluation of banking services on a periodic basis, because of continual changes in technology, treasury management practices, and banking services and costs. The Request for Proposals for Banking Depository Services resulted in two received proposals:

InterBank
Prosperity Bank

Both proposals were reviewed by the Council Finance Committee (Mayor Dormier and PL4 Hunt) and City Finance Director Sharon Jungman. All three recommend Prosperity Bank. Staff is pleased with the current service received from Prosperity Bank. Terms and conditions remain the same.

Prosperity Bank representatives have been notified and are pleased. City staff was advised that a standard agreement is not required, that the signed RFP with our Resolution is acceptable, along with minutes from the meeting that award the proposal. This was the same method used in 2010 and 2015. The new service will be effective June 01, 2020.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

I move to **approve/ deny** Resolution R2020-07 awarding Prosperity Bank as the City's bank depository service.

RESOLUTION NO. R2020-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY OF OVILLA, TEXAS, ANY REQUIRED BANK DOCUMENTATION BY AND BETWEEN THE CITY OF OVILLA, TEXAS AND PROSPERITY BANK FOR OFFICIAL BANK DEPOSITORY SERVICES, EFFECTIVE June 01, 2020.

* * * * *

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

Section 1. The City Council of the City of Ovilla hereby authorizes the Mayor to execute any documentation required by and between the City of Ovilla, Texas, and Prosperity Bank for office bank depository services for the City of Ovilla.

Section 2. The Request for Proposals with this resolution shall serve as the agreement by and between the City of Ovilla and Prosperity Bank and shall commence on June 01, 2020 and shall remain in effect for three years, with two optional one-year renewals at the same terms and conditions.

Section 3. A copy of said Prosperity Bank complete and submitted *Request for Proposals* is attached hereto as Exhibit "A" and made a part hereof for all purposes.

PASSED, APPROVED, AND RESOLVED this 13 day of April 2020.

ATTEST: _____
Glennell Miller, **CITY SECRETARY**

APPROVED: _____
Richard Dormier, **MAYOR**



EXHIBIT A
R2020.08

**City of Ovilla
Request for Proposal
Bank Depository Services
January 17, 2020**

The City of Ovilla, Texas (the "CITY") is requesting proposals from qualified Financial Institutions for Bank Depository Services. The initial contract period will begin June 01, 2020 and end May 31, 2023 with two one-year optional extensions.

This Request for Proposal ("RFP") defines the minimum specifications, scope of services and outlines the requirements that must be met by Financial Institutions interested in providing such products and services. Financial Institutions shall carefully examine the entire RFP and any addenda thereto, and all related materials referenced in RFP. Financial Institutions are advised to read all sections of this RFP before submitting a proposal.

Proposals will be accepted at Ovilla City Hall, 105 S. Cockrell Hill Road, Ovilla, Texas 75154; until Friday, February 14, 2020, at 3:00 p.m., prevailing local time.

Contact Glennell Miller, 972-617-7262 or gmliller@cityofovilla.org for any questions regarding the proposal process. Any firms found to be soliciting other representatives of the City during this Request for Proposal process may be disqualified. **Deadline for questions is Tuesday, January 21, 2020 at 4:00 p.m. via email to gmliller@cityofovilla.org. Responses to questions will be posted/emailed by Friday, January 24, 2020.**

All sealed proposals must be **addressed to City Secretary, City of Ovilla, and bear the title "The City of Ovilla, Texas - Bank Depository Services"** along with the vendor's name and address. Submit five (5) complete copies and one electronic copy of proposal. Facsimile proposals will not be accepted. Late proposals will not be considered. It is the responsibility of the proposer to ensure that the proposal arrives at the correct location by the correct time.

All proposals and information submitted in response to this RFP shall become public record upon proposal opening and will be available for review upon request. The City reserves the right to reject any and all responses and to waive any irregularities and informalities in the proposal process. We look forward to receiving your response.

Glennell Miller, City Secretary
City of Ovilla
105 S. Cockrell Hill Road
Ovilla, Texas 75154
972-617-7262



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INTRODUCTION

The City of Ovilla (the "City") pursuant to Chapter 105, Texas Local Government Code is requesting proposals from eligible and qualified financial institutions to provide the City banking services as described below. The services provided will be in accordance with this Request for Proposal (the "RFP") and attachments. It is the City's intent that a Bank Depository Services Agreement detailing the services to be provided will be duly executed between the City of Ovilla and the selected financial institution.

Any and all charges and fees associated with the Bank Depository Services Agreement must be clearly and accurately included in the RFP response. The charges and fees represented in the RFP response shall overrule any and all previous bank service or other agreements between the City and the financial institution, as they relate to the accounts and services included herein. The City will not be obligated by any charges and fees not clearly and accurately presented in the RFP response. Services initiated after consummation of the Bank Depository Services Agreement shall carry charges and fees mutually agreed to, in writing, by the City and the financial institution. Regardless of time delay, the financial institution shall refund or credit the City for any erroneous charges and fees not agreed to in writing.

The philosophy incorporated into this RFP is to solicit bids for banking services currently utilized or considered by the City. The City intends to manage its funds to minimize service charges and optimize investment income as authorized by policy and permitted by state law. The City anticipates that future collected funds balances will be reduced and/or invested in available investment alternatives.

The new agreement period will be for a period of June 1, 2020 through May 31, 2023, with a provision for two one-year extensions under the same terms and conditions of the contract, subject to the mutual agreement of both parties. The agreement will also provide for an extension period not to exceed ninety (90) days for the transition to a new bank at the end of the term, if necessary.

The City reserves the right to open or close any number or type of accounts, as it deems necessary throughout the term of the agreement. Any fee charged for services not listed but later requested by the City will be mutually agreed upon in writing. All fees shall be fixed for the entire contract period.

The Bank Depository Services Agreement is an important component of the treasury and cash management system of the City. From this perspective, the City is seeking a financial institution that is:

- ◆ The best value to the City,
- ◆ Capable of providing the services required by the City,
- ◆ Meets the requirements of Chapter 105 of the Texas Local Government Code,
- ◆ Willing to be attentive and responsive to the City's financial matters, and
- ◆ Financially sound and meets the City's requirements.



REQUEST for PROPOSAL

This RFP is intended to serve as the bid form for the Bank Depository Services Agreement. There are multiple blanks to fill in and questions to be answered. The evaluation of the bidder's proposal will be based on the responses include herein.

Exceptions, conditions, or qualifications to the provisions of the City's specifications or requirements must be clearly identified as such, with the reasons therefore, and alternate language proposed by bidder, if any, clearly stated and inserted in the appropriate place in the bid submission.

Each of these exceptions, conditions, or qualifications to the City's specifications may be included, as appropriate, in the Contract documents. Items and matters not explicitly accepted in this manner shall be deemed to be in conformance with the City's specifications.

The RFP also requests certain information to be attached and specifically labeled. Responses must be complete, address all aspects of the RFP, and include all requested information to receive full consideration by the City in the selection process. The City may choose to waive any irregularities in any responses received and reserves the right to reject all proposals.

The City desires to enter into a contract of mutual party benefit and will answer all questions pertaining to this RFP. Please note the following calendar of events for the dates and times of key elements in the bid procedure.

CALENDAR OF EVENTS

TARGET DATE	DESCRIPTION OF EVENTS
Friday, January 17, 2020	RFP distributed to prospective financial institutions
Tuesday January 21, 2020, 4:00 p.m.	Deadline for questions to gmler@cityofovilla.org
Friday, January 24, 2020, 4:00 p.m.	Responses to questions posted/emailed
Friday, February 14, 2020, 3:00 p.m.	Deadline to accept proposals
TBD	City Council Finance Committee consider proposals
Monday, March 09, 2020	City Council consideration of contract award
Monday, June 01, 2020	New Bank Depository Services Agreement period begins



CRITERIA FOR EVALUATION

The City shall carefully review the submitted proposals. The Finance Committee's recommendation to Council shall be based on the proposal determined to be "the best value" for the City. The evaluation of the proposals will be made based on, but not limited to, the following criteria, in no order of priority:

- ◆ Ability to perform and provide the required and requested services;
- ◆ Reputation of bidder and quality of services;
- ◆ Cost of services;
- ◆ Funds availability;
- ◆ Interest paid on interest bearing accounts and deposits;
- ◆ Earnings credit calculation on account balances;
- ◆ Completeness of bid and agreement to points outlined in the RFP;
- ◆ Previous service relationship with the City; and
- ◆ Financial strength and stability of institution.



ACCOUNT ACTIVITIES

Governmental Funds: As of the end of the November 4, 2019, the City's governmental funds reported combined ending fund balances of \$4,049,003. Approximately 87% of this total amount \$1,842,389 constitutes unreserved fund balance. The remainder of the fund balance is reserved to indicate that it is not available for new spending because it has already been committed to pay for debt service. The debt service fund has a total fund balance of \$51,711. The net decrease in fund balance during the current year in the debt service fund was \$59,017. The **General Fund** is the chief operating fund of the City. At the end of the current fiscal year, unreserved fund balance of the general fund was \$1,008,422. Unreserved fund balance represents 29.14% of total general fund expenditures. The fund balance of the City's general fund increased \$346,699 during the current fiscal year. Unrestricted net assets of the **Water and Sewer Fund** at the end of the year amounted to \$833,966. Net assets decreased in 2014 by \$12,747. Other factors concerning the finances of this fund have already been addressed in the analysis of the City's operations.

The City has a 57-person payroll paid bi-weekly with checks and direct deposits drawn on the Payroll Account in the approximate amount of \$41,000 per payroll. The City offers its employee's direct deposit of payroll with 56 employees utilizing direct deposit. The General Fund averages 109 checks issued each month and an average of 41 deposits. The W&S Fund averages 33 checks per month with an average expenditure of \$140,331 per month, with an average of 41 deposits per month. The General Fund, W&S Fund, Police Department Fund, and Fire Department Auxiliary Funds issue checks.

City of Ovilla banking information as of 1-9-2020 is Attachment 1. The City of Ovilla currently has twenty-two accounts with an estimated value of \$3,460,732. City of Ovilla Investment Policy - Attachment 2.

Special revenue funds are used to account for the proceeds of specific revenue sources that are restricted by law or administrative action to be used for specified purposes:

- 4B EDC Fund – This fund is used to account for the Ovilla Economic Development Corporation created to promote economic development in Ovilla.
- Employee Benefits Fund – This fund is used to account for the city funds and employee paid funds associated with the employee benefit of health policies.
- Municipal Development District – This fund is used to account for the MDD created to develop and finance permissible projects such as convention center, civic center, and facilities.



BANK DEPOSITORY SERVICES

The City requests information on the following services:

- A. Balance Reporting – The City requires online balance reporting for daily access to its account balance information. The minimum information to be contained in the electronic reporting should be for the previous business day and include ledger balance, collected balance, one day float amount, two-day float amount, total credits, total debits, and detail debits and credits. Availability to access same-day information, historical statements, is requested and access to the information through the internet is required. Historical information should be maintained online and accessible for two months. Deposits by remote capture is requested.

X

Yes, can provide as requested/required.

No, cannot provide as requested/required.

Comment.

On-line, Real-time Internet Banking Services

- *Account information inquiry includes current and available balances.*
- *Online statement retrieval*
- *Transaction history download*
- *Schedule "one time" or "recurring" funds transfer between accounts.*
- *Schedule "one time" or "recurring" loan payments.*

Web-based Wire Transfer Origination

- *Set up and initiate "one time" or "recurring" wire transfer instructions through our Internet Banking Product. Single-user, multi-user, and/or dual control authorities are allowed with password and dollar-limit restrictions.*

Web-based ACH Origination

- *Originate electronic payroll deposits or payment drafts through our Internet Banking Product*
- *Import NACHA-ready files from third-party software applications, or create payroll or payment databases directly in our products.*

Web-based Bill Pay Services

- *Create accounts payable databases and initiate payments online through our Internet Banking Product.*

Positive Pay Accounting

- *Help prevent unauthorized, stolen or counterfeit checks from paying against your account.*

Remote Deposit Capture

- *Scan checks for deposit and electronically transmit those check deposits to your account.*



- B. Controlled Disbursement – The City could potentially in the future consider the use of a controlled disbursement account. The controlled disbursement presentment notification should also be accessible through Balance Reporting. This information should be available and accessible by 10:00 A.M. local time.

☐

Yes, can provide as requested/required.

☒

No, cannot provide as requested/required.

Comment.

Prosperity Bank does not provide controlled disbursement services.

- C. Positive Pay and Account Reconciliation - The City has a requirement for positive pay and full account reconciliation services on the all the City's Accounts. The Bank would only honor those checks issued by the City that are pre-authorized through the positive pay system. Positive Pay files will be transmitted electronically.

☒

Yes, can provide as requested/required.

☒

No, cannot provide as requested/required.

Comment.

Yes, Prosperity Bank does provide Positive Pay Services. Positive pay data-files will be securely transferred to the Bank through an Internet banking import.

While Prosperity Bank does not provide account reconciliation services, full transaction history files may be downloaded by the City from Internet banking in various formats compatible with most accounting/reconciliation systems. Those formats include comma-separate, fixed length, or tab-separated.

- D. ACH Debit Blocking – The City has a requirement for ACH debit blocking capabilities on its accounts, with the ability to selectively permit specified ACH debits on certain accounts and restrict all ACH debits from certain accounts.

☒

Yes, can provide as requested/required.

☐

No, cannot provide as requested/required.

Comment.

The following filters/blocks for ACH transactions are available:

- *Stop All ACH Debits*
- *Stop All ACH Credits*
- *Stop all ACH Debits and Credits*
- *Stop ACH Debits by Company ID (by Vendor)*
- *Stop ACH Credits by Company ID (by Vendor)*
- *Stop ACH Debits and Credits by Company ID (by Vendor)*



- E. Account Analysis – The City desires account analysis statements delivered to the City on a monthly basis by individual account and at group level, which will reflect average ledger balance, average uncollected funds, average collected balance, reserve requirement, average available balance, rate and amount of earnings credit, detail of services provided with quantities and unit fees for each, and total service cost.

☒

Yes, can provide as requested/required.

☐

No, cannot provide as requested/required.

Comment.

Prosperity Bank's proposed bid waives all fees typically passed through analysis and thus a monthly account analysis report is not applicable.

See Fee Schedule Attachment for complete list of services and fees.

Interest Bearing Checking Accounts: Interest would be paid on the net collected balance in your account at our posted NOW account rate as it changes +0.30% with a floor of 0.70% with an APY of 0.50%. This is a variable rate and is subject to change from time to time.

Premier Money Market Account: Interest would be paid on the net collected balance at our posted rate as it changes +0.10% with a floor of 0.60% with an APY of 0.60%. This is a variable rate account and subject to change from time to time.

TRANSACTION LIMITATIONS: Up to 6 debit transactions per month free. Federal regulations restrict the number of checks, drafts, or similar orders to third parties, preauthorized automatic or electronic withdrawals made by computer, telephone, ACH, or other similar device, to six (6) per statement cycle from this account. ATM withdrawals are unlimited under federal regulations but will be included in the item fee charges in excess of 6 per month.

- F. Bank Statements - Statements shall be rendered within seven (7) working days after the close of the calendar month. Statements or accounts shall not be placed in dormant mode for inactivity. The statement shall include debits and credits made on the last day of the period and the detail items. Bank statements should be received on a monthly basis, even if there is no activity for the account.

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Yes, can provide as requested/required.

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No, cannot provide as requested/required.

Comment.

Paper statements will be prepared and mailed typically within three business days after the statement cycle date. Online statements are available two business days after the statement cycle date.

The Texas Property Code determines that an account becomes abandoned or "dormant" when there has been no activity for three years and the bank is unable to locate the depositor. Prosperity Bank's core processing system is set up so an account will not go into a dormant status if the owner/depositor has any other active accounts with the bank. If any account by the same owner has activity or Prosperity Bank can locate the depositor and speak to an authorized representative which constitutes contact, an account would not be placed into a dormant status.



- G. Credit Card Payments – The City allows its patrons to pay for certain charges utilizing credit cards. The City currently recognizes the Visa and MasterCard logo and accepts credit card payments for Utility Services via the internet. The City maintains a separate credit card-processing contract.

☒

Yes, can provide as requested/required.

☐

No, cannot provide as requested/required.

Comment.

Many credit/debit card merchant service options are available, including software solutions. Costs and maintenance fees vary based on the solution the City chooses to implement. If the City requires credit and/or debit card merchant services, please provide us with details so that we may assist in obtaining the best price for you.

Collateralization – The balances maintained in all accounts must be collateralized in the same manner and under the same stipulations as outlined in the Collateral Requirements section. The City anticipates utilizing interest bearing accounts or an overnight sweep investment option. In the event interest-bearing accounts are utilized, the maximum ledger balances could exceed \$2,000,000 in the aggregate during the months of December and January of each year. Each account shall be insured and collateralized. Please clearly explain any collateral limitations or fees. The City reserves the right to maximize or minimize bank balances regardless of historical patterns. It is expected that the successful bank will monitor the collateral adequacy daily and, with prior notice by the City, provide additional collateral to secure balances in excess of anticipated levels.

☒

Yes, can provide as requested/required.

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No, cannot provide as requested/required.

Comment.

Prosperity Bank uses Mortgage Back Securities for our Collateral. Federal Home Loan Bank of Dallas is our third party Safekeeping Bank.

Prosperity Bank maintains internal controls to monitor and maintain the required collateral. If the City is aware of a large transaction that will significantly increase deposit balances, the City will notify the Bank with one day's advance notice to ensure the timely pledging of additional collateral.



- H. Sweep Account – If interest-bearing accounts are not utilized, the City requires the use of a sweep account for overnight investment of funds in excess of a target balance in the Pooled Cash Accounts. This sweep investment account shall comply with the Public Funds Investment Act and Investment Policy.

☒

Yes, can provide as requested/required.

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No, cannot provide as requested/required.

Comment.

Prosperity Bank's proposed bid allows for Bank deposits only. Sweep arrangements between City deposit accounts, such as a zero-balance sweep between a payroll and an interest-bearing operating account, are an option Prosperity Bank provides. Prosperity Bank does not provide investment advice. Prosperity Bank does not provide sweep services to overnight or other investments outside of the Bank (such as SEC registered money market mutual fund investments).

Payment for Services – The City may elect to pay for all services provided by the earnings credit amount generated by account balances, or by direct payment, or a combination of both.

☒

Yes, can provide as requested/required.

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No, cannot provide as requested/required.

Comment.

Not Applicable

- I. Account Settlement – Settlement of the excess/deficient condition as reflected by the group level account analysis is to occur on a quarterly basis.

☒

Yes, can provide as requested/required.

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No, cannot provide as requested/required.

Comment.

Not Applicable

- J. Research – The City requests that all research requests are responded to within three business days of the request.

☒

Yes, can provide as requested/required.

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No, cannot provide as requested/required.

Comment

Agreed



- K. Bank Errors – Bank errors resulting in lost interest to the City will be reimbursed by the Bank to the City. The method of reimbursement will be agreed upon by the Bank and the City.

☒

Yes, can provide as requested/required.

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No, cannot provide as requested/required.

Comment.

Agreed

- L. NSF Items -- The City desires for NSF/Chargebacks to be processed or run through twice before charging back to the City's Master Account.

☒

Yes, can provide as requested/required.

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No, cannot provide as requested/required.

Comment.

Overdrafts may be subject to the following:

- a. Overdraft Item Fee – The Overdraft Item Fee will be waived if offsetting collected balances are on deposit in non-interest-bearing deposit accounts.*
- b. Accrued Interest Adjustment – If offsetting collected balances are maintained in interest-bearing deposit accounts only, the Overdraft Item Fee will be waived and an interest accrual debit adjustment will be made to the interest-bearing deposit account calculated on the amount and duration of the overdraft.*
- c. Frequent and Continuous Overdrafts – If overdrafts continue to occur on a frequent basis, Prosperity Bank reserves the right to assess Overdraft Item fees, regardless of compensating balances. Additionally, if an account remains overdrawn for more than one business day, Prosperity Bank reserves the right to assess an Overdraft Interest Charge of which the rate will be equal to the prime rate published in the Wall Street Journal, as it changes.*

COLLATERAL REQUIREMENTS

- A. As security for the deposits of the City, the successful bank shall pledge securities equal to 102% of their market value, of the largest total balances the City maintains in the bank, less the amount provided by the Federal Deposit Insurance Corporation. The securities so pledged shall satisfy the requirements of the Public Funds Collateral Act, Chapter 2257, Texas Government Code, and the Investment Policy (Attached).
- B. The securities pledged shall be held in safekeeping at an independent financial institution acceptable to both the City and the successful bank. The original copy of all security receipts shall be filed with the City Secretary.



- C. The successful bank and the custodial bank shall provide the City a report of securities pledged at the end of each month or at any time requested by the City. The report should reflect the total pledged securities itemized by:

Name
Type / Description
CUSIP
Par Value
Market Value
Maturity Date
Rating by Moody's or Standard & Poor's

Prosperity Bank will provide a monthly Pledge Report sent to the City and / or by request.

- D. Any substitutions of the securities or reductions in the total amount pledged shall be made only by and with the proper written authorization of an authorized City signatory. The City shall approve all securities pledged. In the case of reduction requests, the bank shall provide in writing that collateral shall be available when needed to meet normal balance increases throughout the year.
- E. The Board of Directors or designated committee of the successful bank will be required to provide a resolution of certification approving the commitment and delivery of the collateral to the safekeeping institution not later than five days before the commencement of the contract period.

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Yes, can provide as requested/required.

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No, cannot provide as requested/required.

Comment.

Please provide at least 1 days' notice when requesting excess collateralization.



INVESTMENT ACTIVITIES

- A. Direct Investment Alternative – The City’s direct investment activities may take place in City accounts. The City requires that it can move funds between accounts via a secure Internet site. The City shall have the right, at its sole discretion, to direct investment of its funds. The successful bank will be required to provide clearing and safekeeping services for City investment activity. The attached Investment Policy outlines the City’s options for investing any and all funds. The policy is subject to annual review.

☒

Yes, can provide as requested/required.

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No, cannot provide as requested/required.

Comment.

Brokerage and investment services are offered through our partner, Raymond James. Services offered include, but are not limited to, brokerage accounts, DvP accounts and safekeeping services of assets funding said accounts, as well as purchasing and selling of securities, bonds, mutual funds, treasuries and insurance products, etc. Specific pricing for any services must be obtained from Raymond James. ProsperityPrivate Investment associates will act as a facilitator for all parties.

OVERDRAFT PROVISIONS

The City does not intend to have a net overdraft position occur during the contract period. A net overdraft shall be defined as a negative balance in the City’s accounts collectively, not by individual account.

In the event a check or checks shall be presented for payment where there is insufficient funds for the purpose of paying checks, the successful bank agrees to promptly notify the City Secretary/City Accountant/Office Manager or other signatory person, by telephone or other means, of the overdraft condition, and to provide the City a period not exceeding one business day to respond and rectify the condition.

☒

Yes, can provide as requested/required.

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No, cannot provide as requested/required.

Comment.

Overdrafts may be subject to the following:

- a. *Overdraft Item Fee – The Overdraft Item Fee will be waived if offsetting collected balances are on deposit in non-interest-bearing deposit accounts.*
- b. *Accrued Interest Adjustment – If offsetting collected balances are maintained in interest-bearing deposit accounts only, the Overdraft Item Fee will be waived and an interest accrual debit adjustment will be made to the interest-bearing deposit account calculated on the amount and duration of the overdraft.*
- c. *Frequent and Continuous Overdrafts – If overdrafts continue to occur on a frequent basis, Prosperity Bank reserves the right to assess Overdraft Item fees, regardless of compensating balances. Additionally, if an account remains overdrawn for more than one business day, Prosperity Bank reserves the right to assess an Overdraft Interest Charge of which the rate will be equal to the prime rate published in the Wall Street Journal, as it changes.*



OTHER STIPULATIONS

- A. The successful bidder shall notify the City in writing within ten (10) days of any changes in Federal or State regulations or laws that would affect the Bank Depository Services Agreement.
- B. Notification of wire transfers shall be made by a written confirmation mailed to the City the same day of the transaction.
- C. In the event it would be ruled illegal under the provisions of any Federal or State laws or regulations for the successful bank to comply with the requirements of the Bank Depository Services Agreement, then the City expressly reserves the right and privilege to cancel the Bank Depository Services Agreement and to re-bid.
- D. The successful bank's records relating to the City's accounts shall be open for review during normal business hours by designated staff members or appointed independent auditors.
- E. The City reserves the right to open and maintain one or more demand accounts at financial institutions not affiliated with the successful bank.
- F. The City expressly reserves the right to terminate the depository agreement with or without cause at any time by providing written notice to the depository to close its accounts.

☒

Yes, can provide as requested/required.

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No, cannot provide as requested/required.

Comment. _____



BIDDING REQUIREMENTS

- A. Sealed Proposals will be accepted at Ovilla City Hall until Friday, February 14, 2020, at 3:00 p.m., prevailing local time.
- B. All sealed proposals must be addressed to City Secretary, City of Ovilla, and bear the title **"The City of Ovilla, Texas - Bank Depository Services."** along with the vendor's name and address.
MS Glennell Miller, City Secretary
City of Ovilla
105 S. Cockrell Hill Rd.
Ovilla, TX 75154
972-617-7262
- C. **NO PROPOSAL SHALL BE RECEIVED AFTER 3:00 P.M. ON THE DATE DUE.**
- D. The proposing institution shall use this RFP as the Official Bid Form. Submitted prices, rates, conditions, and answers shall be included in final contract form. The signed, submitted response should include printed copies of all completed worksheets and will be deemed the respondent's official proposal.
- E. The City reserves the right to request additional information or to meet with representatives from proposing organizations to discuss points in the proposal before and after submission, any and all of which may be used in forming a recommendation.
- F. The City reserves the right to reject any and all proposals, and to accept the proposal it considers in its best interest based upon the requirements and descriptions outlined in this RFP.
- G. Bidder must qualify under current Texas law as a state or national bank to serve as a municipal depository bank.
- H. Transfer of funds will commence at such time the successful bank has provided the City with all required forms and supplies necessary to insure uninterrupted day-to-day operations. The successful bank commits its "best efforts" to complete the execution of documentation and transfer of funds by contract period start date. Failure to complete by the start date, at the discretion of the City, could be considered grounds for bid bond forfeiture and alternative bank selection.
- I. The successful bank shall, upon termination of contract, cooperate with the new bank for transfer of funds.
- J. There will be no formal bid opening at the expiration of the response deadline. Upon written request, a copy of the accepted proposal will be available after the City Council selects the successful bank.
- K. Any questions concerning this RFP should be directed to:

**City Accountant, Glennell Miller
City of Ovilla
105 S. Cockrell Hill Rd.**



Ovilla, TX 75154
972-617-7262
gmiller@cityofovilla.org

☒

Yes, can provide as requested/required.

☐

No, cannot provide as requested/required.

Comment. _____

MISCELLANEOUS

- A. The City shall reserve the right to a review meeting when needed to evaluate the working relationship between the City and the successful bank. The objective shall be to address any problems and to seek solutions as well as keeping abreast of changes, new services, or new requirements.
- B. The final appointment of the successful bank shall be made by contract award of the Ovilla City Council. The successful bank shall be required to enter into a contract that incorporates all of the requirements of their submitted RFP as the OFFICIAL BID FORM, along with the accompanying related schedules and materials as called for in this RFP. Additional contract attachments include: collateral custodial agreement, FIRREA bank certification, and PFIA investment provider certification.
- C. This RFP has been duly advertised and is being offered for consideration to financial institutions.

This Request for Proposal is being offered by the following person duly authorized to act on behalf of the City, Glennell Miller, City Secretary.



Date _____

[illegible]



BANK ACCOUNT INFORMATION
(same information provided on page 6, Account Activities)

Governmental Funds: As of the end of the December 31, 2019, the City's governmental funds reported combined ending fund balances of \$3,460,732. Approximately 87% of this total amount \$1,842,389 constitutes unreserved fund balance. The remainder of the fund balance is reserved to indicate that it is not available for new spending because it has already been committed to pay for debt service. The debt service fund has a total fund balance of \$51,711. The net decrease in fund balance during the current year in the debt service fund was \$59,017. The **General Fund** is the chief operating fund of the City. At the end of the current fiscal year, unreserved fund balance of the general fund was \$1,008,422. Unreserved fund balance represents 29.14% of total general fund expenditures. The fund balance of the City's general fund increased \$346,699 during the current fiscal year. Unrestricted net assets of the **Water and Sewer Fund** at the end of the year amounted to \$833,966. Net assets decreased in 2014 by \$12,747. Other factors concerning the finances of this fund have already been addressed in the analysis of the City's operations.

The City has a 57-person payroll paid bi-weekly with checks and direct deposits drawn on the Payroll Account in the approximate amount of \$55,000 per payroll. The City offers its employee's direct deposit of payroll with 72 employees utilizing direct deposit. The General Fund averages 109 checks issued each month and an average of 41 deposits. The W&S Fund averages 33 checks per month with an average expenditure of \$140,331 per month, with an average of 41 deposits per month. The General Fund, W&S Fund, Police Department Fund, and Fire Department Auxiliary Funds issue checks.

City of Ovilla banking information as of 12-31-2020 is Attachment 1. The City of Ovilla currently has twenty two accounts with an estimated value of \$3,460,732. City of Ovilla Investment Policy - Attachment 2.

BANKING SERVICES FEE SCHEDULE

Bank Name: Prosperity Bank

	Charge per Item	Monthly Service Charge
Account Maintenance	<u> </u>	<u>No Charge</u>
Number of Deposits	<u> </u>	<u>No Charge</u>
Outgoing Wire Transfers	<u> </u>	<u>No Charge</u>
Incoming Wire Transfers	<u> </u>	<u>No Charge</u>
Stop Payments	<u> </u>	<u>No Charge</u>
Returned Items (NSF)	<u> </u>	<u>See Overdraft Provisions</u>
Fine Sort Checks	<u> </u>	<u>No Charge</u>
Research Items	<u> </u>	<u>No Charge</u>



Locking Bank Bags	_____	<u>No Charge</u>
Endorsement Stamps	_____	<u>Customer Pays Bank Cost</u>
Direct Deposits (ACH Processing)	_____	<u>No Charge</u>
Daily Balance Reporting	_____	<u>No Charge</u>
Zero Balanced Accounts	_____	<u>No Charge</u>
Reconciliation	_____	<u>Not Applicable</u>
Commercial Deposits	_____	<u>No Charge</u>
	Charge per Item	Monthly Service Charge
Check Processing	_____	<u>No Charge</u>
Check Printing (per 500)	_____	<u>Customer Pays Bank Cost</u>
Printed Deposit Slips (per 200)	_____	<u>Customer Pays Bank Cost</u>
Computer Access to Accounts	_____	<u>No Charge</u>
On-line Banking	_____	<u>No Charge</u>
Microfilming or imaging of checks	_____	<u>No Charge</u>
Night Deposit Services	_____	<u>No Charge</u>
Other – Specify:	_____	_____
Charges for handling	_____	<u>No Charge</u>
Temporary Overdrafts	_____	<u>See Overdraft Provisions</u>
Remotely Deposit Checks	_____	<u>No Charge</u>
Machine to process Checks Remotely	_____	<u>No Charge</u>
Check Cashing for Employees	_____	<u>No Charge</u>
Total Annual Service Charge	_____	_____

1) Certificates of Deposit \$100,000 (or more):

Term	Rate	Minimum \$	Maximum \$
7 to 29 days	_____	_____	_____
30 to 59 days	_____	_____	_____



60 to 89 days			
90 to 119 days			
120 to 149 days			
150 to 179 days			
180 to 269 days			
270 to 364 days			
1 to 2 years			
2 to 3 years			

Interest rates on Time Deposits will be at a Prosperity Bank CD rate in effect at the time of purchase for like balance and term of the Time Deposit.

Prosperity Bank does not offer a 7 to 29 day term Certificate of Deposit option. The rate quoted applies to all terms equal to or greater than 30 days.

2) Overdrafts:

Overdrafts are not anticipated to occur, however, should a net overdraft condition occur, the following stipulations shall apply:

Maximum number of banking days the overdraft shall be allowed: _____

Maximum amount of the overdraft: \$ _____

Interest rate per annum computed on the overdraft: _____ %

Overdrafts may be subject to the following:

- Overdraft Item Fee – The Overdraft Item Fee will be waived if offsetting collected balances are on deposit in non-interest-bearing deposit accounts.*
- Accrued Interest Adjustment – If offsetting collected balances are maintained in interest-bearing deposit accounts only, the Overdraft Item Fee will be waived and an interest accrual debit adjustment will be made to the interest-bearing deposit account calculated on the amount and duration of the overdraft.*
- Frequent and Continuous Overdrafts – If overdrafts continue to occur on a frequent basis, Prosperity Bank reserves the right to assess Overdraft Item fees, regardless of compensating balances. Additionally, if an account remains overdrawn for more than one business day, Prosperity Bank reserves the right to assess an Overdraft Interest Charge of which the rate will be equal to the prime rate published in the Wall Street Journal, as it changes.*



- 3) The City requests one relationship manager to coordinate the financial institution's efforts in providing the requested services. This individual will be the City contact and will be directly responsible for facilitating all City/financial institution interaction:

Description	Name	Title	Phone
Relationship Officer	Jo Ann Brewer Banking Center President 972-617-1509		

Name of Officer most likely to answer questions pertaining to information presented within the proposal.

Jo Ann Brewer



RESPONSE DOCUMENTS (Please label and attach in the order requested):

1. Monthly account analysis statement that will be provided to the City, and indicate any capability to provide the information electronically.

Please see the attachment for the sample account analysis statement. Prosperity Bank does offer electronic statements through online banking e-statements

2. Explanation of the institutions' policy and methodology used in setting rates paid on interest bearing accounts and account analysis earnings credit. Indicate if they are based on a market rate such as T-Bill discount or yield rate, or the federal funds rate, etc., and when the rates are changed. Also, please provide a historical schedule of rates paid.

*Interest bearing account rates and the account analysis earnings credit rate are set by executive management. Interest bearing account rates and the account analysis earnings credit rate are not tied to a specific index but are based upon current market short term rates.
See attachment "A" historical rates.*

3. Collateral agreement clearly stating that the custodian is instructed to release the collateralized securities to the City if the City has determined that the bank has failed to pay on any accounts, or the City has determined that the City's funds are in jeopardy for any reason, including but not limited to involuntary closure or change in ownership. The collateral agreement shall have signatories and be executed by the custodian, the successful bank, and the City.

See attached Collateral Agreement.

4. Latest annual financial statements, the most recent quarterly F.D.I.C. call reports, and the Uniform Bank Performance Report for the latest fiscal year end.

*FFIEC Call Report & UBPR Reference
Prosperity Bank IDRSD #664756, Prosperity Bank Certificate #16835
<https://cdr.ffiec.gov/public/ManageFacsimiles.aspx>*

*Prosperity Bancshares Inc Annual Reports
<http://www.prosperitybankusa.com>*

5. Information describing the institution's security measures to prevent fraud and unauthorized electronic and non-electronic transfers, and protect the integrity of computer banking services and internal computer systems.

Prosperity Bank utilizes a multi-faceted approach to help prevent and mitigate fraud. In addition to our behind-the-scenes fraud detection engines and security solutions, we offer the following services for our customers to tailor a fraud prevention strategy that best meets their needs:



- Security tokens, providing an easy to use and secure out-of-band authentication method, are required for accessing and approving ACH and wire transfers
- Trusteer Rapport is a free to use, state-of-the-art security solution that protects the end-user from malware, a leading cause of fraud
- Dual control for transaction approval (ACH and wire transfers) and/or sub-user administration is offered to mitigate the risk of internal and external fraud
- IP address restrictions may be enforced to prevent unauthorized access of your online accounts from outside your network
- SMS and email alerts may be customized to notify the appropriate users of certain transactional or administrative activity

Additionally, we offer Positive Pay to combat check fraud by comparing check transactions to a list of checks actually issued on that account and notifying the customer of items that don't match for further review. ACH filters and blocks may also be utilized to prevent unauthorized or fraudulent ACH transactions

6. Technology specifications for use of all proposed electronic systems and services.

The City will be provided an Administrator ID and Password. The Administrator sets-up the individual users and assigns access rights. If the City utilizes ACH or Wire origination, each user will be provided a security device (VIP soft token) to provide one-time-use-only passwords for each log in event. Users may be set up to allow broad access, or highly restricted access, which may include dual-control access for transaction functions (one user prepares but cannot initiate, while another user can initiate but not prepare).

7. Sample safekeeping report of the information the City shall receive monthly from the Custodian.

Brokerage and investment services are offered through our partner, Raymond James. Services offered include, but are not limited to, brokerage accounts, DvP accounts and safekeeping services of assets funding said accounts, as well as purchasing and selling of securities, bonds, mutual funds, treasuries and insurance products, etc. Specific pricing for any services must be obtained from Raymond James. ProsperityPrivate Investment associates will act as a facilitator for all parties.

8. Information on the sweep/overnight investment account recommended for use by the City.

Prosperity Bank's proposed bid allows for bank deposits only. Sweep arrangements between District deposit accounts at Prosperity Bank are an option Prosperity Bank provides. Sweeps are only offered between internal accounts. Prosperity does not offer sweeps out of the bank or internal repos. Transaction limitations per banking regulations apply to Money Market and Savings accounts. Prosperity Bank does not provide investment advice. Prosperity Bank does not provide sweep services to overnight or other investments outside of the Bank (such as SEC registered money market mutual fund investments).

9. Summary of the institution's business continuation plans as they pertain to the City's ability to perform normal banking functions during natural and un-natural bank operation disruptions, including a



Statement of Commitment to provide the City continuous and ongoing bank depository services to the best of the financial institution's ability.

See attached Business Resumption Plan

10. Lists of Comparable References and Current Texas Public Funds Clients.

Prosperity Bank is proud to have been awarded the bids of our local, Texas-based governmental entities and currently banks over 565 such entities. The Bank currently manages public fund accounts totaling approximately \$3.7 billion in deposits.

AGENDA ITEM REPORT

Item 4

Meeting Date: April 13, 2020

Department: Administration

☒ Discussion ☒ ActionBudgeted Expense: ☐ YES ☐ NO ☒ N/ASubmitted By: G. Miller, City SecretaryAmount: N/AReviewed By: ☒ City Manager ☒ City Secretary ☐ City Attorney☒ Accountant☒ Other: Council Finance Committee

Attachments:

1. Ordinance 2020-06

Agenda Item / Topic:

ITEM 4. DISCUSSION/ACTION – Consideration of and action Ordinance 2020-06 of the City of Ovilla, Texas, amending section 4.00 City Depository of Chapter 1 General Provisions, Ovilla City Code.

Discussion / Justification:

The presented ordinance supports Item 3 and the continuation of Ovilla's bank depository with Red Oak. It is necessary to show the update every 5-years.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

I move to approve/ deny Ordinance 2020-06 of the City of Ovilla, Texas, amending Section 4.0 City Depository of Chapter 1 General Provisions, Ovilla City Code.

**ORDINANCE 2020-06
CITY OF OVILLA**

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS AMENDING SECTION 4.00 CITY DEPOSITORY OF CHAPTER 1 GENERAL PROVISIONS, OVILLA CITY CODE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, there are no banks, credit unions or savings associations doing business within the City of Ovilla; and

WHEREAS, the City Council has adopted, by resolution, a policy that considers it to be in the best interest of the City to be able to consider applications from such institutions not doing business within the City; and

WHEREAS, such action is specifically authorized by §105.011(b) of the Local Government Code, provided that such institution maintains a place of business within the State of Texas and offers within Texas the services required by the Depository Services Contract; and

WHEREAS, the City gave notice to local banks, posted on the City's website and published the Request for Proposals as authorized by Chapter 105 of the Local Government Code for the evaluation of banking services; and

WHEREAS, the City Council now desires to continue with the current financial institution designated as the City's Depository.

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

SECTION 1.

Section 4.00, "City Depository" of Chapter 1, "General Provisions" is amended to read as follows:

PROSPERITY BANK, RED OAK, TX is hereby designated as the official depository of the City of Ovilla. The Mayor is authorized and directed to maintain established accounts with **PROSPERITY BANK** and to make deposits therein on behalf of the City and draw checks thereon upon authorization by the City Council and upon counter-signature of the City Secretary and City Manager.

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances of the City of Ovilla, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of

**ORDINANCE 2020-06
CITY OF OVILLA**

such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 3.

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

SECTION 4.

All rights and remedies of the City of Ovilla are expressly saved as to any and all violations of the provisions of the Ovilla City Code. A copy of said executed *Request for Proposals* is attached hereto as Exhibit "A" and made a part hereof for all purposes.

SECTION 5.

The City Secretary is hereby directed to publish this ordinance, or its caption and penalty clause, in the official newspaper as required by the Texas Local Government Code.

SECTION 6.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 13th DAY OF April 2020.

Richard Dormier, MAYOR

ATTEST:

Glennell Miller, CITY SECRETARY



Ovilla City Council

AGENDA ITEM REPORT

Item 5

Meeting Date: April 13, 2020

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: G. Miller, City Secretary

Amount: N/A

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

☐ Accountant

☐ Other:

Attachments:	
N/A	
Agenda Item / Topic:	
ITEM 5.	<i>DISCUSSION/ACTION</i> – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.
Discussion / Justification:	
Recommendation / Staff Comments:	
Staff recommends approval.	
Sample Motion(s):	
Discussion only.	

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

To: Mayor Richard Dormier
Ovilla City Council
Pam Woodall, City Manager

Subject: Police Department Monthly Activity Report

Calls For Service	March 2020	March 2020 YTD	March 2019	March 2019 YTD
Accident	7	15	5	20
Alarms	14	47	15	43
Arrest	1	13	4	13
Assault/Assault FV	1	3	0	1
Assists	70	195	100	259
Building / House Security Check	534	1923	801	2069
Burglary	2	2	0	0
Burglary of Motor Vehicle	0	1	0	0
Criminal Mischief	0	0	0	2
Disturbance	11	28	10	26
Neighborhood Check	857	3218	1238	3847
Other Calls for Service	105	282	91	258
Suspicious Person	3	12	8	23
Suspicious Vehicle	20	65	23	47
Theft	1	2	1	2
Traffic Assignment/School Enforcement	10	70	23	55
TOTAL CALLS FOR SERVICE	1636	5876	2319	6665

Volunteer and Reserve Officer Hours	4	32	2	37
Average Response Time (Minutes)	4.21	4.5566667	3.34	3.9033333
Total Citations	9	105	81	227
Total Traffic Stops	73	507	334	824
Traffic Stop Disposition Warning	64	406	249	627
Traffic Stop Disposition Citation	9	101	78	189
PERCENT OF STOPS RECEIVING CITATIONS	12.3	19.9	23.4	22.9

STAFFING

Full Time Sworn	10
Full Time Civillian	1
Part Time Sworn	3
Reserve Officer	1
Total Staffing	15

March 2020	TO	March 2020	MILEAGE	MAINTENANCE PERFORMED
Police Unit #	Begin	End	Accrued	
103	148,275	148,275	0	
116	104827	105113	286	
117	90,417	92,338	1,921	Replaced windshield wiper blades
216	26,785	27,122	337	
119	24962	26002	1,040	Oil Change and Tires Rotated
120	6,354	7,735	1,381	
220	5,868	7,637	1,769	

Ovilla Fire Department March Monthly Report



Fire Chief Brandon Kennedy

105 S. Cockrell Hill Road
Ovilla Texas, 75154
cityofovilla.org

Mission Statement

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

Summary of Staffing for the Department

- Currently the Department has 2 Firefighter Paramedic position open.
- Currently the Department has 0 Firefighter Basic position open.
- Currently the Department has 2 Volunteer Firefighter position open.

- Current Staffing
 - 2 Chiefs
 - 4 Captains
 - 24 Firefighter Paramedics
 - 7 Firefighter EMT-Basics
 - 9 Volunteer Firefighters
 - Total Staffing of 46 out of 50 positions

- Of the Volunteers on staff,
 - 2 of them are Dual Certified, meaning they have their Fire Certs and EMT Basic
 - 2 have just their Fire Certs
 - 3 have just their EMT- 2 - Basic and 1 - Paramedic
 - 2 Volunteers do not have any Certification at this time.

Grants Report

- Have turned in five Texas Forestry Service Grants, waiting for notification of award
 - 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 Skid Unit to be placed onto Brush Truck Chassis if awarded
 - Have applied for a Brush Truck grant that we are still waiting to hear if awarded
 - Have applied for an Insurance Reimbursement Grant
- AFG Grant for PPE was submitted on 03/12/2020, unknown on award notification date

Summary of Events for the Department

- March was slightly slower than February, with a total of 61 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.
- COVID-19 Monitoring (See Attached Situational Report for Addition)
- Structure fire on Red Oak Creek Road, no injuries but significant loss to the structure

Summary of Staffing for the Month

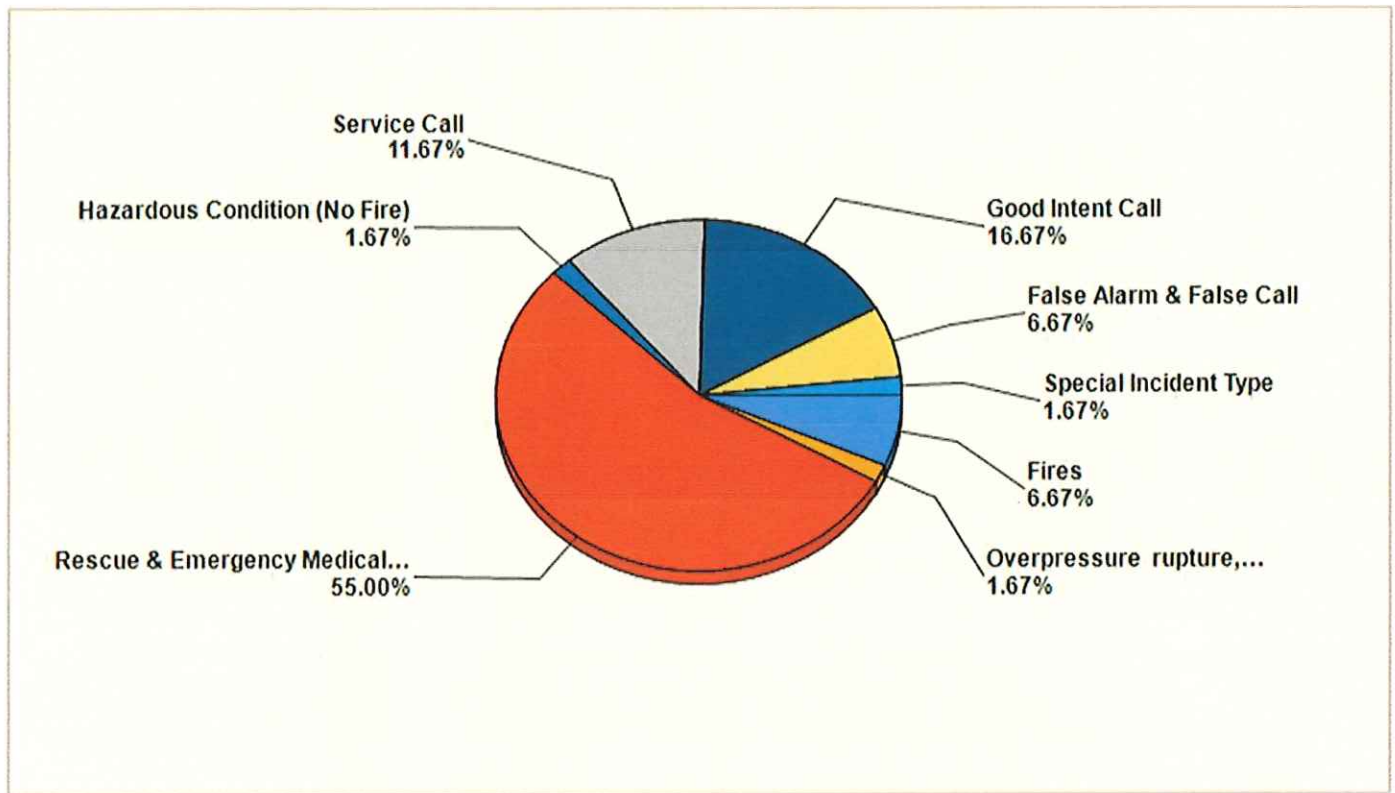
- 7 days a week we have 3 - 24-hour part time positions (0800 – 0800)
- These positions were **100%** filled this month
- 7 Days a week we have 2 – 12-hour shifts that are covered by volunteers (0800 – 2000) and (2000 – 0800)
- **62 / 62** Volunteer shifts were covered, and these 62 shifts we had 4 personnel on the Engine

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

- 6 Consults
- 9 Meetings
- Back-Up for Ovilla PD
- QCI reports
- Fire Investigation

Monthly Call Summary

INCIDENT COUNT		
INCIDENT TYPE	# INCIDENTS	
EMS	33	
FIRE	28	
TOTAL	61	
CO CHECKS		
736 - CO detector activation due to malfunction	1	
TOTAL	1	
MUTUAL AID		
Aid Type	Total	
Aid Given	7	
Aid Received	2	
OVERLAPPING CALLS		
# OVERLAPPING	% OVERLAPPING	
10	16.39	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)		
Station	EMS	FIRE
Station 701	0:07:48	0:09:09
AVERAGE FOR ALL CALLS		0:08:38
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)		
Station	EMS	FIRE
Station 701	0:01:25	0:02:01
AVERAGE FOR ALL CALLS		0:01:40
AGENCY		AVERAGE TIME ON SCENE (MM:SS)
Ovilla Fire Department		25:05

Breakdown by Major Incident Type

MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	4	6.67%
Overpressure rupture, explosion, overheating - no fire	1	1.67%
Rescue & Emergency Medical Service	33	55.00%
Hazardous Condition (No Fire)	1	1.67%
Service Call	7	11.67%
Good Intent Call	10	16.67%
False Alarm & False Call	4	6.67%
Special Incident Type	1	1.67%
TOTAL	61	100.00%

Average 1.0 fire per week

Average 1.97 calls per day

Average 15.25 calls per week

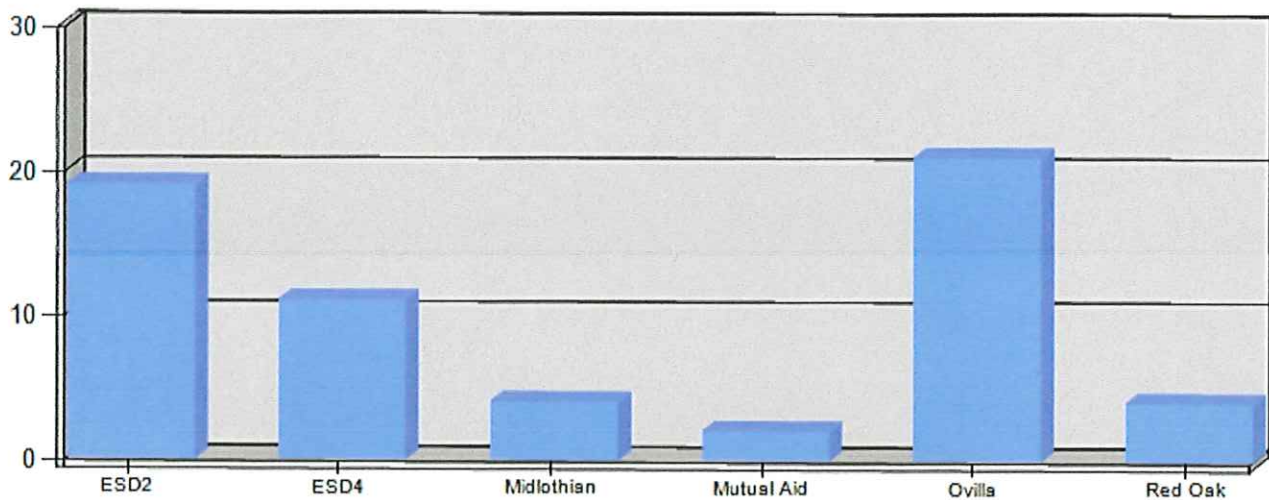
C701 Responses | **14**

C702 Responses | **16**

Number of Overlapping Calls | **10**

Total Ovilla Fire Department Runs | 61

Breakdown by Districts



ZONE	# INCIDENTS
ESD2 - ESD #2	19
ESD4 - ESD #4	11
Midlothian - Midlothian City Limits	4
Mutual Aid - Mutual Aid	2
Ovilla - City Limits	21
Red Oak - Red Oak City Limits	4

TOTAL: 61

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

Midlothian and Red Oak are what is called Automatic Aid due to being on the same dispatch system, and we are 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	AVERAGE RESPONSE TIME in minutes (Dispatch to Arrived)
Mutual Aid - Mutual Aid	14.01
Midlothian - Midlothian City Limits	11.89
ESD4 - ESD #4	8.69
ESD2 - ESD #2	8.57
Ovilla - City Limits	7.97
Red Oak - Red Oak City Limits	7.77
Average	8.41

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	TURNOUT TIME (min) (Dispatch to Enroute)
AIDAU	1:35
B701	1:43
C701	0:53
C702	1:09
E701	1:39
E702	2:53
R755	2:20
AVERAGE TURNOUT TIME:	1:44

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 an average turn out time of 1:30 over 90% of our calls.

Incident Count Per Apparatus

APPARATUS	# of INCIDENTS
AIDAU	1
B701	3
C701	14
C702	16
E701	50
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	Fuel Expenses	Maintenance Expenditures
B701	58,899	58,984	85	\$ 52.45	\$ -
B702	4,047	4,064	17	\$ 35.40	\$ 239.95
C701	29,208	29,950	742	\$ 81.00	\$ -
C702	105,294	105,896	602	\$ 88.01	\$ -
E701	19,709	20,168	459	\$ 350.31	\$ -
E702	29,765	29,804	39	\$ 59.41	\$ -
E703	N/A	14,489	N/A	\$ -	\$ -
R755	20,227	20,342	115	\$ 69.04	\$ 2,914.19
Station Supplies (Small Equipment Fuel, Propane, Other)				\$ 31.94	\$ -
Totals for the Month			2,059	\$ 767.56	\$ 3,154.14

COVID-19 Update See Situational Report Attached



OVILLA FIRE DEPARTMENT COVID-19 Situation Report

For Operational Period: March 29, 2020 – April 4, 2020

Event Name: Novel Coronavirus (COVID-19)

Date/Time of Report: April 06, 2020, 1700

Jurisdiction: Ovilla Fire Department



Date of Next Report: April 13, 2020

General Situation:

The City of Ovilla continues to monitor the situation with COVID-19 (coronavirus) at the local, State, and National level and the potential impacts to our community and county.

- April 3, 2020- Ellis Co. Commissioners Court extended the stay at home and stay safe order until 11:59PM on April 30, 2020
- April 3, 2020 – Mayor Dormier Amended the Declaration of Local Disaster to extend the Shelter in Place Order through April 30, 2020
- April 3, 2020 – Signed Interlocal Agreement sent to Ellis County EMC for housing quarantined First Responder Personnel at Camp Hoblitzelle if needed
- March 31, 2020- Governor Abbott Issues Executive Order, Implements Statewide Essential Services and Activities Protocols to be in effect until April 30, 2020
- March 31, 2020 – COVID-19 Expense Account Code and Payroll Code created for tracking purposes
- March 30, 2020 – Registration complete for FEMA Public Assistance (PA) Program
- March 27, 2020- Flow Chart for general employee possible exposure guidelines
- March 26, 2020 – Administrative Directive for restricted and rotational work schedules to maintain city operations
- March 25, 2020- City of Ovilla Mayor approved a Shelter in Place Order for Ovilla residents effective at 11:59PM on March 25, 2020 until 11:59PM on April 3, 2020
- March 24, 2020- Ellis CO. Judge and Commissioners approved a Shelter in Place Order for Ellis CO. residents effective at 11:59PM on March 25, 2020 until 11:59PM on April 3, 2020

Highlights of the Situation World Health Organization (WHO), Center for Disease Control and Prevention (CDC), and Texas Department of State Health Services (DSHS) as of April 6th.

We are currently 128 Days into the inception of COVID-19 in Wuhan, China		TOTAL NUMBER SINCE COVID-19	INCREASE SINCE MARCH 30,2020
	Affected people Globally	1,309,439	+553,848
	Deaths Globally	72,638	+36,427
	Cases in the United States	330,891	+182,802
	U.S. Deaths	8,910	+6,311
	Texas Residence confirmed Cases	7,276	+4,399
	Ellis Co. Cases	32	+16
	Ellis Co. Deaths	2	+1
	Texas Resident Deaths	140	+101



OVILLA FIRE DEPARTMENT COVID-19 Situation Report

For Operational Period: March 29, 2020 – April 4, 2020

- **March 24, 2020-** Dallas County has signed Declaration of Emergency to Shelter in Place, effective at 9:00PM on March 24, 2020 and will be in effect until 11:59 on April 3, 2020
- **March 23, 2020-** Sent ICS 214 Form to all Employees for tracking time spent on COVID-19
- **March 20, 2020-** Dallas CO Ellis Davis Field Site opened to emergency responders of Ellis Co. for COVID-19 testing
- **March 20, 2020-** Extension and amendment to Declaration of Local Disaster for Public Health Emergency has been approved by Mayor Dormier, to reduce gathering to 10 persons or less continuing until 11:00AM on April 13, 2020
- **March 20, 2020-** PPE Kits have been put together with what limited supplies we have and distributed to First Responder Personnel.
- **March 19, 2020-** Daily Employee Health Monitoring implemented for Fire Department members, and this is complete twice per shift
- **March 17, 2020-** City of Ovilla STAR Request for PPE
- **March 16,** Mayor Declaration of Local Disaster for Public Health Emergency
- **March 10, 2020-** Modified Response Guidelines to COVID-19 emergency calls
- **March 2, 2020-** Began capturing all cost in City incurred to apply for 75/25 recovery by documenting on 214's
- **March 2, 2020-** Implemented dispatch screening questionnaire on each EMS call
- The following data is as of April 6, 2020:
 - **Dallas County:**
 - ❖ 1,155 Positive COVID-19 cases- this is an increase of 43 additional cases since yesterday
 - ❖ 18 Total Deaths- this is an increase of 0 additional death since yesterday.
 - **Tarrant County:**
 - ❖ 439 Positive COVID-19 cases- this is an increase of 21 additional cases since yesterday
 - ❖ 11 Total Deaths
 - **Denton County:**
 - ❖ 337 Positive COVID-19 cases this is an increase of 33 additional cases since yesterday
 - ❖ 6 Total Deaths
 - **Collin County:**
 - ❖ 307 Positive COVID-19 cases- this is an increase of 0 additional cases since yesterday
 - ❖ 7 Total Deaths



OVILLA FIRE DEPARTMENT COVID-19 Situation Report

For Operational Period: March 29, 2020 – April 4, 2020

- **Ellis County:**
 - ❖ 32 Positive COVID-19 cases- this is an increase of 3 additional cases since yesterday
 - ❖ 1st reported case in the City of Ovilla was on 04/06/2020
 - ❖ 2 Deaths in Ellis Co.
- **Kaufman County:**
 - ❖ 9 Positive COVID-19 cases- this is an increase of 0 additional case since yesterday.
- There is now 157 of 254 counties in Texas reporting COVID-19 cases.
- Count of positive cases by Counties surrounding Ellis County from March 23, 2020 to March 30, 2020

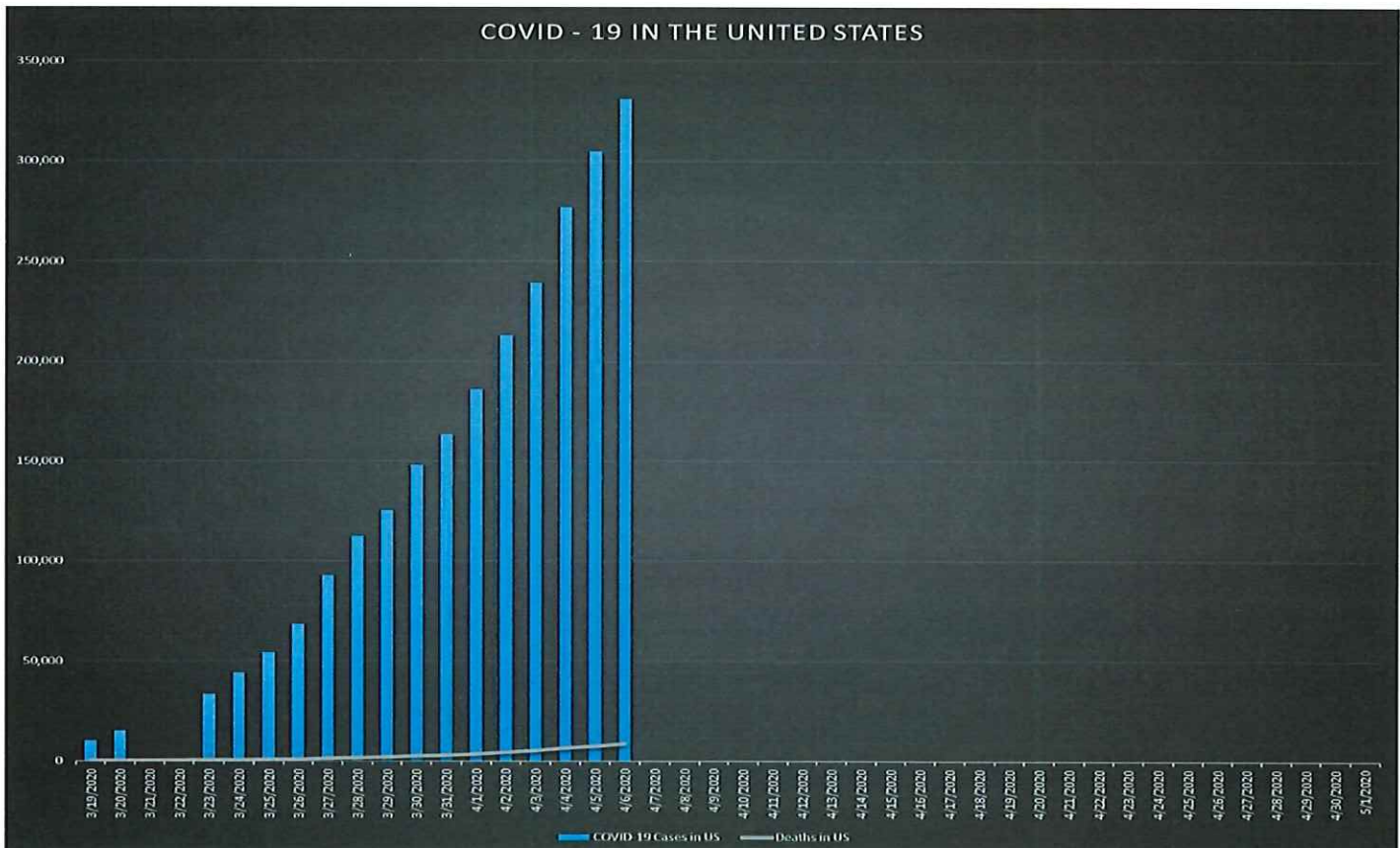
County	30-Mar	06-April	% Increase
Collin	140	307	54%
Denton	165	337	51%
Dallas	556	1155	52%
Ellis	15	32	53%
Henderson	1	1	0%
Hill	1	6	83%
Johnson	8	23	65%
Kaufman	3	9	67%
Navarro	3	7	57%
Tarrant	155	439	65%



OVILLA FIRE DEPARTMENT COVID-19 Situation Report

For Operational Period: March 29, 2020 – April 4, 2020

Date	COVID-19 Cases in US	Increase/Decrease from Yesterday	Deaths in US	Increase/Decrease from Yesterday
3/19/2020	10,442	+3000	150	+53
3/20/2020	15,219	+4777	201	+51
3/21/2020	Unknown CDC only updates Monday -Friday			
3/22/2020	Unknown CDC only updates Monday -Friday			
3/23/2020	33,404	+18185	400	+199
3/24/2020	44,183	+10779	544	+144
3/25/2020	54,453	+10270	737	+193
3/26/2020	68,440	+13987	994	+257
3/27/2020	92,932	+24492	1,380	+386
3/28/2020	112,468	+19536	1,841	+461
3/29/2020	125,433	+12965	2,201	+360
3/30/2020	148,089	+22656	2,599	+398
3/31/2020	163,539	+15450	2860	+261
4/1/2020	186,101	+22562	3603	+743
4/2/2020	213,144	+27043	4,513	+910
4/3/2020	239,279	+26135	5,443	+930
4/4/2020	277,205	+37926	6,593	+1150
4/5/2020	304,826	+27621	7,616	+1023
4/6/2020	330,891	+26065	8,910	+1294



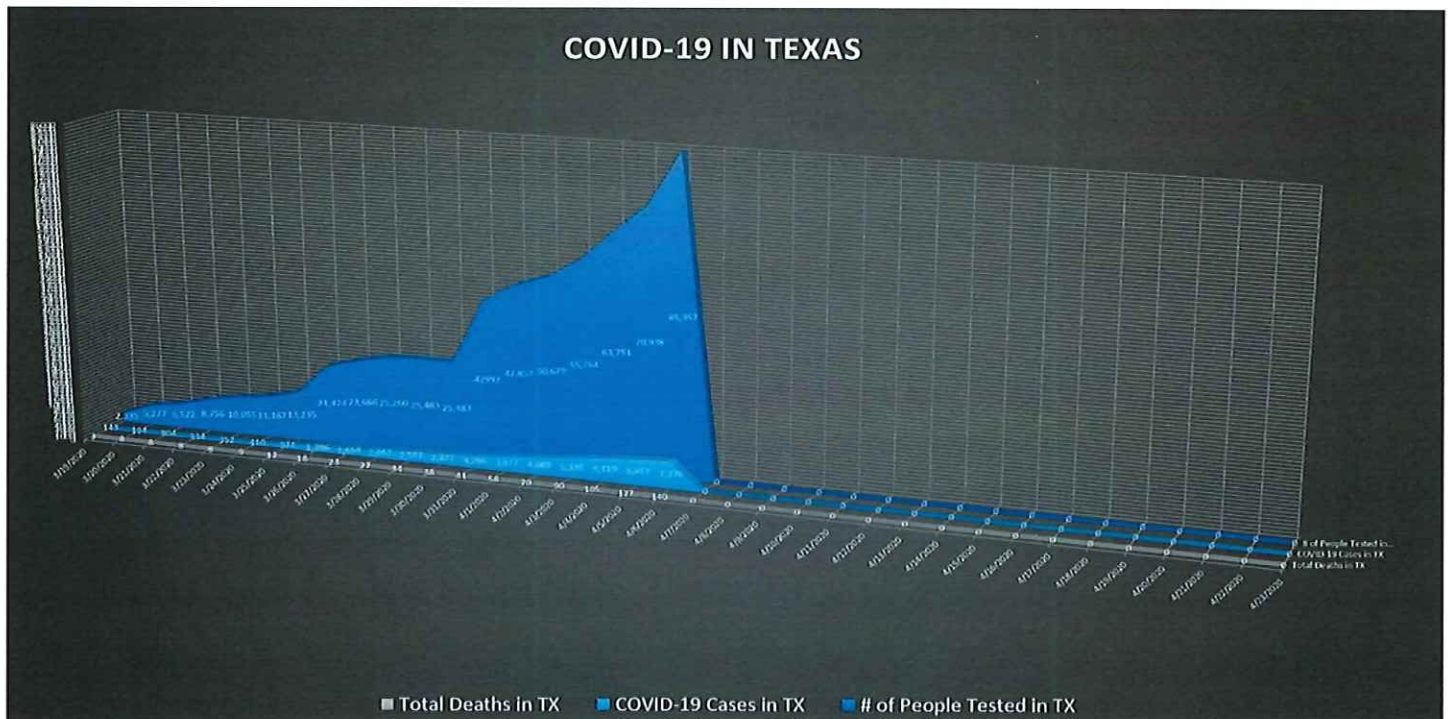


OVILLA FIRE DEPARTMENT COVID-19 Situation Report

For Operational Period: March 29, 2020 – April 4, 2020

Date	COVID-19 Cases in TX	Increase/Decrease from Yesterday	Total Deaths in TX	Increase/Decrease from Yesterday	# of People Tested in TX	Increase/Decrease from Yesterday
3/19/2020	143	+60	3	+1	2,335	+1638
3/20/2020	194	+51	8	+5	5,277	+2942
3/21/2020	304	+110	8	0	6,522	+1245
3/22/2020	334	+30	8	0	8,756	+2234
3/23/2020	352	+18	8	0	10,055	+1299
3/24/2020	410	+58	9	+1	11,167	+1112
3/25/2020	974	+564	12	+3	13,235	+2068
3/26/2020	1,396	+422	18	+6	21,424	+8189
3/27/2020	1,659	+263	23	+5	23,666	+2242
3/28/2020	2,052	+393	27	+4	25,260	+1594
3/29/2020	2,552	+500	34	+7	25,483	+223
3/30/2020	2,877	+325	38	+4	25,483	0
3/31/2020	3,266	+389	41	+3	42992	+17509
4/1/2020	3,977	+711	58	+17	47,857	+4865
4/2/2020	4,669	+692	70	+12	50,679	+2822
4/3/2020	5,330	+661	90	+20	55,764	+5085
4/4/2020	6,110	+780	105	+15	63,751	+7987
4/5/2020	6,812	+702	127	+22	70,938	+7187
4/6/2020	7,276	+464	140	+13	85,357	+14419

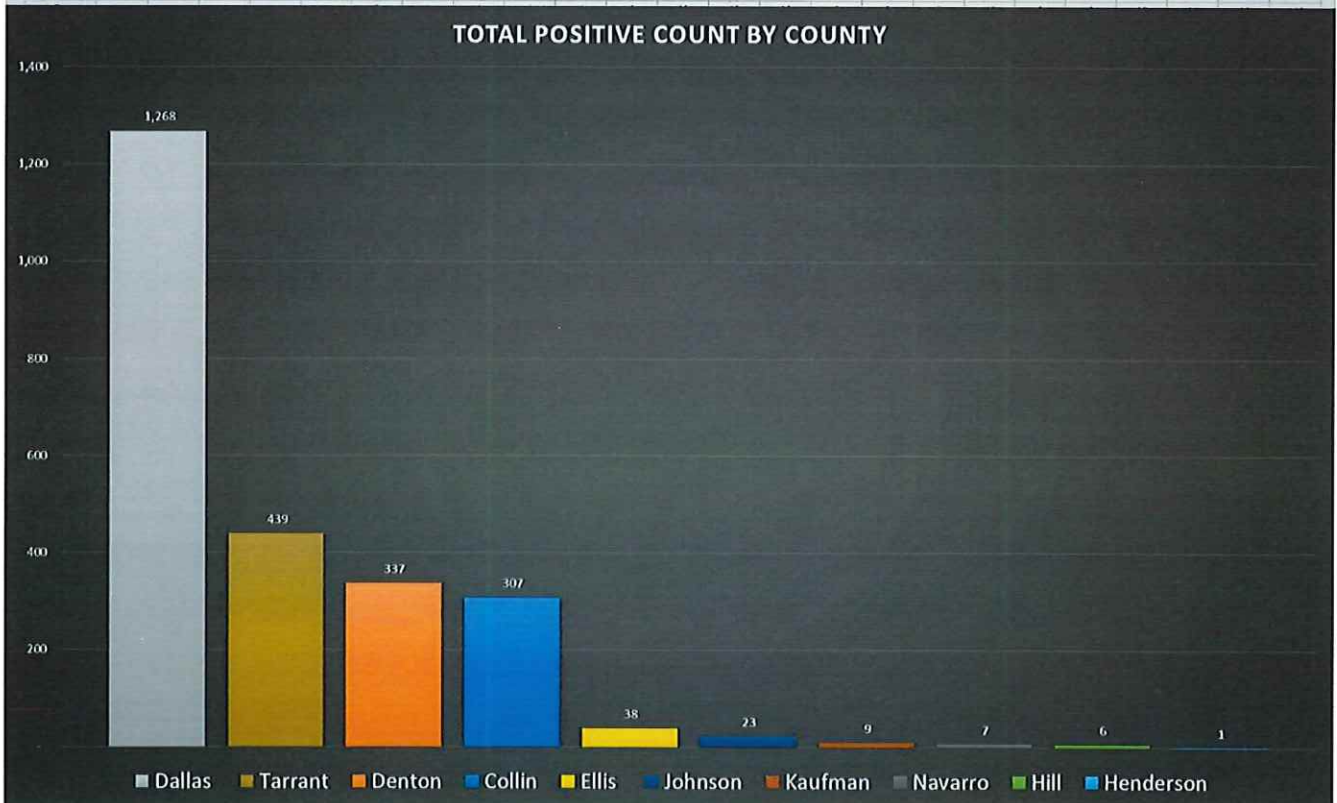
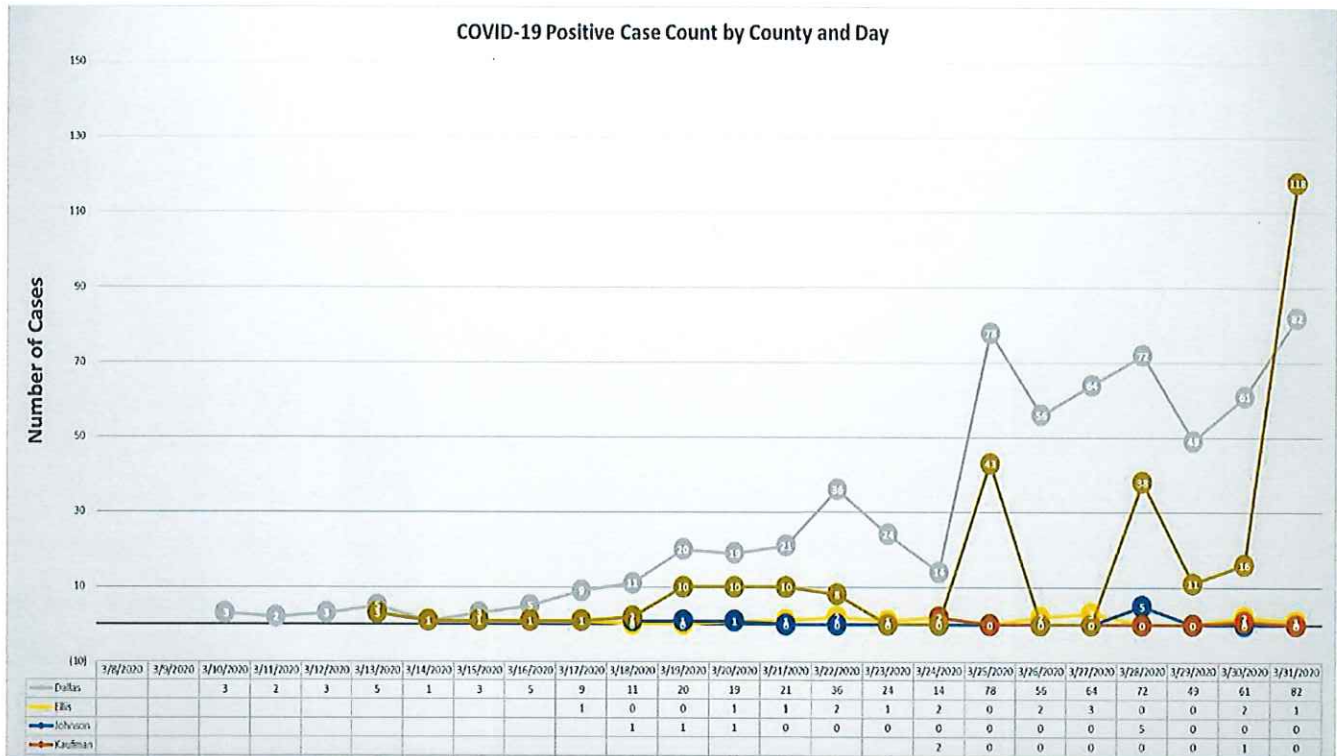
COVID-19 IN TEXAS





OVILLA FIRE DEPARTMENT COVID-19 Situation Report

For Operational Period: March 29, 2020 – April 4, 2020





OVILLA FIRE DEPARTMENT COVID-19 Situation Report

For Operational Period: March 29, 2020 – April 4, 2020

Primary Response Objectives:

- Coordinate community-level response plans
- Monitor event information from Local, State, and Federal sources.
- Track community level data so as to advise on impacts to Ovilla
- Plan for City and Emergency response options and impacts.
- Follow infectious disease Outbreak protocols to minimize transmission of illness and impact to community.

Logistical Impacts:

- All school districts are closed until further notice
- Many school districts have moved to an online teaching method
- All of our Churches are altering their service delivery to abide by CDC suggestions

Current Priority Needs:

The current objective is to slow down the spread of the virus as to not overwhelm the hospitals and EMS providers.

How do we do this?

- Maximize bed capacity at hospitals.
- Acquire necessary PPE supplies (masks, gowns, gloves, eye protection)
- Protect vulnerable populations.
- Monitor impacts and effects of Local, State, and National directives and implement as there implemented.
- Continue Social Distancing recommendations.
- Adhere to our current shelter in place guidelines.

Future Outlook/Planned Actions (if needed):

- Development of internal emergency plan and EOC Structure for City.
- Develop Critical Service Plan for city and have each department forecast potential impacts of possible employee shortage and develop plan if staff was unable to attend work. (what would impacts be if schools/daycare should close or had increased sick call)
- Formation of and distribution of Incident Action Plan for City and internal departments for clear communication.
- Media Campaign

Weather:

- Weather is not expected to be a variable to impact response at the present time.

Personal/ Workplace resources and actions:

Personal:

There are everyday actions people can take to prevent the spread of many respiratory illnesses, including COVID-19 and influenza:



OVILLA FIRE DEPARTMENT COVID-19 Situation Report

For Operational Period: March 29, 2020 – April 4, 2020

- Cover your coughs and sneezes with a tissue and then throw the tissue in the trash.
- Wash your hands often with soap and water for 20 seconds. If soap and water are not readily available, use an alcohol-based hand sanitizer that contains at least 60 percent alcohol.
- Avoid close contact with people who are sick.
- Avoid touching your eyes, nose and mouth with unwashed hands.
- Clean and disinfect surfaces that are often touched.
- Consult Centers for Disease Control and Prevention (CDC) travel website for any travel advisories and steps to protect yourself if you plan to travel outside of the U.S.A.
- Take care of your overall health. Staying current on your vaccinations, including flu vaccine, eating well and exercising all help your body stay resilient.

Although there are many uncertainties with this situation, it is important to have discussions with family and children about how this may develop and the potential impacts to your personal family. Planning is always a great place to start.

Workplace

Follow all internal directives that have been posted for COVID-19 response

Follow all other internal protocols that are not affected by COVID-19 as normal at this time. Fire personnel review and follow medical protocol as warranted.

Ovilla Emergency Operations Center Status: Has not been stood up at this time.

Information / Internet Resources:

Ellis County: <http://co.ellis.tx.us/948/2019-Novel-Coronavirus>

Texas Department of State Health Services (DSHS): <https://www.dshs.texas.gov/coronavirus/>

Centers for Disease Control (CDC): <https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

Covid-19 Fact Sheet for posting: <https://www.cdc.gov/coronavirus/2019-ncov/downloads/2019-ncov-factsheet.pdf>

World Health Organization (WHO): <https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

WHO –What Workplaces Can Do: <https://www.who.int/docs/default-source/coronaviruse/getting-workplace-ready-for-covid-19.pdf>

Send any questions that you may have for the State to soc@tdem.texas.gov

Sincerely,

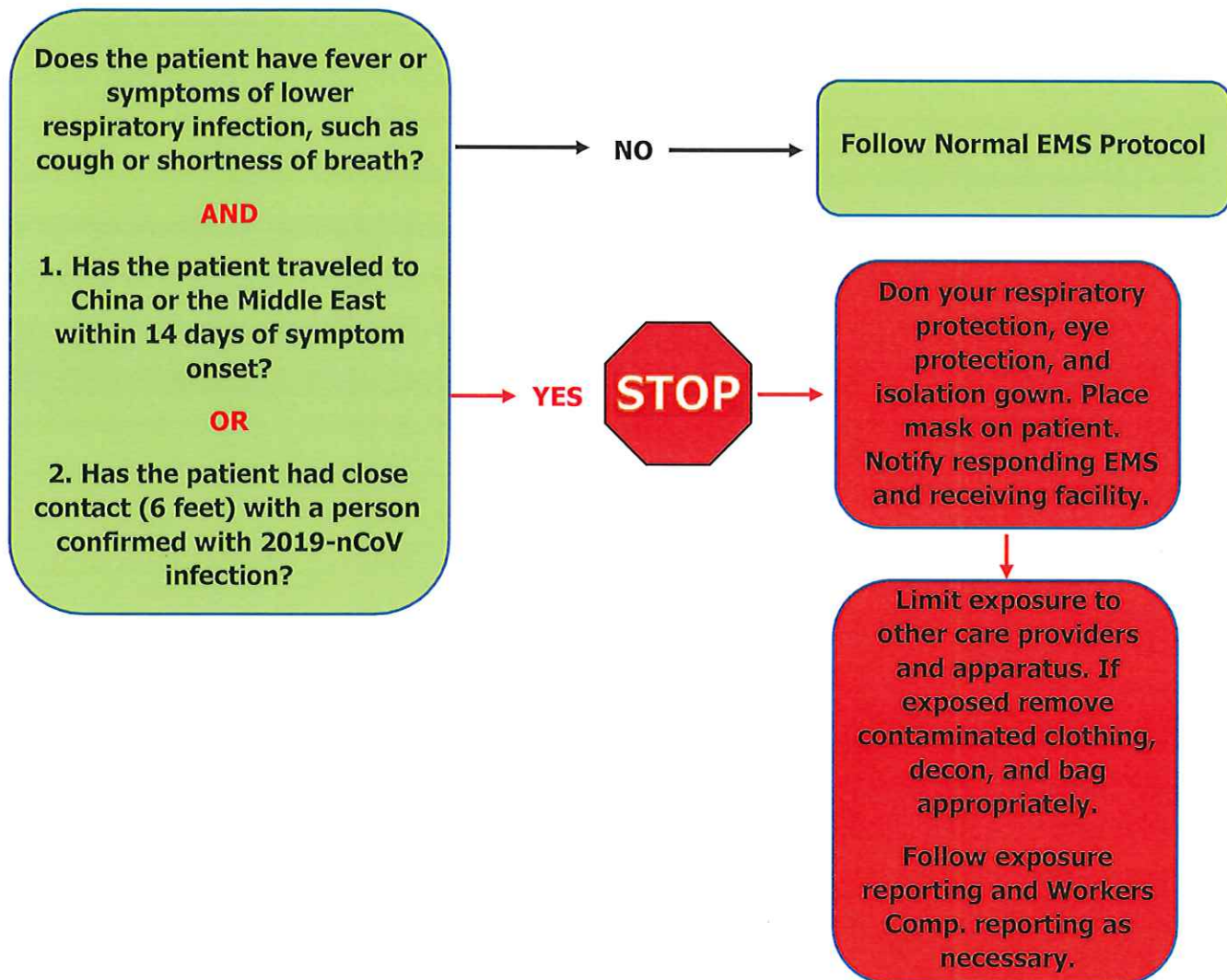
**Brandon Kennedy Fire
Chief / Assistant EMC
Ovilla Fire Department**



OVILLA FIRE DEPARTMENT COVID-19 Situation Report

For Operational Period: March 29, 2020 – April 4, 2020

EMSCOVID-19 Decision Tree



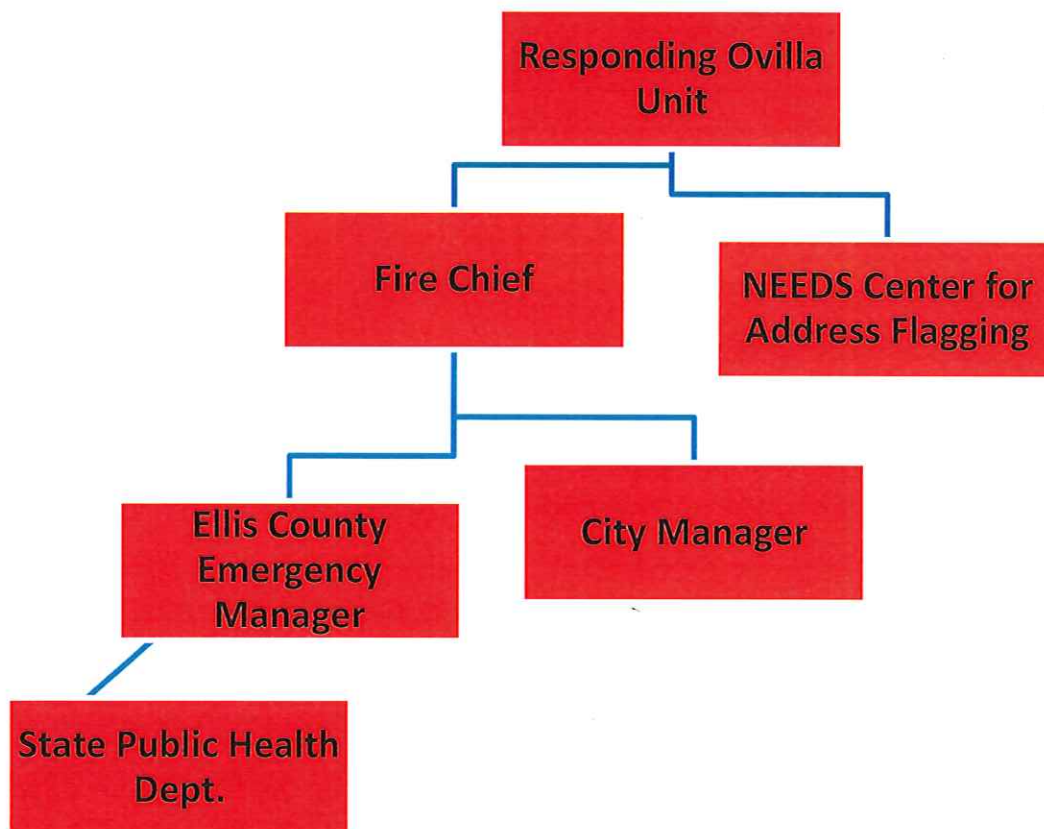


OVILLA FIRE DEPARTMENT COVID-19 Situation Report

For Operational Period: March 29, 2020 – April 4, 2020

Infectious Disease Communications Chart

Communication from suspected patient/ incident to City Manager and Ellis County Health





Date: April 9, 2020,

TO: City Manager Pam Woodall, Honorable Mayor and City Council Members

FROM: Daniel Durham – Water / Wastewater Superintendent
Johnny Cruz – Streets / Parks Superintendent

TOPIC: Public Works Monthly Report for March ,2020

STAFFING: 7 FTE positions approved; 4 FTE position filled

WORK ORDERS

- 24 total Work Orders completed for the month of March ,2020

GovPilot Reporting

Balances

	New	Completed	Remaining
Water/WW	14	11	3
Street/Parks	10	6	4
Total	24	17	7

WATER

- Gallons purchased from DWU 9.808.000 MG, Retail Billed 7.520.000 MG, Retail Unbilled 28.1 k, Builder metered 0.9 k, Maintenance flushing 85.0 k,
- Daily water sampling and pump station site check. (State Requirement)
- Daily monitoring of CL2 & NH3 feed rate and ratio of 5/1 check. (State Requirement)
- NAP Nitrification Action Plan performed daily @ 5 distribution locations. (State Requirement)
- Flushed NAP Nitrification Action Plan sample site areas if need to stay within baseline levels. (State Requirement)
- monthly TCEQ BACTI water samples collected and sent to lab. (State Requirement)
- Performed calibration checks on chlorine meter & HACH SL1000 meter (State Requirement)
- Flushed dead end mains & Flushed for system residuals of .50MG/L or lower. (State Requirement)
- Read monthly water meters.
- Completed monthly meter reread list. (TOTAL OF 19 REREADS FOR MARCH)
- Performed monthly water meter cutoff list.
- Completed monthly repairs list for replacing meter lids and boxes.
- **No major water repairs made for the month of March ,2020**



WASTEWATER

- Daily site checks and maintenance at Highland Meadows Lift Station. (State Requirement)
- Daily site checks and maintenance at Cumberland Lift station. (State Requirement)
- Daily site checks and maintenance Heritage lift station. (State Requirement)
- Cleaned all lift stations and wet wells.
- **No repairs needed to pump's or stations.**

STREETS/DRAINAGE

- Crack sealing- Sector #2 Shadow wood.
- Street maintenance to potholes on Shiloh. Rd, Westmoreland. Rd, Buckboard, Meadowlark, Johnson Ln, Bryson. Ln, William, Red Oak Creek. Rd, Cardinal.
- drainage work completed at 600 William.
- Set new pole and "No Thru" sign, Westlawn
- Replaced faded yield sign at Greenwood and willow wood.
- Cut and hauled off tree that fell in the intersection of Johnson Ln and Joe Wilson.
- Set new poles and speed limit signs in the 700 blk of Westmoreland. Rd
- Trimmed trees from right of ways and roadways as needed.

PARKS

- Trimmed trees at Cindy Jones Park, Ashburne Glen Park.
- Mowing and grounds keeping of Cindy Jones Park, Heritage Park, Silver Spur Park & Ashburne Glen Park.
- Mowing / grounds keeping of City Hall and all city owned property and lot at fm664 where tornado siren is located.
- Monthly park inspections performed.
- Maintained city marquee.
- Closed Baseball fields and Heritage Park restrooms due to the Covid-19 virus as a precaution to public health.

Buildings

- Put in access door for the Deputy City Secretary's office and remodeled.
- Assembled desk for Deputy City Secretary.



Vehicle & Equipment Usage

March 2020

	Veh. #	Description	Mileage				Hours			
			Begin	End	Accrued		Begin	End	Accrued	
1		2017 F250 4x4	16,695	17,001	306					
2		2015 2500 HD Silverado	46,361	46,937	576					
3		2011 3500HD Silverado	57,792	58,033	241					
4		2008 2500HD Silverado	87,103	87,593	490					
5		2019 f250 Animal Control	10,097	10,793	696					
6		2008 1500 Silverado	118,108	118,528	420					
7		2001 C6500 Dump Truck	19,108	19,140	32					
8		1999 International Patch Truck	312,128	312,128	0					
9		1998 Ford Dump Truck	55,317	55,339	22					
0		New Holland Skid LS60					1306.8	1307.2	0.4	
1		1999 Kubota Tractor					996.2	996.2	0	
2		1992 Ford Tractor					1090.4	1090.4	0	
3		310K John Deere Backhoe					2107.8	2116.7	8.9	
4		Ingersoll Mobil Air Compress					1326.1	1326.1	0	
5		Jet Machine					505.0	507.4	2.4	
6		Vac Machine 2017					123.3	124.9	1.6	
7		Boomag 900-50 packer					193.9	195.0	2.1	
8		2016 Exmark					317.6	321.5	3.9	
9		2013 Exmark					477.4	491.4	14.0	
0		2004 Exmark					1066.7	1066.7	0	
1		JCB Backhoe					79.6	80.9	1.3	
2		Kubota Mini Excavator					19.6	30.6	11	
3		Crafco Crack Sealer					75.2	75.2	0	
			Total =			2,783	Total =			45.6

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).

Several ant hills in
NOTES: Park Area.

DATE OF INSPECTION:

April 1, 2020

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. *Neighbor fence is breaking*
- ☒ All equipment is securely anchored.

Leaded Paint (§2.5.4)

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

General Upkeep of Playgrounds (§4)

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

INSPECTION BY:

Ashley

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
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 - ☐ 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).

Several Ant Hill in Play ground area.

NOTES:

DATE OF INSPECTION:

April 1/2020

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). *Swings need paint*
- ☒ 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)

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 - ☐ Correct other modification
- ☒ The entire playground is free from debris or litter such as tree branches, soda cans, bottles, glass, etc.
 - ☐ Clean playground
- ☒ There are no missing trash receptacles.
 - ☐ Replace trash receptacle
- ☒ Trash receptacles are not full.
 - ☐ Empty trash

INSPECTION BY:

Alexis

APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

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 - ☐ Improve drainage
 - ☐ Other maintenance: _____

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- ☒ 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).

Signs of several ant hills

NOTES:

DATE OF INSPECTION:

April 1 / 2020

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. *fence needs TLC. Paint*
- ☒ All equipment is securely anchored.

Lead Paint (§2.5.4)

- ☒ Paint (especially lead paint) is not peeling, cracking, chipping, or chalking.
- ☒ There are no areas of visible lead paint chips or accumulation of lead dust.
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 - ☐ Clean playground
- ☒ There are no missing trash receptacles.
 - ☐ Replace trash receptacle
- ☒ Trash receptacles are not full.
 - ☐ Empty trash

INSPECTION BY:

Amisly

Code Enforcement Report
 105 S Cockrell Hill Rd
 Ovilla, TX 75154
 (972) 617-7262

To: Mayor Richard Dormier
 Ovilla City Council
 City Manager Pam Woodall

Subject: **Code Enforcement Monthly Report**

	Mar. 2020	Mar.2020 YTD	Mar .2019	
Calls For Service				
Complaint (Nuis 8 Permit 7,Parking 5)	20	83	48	
Follow up (Nuis 8 Permit 7 Park 5)	20	89	52	
Door Notice (Nui - 3, Permit 1 Parking 2)	6	37	26	
Mail Notice (Parking 3 nuisance 4 perm 1)	9	33	6	
Posted Property (nuisance 2)	2	7	4	
Court	\$0	\$566	\$196.00	
Citizen Contacts	23	141	47	
Permits Reviewed	21	59	25	
Permits Issued	16	48	21	
Inspections	23	73	48	
Nuisance Abated by City	1	2	1	
Nuisance Signs (Garage sale-7 business 11)	18	105	23	
Board of Adjustment	0	1	0	

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

To: Mayor Richard Dormier
Ovilla City Council
City Manager Ms.Pam Woodall

Subject: **Animal Control Monthly Report**

	Mar.2020	Mar.2020 YTD	Mar.2019	
Calls For Service				
Complaint (Regist-21 At Large 13 Bark 1)	35	109	29	
Follow up	38	123	35	
Door Notice (Regis-11, Bark 0 at large 1)	13	59	20	
Impounded Animal (Dog 7)	7	19	11	
Animal welfare check	8	28	16	
Impound Results (Transport 4 Ret to own 3)	7	19	11	
Impound fee collected	\$140.00	\$370.00	220	
Court 0	\$0.00	\$0.00	0	
Citizen Contacts	27	96	19	
Animal registration \$84	7	27	13	
Registration Letter Mailed	19	61	18	
Nuisance letter -1barking 4 At large	5	11	2	
Animals released 1 possum	1	3	1	
Deceased removed	24	62	27	
Oak Leaf -	0	1	2	
Traps Checked Out	4	13	3	

Ovilla Municipal Court Report

FY-2019-2020	Total Traffic Cases Filed	City Ordinance Filed	Total Revenue	Amount Kept by City	Amount sent to State	Warrants Issued	Warrants Cleared	Uncontested Disposition	Defensive Driving	Deferred Disposition	Compliance Dismissals	Trial
October	46	0	\$10,187.47	\$7,350.53	\$2,836.94	22	7	19	8	14	0	1
November	56	0	\$12,295.30	\$8,316.10	\$3,979.20	44	14	27	5	7	1	0
December	70	1	\$10,798.30	\$6,929.79	\$3,868.51	21	17	22	8	3	1	0
January	48	4	\$13,905.70	\$8,988.24	\$4,917.46	23	14	26	5	30	0	0
February	74	0	\$16,873.82	\$11,026.24	\$5,847.58	0	26	27	11	10	0	0
March	9	1	\$14,124.03	\$10,169.54	\$3,954.49	47	18	25	14	21	2	0
April												
May												
June												
July												
August												
September												
Totals	303	6	\$78,184.62	\$52,780.44	\$25,404.18	157	96	146	51	85	4	1

2018-2019 FY

March	83	2	\$19,666.96	\$13,787.61	\$5,879.35	71
FY Totals	496	8	\$98,673.13	\$62,850.18	\$35,822.95	185

Staffing

Full Time Court Clerk	1
Full Time Deputy Court Clerk	1
Judge	1
Prosecutor	1

HONORABLE MAYOR AND CITY COUNCIL OF OVILLA

City Manager's Report 2020.04.13

Honorable Mayor and Council –

I respectfully submit miscellaneous monthly updates.

Vacancies:

- Public Works Director
- 4 utility maintenance position are open in the Public Works Department
- Planning/Administrative Secretary

FINANCIALS –

1. The CM and City Secretary completed the tasks of payroll and accounts payable through March 26.
2. March 26, 2020 was Sharon Jungman's first day as Finance Director. She has had some communication with Eddie Peacock and will begin working more with him later in the month.
3. Eddie Peacock, PLLC and his staff continue working in accounting:
 - a. Employee Benefit Trust account – Reconciled through Sept 19, many payments, transfers and invoices had to be adjusted through JE's.
 - b. Many of the bank accounts are reconciled thru Sept 19 with the exception of W&S and Consolidated Cash which are in progress.
 - c. Working on reconciliations in Fundview.
 - d. Making many adjustments for reversals and duplicate entries and working on clearing transactions.
 - e. Anticipate another month before Audit prep.

WORK SCHEDULES:

1. With the impact of COVID-19, some staff are working rotational schedules keep the distancing recommendations.
2. City offices are closed to the public. Intercoms are placed outside the entry doors at the PD and City Hall for necessary deliveries or communications outside of email and telephones.
3. To date, all city employees are healthy.
4. Any out of town training is cancelled. On-line training continues.
5. Most employees have completed their required sexual harassment training.
6. Kudos to staff that made personal phone calls checking on our senior community.

MAIN STREET SANITARY SEWER PROJECT:

1. The weather set the project back a few weeks, but it is progressing now.
2. The parking lot areas surrounding the project may have issues once completed.

BRYSON MANOR Phase 3: (111 residential lots, 74.401 acres)

1. Is underway.

BOARDS:

1. Most have been postponed outside of necessity due to being short-staffed and COVID-19.