

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, May 11, 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, May 11, 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, May 11, 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:

United States: [1 \(312\) 757-3129](tel:13127573129) or (Toll Free) [1-877-309-2073](tel:18773092073)

Code: [668-660-733](tel:668660733)

If you would like to join the meeting with your computer, tablet, or smartphone:

<https://gotomeeting.com/join/668660733>

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

A recording of the 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 – led by PL5 Mike Myers
- US. Pledge of Allegiance and TX Pledge – led by PL1 Rachel Huber

II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS, PROCLAMATIONS

Certification of unopposed candidates. (Oaths & Statements of Office were taken individually in person prior to the meeting)

1. PL1 Rachel Huber
2. PL3 David Griffin
3. PL5 Mike Myers

Proclamations.

1. Memorial Day
2. Municipal Clerks Week
3. National Police Week
4. Public Works Week

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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 R2020.09 Updating Investment Policy
2. Minutes of the Regular Council meeting held on April 13, 2020.

IV. REGULAR AGENDA

- ITEM 1. **DISCUSSION/ACTION** – Consideration of and action on nominations and an appointment of Mayor Pro Tem.
- ITEM 2. **DISCUSSION/ACTION** – Consideration of and action to extend the current agreement between Eddie Peacock, PLLC and the City of Ovilla, to provide interim staff support for the completion and execution of accounting reconciliations and adjustments for the City of Ovilla.
- ITEM 3. **DISCUSSION/ACTION** – Consideration of and action on a Meritorious Exception, Chapter 3, Section 3.06.012 Granting of Exceptions of the Ovilla Code of Ordinances, filed by Pamilee Koval to place a 8' X 2' permanent sign at 713 West Main, Ovilla, Ellis County, Texas.
- ITEM 4. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2020.10 of the City of Ovilla, Texas, abolishing and disbanding of the Municipal Services Advisory Committee (MSAC), effective immediately.
- ITEM 5. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2020.11, to establish a Boards and Commissions Appointment Review Committee and adopting policies and procedures for all City Boards and Commissions, effective immediately.
- ITEM 6. **DISCUSSION/ACTION** – Consideration of and action to either cancel or to set the official date for Heritage Day 2020, appointing various assignments to facilitate the success of the 2020 Heritage Day Celebration and festivities.
- ITEM 7. **DISCUSSION** – Review and discuss future plans for the City's municipal facilities needs.
- ITEM 8. **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
 - a) Coronavirus Update
 - Fire Department Chief B. Kennedy
 - Public Works
 - 1. Water/wastewater Water Superintendent D. Durham

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-
- a) Update Council on Main Street Sanitary Sewer Project
 - 2. Streets/Drainage/Parks Street Superintendent Johnny Cruz
 - Administration
 - 1. Financials Finance Director Sharon Jungman
 - a) Monthly Municipal Court Report
 - 2. Monthly Code/Animal Control Reports Code/AC Officer M. Dooly
 - a) Update on 101 Oakwood
 - 3. HR Department Updates 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

VIII. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the May 11, 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 8th day of May 2020 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.


G Miller, City Secretary



DATE OF POSTING: MAY 8, 2020 TIME: 11:00 am/pm
DATE TAKEN DOWN: _____ TIME: _____ am/pm

PLEASE SILENCE ALL CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.

CERTIFICATION OF UNOPPOSED CANDIDATES FOR
OTHER POLITICAL SUBDIVISIONS (NOT County)
CERTIFICACION DE CANDIDATOS UNICOS
PARA OTRAS SUBDIVISIONES POLITICAS (NO EL CONDADO)

To: Presiding Officer of Governing Body
AL: Presidente de la entidad obernante

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 02, 2020.

Como autoridad a cargo de la preparacion de la boleta de votacion oficial, por la presente cerifico que los siguientes candidatos son candidatos unicos para eleccion para un cargo en la eleccion quie se llevara a cabo el mayo 02, 2020.

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

Offices/Cargos

City Council Place 1
City Council Place 3
City Council Place 5

Candidates/Candidatos

Rachel Huber
David Griffin
Michael Myers



Signature(Firma)


Glennell Miller
Printed Name (Nombre en letra de molde)

City Secretary
Title(Puesto)

DATE of signing: May 11, 2020
FECHA de firma: Mayo 11, 2020




Notice of Cancellation of Elections and Declaring Unopposed Candidates Elected to Office

I, Jana Onyon, Election Administrator for Ellis County, Texas, as contracting officer for all elections in Ellis County, hereby posts that the following political subdivisions canceled their election scheduled to be held on May 2, 2020 in accordance with Section 2.053(a) of the Texas Election Code. These elections were cancelled due to there being no opposed candidates. All unopposed candidates for election are hereby declared elected to office.

Aviso de la cancelación de las elecciones y declarar sin oposición candidatos electos para oficina

Yo, Jana Onyon, administrador de elecciones del condado de Ellis, Texas, como la contratación oficial para todas las elecciones en el Condado Ellis, quedan puestos que las siguientes subdivisiones políticas cancelar sus elecciones a celebrarse el 2 de Mayo de 2020 de conformidad con el artículo 2.053(a) del Código Electoral de Texas. Estas elecciones fueron cancelados debido a que no se opone a los candidatos. Todos los candidatos para las elecciones sin oposición se declara electo para el cargo.

City of Alma General Election (Elección General de la Ciudad de Alma) Mayor, Unexpired Term – Ginger Gonzales Three Council Members – Jason Griffin, Kyle Wilson and Alan Braswell
City of Cedar Hill General Election (Elección General de la Ciudad de Cedar Hill) Council Members Place 2 – Daniel C. Haydin, Jr. Council Members Place 6 – Clifford Shaw
City of Ennis General Election (Elección General de la Ciudad de Ennis) Commissioner Ward 4 – Shirley Watson Mayor Pro Tem Ward 6, At-Large – Jake Holland
City of Garrett General Election (Elección General de la Ciudad de Garrett) Council Member Place 3 – Josie Holdridge Council Member Place 4 – Michelle Rogers Council Member Place 5 – Dan Cepak
City of Grand Prairie General Election (Elección General de la Ciudad de Grand Prairie) Member of Council, Place 7, At-Large – Jeff Copeland
City of Milford General Election (Elección General de la Ciudad de Milford) Mayor – Bruce Perryman Three Council Members – Earnestine Byrd, Ty Evans and Judy Finch
City of Oak Leaf General Election (Elección General de la Ciudad de Oak Leaf) Mayor – Tom Leverentz Council Member Place 4 – Dustin Jordan Council Member Place 5 – Cody L. Cockerham
City of Ovilla General Election (Elección General de la Ciudad de Ovilla) Council Member Place 1 – Rachel Huber Council Member Place 3 – David R. Griffin Council Member Place 5 – Michael Myers
City of Palmer General Election (Elección General de la Ciudad de Palmer) Three Council Members – Doug Young, James Smith and Jorge Sotello
City of Pecan Hill General Election (Elección General de la Ciudad de Pecan Hill) Mayor – Don Schmerse Council Members Place 1 – No One Filed to Run Council Members Place 2 – Mackey Boone
Milford ISD General Election (Elección General del Distrito Escolar Independiente de Milford) Two Member of Board of Trustees – Janice Wadley and Melva Wallace
Fresh Water Supply District 1 General Election (Distrito 1 del Suministro de Agua Elección General) Three Supervisors – Blake Ezell, Douglas Wilder and No One Filed to Run for 3 rd position


Contracting Officer (Oficial de contratación)



OATH OF OFFICE

In the name and by the authority of

The State of Texas

I, **Rachel Huber**, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of **CITY COUNCIL MEMBER PLACE 1** of the City of Ovilla of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Rachel Huber
Affiant

State of Texas
County of Ellis

SWORN TO and subscribed before me by affiant on this **11th** day of **May 2020**.

Glennell Miller
Signature of Person Administering Oath
Glennell Miller, City Secretary





Statement of Unopposed/Declared Elected Officer

I, Rachel Huber, do solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value or promised any public office or employment for giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

POSITION TO WHICH UNOPPOSED/DECLARED ELECTED

Place One

Ellis/Dallas Counties, Ovilla, TX 75154

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

May 11, 2020



Rachel Huber
Signature of Elected Official



OATH OF OFFICE

In the name and by the authority of

The State of Texas

I, **David Griffin**, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of **CITY COUNCIL MEMBER PLACE 3** of the City of Ovilla of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

David R Griffin

Affiant

State of Texas
County of Ellis

SWORN TO and subscribed before me by affiant on this **11th** day of **May 2020**.

Glenn Miller

Signature of Person Administering Oath
Glenn Miller, City Secretary





Statement of Unopposed/Declared Elected Officer

I, David Griffin, do solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value or promised any public office or employment for giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

POSITION TO WHICH UNOPPOSED/DECLARED ELECTED

Place Three

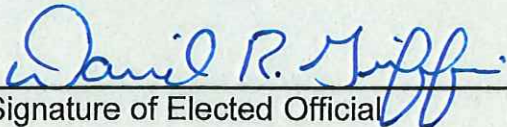
Ellis/Dallas Counties, Ovilla, TX 75154

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

May 11, 2020





Signature of Elected Official

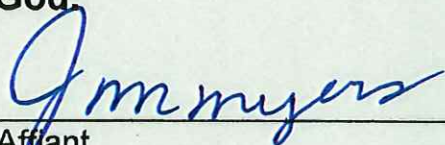


OATH OF OFFICE

In the name and by the authority of

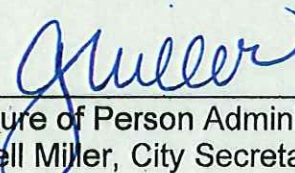
The State of Texas

I, **Michael Myers**, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of **CITY COUNCIL MEMBER PLACE 5** of the City of Ovilla of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.


Affiant

State of Texas
County of Ellis

SWORN TO and subscribed before me by affiant on this **11th** day of **May 2020**.


Signature of Person Administering Oath
Glennell Miller, City Secretary





Statement of Unopposed/Declared Elected Officer

I, Michael Myers, do solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value or promised any public office or employment for giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

POSITION TO WHICH UNOPPOSED/DECLARED ELECTED

Place Five

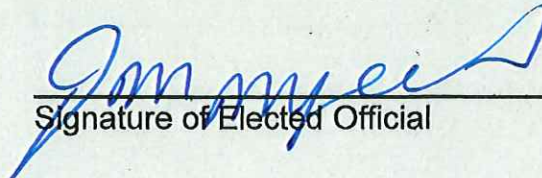
Ellis/Dallas Counties, Ovilla, TX 75154

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

May 11, 2020





Signature of Elected Official

Proclamation In Honor of Memorial Day

WHEREAS, as citizens of Ovilla we must never forget the men and women who fought with honor and distinction, in the name of freedom and democracy for all; and

WHEREAS, in honor of all of our fallen service members, the Congress provided, in a joint resolution approved May 11, 1950, that Memorial Day should be set aside as a day for nationwide prayer for permanent peace and a day to reverently honor our fallen fellow Americans, known and unknown, who sacrificed their freedom to ensure our own; and

WHEREAS, the hour beginning at eleven o'clock in the morning of that day is designated as a period in which all the people of the Nation, each according to his religious faith, may unite in solemn prayer; and

WHEREAS, the courage, honor, sacrifice, and dedication which veterans of the United States armed forces have displayed in the cause of justice, freedom, and democracy are most worthy of recognition.

NOW, THEREFORE, I, Richard Dormier, Mayor of the City of Ovilla, Texas, do hereby urge the citizens of Ovilla to observe with solemn respect **Memorial Day on Monday, May 25, 2020.**

IN WITNESS WHEREOF, I have hereto set my hand and caused the Seal of the City of Ovilla, Texas, to be affixed this the 11th day of May, 2020.

**Richard Dormier, Mayor
CITY OF OVILLA, TEXAS**

Proclamation

MUNICIPAL CLERKS WEEK

May 3 - 9, 2020

Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, Therefore, I, Richard Dormier, Mayor of Ovilla, Texas, do recognize the week of May 3 through May 9, 2020, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerks, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 11 day of MAY 2020

Richard Dormier
Mayor

Attest: _____

PROCLAMATION

NATIONAL POLICE WEEK 2020

To recognize National Police Week 2020 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Ovilla Police Department;

WHEREAS, there have been 58,866 assaults against law enforcement officers in 2018, resulting in approximately 18,005 injuries;

WHEREAS, since the first recorded death in 1786, more than 22,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.;

WHEREAS, 307 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring.

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 32nd Annual Candlelight Vigil, on the evening of May 13, 2020;

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year on May 10-16;

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

THEREFORE, BE IT RESOLVED that the City Council for the City of Ovilla, Texas formally acknowledges May 10-16, 2020, as Police Week in the City of Ovilla, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

IN WITNESS WHEREOF, I have set my hand and caused the Seal of the City to be affixed this 11 day of MAY in the year 2020.

RICHARD A. DORMIER
MAYOR OF OVILLA

COUNCIL PLACE 1 RACHEL HUBER * COUNCIL PLACE 2 DEAN OBERG *
COUNCIL PLACE 3 MAYOR PRO TEM DAVID GRIFFIN
COUNCIL PLACE 4 DOUG HUNT * COUNCIL PLACE 5 MICHAEL MYERS



PROCLAMATION

PUBLIC WORKS WEEK

WHEREAS, public works services provided in our community are an integral part of our citizen's everyday lives; and

WHEREAS, the support of an understanding and informed public is vital to the efficient operation of public works systems and programs including water, sewer, streets, public buildings, solid waste collection, landfill, wastewater disposal, code enforcement and engineering to provide these essential services to our citizens; and

WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skills of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding the importance of the work they perform.

NOW, THEREFORE, I, Richard Dormier, Mayor of the City of Ovilla, do hereby proclaim the week of May 17-23, 2020 as

Public Works Week *"Building for Today, Planning for Tomorrow"*

in the City of Ovilla, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Ovilla to be affixed this 11 day of May 2020.

RICHARD DORMIER, Mayor

COUNCIL PLACE 1 RACHEL HUBER * COUNCIL PLACE 2 DEAN OBERG
COUNCIL PLACE 3 MAYOR PRO TEM DAVID GRIFFIN
COUNCIL PLACE 4 DOUG HUNT * COUNCIL PLACE 5 MICHAEL MYERS

05.11.2020

Consent Items C1-C2

To
Honorable Mayor
and Council

Comments:

1. Resolution R2020.09 Investment Policy.
2. Minutes of the Regular Council meeting held on April 13,2020.

From
Staff

BACKGROUND AND JUSTIFICATION:

C1: R2020-09 Annual Review of Ovilla Investment Policy.

STAFF RECOMMENDATION: Staff recommends approval

CC
Applicable
Departments

C2: April 13, 2020 Regular Council Meeting Minutes

STAFF RECOMMENDATION: Staff recommends approval.

City of Ovilla

Tel 972-617-7262

105 S. Cockrell Hill Road
Ovilla, Texas 75154

www.cityofovilla.org



RESOLUTION R2020-09

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

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

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

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

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

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

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

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

SECTION ONE

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

SECTION TWO

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

RESOLVED, PASSED AND APPROVED ON THIS 11th DAY OF May 2020.

Richard A. Dormier, Mayor

ATTEST:

Glennell Miller, City Secretary

CITY OF OVILLA, TEXAS

INVESTMENT POLICY

May 11, 2020

Adopted by Resolution R2020-09, May 11, 2020



CITY OF OVILLA, TEXAS INVESTMENT POLICY

PREFACE

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

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

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

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

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

Certification of Business Organization Sample Form

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

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

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

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

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

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

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

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

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

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

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

provide for investment and non-discretionary management of its public funds or other funds under its control.

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

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

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

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

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

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

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

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

2.2.5 **Strategy No. 5 - Hold until Maturity.** The strategy of the City is to maintain sufficient liquidity in its portfolio so that it does not need to sell a security prior to maturity. Should it become necessary to sell a security prior to maturity, where the sale proceeds are less than the current book value, the prior written consent of the City Manager must be obtained. Securities may be sold prior

to maturity by the Investment Officer at or above their book value at any time. The result of all sales of securities prior to maturity shall be reported to the City Manager within two business days of the sale. The report shall provide the amount of proceeds from the sale, including accrued interest to the date of sale, less the current book value and the dollar amount of gain on the sale.

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

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

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

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

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

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

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

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

maturity to meet unanticipated cash requirements, or to otherwise favorably adjust the City's portfolio, in accordance with Section 2.2.5 above.

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

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

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

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

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

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

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

- 5.2.1 the investment of all funds over which the Investment Officer had responsibility rather than a consideration as to the prudence of a single investment; and
- 5.2.2 whether the investment decision was consistent with the written investment Policy and procedures of the City.

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

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

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

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

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

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

- (1) Obligations of the United States or its agencies and instrumentalities, excluding mortgage backed securities and including any obligation fully guaranteed or insured by the Federal Deposit Insurance Corporation (FDIC).

- (2) Direct obligations of the State of Texas, or its agencies and instrumentalities.
- (3) Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or their respective agencies and instrumentalities, excluding mortgage-backed securities.
- (4) Collateralized Certificates of Deposit. A certificate of deposit issued by a depository institution that has its main office or a branch office in the state and is:
- guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
 - secured by obligations that are described by Section 2256.009(a) of the Public Funds Investment Act, including mortgage backed securities directly issued by a federal agency or instrumentality, but excluding those mortgage backed securities of the nature described in Section 2256.009(b) of the Act; or
 - secured in any other manner and amount provided by law for deposits of the City.
- In addition to the City's authority to invest funds in certificates of deposit, a CD investment made in accordance with the following conditions is an authorized investment under TX Government Code Section 2256.010(b):
- (a) the funds are invested by the City through a clearing broker registered with the Securities and Exchange Commission (SEC) and operating pursuant to SEC rule 15c3 -3 (17 C. F.R. Section 240. 15c3 -3) with its main office or branch office in Texas and selected from a list adopted by City; or a depository institution that has its main office or a branch office in Texas and that is approved and selected by the City;
- (b) the selected broker or depository institution arranges for the deposit of the funds in CDs in one or more federally insured depository institutions, wherever located, for the account of the City;
- (c) the full amount of the principal and accrued interest of each CDs is insured by the United States or an instrumentality of the United States;
- (d) the selected broker or depository institution acts as custodian for the City with respect to the CDs issued for the account of the City.
- (5) Eligible Local Government Investment Pools. Public funds investment pools which invest in instruments and follow practices allowed by the current law as defined in Section 2256.016 of the Texas Government Code, provided that:
- the investment pool has been authorized by the City Council;
 - the pool shall have furnished the Investment Officer an offering circular containing the information required by Section 2256.016(b) of the Texas Government Code;
 - the pool shall furnish the Investment Officer investment transaction confirmations with respect to all investments made with it;
 - the pool shall furnish to the Investment Officer monthly reports containing the information required under Section 2256.016(c) of the Texas Government Code;

- the pool is continuously rated no lower than “AAA” or “AAA-m” or an equivalent rating by at least one nationally recognized rating service;
- the pool marks its portfolio to market daily;
- the pool’s investment objectives shall be to maintain a stable net asset value of one dollar (\$1.00); and
- the pool’s investment philosophy and strategy are consistent with this Policy.

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

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

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

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

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

- (1) Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.
- (2) Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.

- (3) Collateralized mortgage obligations that have a stated final maturity date of greater than ten years.
- (4) Collateralized mortgage obligations, the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

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

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

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

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

	<u>Percentage of Portfolio (Maximum)</u>
U.S. Treasury Obligations	100%
U.S. Government Agency Securities and Instrumentalities of Government-Sponsored Corporations	80%
Authorized Local Government Investment Pools	100%
Fully Collateralized Certificates of Deposit	50%
SEC-Regulated No-Load Money Market Mutual Funds	10%

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

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

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

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

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

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

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

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

10. SAFEKEEPING AND COLLATERALIZATION.

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

10.2 **Collateralization.** Consistent with the requirements of the Public Funds Collateral Act, it is the policy of the City to require full collateralization of all city funds on deposit with a depository bank. The market value of the investments securing the deposit of funds shall be at least equal to the amount of the deposits of funds reduced to the extent that the deposits are insured by the Federal Deposit Insurance Corporation (FDIC). Securities pledged as collateral shall be held in the City's name, in a segregated account at the Federal Reserve Bank or by an independent third party with whom the City

has a current custodial agreement. The agreement is to specify the acceptable investment securities as collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. The safekeeping agreement must clearly state that the safekeeping bank is instructed to release purchased and collateral securities to the City in the event the City has determined that the depository bank has failed to pay on any matured investments in certificates of deposit, or has determined that the funds of the City are in jeopardy for whatever reason, including involuntary closure or change of ownership. A clearly marked evidence of ownership, e.g., safekeeping receipt, must be supplied to the City and retained by the City. Any collateral with a maturity over five (5) years must be approved by the Investment Officer before the transaction is initiated. Release of collateral or substitution of securities must be approved in writing by the Investment Officer. Financial institutions serving as City depositories will be required to sign a "Depository Agreement" with the City and the City safekeeping agent. The collateralized deposit portion of the agreement shall define the City's rights to collateral in the event of default, bankruptcy, or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:

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

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

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

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

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

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

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

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

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

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

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

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

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

GLOSSARY OF TERMS

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

Affinity. Related through marriage.

Agencies. See U.S. Agency securities.

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

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

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

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

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

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

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

Consanguinity. Related by blood.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Federal Home Loan Bank (FHLB).

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

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

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

Financial Industry Regulatory Authority (FINRA) - formerly the National Association of Securities Dealers (NASD) - A self-regulatory organization (SRO) of brokers and dealers in the over-the-counter securities business. Its regulatory mandate includes authority over firms that distribute mutual fund shares as well as other securities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Portfolio. The collection of securities held by an investor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**TEXAS PUBLIC FUNDS INVESTMENT ACT
CERTIFICATION BY BUSINESS ORGANIZATION**

CITY OF OVILLA, TEXAS

This certification is executed on behalf of the City of Ovilla, Texas (the "City"), and _____ (the "Business Organization"), pursuant to the Public Funds Investment Act, Chapter 2256, Texas Government Code (the "Act") in connection with investment transactions conducted between the City and the Business Organization.

The undersigned Qualified Representative of the Business Organization hereby certifies on behalf of the Business Organization that:

1. The undersigned is a Qualified Representative of the Business Organization offering to enter an investment transaction with the Investor as such terms are used in the Public Funds Investment Act, Chapter 2256, Texas Government Code; and
2. The Qualified Representative of the Business Organization has received and reviewed the Investment Policy furnished by the City; and
3. The Qualified Representative of the Business Organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the Business Organization and the City that are not authorized by the City's Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires an interpretation of subjective investment standards.

Qualified Representative of Business Organization

Firm: _____

Signature

Printed Name: _____

Title: _____

Date: _____

CITY OF OVILLA MINUTES

Monday, April 13, 2020

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 6:36 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 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 Council Meeting of the Ovilla City Council to order at 6:36 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 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

PL1 Huber served as representative of the Ovilla Service League and presented the Ovilla Fire Department with an amount of \$21,000 that was raised for the department this year. She thanked all that donated and thanked those that helped put it all together for the city.

Citizen Comments:

Jimmie Wade – 606 Creekview Ct. -

- Broadmoor Estates – custom - not track homes, wants contractor name & builder
- Variances – we allow too many in this city
- Parks – subdivisions should take care of their own parks in their neighborhoods.

David Miracle – 806 Johnson Ln. – inquiring on the meetings of committees and boards that are still being held for the P&Z, BOA etc. while practicing Social Distancing

CONSENT AGENDA

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.
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.

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

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

Recorded Vote:

PI1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

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)

The Mayor opened with explanation on specific items:

- donated right-of-way by the developer saving the city having to purchase property and having to correct the property for future roadway. He explained the city will reimburse the developer the appraisal amount from Ellis County Appraisal District estimated price that is typically lower than market value.
- request to build a wood screening wall in place of a complete masonry screening wall
- rough proportionality
- HOA will be established

The Mayor then asked if there were any questions. Jeff Klement, Engineer with JBI for the Development was in attendance for questions. There was much discussion on the screening wall regarding the dimensions, it was stated it would be 6 ft tall and run the entire frontage of Westmoreland Rd – approx. 1300 ft long for the 1st phase. The fence will be made with cedar pickets, board-on-board with columns every approx. 120' and the corners of the lots. It will be built with minimal space from ground to bottom of fence of 5 inches. The Mayor then called attention to the agreement, and it not addressing Red Oak Creek Road and the screening wall to be placed, all to be added to the agreement.

There being no other questions pertaining to this Item for discussion, the Mayor asked for a motion:

PL2 Oberg moved to approve the Developer's Participation Agreement and adding to the agreement along Westmoreland Road the screening wall to be ¾ X 5 ½ cedar picket, board-on-board with rock pillars every 120 feet and corners of lot with 5 inch clearance, adding Red Oak Creek Road screening wall to be tubular metal, by and between the City of Ovilla, Texas and WP Legacy, LTD. Broadmoor Estates as presented, seconded PL1 Huber.

No oppositions, no abstentions.

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

Recorded Vote:

PI1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

ITEM 2. **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.

Mayor Dormier explained the final plat went to P&Z April 6, 2020 and they approved to forward recommended to Council.

PL4 Hunt moved to approve the final plat application submitted by Clyde Hargrove for Broadmoor Estates Subdivision, Ovilla, Ellis County, Texas as presented, seconded by PL2 Oberg.

No oppositions, no abstentions.

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

Recorded Vote:

PI1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

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.

Mayor Dormier explained that he and PL4 Hunt were the Council Finance Committee and they decided that it was best to continue with Prosperity Bank. Staff was asked if in agreement and it was confirmed. Mayor Dormier called for a motion if there were no further questions or discussion:

Mayor Pro Tem Griffin moved to approve the recommendation from the Council Finance Committee to approve the Resolution R2020.08 awarding Prosperity Bank as the City's bank depository service as presented, seconded by PL1 Huber.

No oppositions, no abstentions.

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

Recorded Vote:

PI1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

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.

Staff explained that this item is in support of the ordinance change and shows that we did what was required to do so.

PL5 Myers moved to approve the Ordinance 2020-06 as presented, seconded by PL2 Oberg.

No oppositions, no abstentions.

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

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

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

Recorded Vote:PI1 Huber AYEPL2 Oberg AYEMayor Pro Tem Griffin AYEPL4 Hunt AYEPL5 Myers AYE

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

None

Recorded Vote:PI1 Huber AYEPL2 Oberg AYEMayor Pro Tem Griffin AYEPL4 Hunt AYEPL5 Myers AYE**IV. STAFF REPORTS**

- **Department Activity Reports / Discussion**

- Police Department

Chief B. Windham

- 1. Digi-ticket update

- 2. COVID-19 update

- Fire Department

Chief B. Kennedy

- 1. Grant timeline update

- 2. Response times - goals

- Public Works

- 1. Water/wastewater

Water Superintendent D. Durham

- a) Update Council on Main Street Sanitary Sewer Project

- 1. Update on Electronic Water Meters – will be on hold for Public Works Director

- 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

- 1. inspections; BBQ ADA Compliant update, University St. update, all pending – Court postponed due to Social Distancing due to COVID-19, 101 Notices out waiting on the abatement.

- 3. Monthly Municipal Court Report

City Secretary G. Miller

- 4. Misc. updates

City Manager, Pam Woodall

V. EXECUTIVE SESSION

None

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

Mayor Pro Tem Griffin: Estimate on Search Firm/Public Works Director

VIII. ADJOURNMENT

PL1 Huber moved to adjourn the meeting of April 13, 2020 seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 8:10 p.m.

Recorded Vote:

PL1 Huber AYE

PL2 Oberg AYE

Mayor Pro Tem Griffin AYE

PL4 Hunt AYE

PL5 Myers AYE

ATTEST:

Glennell Miller, City Secretary

Richard Dormier, Mayor

Approved May 11, 2020

AGENDA ITEM REPORT

Item 1

Meeting Date: May 11, 2020

Department: Administration

☒ Discussion ☒ ActionBudgeted Expense: ☐ YES ☐ NO ☒ N/ASubmitted By: StaffAmount: N/AReviewed By: ☒ City Manager ☒ City Secretary ☐ City Attorney☐ Accountant☐ Other: Staff**Attachments:**

1. Copy of excerpt from LGC 22.037

Agenda Item / Topic:**ITEM 1. DISCUSSION/ACTION** – Consideration of and action on nominations and an appointment of Mayor Pro Tem.**Discussion / Justification:**

Section 22.037 of the Local Government Code states that the Mayor Pro-Tem is a council member that performs the mayor's duties in the event of the Mayor's incapacity or absence. The Mayor-Pro-Tem is selected by majority vote of the council from among its own governing body. The Mayor-Pro-Tem's term renews annually following the municipal election and retains the right to vote on all matters before the Council while performing the duties of the mayor.

Recommendation / Staff Comments:

N/A

Sample Motion(s):

I move that Council appoints _____ to serve as Mayor Pro-Tem for the City of Ovilla following the May 2020 general election for a term through the May 2021 Uniform Election Date.

LOCAL GOVERNMENT CODE

TITLE 2. ORGANIZATION OF MUNICIPAL GOVERNMENT

SUBTITLE B. MUNICIPAL FORM OF GOVERNMENT

CHAPTER 22. ALDERMANIC FORM OF GOVERNMENT IN TYPE A GENERAL-LAW
MUNICIPALITY

SUBCHAPTER A. GENERAL PROVISIONS

. . .

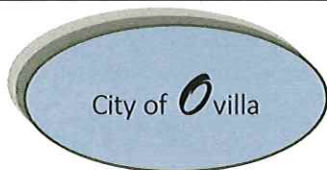
Sec. 22.037. MAYOR AS PRESIDING OFFICER; PRESIDENT PRO TEMPORE. (a) The mayor shall preside at all meetings of the governing body of the municipality and, except in elections, may vote only if there is a tie.

(b) At each new governing body's first meeting or as soon as practicable, the governing body shall elect one alderman to serve as president pro tempore for a term of one year.

(c) If the mayor fails, is unable, or refuses to act, the president pro tempore shall perform the mayor's duties and is entitled to receive the fees and compensation prescribed for the mayor.

(d) If the mayor and the president pro tempore are absent, any alderman may be appointed to preside at the meeting.

. . .



Ovilla City Council

AGENDA ITEM REPORT

Item 2

Meeting Date: May 11, 2020

Department: Finance

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☒ NO ☐ N/A

Submitted By: P. Woodall, CM

Amount: \$120 hourly or \$75 hourly plus mileage

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

☒ Accountant ☐ Other:

Attachments:

1. Report of tasks still remaining
2. Current Agreement

Agenda Item / Topic:

ITEM 2. DISCUSSION/ACTION – Consideration of and action to extend the current agreement between Eddie Peacock, PLLC and the City of Ovilla, 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.

Discussion / Justification:

At the February Council meeting, an agreement with Eddie Peacock, PLLC was approved to provide accounting reconciliations and support to staff and to update the city's current budget on the software. These tasks are essential to begin the annual audit. These were tasks not achieved by the previous accountant which placed the city behind in the audit process. The original assessment from Mr. Peacock would take us to April. It is determined that Mr. Peacock's services are needed through May 2020. The agreement does not specify a term or end date and may continue as is. This was confirmed with legal counsel.

Eddie Peacock, PLLC has worked continuously on Ovilla accounts and found many more errors than initially anticipated. Presented is a brief overview and accomplishments to date:

Overview

At some point, the funds and accounts in the legacy QuickBooks accounting system were converted manually into the FundView accounting system. Some of the accounts that were set up in FundView at conversion still retain the coding structure from QuickBooks and do not match the FundView account segment structure.

We have approached the project in several concurrent phases:

1. Reconcile and update all accounts in the general ledger to the prior year (FY18) audited financial statements
2. Reconcile the FY19 monthly bank activity to the general ledger
3. Prepare fiscal year end account accruals and adjustments for the FY19 audit.

So far, this has necessitated posting over 800 journal entries, a majority of which have tens of accounting lines. Each JE has required necessary research in determining transaction validity in order to facilitate posting the correct result.

FundView General Ledger (GL):

- Identified accounts and worked with FundView to correct the trial balance that was out of balance.
- Reconciled and adjusted by journal entry (JE) the FY18 ending accounting trial balance to the 9/30/2018 audited financial statements, so that the ending FY18 fund balances roll forward correctly to FY19.
- Added new funds for General Fixed Assets (GFA) and General Long-Term Debt (GLTD).
- Moved by JE the GFA and GLTD accounts out of the General Fund into the new GFA and GLTD funds.
- Balanced the Consolidated Cash Fund to the Consolidated Cash accounts in each individual fund.
- Posted JE's to correct transactions that were posted to incorrect cash accounts, including:
 - Solid Waste Revenue
 - Sales Tax
 - Property Tax
 - Posting of daily AVR batches (deposits) from utility billing
 - Moved transactions posted in error into old non-consolidated Water and General Fund cash accounts into Consolidated Cash account
- Health Benefits Trust Fund
 - Reversed unpaid invoices posted into AP that were actually paid by ACH and not shown as paid through AP.
 - Analyzed flow of:
 - employee deductions from payroll and city paid premiums into the fund
 - provider payments out of the fund
 - Posted correcting JE's to move transactions through the Employee Benefits cash account

Bank Reconciliations:

- Set up FY19 monthly bank reconciliation files in FundView for all 14 bank accounts.
- Entered 9/30/2018 outstanding checks and deposits from the legacy system (QuickBooks) into the October 2018 bank reconciliations.
- Correct cash transactions posted in error in wrong cash accounts, duplicated, or missing transactions.
- Current status of monthly bank reconciliations:
 - All account reconciliations other than the consolidated cash operating account are completed (but not formally closed in the system) through September 2019, and some through October 2019.
 - Consolidated Cash still in progress:
 - Through August 2019 a few bank items are yet to be researched and recorded
 - September 2019 currently working on
 - Since the consolidated bank account potentially impacts other funds, there will be a final clean up on the outstanding GL items prior to closing all months bank reconciliations in the system.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

I move that Council approve to extend the current agreement between Eddie Peacock, PLLC and the City of Ovilla, 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.

Still Remaining:

FY19 Audit Preparations

- FY19 Accruals:
 - Payroll
 - Compensated absences
 - 60-day accruals for property tax, sales tax, franchise fees
- TMRS GASB 68 Pension and GASB 75 OPEB liabilities
- Long-term debt roll-forward (apply principal paid as a reduction of liability, calculate accrued interest, amortization of bond discounts and premiums)
- Reconcile accounts receivable for property tax, water and sewer utilities, municipal court, estimate uncollectible accounts.
- Capital asset additions, disposals, and depreciation.
- Reconcile interfund transfers and interfund due to/ from accounts.

FY20

- Staff training and support
 - Review FundView GL and supporting accounting books and records
 - Recording of day to day transactions including sales taxes and property taxes
- Agree FY20 budget in FundView to adopted budget ordinance and any subsequent budget amendments
- As this process was not started until the end of February 2020, there are still some accounting errors that would have carried over into FY20 that will need correcting as we work on the October to February bank reconciliations.
- Consolidate bank accounts

City of Ovilla

Proposal to Provide Interim Staff Support and Training

February 18, 2020

Eddie Peacock, PLLC

Eddie Peacock, PLLC
PO Box 724
Grapevine, Texas 76099-0724
(214) 356-0116

February 18, 2020

Pam Woodall, City Manager
City of Ovilla
105 Cockrell Hill
Ovilla, Texas 75154

Dear Ms. Woodall:

Thank you for inviting the firm of Eddie Peacock, PLLC to provide this proposal for professional services to the City of Ovilla. I have created the attached proposed scope of services based on the information you have provided and my understanding of your requirements.

This proposal serves as an engagement letter to clarify the scope of services and the responsibility of Eddie Peacock, PLLC in this effort.

You will note that my services extend only to providing interim staff support and training from financial information provided to me by the City of Ovilla. I do not provide any auditing on these amounts or any assurances or opinions on the financial information. I will rely on the City of Ovilla for the accuracy of information provided.

The attached proposal is submitted for your review.

Sincerely,

A handwritten signature in black ink that reads "Eddie B. Peacock". The signature is written in a cursive, flowing style.

Eddie Peacock, PLLC
Fiscal Consultant

City of Ovilla

Providing Interim Staff Support

Section I – Interim Staff Support and Training

Definition

Providing interim staff support and training is limited to providing support to City Staff in analyzing and processing accounting information and preparing accounting and other financial reports, reconciliations and adjustments from information that is the representation of management. These reports offer no opinions or any other form of assurance on the fairness of the presentation of financial statements.

Process

I propose to conduct the following steps in the performance of these services:

Provide interim staff support for the City of Ovilla:

1. Obtain general understanding of transactions and records of the City of Ovilla:
 - a. Review prior financial statements and other financial data
 - b. Correspond with key personnel
2. Prepare accounting and financial reports as requested
3. Communicate with other City Staff on analyzing and completing accounting reconciliations and adjustments.
4. Liaise with the external auditors in order to facilitate completion of the external audit field work in a timely manner; dependent upon the City providing accounting records, files and other required information on a timely basis.
5. Direct supervision of City Staff is not included in the scope of services

Section II – Personnel

Edward B. Peacock will be directly responsible to the City for the timely and responsive performance of the services described herein. In this role, he will be responsible for coordinating all project activities, conducting analysis, and providing advisory services, as well as providing interim staff support.

Edward B. Peacock

Serving in or for the public sector since 1986, Edward has exposure to most financial functions within municipal government. Starting as an Administrative Financial Intern with the City of Grand Prairie, Edward progressed to the Accounting Manager and Chief Accountant levels with the Cities of Keller, DeSoto and Flower Mound. Edward was involved in all areas of municipal finance, including investments, cash management, financial reporting and budget preparation. As an external consultant, Edward provides financial report preparation, interim staff support and impact fee analysis. He also works with clients on fiscal policies and management strategies that affect fiscal stewardship. His work on management consulting entails work related to improving client operational efficiency and effectiveness.

Nichola Y. Peacock

Nichola specializes in bank and general ledger reconciliations, process implementation and analysis. Her services provide an independent control on account reconciliations and credit card processes.

Nichola also has experience in budget preparation, analysis and publications.

Section III– Timing and Professional Fees

Timing

The City of Ovilla will provide accounting records, files and other required information on a timely basis in order to complete the project on schedule.

Eddie Peacock proposes the following schedule:

Provide interim staff support and training.

Time periods: February to April 2020

On site days to be scheduled at the request of the Controller and subject to the availability of the Contractor.

Fees

Hourly Billing

The services of Eddie Peacock are to be billed at \$120 per hour plus round trip mileage at the current IRS rate.

Services provided by the firm of Eddie Peacock, PLLC and not performed by Eddie Peacock:

Nichola Peacock shall bill at the rate of \$75 per hour plus round trip mileage at the current IRS rate.

Eddie Peacock, PLLC shall provide Client with an accurate accounting of time spent on the project, either on site or otherwise.

The City will be invoiced weekly for the hours worked; with payment terms due within ten (10) days of receipt.

Section IV – Conclusions

I am excited about this opportunity to provide professional services to the City of Ovilla. This proposal attempts to match specific skills and tasks to the needs identified. I am willing to modify any element of this scope to better fit the needs of the City.

CONSULTING AGREEMENT

THIS CONSULTING AGREEMENT is made and entered into as of this _____, by and between the City of City of Ovilla, Texas ("Client") and Eddie Peacock, PLLC, with offices at 102 Brookside Drive, Grapevine, Texas 76051.

WHEREAS, EDDIE PEACOCK, PLLC is in the business as a consultant to local government regarding financial management support, including fiscal, administrative, and technology matters;

WHEREAS, Client desires to engage EDDIE PEACOCK, PLLC for a project relating to the above mentioned and other areas of expertise;

NOW, THEREFORE, in consideration of the promises and mutual agreements herein, Client and EDDIE PEACOCK, PLLC agree as follows:

1. EDDIE PEACOCK, PLLC's Engagement

- (a) Client hereby engages EDDIE PEACOCK, PLLC and EDDIE PEACOCK, PLLC and Client agree that this engagement is fully described and will be carried out in accordance with the terms and conditions contained within Appendix "A" (attached), and hereby made a part of this document by reference.
- (b) EDDIE PEACOCK, PLLC shall undertake and accomplish the Engagement with standards acceptable to Client. In carrying out the Engagement, EDDIE PEACOCK, PLLC shall maintain liaison with the Interim Finance Director or such other employee of Client as Client may designate.

2. Scope of Engagement and Fees

- (a) EDDIE PEACOCK, PLLC shall establish a presence, at Client's site, for the purpose of interim staff financial support. Services will generally fall within those required to provide staff support and training. The productivity of the EDDIE PEACOCK, PLLC personnel will be reliant on Client staff's efficient use of resources and management of priorities and projects. On site days to be scheduled at the request of the City Manager and subject to the availability of EDDIE PEACOCK, PLLC.
- (b) The work may be on site or off-site via remote connection, or in consultation via phone, fax or email. At the conclusion of the term, EDDIE PEACOCK, PLLC will provide options for the City to extend or renew this agreement. The fees will be charged per the following schedule:

Eddie Peacock: \$120/ hour (6 hours minimum per on-site visit), plus round-trip mileage at the current IRS rate.

- (c) Services provided by the firm of Eddie Peacock, PLLC and not performed by Eddie Peacock:

Nichola Peacock: \$75/ hour (6 hours minimum per on-site visit), plus round-trip mileage at the current IRS rate.

Eddie Peacock, PLLC shall provide Client with an accurate accounting of time spent on the project, either on site or otherwise.

3. Independent Contractor Status

EDDIE PEACOCK, PLLC shall be an independent contractor and EDDIE PEACOCK, PLLC acknowledges, and confirms to client, its status as that of an independent contractor. Nothing herein shall be deemed or construed to create a joint venture, partnership, agency or employee/employer relationship between the parties for any purpose, including but not limited to taxes or employee benefits. EDDIE PEACOCK, PLLC will be solely responsible for payment of any and all taxes and insurance. EDDIE PEACOCK, PLLC will submit to Client upon request, evidence of compliance with the provisions of this paragraph in a form and manner satisfactory to Client.

4. Power to Act on Behalf of Client

EDDIE PEACOCK, PLLC shall not have any right, power or authority to create any obligation, express or implied, or make representation on behalf of Client except as EDDIE PEACOCK, PLLC may be expressly authorized in advance in writing from time to time by Client and then only to the extent of such authorization.

5. Payment

Client shall pay to EDDIE PEACOCK, PLLC a fee based upon actual billed hours, unless otherwise specified in this document, based upon the rates identified in Section 2(b) above. EDDIE PEACOCK, PLLC will submit an invoice on a weekly basis. Payment is due no more than 10 days following the date the invoice is submitted by EDDIE PEACOCK, PLLC to Client.

6. Expenses

EDDIE PEACOCK, PLLC will be responsible for all out-of-pocket expenses, except for out of City travel (airfares, hotel, rental car, and meals), which will be reimbursed at actual cost, as provided by receipts and other evidence provided to Client by EDDIE PEACOCK, PLLC. EDDIE PEACOCK, PLLC shall not incur such expenses without the express approval, in advance, of Client.

7. EDDIE PEACOCK, PLLC's Covenants

EDDIE PEACOCK, PLLC covenants to Client as follows:

- (a) EDDIE PEACOCK, PLLC will comply at all times with all applicable laws and regulations of any jurisdiction in which EDDIE PEACOCK, PLLC acts;

- (b) EDDIE PEACOCK, PLLC will comply with all applicable policies and standards and shall carry out the Project in a manner consistent with the ethical and professional standards of Client;
- (c) EDDIE PEACOCK, PLLC will comply at all times with all security provisions in effect from time to time at Client's premises, with respect to access to premises, and all materials belonging to Client;
- (d) EDDIE PEACOCK, PLLC shall not use Client's name in any promotional materials or other communications with third parties without Client's prior consent; and
- (e) EDDIE PEACOCK, PLLC is legally authorized to engage in business in the United States and will provide Client satisfactory evidence of such authority upon request.

8. Confidentiality

During the course of carrying out the Project, EDDIE PEACOCK, PLLC may have access to Confidential Information that relates to Client's past, present, or future. In connection therewith, the following subsections shall apply:

- (a) The Confidential Information may be used by EDDIE PEACOCK, PLLC only to assist EDDIE PEACOCK, PLLC in connection with the Project;
- (b) EDDIE PEACOCK, PLLC will protect the confidentiality of the Confidential Information in the same manner that EDDIE PEACOCK, PLLC protects its own confidential information of like kind. Access to the Confidential Information shall be restricted to EDDIE PEACOCK, PLLC and Client's personnel and EDDIE PEACOCK, PLLC shall not disclose Confidential Information to any third party;
- (c) The Confidential Information may not be copied or reproduced without Client's prior written consent;
- (d) Unless otherwise expressly authorized in writing by Client, all Confidential Information made available to EDDIE PEACOCK, PLLC, including copies thereof, shall be returned to Client upon the first to occur of (i) termination of this Agreement or (ii) request by Client; and
- (e) Nothing in this Agreement shall prohibit or limit EDDIE PEACOCK, PLLC's use of information (including, but not limited to, ideas, concepts, know-how, techniques, and methodology) (i) previously known to it, (ii) independently developed by it, (iii) acquired by it from a third party which is not, to EDDIE PEACOCK, PLLC's knowledge, under an obligation to Client not to disclose such information, or (iv) which is or becomes publicly available through no breach by EDDIE PEACOCK, PLLC of this Agreement.
- (f) Due to the EDDIE PEACOCK, PLLC's access to Confidential Information, Client reserves the right to request a background report, should Client deem such report to be necessary.

9. Ownership

All materials prepared by EDDIE PEACOCK, PLLC for Client pursuant to this Agreement shall be owned exclusively by Client and EDDIE PEACOCK, PLLC hereby assigns to Client all rights in such materials and copyrights therein

10. Indemnification

To the extent permitted under Texas law, and subject to the last sentence of this Section 10, EDDIE PEACOCK, PLLC and Client shall indemnify and hold each other, their employees and agents, harmless from and against any claims, demands, loss, damage or expense (i) related to bodily injury or death of any person or damage to property resulting from the negligent or willful acts or omissions of each other, (ii) resulting from any claim that EDDIE PEACOCK, PLLC is not an independent contractor, (iii) incurred by Client based on any claim that any deliverable or other materials delivered under this Agreement or use thereof by Client infringes any copyright, trade secret or other proprietary right of any third party or (iv) resulting from a breach by EDDIE PEACOCK, PLLC of the covenants under Section 7. Nothing in this provision shall require, or be deemed or construed to have required, the Client to assess or collect revenue or to create a sinking fund to satisfy any indemnity obligation in this Agreement.

11. Term

This Agreement shall be effective as of _____, 2020 and shall terminate on April 30, 2020, unless the term hereof is extended pursuant to express written agreement of the parties or unless previously terminated as provided in Section 12 below.

12. Termination

- (a) Client may, upon giving fourteen (14) days' written notice identifying specifically the basis for such notice, terminate this Agreement for breach of a material term or condition of this Agreement, provided EDDIE PEACOCK, PLLC shall not have cured such breach within the fourteen (14) day period.
- (b) In the event unsatisfactory results to the inquiry referred to in paragraph (f) of Section 7 are received, Client may terminate this Agreement without notice.
- (c) Either party may at any time terminate this Agreement upon giving thirty (30) days' written notice to the other party.
- (d) In the event this Agreement is terminated, EDDIE PEACOCK, PLLC shall be entitled to payment of all fees, as provided in Sections 4 and 5 respectively, incurred prior to the effective date of such termination.
- (e) Upon termination of this Agreement for any reason, EDDIE PEACOCK, PLLC will cease all activity on the Engagement and shall promptly provide to Client, without cost to Client, all work product and files developed by EDDIE PEACOCK, PLLC under this Agreement and all materials provided to EDDIE PEACOCK, PLLC by Client in connection with this Agreement.

13. Priority of this Agreement

This Agreement sets forth the entire intent and understanding of the parties hereto on the subject matter hereof and supersedes any other agreements or understandings. It may be amended only by a writing duly signed by both of the parties hereto.

14. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas.

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the day and year first below written.

City of Ovilla, Texas

Eddie Peacock, PLLC

By: _____

By: *Eduard B. Peacock*

Date: _____

Date: February 18, 2020

Eddie Peacock, PLLC
102 Brookside Drive
Grapevine, Texas 76051

April 24, 2020

Pam Woodall, City Manager
City of Ovilla
105 Cockrell Hill
Ovilla, Texas 75154

Dear Ms. Woodall:

According to our contract and engagement letter for interim financial support services, the term will expire unless we agree in writing, as noted below:

11. Term

This AGREEMENT shall be effective as of February 24, 2020 and shall terminate on April 30, 2020, unless the term hereof is extended pursuant to express written AGREEMENT of the parties or unless previously terminated as provided in Section 12 below.

Upon execution, this letter serves as written agreement to extend the term of our contract to June 30, 2020.

I am happy to continue this service and provide the City of Ovilla the additional financial management support. Thank you for your confidence and your continued business.

City of Ovilla, Texas

Eddie Peacock, PLLC

By: _____

By: Eddie B. Peacock

Date: _____

Date: April 24, 2020

AGENDA ITEM REPORT

Item 3

Meeting Date: May 11, 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: Mike Dooly, Code Enforcement

Attachments:

1. Permit Application
2. Excerpt from Ovilla Code of Ordinances

Agenda Item / Topic:

ITEM 3. DISCUSSION/ACTION – Consideration of and action on a Meritorious Exception, Chapter 3, Section 3.06.012 Granting of Exceptions of the Ovilla Code of Ordinances, filed by Pamilee Koval to place a 8' X 2' permanent sign at 713 West Main, Ovilla, Ellis County, Texas.

Discussion / Justification:

Section 3.06 of the Ovilla Code of Ordinances prohibits placement of projection signs over 9 square feet.

Sign description: 8' X 2' = 16 square feet, Ordinance allows 9 Square Feet

Duration: This sign is for permanent placement and expected to remain at this location.

Sec 3.06.012 Granting of exceptions

- (a) Generally, It is not the intention of these criteria to discourage innovation. It is entirely conceivable that signage proposals could be made that, while clearly nonconforming to this article and thus not allowable under these criteria, have obvious merit in not only being appropriate to the particular site or location, but also in making a positive contribution to the visual environment.
- (b) Request for exception, Upon request of an interested party, the city council, upon recommendation by the administrative official, shall hear and shall seriously and fairly consider a request for a meritorious exception under this section.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

*I move to **approve/deny** a Meritorious Exception request filed by Pamilee Koval for the placement of a 8'X2' permanent sign located 713 West Main, authorizing the City Manager to execute, as presented.*

City of Ovilla

Phone: (972) 617-7262

Fax: (972) 515-3221

105 S. Cockrell Hill Rd.

Ovilla, Texas 75154

Commercial Building Permit Application

Building Permit Number:	Valuation:
Project Name: <u>Richards</u>	Square Foot:
Project Address: <u>713 West Main - New Garage Space</u>	
Project Description:	
New <input type="checkbox"/> C/O <input type="checkbox"/> Sign <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/>	
Fence <input type="checkbox"/> Flatwork <input type="checkbox"/> Electrical <input type="checkbox"/> Other <input type="checkbox"/>	
Scope of Work: <u>Exterior Sign</u>	

Owner Information:			
Name: <u>Thomas Waits</u>	Contact Person: <u>Pamela Kavel</u>		
Address: <u>121 Water St. Ovilla</u>			
Phone Number:	Fax Number:	Mobile Number: <u>469-323-1407</u>	

Engineer	Contact Person	Phone Number	Fax Number
Architect	Contact Person	Phone Number	Fax Number
General Contractor	Contact Person <u>RBSigns</u>	Phone Number <u>972-291-0728</u>	Contractor License Number
Mechanical Contractor	Contact Person	Phone Number	Contractor License Number
Electrical Contractor	Contact Person	Phone Number	Contractor License Number
Plumbing Contractor	Contact Person	Phone Number	Contractor License Number

A certificate of occupancy must be issued before any building is occupied.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Signature of Applicant: Pamela KavelDate: 4-23-2020**OFFICE USE ONLY:**

Approved by:	Date approved:
City Manager:	Date approved:

Plan Review Fee: _____

Building Permit Fee: _____

Capital Recovery Fee: _____

Fire Meter: _____

Water Meter Cost: _____

Water Impact: _____

Sewer Connection Fee: _____

Sewer Impact: _____

Fire Fee: _____

REC # _____

Permit Fees: _____

Issued Date: _____

Issued By: _____

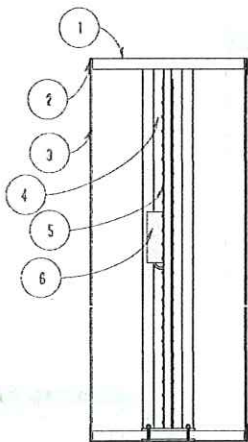
BV Project # _____



Proposed

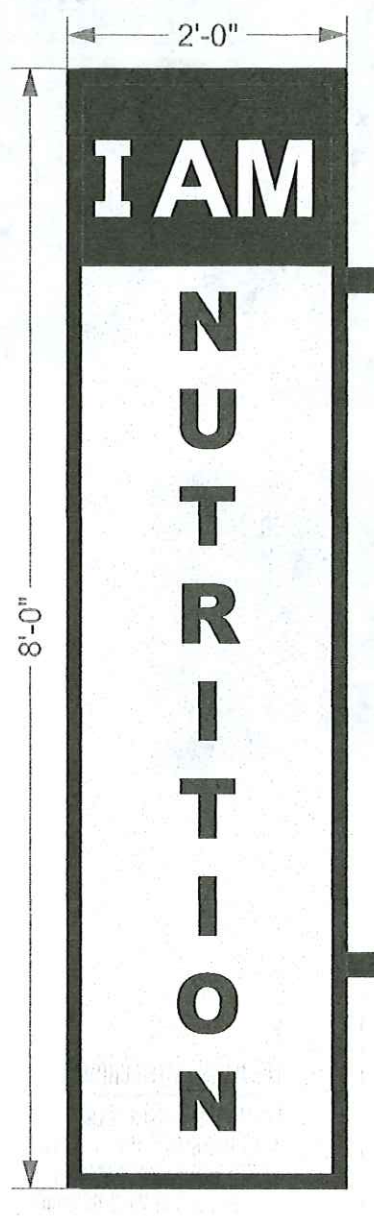


Existing



LED ILLUMINATED CABINET

- 1 - ALUMINUM FILLER - BLACK
- 2 - ALUMINUM RETAINER - BLACK
- 3 - 3/16" WHITE ACRYLIC WITH TRANSLUCENT VINYL GRAPHICS
- 4 - ALUMINUM FRAME
- 5 - LED LIGHTING - WHITE
- 6 - POWER SUPPLY



Option 2

D/F Blade Sign

16 Sq. Ft.

A

Quantity: One (1)

Scale: 3/4" = 1'-0"

NOTE: IF ELECTRICAL SERVICE IS REQUIRED, IT WILL BE UP TO YOU THE CUSTOMER TO PROVIDE DEDICATED 120V, 20 AMP PRIMARY/S, INCLUDING GROUND WIRING, DIRECTLY FROM PANEL BOX TO WITHIN 6 FT. OF SIGN. THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF NEC AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING & BONDING OF SIGN.



ALL ELECTRICAL COMPONENTS ARE TO BE UL APPROVED



DATE: 04/24/20	CLIENT: PAM COVAL	PROJECT: BLADE SIGN	BY: GFB
SITE ADDRESS: 713 W. MAIN ST. OVILLA TX		FILE NAME: TENANT SIGN - PICKARDS - I AM NUTRITION	

REVIEW CAREFULLY
ALL MEASUREMENTS - COLORS - SPEC.

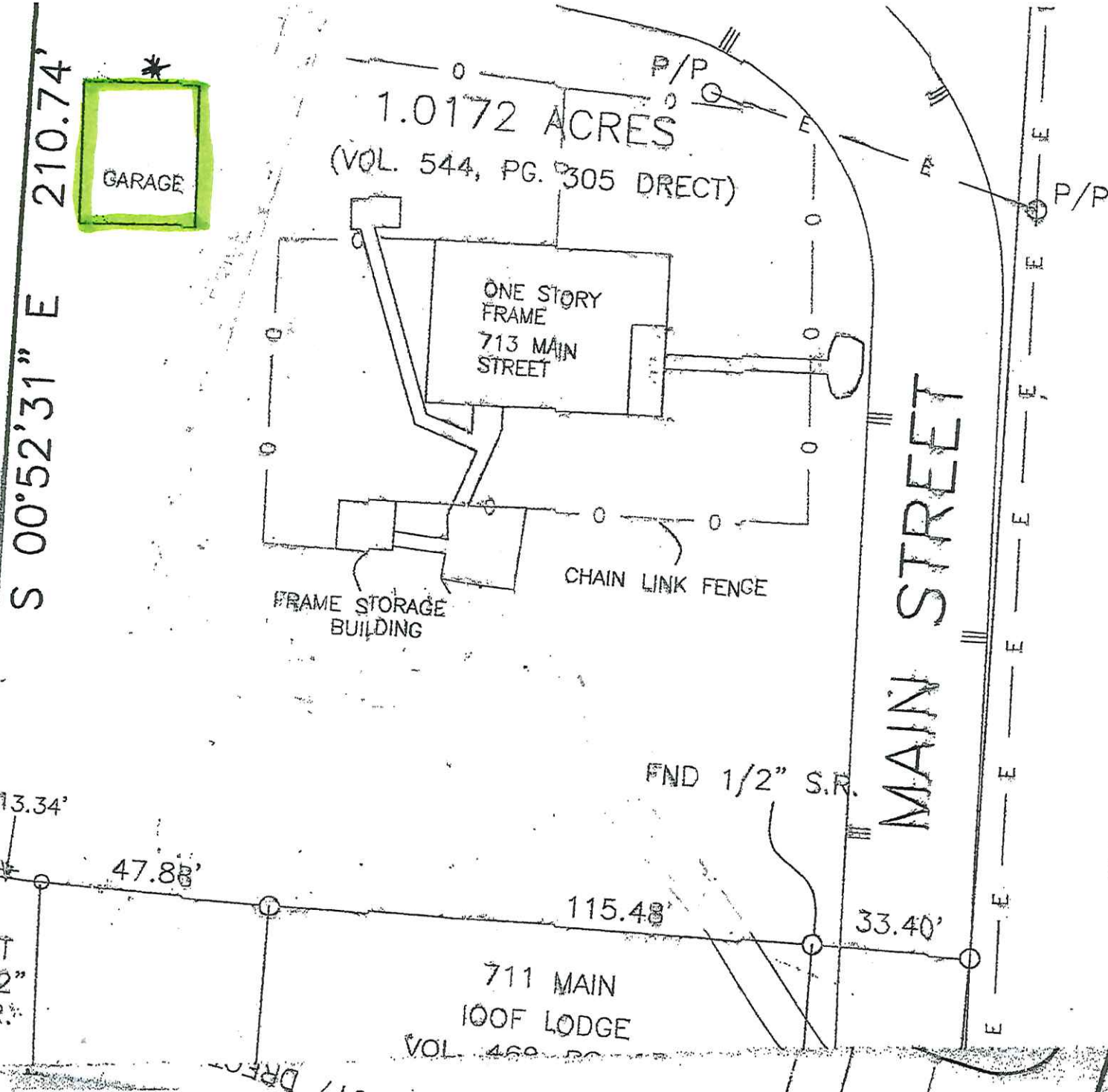
WE ARE NOT RESPONSIBLE FOR ANY ERRORS CONTAINED IN THIS DRAWING AFTER APPROVAL

☐ - APPROVED AS IS ☐ - APPROVED W/ NOTES ☐ - APPROVED AS IS ☐ - APPROVED W/ NOTES

CUSTOMER SIGNATURE _____ PRINT _____ DATE _____ LANDLORD SIGNATURE _____ PRINT _____ DATE _____

1006 JOHNSON LANE, MIDLOTHIAN, TX 76065 ★ 972-291-0728 ★ WWW.RBSIGNS.NET

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particularly described as follows:

BEGINNING at a PK Nail set in the) for the northeast corner of this acre Tract B, and said point also 1.0172 acres tract as described in

THENCE S 00°52'31" E, 210.74' feet west line of this tract and along the to a 1/2" steel rod set for the south for said 0.482 acre Tract B, said said 1.0172 acres tract, and also to 0.796 acres tract as described by DRECT;

THENCE N 88°43'07" W (Deed - West this tract, and along the same for : northwest line of said 0.796 acre tract found for a southerly corner of this southwest corner of said 0.428 acre southeast corner of said 0.428 acre northerly corner of said 0.796 acre t

THENCE S 89°00'52" W (Deed - West tract and along the south line of said north line of said 0.796 acre tract, p found for a point on the south line c northwest corner of said 0.796 acre t to a 1/2" steel rod found in the east southwest corner of this tract, and be Tract A;

THENCE N 00°54'28" W, 210.21' feet (west line of this tract and along the w to a PK Nail found in Cockrell Hill road tract, and being the same for the said

THENCE EAST, 199.74' feet (Deed - Ea to the POINT OF BEGINNING and contain land.

Handwritten signature

Residential district. Any district zoned for residential uses, to include R-15, R-22, R-E, R-C, R-D, ME, or MH or any other residential zoning district identified in the official zoning map, to include residential areas within a planned development district. Within the city's extraterritorial jurisdiction, it shall mean any lot located within 100 feet of a building used for residential purposes.

Roof sign. A sign mounted upon, against, or directly above the roof or parapet line of a building or structure, or that is wholly dependent upon a building for support and that projects above the top walk [wall] or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

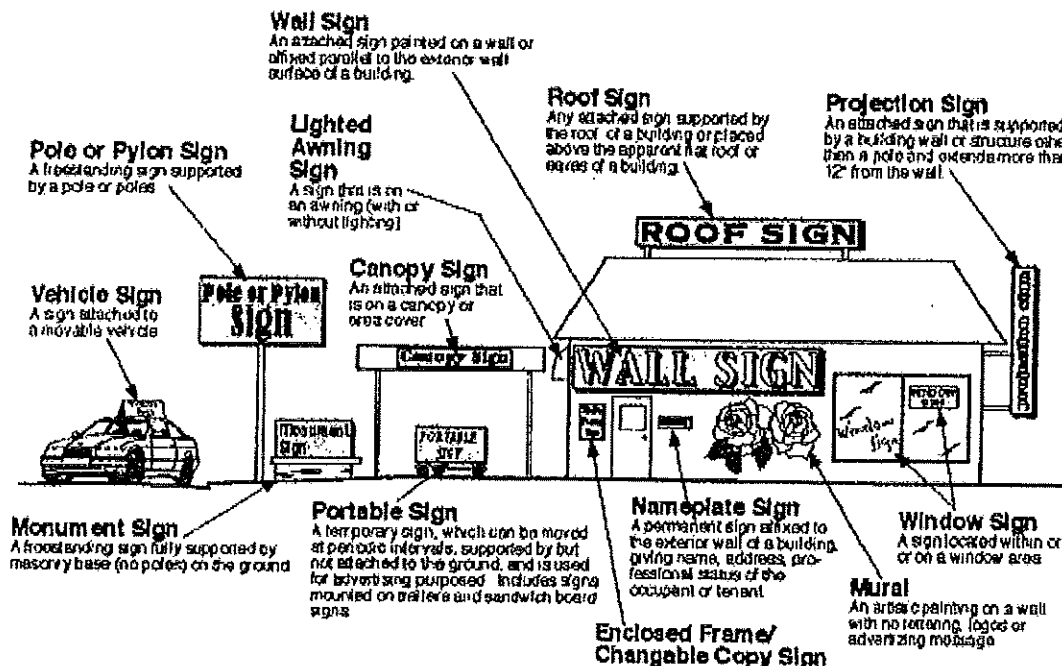
(Ordinance 07-014, ex. A, sec. 2, adopted 8/13/07)

Sandwich board or "A" frame sign. A sandwich board is a freestanding temporary sign, with no moving parts or lights, no larger than seven square feet total sign size; displayed outside a business, during business hours, to advertise the business, hours of operation, an event, a promotion, menu, etc. It is not intended as permanent business signage. (Ordinance 2018-25 adopted 10/9/18)

Searchlight. A large outdoor lighting apparatus used to attract attention to a business or a specific location.

Secondary sign. A sign located on premises identifying individual uses in a mixed use multi-tenant commercial shopping center.

Sight triangle. An imaginary triangle which has two sides which start at the center point of an intersection of two streets, along the curbline and measuring twenty-five (25) feet in length down each respective street along the nearest edge of the driving surface. The line connecting the end points of these two lines forms the third side of the triangle and must be an area of unobstructed visibility.

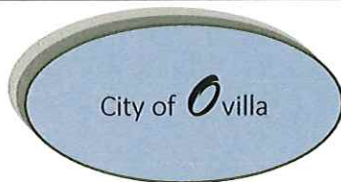


Sec. 3.06.004 Schedule for permanent signs

A person commits an offense if that person erects, places, displays or locates a permanent or temporary sign that does not meet the requirementsA person commits an offense if that person erects, places, displays or locates a permanent or temporary sign that does not meet the requirements of this article or tables included within.

Sign Type	Permitted District	Permit Required?	Maximum Area (sq. ft.)	Height of Sign	Number of Signs	Setback	Spacing of Signs
Wall	All non-residential uses and zoning districts	Yes	25% of wall facing the street	Attached to structure and not to exceed the roof line	One sign for each business or tenant, for each street frontage	—	—
Pole and pylon	None	NA	NA	NA	NA	NA	NA
Monument	All non-residential uses and zoning districts	Yes	100 sq. ft. in residential districts & RC;	8 feet	One sign for each premises, or for each street frontage	10' (any portion of the sign)	No restrictions
			200 sq. ft. in all other non-residential districts	12 feet			
Canopy, marquee, or projection	All non-residential uses and zoning districts	Yes	9 square feet	Shall not exceed the height of the main structure	One sign for each main structure, or tenant for each street frontage	—	—

(Ordinance 07-014, ex. A, sec. 4, adopted 8/13/07)



Ovilla City Council

AGENDA ITEM REPORT

Item 4

Meeting Date: May 11, 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 Attorney

☐ Accountant

☐ Other

Attachments:

1. Resolution R2020.10

Agenda Item / Topic:

ITEM 4. DISCUSSION/ACTION – Consideration of and action on Resolution R2020.10 of the City of Ovilla, Texas, abolishing and disbanding of the Municipal Services Advisory Committee (MSAC), effective immediately.

Discussion / Justification:

On July 28, 2014, the City Council of the City of Ovilla approved Resolution No. 2014-027 that established the Ovilla Municipal Services Advisory Committee (MSAC). The intended purpose of the MSAC was to provide efficient support to City Staff in the implementation of a Capital Improvement Plan by frequent, regular review and analysis of Municipal governance matters such as municipals development, municipal services, water needs and major capital improvements to street, water and sewer infrastructure. Since meeting its purpose, staff feels this committee has met the need.

Legal counsel prepared Resolution R2020.10.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

*I move to **approve/deny** the Resolution R2020.10 to abolish and disband the Municipal Services Advisory Committee (MSAC) effective date being immediate.*

RESOLUTION NO. R2020-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, ABOLISHING AND DISBANDING THE OVILLA MUNICIPAL SERVICES ADVISORY COMMITTEE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 28, 2014, the City Council of the City of Ovilla passed and approved Resolution No. 2014-027 thereby establishing the Ovilla Municipal Services Advisory Committee; and

WHEREAS, the intended purpose of the Ovilla Municipal Services Advisory Committee was to provide efficient support to the City's staff in the implementation of a Capital Improvement Plan by frequent and regular review and analysis of municipal governance matters such as municipal development, municipal services, water needs, and major capital improvements to street, water and sewer infrastructure; and

WHEREAS, the City Council finds and determines that the Ovilla Municipal Services Advisory Committee has served its intended purpose and is no longer needed; and

WHEREAS, the City Council finds and determines that it is now in the best interest of the citizens of the City of Ovilla to now abolish and disband the Ovilla Municipal Services Advisory Committee.

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

SECTION 1. The Ovilla Municipal Services Advisory Committee is hereby abolished and disbanded

SECTION 2. All other Resolutions of the City Council of the City of Ovilla, Texas, that are inconsistent with the provisions of this Resolution are hereby repealed.

SECTION 3. This Resolution shall become effective immediately upon its passage, approval and adoption by the City Council of the City of Ovilla, Texas.

PASSED, APPROVED and ADOPTED by the City Council of the City of
Ovilla, Texas, this 11th day of May, 2020.

Richard Dormier, Mayor

ATTEST:

Glennell Miller, City Secretary



Ovilla City Council

AGENDA ITEM REPORT

Item 5

Meeting Date: May 11, 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 Attorney

☐ Accountant

☐ Other:

Attachments:

1. Resolution R2020.11

Agenda Item / Topic:

ITEM 5. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2020.11, to establish a Boards and Commissions Appointment Review Committee and adopting policies and procedures for all City Boards and Commissions, effective immediately.

Discussion / Justification:

Staff desires to establish a review committee to interview and speak with board or commission applicants prior to the making of recommendations to Council for appointments. Staff believes this will aid in the assessment of the best fit for each board or commission and provides us firsthand knowledge to attest to Council that each individual is best suited to the board or commission to which they are being recommended. It also provides fair opportunity for all applicants.

In addition to the Council Rules of Governance, it will benefit board/commission members to have their own set of guidelines. These procedures are important to the smooth operation of these group meetings and provides a clear understanding of each board/commission members' expected attendance and conduct while representing the City.

Legal counsel has reviewed and approved the submitted resolution and policy documents.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

*I move to **approve/deny** the Resolution R2020.11, to establish a Boards and Commissions Appointment Review Committee and adopting policies and procedures for all City Boards and Commissions, effective immediately.*

**CITY OF OVILLA
RESOLUTION R2020-11**

A RESOLUTION OF THE CITY OF OVILLA, TEXAS, ESTABLISHING A BOARDS AND COMMISSIONS APPOINTMENT REVIEW COMMITTEE AND ADOPTING POLICIES AND PROCEDURES FOR ALL CITY BOARDS AND COMMISSIONS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Ovilla, Texas, appoints citizens to the various boards and commissions each year; and

WHEREAS, the City Council of the City of Ovilla, Texas, desires to appoint a Boards and Commissions Appointment Review Committee; and

WHEREAS, the City Council desires to adopt Boards and Commissions Policies and Procedures to explain the laws, rules, regulations, and procedures deemed necessary for Boards and Commissions to carry out the functions and obligations of the City of Ovilla; and

WHEREAS, the City Council of the City of Ovilla, Texas, deems it is in the public's best interest to adopt Boards and Commissions Policies and Procedures, contained in Exhibit A, for all Boards and Commissions of the City of Ovilla.

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

SECTION 1. The Ovilla City Council hereby appoints the Mayor, City Manager and City Secretary to serve as the Review Committee to review applications and conduct an interview process for which to recommend Board or Commission applicants for appointment to the Ovilla City Council; and

SECTION 2. The Ovilla City Council determines that it is in the best interest of the citizens to adopt policy and procedures contained in Exhibit A, titled "Boards and Commissions Appointment Review Committee and Policies and Procedures," attached hereto and made part of this Resolution.

SECTION 3. All resolutions or parts of resolutions in force when the provisions of this Resolution become effective which are inconsistent or in conflict with the terms and provisions contained in this Resolution are hereby repealed only to the extent of such conflict.

SECTION 4. Should any part, sentence or phrase of this Resolution be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Resolution shall not be adversely affected. No portion of this Resolution shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Resolution are declared to be severable.

SECTION 5. This Resolution shall take effect immediately from and after its passage.

RESOLVED, PASSED and APPROVED by the City Council of the City of Ovilla, Texas, on this the 11th day of May 2020.

APPROVED:

Mayor Richard A. Dormier

ATTEST:

Glennell Miller, City Secretary

RESOLUTION R2020-11

EXHIBIT A
CITY OF OVILLA BOARDS AND COMMISSIONS
APPOINTMENT REVIEW COMMITTEE AND
POLICIES AND PROCEDURES
Adopted MAY 11, 2020

CITY OF OVILLA, TEXAS
CITY OF OVILLA BOARDS AND COMMISSIONS
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SECTION 1.
PURPOSE AND SCOPE

The City of Ovilla Policies and Procedures for Boards and Commissions is provided as a general reference tool to help new Board members in the performance of their duties. This reference collection is intended to briefly outline the purpose and role of Boards as they relate to the overall development of policies and programs for the City of Ovilla and to establish uniform procedures for all advisory boards and commissions of the City. For the sake of conciseness, the use of the term "Board" throughout this Policy shall be interpreted to include the term "commission" except where the context requires otherwise.

SECTION 2.
MEMBER ELIGIBILITY

Citizens interested in serving on Boards and Commissions must be residents of Ovilla, if required by state law, city ordinance, or Board by-laws. All Boards and Commission members serve without compensation in a volunteer capacity. For other specific eligibility requirements, please refer to the originating ordinance or resolution for each Board or Commission. (The Municipal Development District (MDD) is excluded from this section only. MDD members may be residents of the City or the City's Extraterritorial Jurisdiction (ETJ)).

Applicant qualifications include the following:

- Must be a resident of the City of Ovilla for at least one (1) year prior to the date of the appointment (unless specified otherwise in this policy).
- Must be a qualified voter in Dallas /Ellis Counties.
- If other applicable local ordinances or state laws allow for other conditions not stated in this policy, those conditions shall be followed.

SECTION 3.
RECRUITMENT

Advertisement for board volunteer recruitment may be conducted in a variety of ways including, but not limited to:

- posting of notice on official City bulletin board
- press releases
- utility billing inserts
- website advertisements
- nomination by invitation

SECTION 4. **APPLICATION PROCESS**

January of each year and/or as needed, the City Secretary will post information on the City's website encouraging qualified people to fill out an application to serve. The City Secretary's office will email reappointment interests to all current board members with expiring terms.

All qualified persons applying for the first time must complete an "Application for Appointment to City of Ovilla Boards and Commissions" application form and submit it to the City Secretary no later than April 15, to be considered for the June/July appointment.

Current members interested in reappointment to their current board must submit a letter or email desiring reappointment to the City Secretary prior to April 15. If a current member wishes to be considered for appointment to a different board, he/she will need to submit the "Application for Appointment" form for the board or commission for which they would like to be considered.

All requests for appointment must be returned to the City Secretary by April 15. Any applications received after the deadline will not be considered for the current recruitment period, unless there is a necessity to fill a vacant position.

Applications are considered current for one (1) year from submittal date, after which the application will be removed from consideration. In order to be considered in the next recruitment period, the applicant will be required to submit a new application.

SECTION 5. **SELECTION PROCESS**

The City Manager, City Secretary and Mayor, will review all submitted applications, serving as the Board and Commissions Appointment Review Committee. Additional information that could be used in reviewing applications include information from the staff liaison, attendance records, and training records, and previous experience on other boards may be considered.

Each June, the Council will consider appointments. In the event appointments are not made in June/July, all members with expiring terms will continue to serve until their successor is appointed by Council.

SECTION 6. **TERM OF OFFICE**

Board members serve for staggered two (2) year terms, unless a different term is stated by ordinance or board by-laws. All terms expire on July 31. Appointments not made prior to the expiration of a member's term shall continue to serve until their successor is appointed by Council.

The Council retains the right to replace any appointed member at any time for cause, on a written charge, by a simple majority of the full City Council, or in accordance with the Resolution or Ordinance establishing the Board.

Board members are appointed for a limited purpose and time, and once the assigned term of office is completed and Council has appointed their successor, they are excused from service on the board unless the Council selects them for another term of service in accordance with this Policy.

SECTION 7.

MID TERM APPOINTMENTS

Occasionally, a board member may be unable to finish his or her term or will be removed by the Council prior to his or her term ending. In such cases, the vacant position may be filled by a mid-term appointee who will serve out the remainder of the other member's term.

Instead of soliciting applicants for the vacancy, the Council may refer to the previously submitted applications kept by the City Secretary's Office. If there are no appropriate open applications for the vacant position(s), a new application solicitation campaign could take place in the same manner as the typical annual recruitment process.

SECTION 8.

NEW MEMBERS

After appointment by Council, all new members should make every effort to become as familiar as possible with all aspects of the board he or she has been appointed to serve. To aid in the process, new members will be furnished with the contact information of the other members, as well as applicable information and regulations that govern that board.

Members of a governmental body/board subject to the Open Meetings Act (OMA) shall complete Texas Open Meetings Act training within ninety (90) days of their appointment by Council, pursuant to section 551.005 of the Texas Government Code.

Members of any board, who are considered by State statute to be a public officer of the City (including members of boards with quasi-judicial authority), must complete and execute the written Statement of Appointed Officer and take the Oath of Office upon appointment. The members must sign the Oath and it must be notarized and kept in the City Secretary's Office. These boards include: Board of Adjustment, Planning and Zoning Commission, Municipal Development District, Economic Development Corporation, Park Board Advisory Committee, and the Board of Adjustment.

SECTION 9.

GENERAL DUTIES AND RESPONSIBILITIES OF BOARDS AND COMMISSIONS

It is the responsibility of each board member to have a basic knowledge of the operations, management, finances (if applicable), and effectiveness of the board they serve. Each board member shall inform himself/herself as to the duties, responsibilities, and obligations for the role in which they serve.

Most boards shall act in an advisory capacity and make recommendations to the Council on issues specific to each respective board's duties and responsibilities. The exceptions to this are the Board of Adjustments: certain actions taken by this board, are outlined in applicable state law and the City of Ovilla Code of Ordinances, are final.

A complete list of duties, responsibilities, attendance requirements and other information can be found in the City of Ovilla Code of Ordinance. The general duties and responsibilities of each advisory board or commission is as follows:

OVILLA ECONOMIC DEVELOPMENT CORPORATION

- Meetings:** Held as the Board determines or as necessary on the third Monday of the month.
Members: Seven (7) members.
Terms: Two-year terms; four (4) members alternating one year and three (3) members the following year.
Attendance: Three (3) consecutive unexcused absences from meetings of the Board shall cause the position to be considered vacant with recommendation to the Council.

Promotes economic and community development within the city to promote and encourage employment and public welfare of, for, and on behalf of the city by developing, implementing, providing, and financing projects as defined in the Development Corporation Act (Article 5190.6 V.T.C.S.).

The Board has all the powers, both express and implied, granted to corporations governed by Texas Local Government Code, Chapter 501, et seq., and by the Texas Non-profit Corporation Act. *The Corporation is operated according to state law and its own Articles of Incorporation and Bylaws.*

PARKS AND RECREATION BOARD

- Meetings:** Held as the Committee determines or as necessary on the first Monday of the month.
Members: Five (5) members.
Terms: Two-year terms; two (2) members; three (3) members the following year.
Attendance: Three (3) consecutive unexcused absences or absence from three (3) meeting in any six-month period shall constitute grounds for dismissal and as recommended to the Council.

Serves in an advisory capacity to the City Council in the acquisition, development, improvement, equipment and maintenance of all parks, public playgrounds, athletic fields, and any other recreation facility and/or planned activities on any of the properties owned and controlled by the City. Recommends programs, policies and ordinances that will benefit and promote the leisure and recreational needs of the community.

PLANNING AND ZONING COMMISSION

- Meetings:** Held as necessary the first Monday of the month.
Members: Five (7) members.
Terms: Two-year terms; four (4) members expires one year; three (3) members expire the following year.
Attendance: Three (3) consecutive unexcused absences shall be deemed as neglect and cause for removal from office as recommended by city staff to the Council.

Members shall not hold any other office or position with the City while serving on the Planning and Zoning Commission and the Zoning Board of Adjustment.

The Commission shall have the rights, powers, privileges granted in Chapter 211 of the Texas Local Government Code to make recommendations regarding amendments to the Comprehensive Plan, changes of zoning, zoning to newly annexed area, approval of subdivision plats, and other planning related matters. The Commission shall provide recommendations to the City Council.

ZONING BOARD OF ADJUSTMENT

Meetings:	As the Board determines on the third Monday of the month.
Members:	Five (5) members and two (2) alternate members
Terms:	Two (2) year terms; two (2) members and one (1) alternate expires one year; three (3) members and one (1) alternate the following year.
Attendance:	Three (3) consecutive unexcused absences shall be deemed as neglect and cause for removal from office as recommended by city staff to the Council.

Members shall not hold any other office or position with the City while serving on the Planning and Zoning Commission and the Zoning Board of Adjustment.

The Board shall have authority to and enforcement of as outlined in Chapter 5, Section 45 Zoning Board of Adjustment in the Ovilla City Code of Ordinances which states: The Zoning Board of Adjustment shall have the powers and exercise the duties of a Zoning Board of Adjustment in accordance with Section 211.009 of the Texas Local Government Code. The Board's jurisdiction shall extend to and include the hearing and deciding of the following types of appeals and applications, and to that end shall have the necessary authority to ensure continuing compliance with its decision.

SECTION 10. ROLE OF STAFF LIAISON

A staff member shall be assigned as a liaison/board secretary to each board to perform support services, provide technical data, prepare agendas, post notices of meetings, prepare minutes of the meetings, and other related functions. The staff liaison will ensure that the Boards understand Council's goals and vision for the community. The staff member is an ex officio member of the board but is not entitled to vote or preside over meetings. The liaison shall attend all public hearings of Boards on behalf of the City and present and discuss facts pertinent to matters being considered.

No member of a Board shall become involved in the daily operation of the City or in personnel/employment matters.

SECTION 11. CONFLICTS OF INTEREST

Members of all City of Ovilla Boards shall comply with the requirements of Chapter 171 of the Texas Local Government Code with respect to conflicts of interest. It is the responsibility of each member of these boards to file a "Conflict of Interest" affidavit (Exhibit A) with the City Secretary's Office when a conflict exists because he or she has a substantial interest in a matter being considered by the board. Substantial interest means the individual:

1. Owns 10% or more of the voting stock or shares of the business.
2. Owns either 10% or more than \$15,000 of the fair market value of the business.
3. Receives funds from the business that exceeds 10% of the person's gross annual income for the preceding year.
4. Ownership in real property with a fair market value of \$2,500 or more, or
5. Relative within the first degree of consanguinity or affinity has a substantial interest.

Board members shall abstain from participation in a matter when a personal interest creates or gives the appearance of being a conflict of interest.

SECTION 12.
MEETINGS OF THE BOARDS/COMMISSIONS

- A. **DUTY OF ATTENDANCE.** Board members should make every attempt to attend board meetings. However, if a board member is unable to attend a meeting, he or she shall notify the staff liaison/board secretary as soon as practicable.

Three (3) consecutive unexcused absences from a regular meeting of the board shall be deemed as neglect and shall cause the position to be considered vacant. The staff liaison and the City Secretary's Office shall track and report any excessive absences to the City Manager. The City Manager will review each situation and determine if the board member should be recommended to the City Council for removal.

- B. **NOTICE.** Notice of the meetings, including the location, shall be posted pursuant to the requirements of the Texas Open Meetings Act. All meetings shall be open to the public, except executive sessions as discussed below. Notice to the public of all meetings shall be 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.

- C. **AGENDAS.** Board members shall receive the agenda and supporting materials for an upcoming meeting prior to the meeting date. Each matter to be considered at a meeting of the board as an Agenda Item shall be accompanied by a summary of the facts pertaining thereto, the need for action thereon, and the recommendations of staff, where appropriate. The Chair shall address the posted items on the agenda in any order he or she chooses if every item is addressed.

- D. **QUORUM OF MEMBERS.** At each meeting, each Board chair shall announce a quorum is present in order to conduct official business of the board. A quorum of the Board is a majority of the number of members fixed by statute or ordinance. The Texas Open Meetings Act prohibits less than a quorum of members from discussing or deliberating official business of the Board at such a meeting. For specific information regarding a quorum, please refer to the Ordinance or Resolution establishing each Board or Commission.

- E. **CALL TO ORDER.** The Chair, after roll call and determining that a quorum is present, shall call the meeting to order by announcing the meeting, meeting date, and the time the meeting was called to order.

- F. **CONSENT AGENDAS.** A consent agenda allows the board to consider items that do not need any discussion or debate either because they are routine procedures or are already unanimous consent. The board may approve all items together without discussion or individual motions. Removal of an item can be accomplished at the request of a single Board member.

1. Typical consent agenda items are routine, procedural decisions, and decisions that are likely to be noncontroversial. Examples include:
 - Approval of the minutes.
 - Final approval of proposals or reports that the board has been dealing with for some time and all members are familiar with the implications.
 - Reports provided for information only.
 - Correspondence requiring no action.

- G. **MOTIONS.** A motion may be made by any member other than the presiding officer. A second to

the motion is required before a vote can be taken. The presiding officer will State the Motion by announcing "it has been moved by and seconded by that we ...". Any motion dies from a lack of a second.

- H. **ABSTENTIONS.** When a Board member abstains or excuses himself/herself from a portion of a Board meeting because of a legal conflict of interest, the Board member must briefly state, on the record, the nature of the conflict. State law requires the inclusion of this information in the public record. Please refer to Section 11, Conflicts of Interest.
- I. **PUBLIC COMMENTS.** The City Council invites all citizens attending a public meeting and wishing to address the boards on any topic not already scheduled for a Public Hearing. Citizens wishing to speak should complete a "Citizens Forum Sheet" and present it to the board secretary prior to the meeting. Speakers are limited to 3 minutes. In accordance with the Texas Open meetings Act, Board members cannot discuss items presented by citizens which have not been posted on the meeting agenda. However, concerns may be addressed by City Staff or responded to by some other course at a later date. Please refer to the City of Ovilla Public Comments Policy.
- J. **RULES GOVERNING BOARD ACTION.** The Board Policies and Procedures shall govern the action of the Board. If the policies and procedures do not specify how an action shall be conducted, the Board, as appropriate, shall refer to pertinent statutes, rules, or the latest Robert's Rules of Order Newly Revised Edition, and the Ovilla Council Rules of Governance.
- K. **MINUTES.** Minutes of the Board meetings shall be prepared and maintained, as required in the Open Meetings Act.
 - 1. Minutes of the Board meetings shall be approved by the Board and signed by the Board Chair and the attesting board secretary/liaison.
 - 2. Before the Board approves the minutes of the last meeting, the minutes shall be sent to each member of the Board for review, comment, and correction prior to approval. It should be noted that a member's absence from the meeting for which minutes are being approved does not prevent the member from participating in their approval.
 - 3. Minutes are available for public review as authorized by the Open Meetings Act. All books and records of the Board shall be stored according to the records retention schedules as set forth by the State Library and Archives Commission.
 - 4. The Board must make either a certified agenda or recording of each closed session.

SECTION 13. **REVIEW OF POLICIES AND PROCEDURES**

This policy may be reviewed and amended by resolution as deemed necessary by the Ovilla City Council.

AGENDA ITEM REPORT

Item 6

Meeting Date: May 11, 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: Staff

Attachments:

1. None

Agenda Item / Topic:

ITEM 6. **DISCUSSION/ACTION** – Consideration of and action to either cancel or to set the official date for Heritage Day 2020, appointing various assignments to facilitate the success of the 2020 Heritage Day Celebration and festivities.

Discussion / Justification:

Due to the COVID-19 pandemic and Social Distancing now in effect and not knowing when the Governor of Texas will be relaxing restrictions for large outside group events in the weeks ahead, vendors, citizens, etc. will need to be made aware of our plans to move forward or hold off until the following year 2021.

Recommendation / Staff Comments:

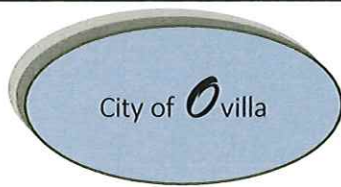
N/A

Sample Motion(s):

I move to approve the cancelation of Heritage Day 2020 as discussed due to the COVID-19 pandemic.

I move to set the official date for Heritage Day 2020 as _____ and appoint the various assignments to facilitate the festivities:

1. *Coordinator*
2. *Managing secretarial assistant*
3. *Managing grounds and outside preparations*
4. *Financials*



Ovilla City Council

AGENDA ITEM REPORT

Item 7

Meeting Date: May 11, 2020

Department: Public Works

☒ 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:

1. October 2003 Pump Station Site Plan
2. Current aerial photo

Agenda Item / Topic:

ITEM 7. *DISCUSSION* – Review and discuss future plans for the City's municipal facilities needs.

Staff seeks direction and assistance to remedy the conditions of the police station, whether we decide to renovate or wait for a bond election. Before COVID-19, a workshop was planned to share information and receive guidance from Council. That still needs to occur. Until then, we know that the Public Works will need to relocate their inventory and possibly their offices.

Containers have been discussed in previous meetings revealing costs from \$2500-\$5000 per container, dependent on size and condition of the container.

Location of containers or any facility for public works to operate and/or store equipment is undecided.

Recommendation / Staff Comments:

N/A

Sample Motion(s):

Discussion only

SOIL BORING LOCATIONS

FENCE CORNER
N 5026.1552
E 3692.5939

168' +/-
#1, #2, #3

0.9 +/- Acre
Available for storage
of Public Works Egmt
& supplies

FENCE CORNER
N 4559.6179
E 3659.1300

240' +/-
#4, #5, #6

CONTROL POINT 600 NAIL
N 4832.3171
E 3958.6705
EL. 727.47

PROPOSED CHAIN LINK FENCE

FUTURE 750,000
GALLON GROUND
STORAGE RESERVOIR

PROPOSED 750,000
GALLON STEEL GROUND
STORAGE RESERVOIR

FENCE CORNER
N 5011.9242
E 4284.4414

FUTURE CRUSH
STONE FACILITY

FENCE CORNER
N 4985.5592
E 4298.8294

PROPOSED
20' SWING
GATE

FENCE CORNER
N 4973.4165
E 4342.8739

FENCE CORNER
N 4973.5910
E 4317.2897

FENCE CORNER
N 4843.9168
E 4341.9858

MATCH LINE A-A

MATCH LINE A-A

DUNCANVILLE ROAD

BENCHMARK
CONTROL POINT 600 NAIL
N 4999.2211
E 5000.0503
EL. 727.48

LEGEND



REMOVE TREE INCLUDING
ROOT STRUCTURE

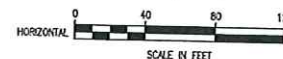


PROPOSED 10" COMPACTED
CRUSH STONE DRIVE



PROPOSED 6" REINFORCED
CONCRETE DRIVE

BENCHMARK: 1' CUT ON HDWL ON NORTH SIDE
OF ACCESS ROAD AT DUNCANVILLE ROAD, 650'±
EAST OF THE PROPOSED PUMP STATION SITE
ENTRANCE, N 5013.0459, E 4864.9438
EL. 718.69



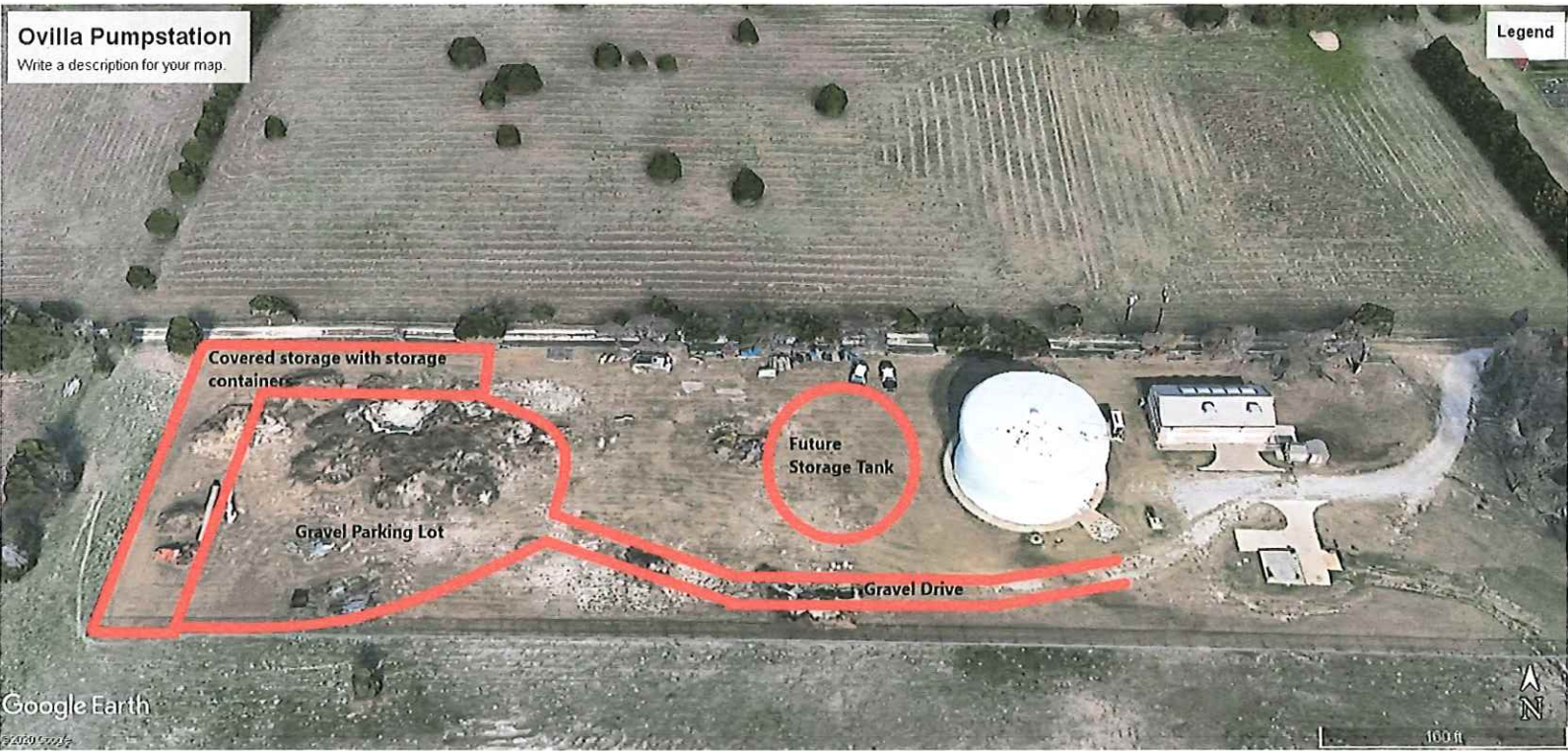
CITY OF OVILLA, TEXAS

OVILLA PUMP STATION
SITE PLAN

BIRKHOFF, HENDRICKS & CONWAY, L.L.P.
CONSULTING ENGINEERS
Dallas, Texas

DESIGNED BY: J.W.B.	PROJECT: 2002-150	SHEET NO. C3
DRAWN BY: B. H. & C.	DATE: OCTOBER, 2003	OF 29 SHEETS

These plans and related specifications
were prepared for construction of this
specific project only. Reuse of these
documents is not permitted without
written authorization of Birkhoff,
Hendricks, & Conway, L.L.P.



Ovilla Pumpstation

Write a description for your map.

Legend

Covered storage with storage containers

Gravel Parking Lot

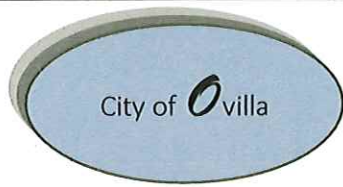
Future Storage Tank

Gravel Drive

Google Earth

100 ft





Ovilla City Council

AGENDA ITEM REPORT

Item 8

Meeting Date: May 11, 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 Attorney

☐ Accountant

☐ Other:

Attachments:	
N/A	
Agenda Item / Topic:	
ITEM 8.	<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):	
I move to approve...	

Ovilla Fire Department April 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
 - RECEIVED \$8,050 from TFS for Insurance Reimbursement Grant
- AFG Grant for PPE was submitted on 03/12/2020, unknown on award notification date

Summary of Events for the Department

- April was fairly busy, with a total of 78 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, Main and Ovilla did not operate, Inspection Complete by Goddard Enterprise and all are working properly.
- COVID-19 Monitoring (See Attached Situational Report for Addition)
- FD ran a total of 6 possible COVID-19 calls in April, and they are "possible" due to a positive screening result through our dispatch process. This does not mean that they have or will test positive..

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)
- **60 / 60** Volunteer shifts were covered, and these 60 shifts we had 4 personnel on the Engine

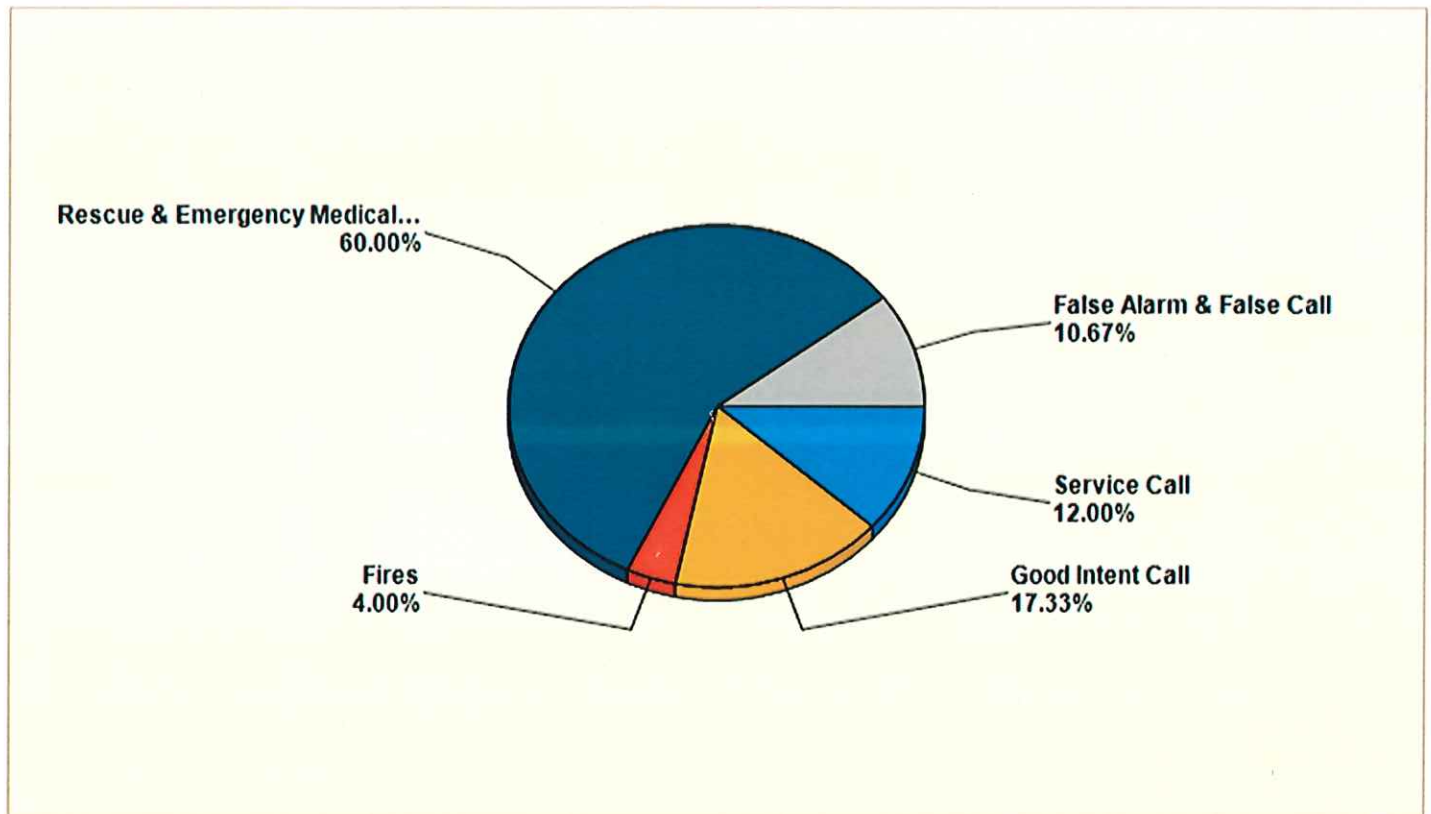
Summary of Activity from Deputy Chief / Fire Marshal's Office

- 7 Consults
- 9 Meetings
- Back-Up for Ovilla PD
- QCI reports
- New Fire Marshal Truck should be delivered in May

Monthly Call Summary

INCIDENT COUNT		
INCIDENT TYPE	# INCIDENTS	
EMS	45	
FIRE	33	
TOTAL	78	
MUTUAL AID		
Aid Type	Total	
Aid Given	8	
Aid Received	1	
OVERLAPPING CALLS		
# OVERLAPPING	% OVERLAPPING	
2	2.56	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)		
Station	EMS	FIRE
Station 701	0:07:17	0:07:30
AVERAGE FOR ALL CALLS		0:07:23
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)		
Station	EMS	FIRE
Station 701	0:01:34	0:01:18
AVERAGE FOR ALL CALLS		0:01:34
AGENCY		AVERAGE TIME ON SCENE (MM:SS)
Ovilla Fire Department		12:27

Breakdown by Major Incident Type



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	3	4.00%
Rescue & Emergency Medical Service	45	60.00%
Service Call	9	12.00%
Good Intent Call	13	17.33%
False Alarm & False Call	8	10.67%
TOTAL	78	100.00%

Average 0.75 fire per week

Average 2.60 calls per day

Average 19.5 calls per week

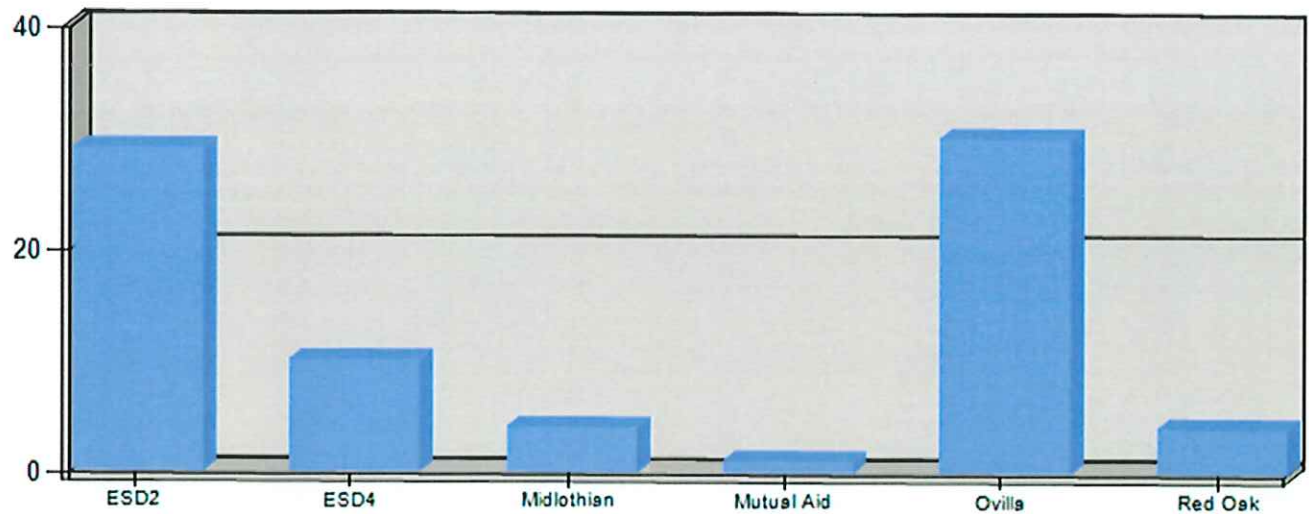
C701 Responses | **13**

C702 Responses | **13**

Number of Overlapping Calls | **2**

Total Ovilla Fire Department Runs | 78

Breakdown by Districts



District	April 2020	March 2020
ESD2 - ESD #2	29	19
ESD4 - ESD #4	10	11
Midlothian - Midlothian City Limits	4	4
Mutual Aid - Mutual Aid	1	2
Ovilla - City Limits	30	21
Red Oak - Red Oak City Limits	4	4

TOTAL: 78 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	Apr-20	Mar-20
ESD2 - ESD #2	8.02	8.57
ESD4 - ESD #4	8.62	8.69
Midlothian - Midlothian City Limits	7.76	11.89
Ovilla - City Limits	5.9	7.97
Red Oak - Red Oak City Limits	9.06	7.77
	7.51	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	Apr-20	Mar-20
B701	2:09	1:43
C701	1:26	0:53
C702	1:38	1:09
E701	1:42	1:39
E702	3:36	2:53
R755	3:36	2:20
AVERAGE TURNOUT TIME:	1:35	1:14

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	April 2020	March 2020
B701	1	3
C701	13	14
C702	13	16
E701	69	50

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	58,984	59,075	91	\$ 24.68	\$ -
B702	4,064	4,074	10	\$ -	\$ 239.95
C701	29,950	30,262	312	\$ 35.02	\$ -
C702	105,896	106,515	619	\$ 29.17	\$ -
E701	20,168	20,671	503	\$ 374.64	\$ 1,074.67
E702	29,804	29,885	81	\$ 46.50	\$ -
E703	14,489	-	0	\$ -	\$ -
R755	20,342	20,360	18	\$ 39.18	\$ 1,952.85
Station Supplies (Small Equipment Fuel, Propane, Other)				\$ -	\$ 97.44
Totals for the Month			1,634	\$ 549.19	\$ 3,364.91

COVID-19 Update See Situational Report Attached



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

FROM: Daniel Durham – Water / Wastewater Superintendent

TOPIC: Public Works Monthly Report for April,2020

STAFFING: 7 FTE positions approved; 4 FTE position filled

WORK ORDERS

- 16 total Work Orders completed for the month of April ,2020

Gov Pilot Reporting Balances

	New	Completed	Remaining
Water/Wastewater			
Dept -	16	15	1

WATER

- Gallons purchased from DWU 12.563.000 MG, Retail Billed 12.225.700 MG, Retail Unbilled 18.9 k, Builder metered 1.8 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 repairs list for replacing meter lids and boxes.



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.**

Gov Pilot Completed Work orders April 2020

- 105 WILLOW CREEK LN
- PLEASE GET REREAD.THANKS
 - 04/01/2020
- 1
- REREAD
- CLOSED
 - 04/02/2020
- RAC-2020-01176
 - 1
- 204 THORNTREE DR
- CUSTOMER STATED THEY MAY HAVE LEAK AT METER.
 - 04/06/2020
- POSSIBLE LEAK
- CLOSED
 - 04/07/2020
- RAC-2020-01189
 - 1
- 510 FOREST EDGE LN
- PLEASE GET READING ON APRIL 9TH....THANKS!
 - 04/06/2020
- 3
- READING
- CLOSED
 - 04/09/2020
- RAC-2020-01192
 - 3
- 809 COCKRELL HILL RD
- PLEASE GET READING...CUSTOMER STATING BILL IS HIGHER THAN LAST MONTH...THANKS!!!
 - 04/08/2020



- 4
- READING

- CLOSED
- RAC-2020-01196
- 105 COCKRELL HILL RD RD
- ***PLACED METER BOOKS IN DANIELS BASKET***
- 5
- METER BOOKS
- CLOSED
- RAC-2020-01198
- 307 JOHNSON LN

- PLEASE REREAD METER CUSTOMER THINKS BILL IS TOO HIGH
- 6
- REREAD METER
- CLOSED
- RAC-2020-01201
- 823 COCKRELL HILL RD
- ***PLEASE GET READING ON APRIL 17TH***
- 7
- READING
- CLOSED

- RAC-2020-01213
- 741 WESTMORELAND RD
- NEED A START DATE FOR THIS NEW INSTALLATION PLEASE



- 8
- WATER METER - INSTALL
- CLOSED
- 04/24/2020
- RAC-2020-01248
- 1
- 807 WESTMORELAND RD
- SERVICE LINE LEAK REPAIR AT BOTTOM OF CREEK AT THIS ADDRESS.
- 04/23/2020
- 9
- WATER LEAK - POSSIBLE
- CLOSED
- 04/23/2020
- RAC-2020-01254
- 0
- 105 COCKRELL HILL RD
- PLEASE TAKE BILLS TO POST OFFICE BEFORE 3PM.
- 04/28/2020
- 10
- BILLS
- CLOSED
- 04/29/2020
- RAC-2020-01264
- 1
- 107 OAKWOOD LN
- 05/01/2020
- 11
- CLOSED
- 04/30/2020
- RAC-2020-01300
- -1



Vehicle & Equipment Usage

April, 2020

#	Description	Mileage				Hours		
		Begin	End	Accrued		Begin	End	Accrued
1	2017 F250 4x4	17,001	17,122	121				
2	2015 2500 HD Silverado	46,937	47,768	831				
3	2011 3500HD Silverado	58,033	58,326	293				
4	2008 2500HD Silverado	87,593	87,888	295				
5	2019 f250 Animal Control	10,793	11,226	433				
6	2008 1500 Silverado	118,528	118,757	229				
7	2001 C6500 Dump Truck	19,140	19,181	41				
8	1999 International Patch Truck	312,128	312,128	0				
9	1998 Ford Dump Truck	55,339	55,386	47				
0	New Holland Skid LS60					1307.2	1317.2	10
1	1999 Kubota Tractor					996.2	997.9	0
2	1992 Ford Tractor					1090.4	1090.4	20.6
3	310K John Deere Backhoe					2116.7	2137.3	0
4	Ingersoll Mobil Air Compress					1326.1	1326.1	0
5	Jet Machine					507.4	507.4	0.4
6	Vac Machine 2017					124.9	125.3	0
7	Boomag 900-50 packer					195.0	195.0	17.9
8	2016 Exmark					321.5	339.4	2.5
9	2013 Exmark					491.4	493.9	2.5
0	2004 Exmark					1066.7	1066.7	0
1	JCB Backhoe					80.9	80.9	0
2	Kubota Mini Excavator					30.6	38.0	7.4
3	Crafco Crack Sealer					75.2	75.2	0
		Total =				Total =		
		2,290				43.7		

Streets and Parks Department

Streets/Drainage

- Clean out silted high spots in ditch 105 Willow Wood
- Trim back over hanging tree limbs off 35 mph speed limit sign at Westmoreland North of Williams
- Excavate high spot in front of culvert 110 Greenwood DR
- Patch potholes with cold mix asphalt N. Westmoreland, Johnson Ln.
- Removed dirt and debris from drainage easement Ashburn Glen
- Excavate high spot drainage ditch in front of culvert 112 Silverwood
- Install speed hump 100 block of Lariat
- Start road repair Elmwood dig out bad spots and spread road base and pack prep for asphalt over lay
- Cut down and haul off broken tree 747 Westmoreland
- Help water department read monthly water meters
- Help water department fix service line leak Meadow Glen

Parks

- Monthly Park inspections performed
- Maintained city marquee
- Mowing and ground keeping city parks
- Mowing and ground keeping city hall and city owned property
- Mow right of way Shiloh Rd and Bryson

Administrative

- Assemble new desk for accountant's office
 - Rearrange office furniture in accountant's office
- Gov Pilot work orders for Street/Drainage
18 new work orders
8 open
9 closed out

April 2020

Gov Pilot work orders for Parks dept

13 new work orders

1 open

12 closed out

APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

Surfacing (§2.4)

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

Drainage (§2.4)

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

General Hazards

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

NOTES:

DATE OF INSPECTION:

05/02/20

Security of Hardware (§2.5)

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

Durability of Equipment (§2.5)

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

Leaded Paint (§2.5.4)

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

General Upkeep of Playgrounds (§4)

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

INSPECTION BY:

Ainsley Jarvis

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: Needs materials
- ☒ Loose-fill surfacing materials have no foreign objects or debris.
 - ☐ Remove trash and debris
- ☒ Loose-fill surfacing materials are not compacted.
 - ☐ Rake and fluff surfacing
- ☒ Loose-fill surfacing materials have not been displaced under heavy use areas such as under swings or at slide exits.
 - ☐ Rake and fluff surfacing

Drainage (§2.4)

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

General Hazards

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

NOTES:

DATE OF INSPECTION:

05/05/20

Security of Hardware (§2.5)

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

Durability of Equipment (§2.5)

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

Leaded Paint (§2.5.4)

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

INSPECTION BY:

Ainsley Jarvis

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- ☒ Loose-fill surfacing materials are not compacted.
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 - ☐ Improve drainage
 - ☐ Other maintenance: _____

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- ☒ There are no crush and shearing points on exposed moving parts (§3.1).
- ☒ There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

NOTES:

DATE OF INSPECTION:

05/05/20

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 painting)
- ☒ 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.
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 - ☐ Replace trash receptacle
- ☒ Trash receptacles are not full.
 - ☐ Empty trash

INSPECTION BY:

Ainsley Jarvis

Finance Update thru April

- Work with Fund View to learn Software
- Organized Finance Office
- Daily processes for
 - Accounts Payable
 - Payroll
 - Payroll Taxes
 - Deposits
 - Property Taxes
- Reports
 - Quarterly 941
 - Quarterly TWC Unemployment Report
 - Monthly TMRS Retirement Report
 - Monthly Sales Tax report
- Work with the Peacocks to get information they needed and instruction on what needs to be done in Fund View
- **Future Items**
 - Work with Yeldell Wilson Auditors on the FY2019 Audit, starting in June
 - Review current year adopted budget compared to what is in Fund View
 - Begin working on FY2021 Budget
 - Once updates are completed by the Peacocks, I will work on Financial Statements and the Investment Report - expectation is June.



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	1	0	\$3,662.00	\$2,976.32	\$686.35	0	3	7	9	15	0	0
May												
June												
July												
August												
September												
Totals	304	6	\$81,846.62	\$55,756.76	\$26,090.53	157	99	153	60	100	4	1

2018-2019 FY

April	80	0	\$18,574.30	\$12,336.01	\$6,238.29	22
FY Totals	576	8	\$117,247.43	\$75,186.19	\$42,061.24	207

Staffing

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

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**

	Apr. 2020	Apr.2020 YTD	Apr .2019	
Calls For Service				
Complaint (Nuis 22 Permit 2,Parking 4)	28	111	64	
Follow up (Nuis 25 Permit 2 Park 4)	31	120	67	
Door Notice (Nui - 1, Permit 0 Parking 4)	3	40	31	
Mail Notice (Parking 4 nuisance 15 perm 2)	21	54	13	
Posted Property (nuisance 3)	3	10	28	
Court	\$0	\$566	\$0.00	
Citizen Contacts	8	149	57	
Permits Reviewed	17	76	20	
Permits Issued	13	61	15	
Inspections	30	103	24	
Nuisance Abated by City	0	2	2	
Nuisance Signs (Garage sale-0 business 13)	13	118	34	
Board of Adjustment Special Exception fence	1	2	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**

	Apr.2020	Apr.2020 YTD	Apr.2019	
Calls For Service				
Complaint (Regist-14 At Large 11 Bark 4)	29	135	39	
Follow up	29	149	44	
Door Notice (Regis-10, Bark 0 at large 0)	10	69	21	
Impounded Animal (Dog 3 cat 3)	6	25	9	
Animal welfare check	4	32	8	
Impound Results (Transport 3 Ret to own 3)	6	25	6	
Impound fee collected	\$105.00	\$370.00	175	
Court 0	\$0.00	\$150.00	0	
Citizen Contacts	11	107	38	
Animal registration \$24	2	29	10	
Registration Letter Mailed	22	83	23	
Nuisance Letter barking 2	1	12	3	
Animals released 2 possum 1 squirrel	2	5	4	
Deceased removed	31	93	22	
Oak Leaf -	0	1	1	
Traps Checked Out	2	15	5	

HONORABLE MAYOR AND CITY COUNCIL OF OVILLA

City Manager Monthly Report

ADMINISTRATION and front office -

1. The ladies in the front office continue to rotate their work schedules to accommodate the workload and help those with school-age children work from home and keep social distancing.
2. CM, City Secretary, Deputy City Secretary and Finance Director are all acclimating to new and additional job specifics.
 - a. Administration still has one position vacant – Administrative Planning and Permitting secretary. Currently, we have not posting notice to fill the position.

BOARDS AND COMMISSIONS –

Board of Adjustment: Met by teleconference in April.

Economic Development Corporation: Has not met.

Municipal Development District: Has not met.

Municipal Services Advisory Committee: Proposed to disband.

Park Board Advisory Committee:

- a. Movie in the Park – April Movie in the Park was canceled with no fees incurred.
- b. Music in the Park – no date set

Planning and Zoning Commission: No meeting occurred in May

CURRENT OR PLANNED DEVELOPMENT PROJECTS-

Residential:

- Bryson Manor Phase III – is currently underway.
- Broadmoor Estates- pending
- Miracle Farms – planning stages. Preliminary Plat expected to be presented to Planning and Zoning Commission and Council in June 2020.

Infrastructure:

- Main Street Sanitary Sewer – project is complete.
- Reviewing the CIP:
 - Johnson Lane (Chip seal) on the CIP this year. May need to hold off with construction of Miracle Farms Development.

Misc.

- Working with Brittain & Crawford, LLC to update our map and establish the Historic District.
- Need to confirm whether staff should alternate the equipment replacement from Silver Spur to Heritage Park this year. The CIP has \$15,000 designated.

