

City of Ovilla City Council

*Kimberly Case, Place One
Dean Oberg, Place Two*

*Richard Dormier, Mayor
Doug Hunt Place Four, Mayor Pro Tem*

*David Griffin, Place Three
Brad Piland, Place Five*

Monday, March 13, 2023

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, March 13, 2023, at 6:30 P.M.** in the Ovilla Municipal Building, Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items:

I. CALL TO ORDER

- Invocation – *led by PL1 Case*
- U.S. Pledge of Allegiance and TX Pledge *led by PL2 Oberg*

II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS, PROCLAMATIONS

- Annual Clean Up Day April 22 and Hazardous Waste April 29
- Service League Presentation to Fire and Police Department's

III. CITIZEN'S 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 citizens' 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.

IV. CONSENT AGENDA

The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member, in which event those items will be pulled from the consent agenda for individual consideration on the regular agenda during this meeting.

- C1. Financial Transactions over \$5000
- C2. Minutes of the Regular Council Meeting February 13, 2023
- C3. Certification of Unopposed Candidates
- C4. 2023 Ellis County Joint Election Contract

V. REGULAR AGENDA

ITEM 1. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2023-02 a Resolution of the City Council of the City of Ovilla, Texas accepting the Annual Financial Audit report for the year ended September 30, 2022 prepared and presented by Forvis, LLP.

ITEM 2. **DISCUSSION/ACTION** – Consideration of and action on Resolution No. 2023-03 a Resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.

ITEM 3. **DISCUSSION/ACTION** – Consideration of and action on Resolution No. R 2023-04 a Resolution of the City Council of the City of Ovilla, Texas adopting the 2022 Ellis County Hazard Mitigation Plan.

City of OVILLA City Council

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ITEM 4. **DISCUSSION/ACTION** – Consideration of and action on Ordinance 2023-06 an Ordinance of the City of Ovilla, Texas, declaring unopposed candidates in the May 06, 2023, General City Election elected to office; canceling the General Election; providing a savings clause; providing a severability clause; and providing an effective date.

ITEM 5. **DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2023-07 an Ordinance of the City of Ovilla, Texas, adopting the 2018 International Fire Code with 2018 North Central Texas Council of Governments (“COG”) amendments, the 2018 International Building Code with 2018 COG amendments, the 2018 International Mechanical Code with 2018 COG amendments, the 2018 International Residential Code with 2018 COG amendments, the 2018 International Plumbing Code with 2018 COG amendments, the 2018 International Fuel Gas Code with 2018 COG amendments, the 2018 international energy conservation code with 2018 COG amendments, the 2018 International Swimming Pool and Spa Code with 2018 COG amendments, and the 2017 National Electrical Code with 2017 COG amendments; repealing all prior editions of such codes previously adopted by the City of Ovilla; providing for penalties for violations; providing a savings clause; providing a severance clause; providing for incorporation into the Code Of Ordinances; providing for publication; and providing an effective date.

ITEM 6. **DISCUSSION/ACTION** – Consideration of and action on Resolution No. R2023 –05 a Resolution of the City Council of the City of Ovilla, Texas, adopting a policy and criteria for considering requests for the creation of Municipal Utility Districts.

ITEM 7. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2023-06 a Resolution of the City of Ovilla Texas, selecting an administration/project delivery service provider(s) to complete implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of the Treasury, other Federal or State Agency.

ITEM 8. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2023-07 a Resolution of the City of Ovilla Texas, selecting an engineering service provider(s) to complete implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of the Treasury, other Federal or State Agency.

ITEM 9. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2023-08 approving the filing of the Fire Department SAFER Grant and authorizing the City Manager to execute the application documents.

ITEM 10. **DISCUSSION/ACTION** – Consideration of and action on removing Pamela Woodall as a signatory on the City of Ovilla’s bank accounts.

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

VI. RECEIVE DEPARTMENTAL REPORTS – NO ACTION OR DISCUSSION

- **Departmental Reports**
 - Police Department Police Chief J. Bennett
 - Fire Department Fire Chief B. Kennedy
 - Public Works Department Public Works Director J. Kuykendall
 - Finance Department Finance Director E. Scott
 - Administration City Manager D. Henley

City of O'VILLA City Council

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VII. EXECUTIVE SESSION

The City Council of the City of Ovilla, Texas, reserves the right to meet in a closed session on any item listed on this Agenda should the need arise, pursuant to authorization by Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).

A. Convene into Executive Session.

ES ITEM 1. DISCUSSION – Closed Session – Called pursuant to:

Section 551.071 (2) of the Texas Government Code: Consultation with Attorney: To seek advice from the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

Section 551.074 (1) of the Texas Government Code: Personnel Matters: To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Deputy City Secretary
City Manager

B. Adjourn from the executive session and reconvene into the open meeting.

VIII. ANY ACTION NECESSARY OR APPROPRIATE AS A RESULT OF THE CLOSED EXECUTIVE SESSION.

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

X. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF March 13, 2023, 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 10th day of March 2023, prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code. A quorum of the governmental body will be physically present at the location noticed above. Pursuant to Tex. Gov't Code 551.127, one or more members of the governing body may appear via videoconference call.

DATE OF POSTING: 3/10/23 TIME: 8:30 am/ pm
DATE TAKEN DOWN: _____ TIME: _____ am/ pm

Cathy Gaeta, Planning and Development Coordinator



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

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

City of OILLA City Council

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

PURSUANT TO SECTION 30.06, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

CONFORME A LA SECCIÓN 30.06 DEL CÓDIGO PENAL (ENTRADA SIN AUTORIZACIÓN POR TITULAR DE LICENCIA CON UNA PISTOLA OCULTA), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411 DEL CÓDIGO DE GOBIERNO (LEY DE LICENCIAS DE PISTOLAS), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA OCULTA.

PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

CONFORME A LA SECCIÓN 30.07 DEL CÓDIGO PENAL (ENTRADA SIN AUTORIZACIÓN POR TITULAR DE LICENCIA CON UNA PISTOLA VISIBLE), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411 DEL CÓDIGO DE GOBIERNO (LEY DE LICENCIAS DE PISTOLAS), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA VISIBLE.

03-13-2023

Consent Items C1-C4

To
**Honorable Mayor
and Council**

- C1.** Financial Transactions over \$5000
- C2.** Minutes of the Regular Council Meeting February 13, 2023
- C3.** Certification of Unopposed Candidates
- C4.** 2023 Ellis County Joint Election Contract

From
Staff

CC
**Applicable
Departments**

BACKGROUND AND JUSTIFICATION:

C1: Financial Transactions over \$5000

STAFF RECOMMENDATION: Staff recommends approval

C2: Minutes of the Regular Council Meeting February 13, 2023

STAFF RECOMMENDATION: Staff recommends approval.

C3: Certification of Unopposed Candidates

STAFF RECOMMENDATION: Staff recommends approval.

C4: 2023 Ellis County Joint Election Contract

STAFF RECOMMENDATION: Staff recommends approval.

City of Ovilla

Tel 972-617-7262

105 S. Cockrell Hill Road
Ovilla, Texas 75154

www.cityofovilla.org





Date: March 13, 2023

To: Honorable Mayor and Council Members

**Subject: Transactions over \$5,000 From
October 1, 2022, thru
January 31, 2023**

From:

Ed Scott – Finance Director

City of Ovilla
 Transaction Detail Report
 10/1/2022 - 1/31/2023

3/6/2023 10:31 AM

100 - General Fund

Account 100-2311000

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/14/2022	10/14/2022	AP Invoice	TMRS-Employer 10/8/2022	T. M. R. S.	PY10142022		5,672.76	0.00	5,672.76
10/26/2022	10/26/2022	AP Invoice	TMRS-Employer 10/22/2022	T. M. R. S.	PY10282022		5,672.37	0.00	11,345.13
11/9/2022	11/9/2022	AP Invoice	TMRS-Employer 11/5/2022	T. M. R. S.	PY11102022		5,773.30	0.00	17,118.43
11/22/2022	11/22/2022	AP Invoice	TMRS-Employer 11/19/2022	T. M. R. S.	PY11232022		5,925.59	0.00	23,044.02
12/7/2022	12/7/2022	AP Invoice	TMRS-Employer 12/3/2022	T. M. R. S.	PY1292022		6,033.59	0.00	29,077.61
12/21/2022	12/21/2022	AP Invoice	TMRS-Employer 12/17/2022	T. M. R. S.	PY12222022		5,720.64	0.00	34,798.25
1/5/2023	1/5/2023	AP Invoice	TMRS-Employer 12/31/2022	T. M. R. S.	PY162023		6,098.43	0.00	40,896.68
1/18/2023	1/18/2023	AP Invoice	TMRS-Employer 1/14/2023	T. M. R. S.	PY1202023		6,304.56	0.00	47,201.24
					Total		47,201.24	0.00	

100 - General Fund

Account 100-2311500

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/14/2022	10/14/2022	AP Invoice	Federal Withholding 10/8/2022	Internal Revenue Service	PY10142022		5,899.93	0.00	5,899.93
10/26/2022	10/26/2022	AP Invoice	Federal Withholding 10/22/2022	Internal Revenue Service	PY10282022		6,028.06	0.00	11,927.99
11/9/2022	11/9/2022	AP Invoice	Federal Withholding 11/5/2022	Internal Revenue Service	PY11102022		5,954.56	0.00	17,882.55
11/22/2022	11/22/2022	AP Invoice	Federal Withholding 11/19/2022	Internal Revenue Service	PY11232022		6,202.38	0.00	24,084.93
12/7/2022	12/7/2022	AP Invoice	Federal Withholding 12/3/2022	Internal Revenue Service	PY1292022		6,824.87	0.00	30,909.80
12/21/2022	12/21/2022	AP Invoice	Federal Withholding 12/17/2022	Internal Revenue Service	PY12222022		6,114.15	0.00	37,023.95
1/5/2023	1/5/2023	AP Invoice	Federal Withholding 12/31/2022	Internal Revenue Service	PY162023		5,879.61	0.00	42,903.56
1/18/2023	1/18/2023	AP Invoice	Federal Withholding 1/14/2023	Internal Revenue Service	PY1202023		6,238.43	0.00	49,141.99
					Total		49,141.99	0.00	

100 - General Fund

Account 100-2312150

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/14/2022	10/14/2022	AP Invoice	ER PD UHC 10/8/2022	United Health Care	PY10142022		12,386.42	0.00	12,386.42
11/9/2022	11/9/2022	AP Invoice	ER PD UHC 11/5/2022	United Health Care	PY11102022		12,386.42	0.00	24,772.84
12/7/2022	12/7/2022	AP Invoice	ER PD UHC 12/3/2022	United Health Care	PY1292022		11,742.97	0.00	36,515.81
1/5/2023	1/5/2023	AP Invoice	ER PD UHC 12/31/2022	United Health Care	PY162023		11,260.38	0.00	47,776.19
					Total		47,776.19	0.00	

100 - General Fund

Account 100-24506

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
1/5/2023	1/5/2023	AP Invoice	4th Qtr State Criminal Costs & Fees	State Comptroller	123122	053723	23,507.43	0.00	23,507.43
					Total		23,507.43	0.00	

100 - General Fund

Account 100-10-52220

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
11/10/2022	11/10/2022	AP Invoice	1ST QUARTER PAYMENT ON 2023 EAD BUDGET ALLOCATION	Ellis Central Appraisal District	2023-28-01	053544	6,100.84	0.00	6,100.84

100 - General Fund										Total	6,100.84	0.00
Account 100-10-52230												
Post Date	Tran Date	Source	Line Description	Vendor		Invoice #	Check #	Debit	Credit			
10/6/2022	10/6/2022	AP Invoice	CLEARGOV BUDGET SOFTWARE	ClearGov Inc.		2022-12305	053411	16,500.00	0.00		16,500.00	
										Total	16,500.00	0.00
Account 100-16-52160												
Post Date	Tran Date	Source	Line Description	Vendor		Invoice #	Check #	Debit	Credit			
10/14/2022	10/14/2022	AP Invoice	CONTRACT 5016	TEXAS MUNICIPAL LEAGUE IRP		5016 10/01/22	053453	13,943.73	0.00		13,943.73	
1/11/2023	1/11/2023	AP Invoice	TML INSURANCE	TML Intergovernmental Risk Pool		010123	053748	13,943.73	0.00		27,887.46	
										Total	27,887.46	0.00
Account 100-16-55450												
Post Date	Tran Date	Source	Line Description	Vendor		Invoice #	Check #	Debit	Credit			
12/2/2022	12/2/2022	AP Invoice	ELECTRIC BILL	Gexa Energy LP		33333155-4	053583	5,443.73	0.00		5,443.73	
12/29/2022	12/29/2022	AP Invoice	ELECTRIC BILL	Gexa Energy LP		33367263-4	053700	5,311.72	0.00		10,755.45	
1/27/2023	1/27/2023	AP Invoice	ENERGY BILL	Gexa Energy LP		33409076-4	053784	5,614.08	0.00		16,369.53	
										Total	16,369.53	0.00
Account 100-16-55640												
Post Date	Tran Date	Source	Line Description	Vendor		Invoice #	Check #	Debit	Credit			
10/14/2022	10/14/2022	AP Invoice	CONTRACT 5016	TEXAS MUNICIPAL LEAGUE IRP		5016 10/01/22	053453	5,941.93	0.00		5,941.93	
1/11/2023	1/11/2023	AP Invoice	TML INSURANCE	TML Intergovernmental Risk Pool		010123	053748	5,700.16	0.00		11,642.09	
										Total	11,642.09	0.00
Account 100-16-55756												
Post Date	Tran Date	Source	Line Description	Vendor		Invoice #	Check #	Debit	Credit			
12/2/2022	12/2/2022	AP Invoice	2ND ANNUAL PAYMENT TO PAY 10% OF THE RIGHT OF WAY FEES TO WIDEN 664	Texas Department of Transportation		RCSJ-1051-01-05	053600	52,718.56	0.00		52,718.56	
										Total	52,718.56	0.00
Account 100-20-52390												
Post Date	Tran Date	Source	Line Description	Vendor		Invoice #	Check #	Debit	Credit			
12/2/2022	12/2/2022	AP Invoice	SRRG/SRT MEMBERSHIP FEE	Waxahachie Police Department		6317-010	053604	8,250.00	0.00		8,250.00	
										Total	8,250.00	0.00
Account 100-20-55240												
Post Date	Tran Date	Source	Line Description	Vendor		Invoice #	Check #	Debit	Credit			
10/14/2022	10/14/2022	AP Invoice	CRIMES ANNUAL LICENSE FEE	Sam Houston State University		100122	053450	18,000.00	0.00		18,000.00	
										Total	18,000.00	0.00
Account 100-30-52137												
Post Date	Tran Date	Source	Line Description	Vendor		Invoice #	Check #	Debit	Credit			
10/27/2022	10/27/2022	AP Invoice	IESRS- REVOCATION OF PARTICIPATION IN TFSRS	TEXAS EMERGENCY SERVICES RETIREMENT		102622	053497	7,500.00	0.00		7,500.00	
										Total	7,500.00	0.00

100 - General Fund

Account 100-30-52385

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
1/27/2023	1/27/2023	AP Invoice	EMS SERVICES FOR 1ST QUARTER	City of Midlothian	EMS123122	053779	25,887.50	0.00	25,887.50
						Total	<u><u>25,887.50</u></u>	<u><u>0.00</u></u>	

100 - General Fund

Account 100-30-56445

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
12/16/2022	12/16/2022	AP Invoice	FACEMASK EQUIPMENT	Metro Fire Apparatus Specialists, Inc.	186991-1	053647	8,424.00	0.00	8,424.00
						Total	<u><u>8,424.00</u></u>	<u><u>0.00</u></u>	

100 - General Fund

Account 100-40-55240

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/20/2022	10/20/2022	AP Invoice	ANNUAL SUBSCRIPTIONS	Gov Pilot	2021-1171	053473	7,500.00	0.00	7,500.00
						Total	<u><u>7,500.00</u></u>	<u><u>0.00</u></u>	

100 - General Fund

Account 100-45-55465

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
12/2/2022	12/2/2022	AP Invoice	TRASH/RECYCLING SERVICES	Community Waste Disposal	1348105	053577	28,107.58	0.00	28,107.58
12/16/2022	12/16/2022	AP Invoice	DISPOSAL SERVICES	Community Waste Disposal	1357287	053638	28,173.58	0.00	56,281.16
1/11/2023	1/11/2023	AP Invoice	DISPOSAL SERVICES	Community Waste Disposal	1366428	053736	28,272.58	0.00	84,553.74
						Total	<u><u>84,553.74</u></u>	<u><u>0.00</u></u>	

200 - Water And Utilities Fund

Account 200-75-52350

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
12/2/2022	12/2/2022	AP Invoice	REPAIRS TO ALTITUDE VALVE AT OVILLA PLIMP STATION	Griswold Industries	856238	053584	5,923.00	0.00	5,923.00
1/27/2023	1/27/2023	AP Invoice	DIVE INSPECTION	U. S. Underwater Services, LLC	S227585TX.00-1	053791	5,225.00	0.00	11,148.00
						Total	<u><u>11,148.00</u></u>	<u><u>0.00</u></u>	

200 - Water And Utilities Fund

Account 200-75-55240

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
1/11/2023	1/11/2023	AP Invoice	ANNUAL RENEWAL- SOFTWARE SUPPORT	AVR Inc.	046042	053729	5,082.00	0.00	5,082.00
						Total	<u><u>5,082.00</u></u>	<u><u>0.00</u></u>	

200 - Water And Utilities Fund

Account 200-75-55460

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/20/2022	10/20/2022	AP Invoice	UTILITIES AND SERVICES	City of Dallas	050302539635	053467	44,602.14	0.00	44,602.14
12/22/2022	12/22/2022	AP Invoice	WATER UTILITIES AND SERVICES	City of Dallas	050302570964	053671	94,007.56	0.00	138,609.70
1/27/2023	1/27/2023	AP Invoice	WATER UTILITIES AND SERVICES	City of Dallas	050302583656	053778	31,385.82	0.00	169,995.52
						Total	<u><u>169,995.52</u></u>	<u><u>0.00</u></u>	

200 - Water And Utilities Fund

Account 200-75-55585

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
1/5/2023	1/5/2023	AP Invoice	ENDPOINTS	Smart Earth Technologies, LLC	11731	053722	10,673.86	0.00	10,673.86
						Total	<u><u>10,673.86</u></u>	<u><u>0.00</u></u>	

200 - Water And Utilities Fund**Account 200-80-55463**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/20/2022	10/20/2022	AP Invoice	NOVEMBER BILLING	Trinity River Authority of Texas	BH 1687	053480	36,996.00	0.00	36,996.00
12/8/2022	12/8/2022	AP Invoice	OPERATION, MAINTENANCE, & DEBT SERVICE	Trinity River Authority of Texas	BH 1693	053631	38,960.00	0.00	75,956.00
12/16/2022	12/16/2022	AP Invoice	OPERATION, MAINTENANCE, & DEBT SERVICE	Trinity River Authority of Texas	BH 1699	053659	38,960.00	0.00	114,916.00
1/20/2023	1/20/2023	AP Invoice	OPERATION, MAINTENANCE, & DEBT SERVICE	Trinity River Authority of Texas	BH 1705	053766	38,960.00	0.00	153,876.00
					Total		153,876.00	0.00	

600 - 4B Economic Development Fund**Account 600-10-8109219**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/20/2022	10/20/2022	AP Invoice	50% Down Pmt. on Marquee sign for City Hall	Datatronic Control Inc.	P-3154-1	1063	24,390.25	0.00	24,390.25
					Total		24,390.25	0.00	

600 - 4B Economic Development Fund**Account 600-10-8109222**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
12/2/2022	12/2/2022	AP Invoice	THE GREENERY- 4X4 STONE CHOPPED FOR WALKWAY	Citi Cards	111822B	1068	6,500.00	0.00	6,500.00
					Total		6,500.00	0.00	

CITY OF OVILLA MINUTES

Monday, February 13, 2023

Regular City Council Meeting

105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Council Meeting of the Ovilla City Council to order at 6:30 PM, in the Ovilla Council Chamber Room, 105 S. Cockrell Hill Road Ovilla TX 75154, with notice of the meeting duly posted.

The following City Council Members were present:

Kimberly Case	Council Member, Place 1
Dean Oberg	Council Member, Place 2
David Griffin	Council Member, Place 3
Doug Hunt	Mayor Pro Tem, Place 4

Mayor Dormier noted that the above members of the council were in attendance thus constituting a quorum with Place 5 Brad Piland noted as absent. The city manager, city secretary, department directors, and various staff were also present.

CALL TO ORDER:

Mayor Pro Tem Hunt led the invocation and Place 3 Griffin led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

ANNOUNCEMENTS, PROCLAMATIONS, PRESENTATIONS, COMMENTS:

- Annual Service League Spaghetti Dinner February 17
- Annual Clean Up Day April 22 and Hazardous Waste April 29
- African American Month Proclamation
- Introduction of City Manager David Henley
- Introduction of Finance Director Edward Scott

CITIZEN COMMENTS:

- Jimmie Wade, 606 Creekview Circle, spoke to the council regarding the expansion of FM 664 and TxDot requirements for her property. Ms. Wade also suggested that a senior center be opened in the vacant city property located at 708 Main St.

CONSENT AGENDA:

- C1. Financial Transactions over \$5000
- C2. Minutes of the Regular Council Meeting January 9, 2023
- C3. Minutes of the Special Council Meeting January 20, 2023
- C4. Minutes of the Special Council Meeting January 30, 2023
- C5. Minutes of the Special Board of Adjustment Meeting January 9, 2023
- C6. Quarterly Investment Report October through December 2022
- C7. Annual Review and acceptance of Investment Policy

Richard Dormier, Mayor

Kimberly Case, Place One

Dean Oberg, Place Two

1

Doug Hunt, Place Four

David Griffin, Place Three

Brad Piland, Place Five

Mayor Pro Tem Hunt motioned to approve all consent agenda items.

Seconded by PL2 Oberg.

No oppositions, no abstentions.

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

REGULAR AGENDA:

ITEM 1. DISCUSSION– Discussion of the Texas Law Enforcement Agency (Ovilla) Racial Profiling Report Submitted to TCOLE by Chief of Police Joey Bennett.

Chief of Police Joey Bennett addressed the Council to review the Annual Racial Profiling Report. Chief Bennett advised that the reporting to the state has been completed and the reports are available to the public on the city's website www.cityofovilla.org and that hard copies are available in City Hall and the Police Department lobbies.

ITEM 2. DISCUSSION/ACTION – Consideration of and action on Ordinance 2023-05 an Ordinance of the City of Ovilla, Texas, repealing and replacing ordinance no 2022-11, codified as Chapter 14 (Zoning), Article 5 (Administration), Section 45 (Zoning Board of Adjustment) of the Code of Ordinances of the City of Ovilla; providing for a Board of Adjustment; providing a savings clause; providing a severance clause; providing for publication; and setting an effective date.

PL1 Case motioned to approve Ordinance No. 2023-05 an Ordinance of the City of Ovilla, Texas, repealing and replacing Ordinance No. 2022-11, codified as Chapter 14 (Zoning), Article 5 (Administration), Section 45 (Zoning Board of Adjustment) of the Code of Ordinances of the City of Ovilla; providing for a Board of Adjustment; providing a savings clause; providing a severance clause; providing for publication and setting an effective date.

PL3 Griffin seconded the motion.

No oppositions, no abstentions.

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

ITEM 3. DISCUSSION/ACTION – Consideration of and action on appointing a Zoning Board of Adjustment.

PL2 Oberg motioned to appoint the following to the Zoning Board of Adjustment:

- Place 1 Barbara Betik expiring June 2025
- Place 2 Carol Richtsmeier expiring June 2024
- Place 3 Stephanie Heimbuch expiring June 2025
- Place 4 Deborah Kennedy expiring June 2024
- Place 5 Phil Lynch expiring June 2025
- Place 6 Joel Johnson expiring June 2024 (alternate)
- Place 7 Michael Aguilard expiring June 2025 (alternate)

Mayor Pro Tem Hunt seconded the motion.

*Richard Dormier, Mayor
Kimberly Case, Place One
Dean Oberg, Place Two*

*Doug Hunt, Place Four
David Griffin, Place Three
Brad Piland, Place Five*

No oppositions, no abstentions.

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

ITEM 4. DISCUSSION/ACTION – Consideration of and action on Resolution No. 2023-01 a Resolution authorizing continued participation with the Steering Committee of Cities served by Oncor; and authorizing the payment of ten cents per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC.

PL2 Oberg motioned to approve Resolution No. 2023-01 a Resolution authorizing continued participation with the Steering Committee of Cities served by Oncor; and authorizing the payment of ten cents per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC.

PL1 Case seconded the motion.

No oppositions, no abstentions.

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

ITEM 8. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

No items were pulled from the Consent Agenda.

RECEIVE DEPARTMENTAL REPORTS – NO ACTION OR DISCUSSION

- Departmental Reports
 - Police Department Police Chief J. Bennett
 - Fire Department Fire Chief B. Kennedy
 - Public Works Department Public Works Director J. Kuykendall
 - Finance Department Finance Director S. Jungman
 - Administration City Manager P. Woodall
 - Administration City Secretary B. Taylor

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).

None

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

Mayor Dormier requested that an action item be placed on the agenda to consider a resolution relating to Municipal Utility Districts (MUD).

*Richard Dormier, Mayor
Kimberly Case, Place One
Dean Oberg, Place Two*

*Doug Hunt, Place Four
David Griffin, Place Three
Brad Piland, Place Five*

ADJOURNMENT:

PL2 Oberg made a motion to adjourn.

Mayor Pro Tem Hunt seconded the motion.

There being no further business, Mayor Dormier adjourned the meeting at 6:50 p.m.

No oppositions, no abstentions.

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

Richard Dormier, Mayor

ATTEST:

Bobbie Jo Taylor, City Secretary

APPROVED: March 13, 2023

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

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

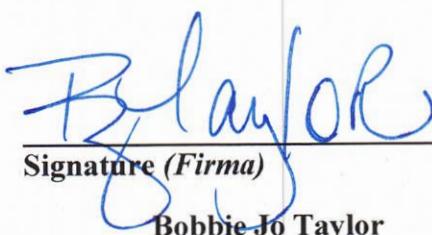
As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 6, 2023

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 6 de mayo de 2023

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

Office(s) Cargo(s)

Mayor
City Council Place 2
City Council Place 4


Signature (Firma)
Bobbie Jo Taylor

Printed name (Nombre en letra de molde)

City Secretary

Title (Puesto)

February 22, 2023

Date of signing (Fecha de firma)

Candidate(s) Candidato(s)

Richard Dormier
Dean Oberg
Doug Hunt



(Seal) (sello)



**May 6, 2023
Joint Election
Contract for Election Services**



May 6, 2023 Joint Election

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Exhibit B.....	Election Day Polling Locations
Exhibit C.....	Cost of Services
Exhibit D.....	List of Political Subdivision Races on Ballot



**THE STATE OF TEXAS § JOINT CONTRACT FOR
ELLIS COUNTY § ELECTION SERVICES**

BY THE TERMS OF THIS CONTRACT made and entered into by and between the following
AS OF March 1, 2023:

CITY OF ALMA
CITY OF CEDAR HILL
CITY OF ENNIS
CITY OF FERRIS (Including Dallas County Portion)
CITY OF GRAND PRAIRIE
CITY OF ITALY
CITY OF MANSFIELD
CITY OF MAYPEARL
CITY OF MIDLOTHIAN
CITY OF MILFORD
CITY OF OVILLA (Including Dallas County Portion)
CITY OF VENUS
CITY OF WAXAHACHIE
ENNIS INDEPENDENT SCHOOL DISTRICT (Including Navarro County Portion)
FERRIS INDEPENDENT SCHOOL DISTRICT
ITALY INDEPENDENT SCHOOL DISTRICT
MAYPEARL INDEPENDENT SCHOOL DISTRICT
MIDLOTHIAN INDEPENDENT SCHOOL DISTRICT
MILFORD INDEPENDENT SCHOOL DISTRICT (Including Hill County Portion)
RED OAK INDEPENDENT SCHOOL DISTRICT
WAXAHACHIE INDEPENDENT SCHOOL DISTRICT

hereinafter referred to as "Participating Political Subdivisions" and JANA ONYON, Elections Administrator of Ellis County, Texas, hereinafter referred to as "County Election Officer", pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, agree to the following particulars in regard to coordination, supervision and running of the May 6, 2023 Joint Election.

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

I. DUTIES AND SERVICES OF COUNTY ELECTION OFFICER. The County Election Officer shall be responsible for performing the following duties and shall furnish the following services and equipment:



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

- a. The County Election Officer shall be responsible for notification of each Election Day and Early Voting presiding judge and alternate judge, Central Counting Station and Ballot Board of his or her appointment. The presiding election judge of each polling place, will use his/her discretion to determine when additional manpower is needed during peak voting hours and notify the County Election Officer. The recommendations of the Participating Political Subdivisions will be the accepted guidelines for the number of clerks to work in each polling place. Election judges and early voting personnel shall be secured by the County Election Officer using the recommended names provided by the Participating Political Subdivisions by February 17, 2023. Any open positions will be filled using regular county election workers.
- b. Election judges, Alternate judges, Clerks and Student Clerks shall all attend the County Election Officer's school of instruction. (Date and location to be determined)
- c. Election judges shall be responsible for picking up from and returning election supplies to the County Election Officer. (Date to be determined). Compensation for this pickup and delivery of supplies will be \$25.00.
- d. The County Election Officer shall compensate each election judge and election worker. Compensation will be based on what the county pays and has been approved in Commissioner's Court unless arranged otherwise. Early voting presiding officer shall receive \$12.00 per hour and clerks shall receive \$10.00 per hour for services. Each election day judge shall receive \$12.00 per hour for services rendered; each alternate judge shall receive \$12.00 per hour for services; and clerk shall receive \$10.00 per hour for services. Ballot Board, Central Counting Station Presiding judge and alternate shall receive the same as for Election Day judge and alternate for services. Each worker that attends training class shall receive hours of pay. Overtime will be paid to each person working over 40 hours per week. All other required and additional expenses by law shall be paid. (ie: FICA, Medicaid, etc.)



- B. The County Election Officer shall procure, prepare, and distribute voting machines, election kits and election supplies.
 - a. Each Participating Political Subdivisions agrees that voting at the Joint Election will be by use of Election Systems and Software ExpressVote marking devices and DS200 Precinct Scanner/Tabulators voting system approved by the Secretary of State in accordance with the Texas Election Code. Procedures will be in accordance with the Texas Election Code and decided by the County Election Officer.
 - b. The County Election Officer shall secure election kits which include the legal documentation required to hold an election.
 - c. The County Election Officer shall secure all tables and chairs required to hold an election.
 - d. The County Election Officer shall provide all lists of registered voters for use on Election Day and for the early voting period as mandated by law. Laptop computers will be used to qualify voters for the early voting period and on Election Day. A second laptop computer with the list of registered voters will be provided as back-up in each Early Voting and Election Day polling place.
 - e. The County Election Officer shall procure and arrange for the distribution of all election equipment and supplies required to hold an election.
 - 1. Equipment includes the DS200 voting machines (1 or more per site), ADA ExpressVote marking devices (4 or more per site), ballot box, voting signs, carts and laptop computers.
 - 2. Supplies include election forms, ballots, labels, extension cords, pens, tape, markers, ballot pens, required signage, totem display poles, name tags, etc.
- C. The County Election Officer, Jana Onyon, shall be appointed the Early Voting Clerk by the Participating Political Subdivisions.
 - a. The County Election Officer shall supervise and conduct Early Voting by mail and in person.
 - b. Early Voting by personal appearance for the said Election shall be conducted during the time period and at the locations listed in Exhibit "A", attached and incorporated



by reference into this contract. The election will have 2 days of 12 hour voting and those will be the last 2 days of early voting.

- c. Any qualified voter for the Joint Election may vote early by personal appearance at any of the Early Voting Vote Center locations within Ellis County. **For this election, Elections Office 204 E Jefferson Street, Waxahachie, TX 75165 will serve as the Main Early Voting Polling Location.**
- d. Some Participating Political Subdivisions have requested additional Early Voting sites pending their participation, therefore Exhibit "A" is subject to change if any of the Participating Political Subdivisions cancel their election.
- e. If a Runoff Election is needed, the Participating Political Subdivisions will work together to choose the Early Voting Vote Center locations to best serve their voters in their territory according to the Election Code and/or this contract.
- f. All applications for an Early Voting mail ballot shall be received and processed by the Ellis County Elections Administration Office.
 - 1. Application for mail ballots erroneously mailed to the Participating Political Subdivisions shall immediately be faxed to the County Election Officer for timely processing. The original application shall then be forwarded by mail to the County Election Officer for proper retention.
 - 2. Absentee Application (Regular or Federal Postcard) for ballot by mail shall be mailed to:
**Jana Onyon, Early Voting Clerk,
204 E Jefferson Street, Waxahachie, Tx 75165
or faxed to 972-923-5194**
or email a scanned copy of signed application to elections@co.ellis.tx.us
(If faxed or emailed, then we must receive original application by mail within 4 days)
Application for ballot by mail must be received no later than close of business on Tuesday, April 25, 2023.
 - 3. All Federal Post Card Applicants (FPCA) and Annual Mail Ballot Applicants will be sent a mail ballot with required notices.



f. All Early Voting ballots (those cast by mail/absentee) shall be prepared for count by the Early Voting Ballot Board in accordance with Section 87.000 of the Texas Election Code. The presiding judge of this Board shall be appointed in the same manner as election workers according to this contract.

D. The County Election Officer shall arrange for the use of all Election Day and Early Voting Vote Center locations.

- a. The Participating Political Subdivisions shall assume the responsibility of remitting the shared cost of all employee services required to provide access, provide security or provide custodial services for the polling locations.
- b. The Early Voting Vote Center polling locations are listed in Exhibit "A", attached and incorporated by reference into this contract.
- c. The Election Day Vote Center polling locations are listed in Exhibit "B", attached and incorporated by reference into this contract.
- d. Some Participating Political Subdivisions have requested additional Vote Centers pending their participation, therefore Exhibit "A" and "B" is subject to change if any of the Participating Political Subdivisions cancel their election.
- e. Any qualified voter for the said Election may vote during Early Voting or Election Day by personal appearance at any of the Vote Center locations within Ellis County.
- f. If a Runoff Election is needed, the Participating Political Subdivisions will work together to choose the Early Voting and Election Day Vote Center locations to best serve their voters in their territory according to the Election Code and/or this contract.

E. The County Election Officer shall be responsible for establishing and overseeing the tabulation of the early voting and election day voted ballots by the Central Counting Station Personnel. Ballots shall be tabulated in accordance with Section 127.001 of the Texas Election Code and of this agreement.

- a. The County Election Officer shall prepare, test and run the county's tabulation system in accordance with statutory requirements and policies. The tabulation system will be used on Election Night at the Elections Office.



- b. The Public Logic and Accuracy Test (L&A) of the electronic voting system shall be conducted. County Election Officer will publish required notice for the L&A Test and a Joint Notice of Election in the local newspaper of time and place as required by the election code.
- c. Election night reports will be available to the Participating Political Subdivisions at 7pm on election night on the Ellis County website (www.co.ellis.tx.us/elections). Provisional ballots will be tabulated after election night in accordance with law.
- d. The County Election Officer shall prepare the unofficial canvass report after all precincts have been counted for election day, provisional ballots, and any overseas ballots that will be tallied after the final deadline to count ballots. This report will be sent to the Participating Political Subdivisions for their canvass.
- e. The County Election Officer shall be appointed the custodian of the voted ballots and shall retain all election material for a period of 22 months.
 - 1. Pending no litigation and as prescribed by law, the voted ballots shall be shredded 22 months after the election.
 - 2. The Participating Political Subdivisions can obtain the list of registered voters who voted from the Elections Administration Office. Pending no litigation and if the Participating Political Subdivisions does not request any further information, the County Election Officer shall destroy them.
- f. The County Election Officer shall conduct a manual partial count as prescribed by Section 127.201 of the Texas Election Code and submit a written report to the Participating Political Subdivisions in a timely manner. The Secretary of State may waive this requirement. If applicable, a written report shall be submitted to the Secretary of State as required by Section 127.201(E) of the aforementioned code.

F. The County Election Officer shall post the publication of a "Joint Election Notice" by publishing the notice at least once between the 30th day and the 10th day before the election the proper methods with the proper media in accordance with the Texas Election Code (Sec. 4.003(a)(1)). Newspapers will be agreed upon by the Participating Political Subdivisions based on current publishing customs by each Participating Political Subdivisions. The



Participating Political Subdivisions shall send publication of the "Election Notice" to the Contracting Office to place it on the Elections website in accordance to the Texas Election Code (Sec. 4.008)

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

- A. The Participating Political Subdivisions shall prepare the election orders resolutions, notices, justice department submissions (if required), official canvass and other pertinent documents for adoption by the appropriate office or body. The Participating Political Subdivisions shall handle the candidate filing process and packets that are required by law. The Participating Political Subdivisions assume the responsibility of posting required notices and likewise promoting the schedules for Early Voting and Election Day.
- B. The Participating Political Subdivisions if recent changes have been made, shall provide the County Election Officer with an updated map and street index of their jurisdiction in an electronic or printed format as soon as possible but no later than Friday, February 17, 2023, if any changes have occurred since the last election the county has held for your entity.
- C. The Participating Political Subdivisions shall procure and provide the County Election Officer with the ballot layout and Spanish interpretation in an electronic format (word.doc preferred).
 1. The Participating Political Subdivisions shall deliver to the County Election Officer as soon as possible after the election has been ordered any proposition wording in English and Spanish. Candidate names should be given after the drawing. Should receive all information no later than Monday, February 27, 2023.
 2. Exhibit "D" is provided with a listing of races and/or propositions on the ballot for each Participating Political Subdivisions pending any additions, cancellations, or withdrawals.
 3. The Participating Political Subdivisions shall approve the "blue line" ballot format prior to printing.



- D. The Participating Political Subdivisions shall post the publication of the "Election Order" and "Election Notice" by the proper methods with the proper media in accordance with the Texas Election Code. Additional publications would be handled by the Political Subdivisions to meet any special posting requirements during special elections. (See Section I part F of this contract)
- E. The Participating Political Subdivisions shall compensate the County Election Officer for any additional verified cost incurred in the process of running this election or for a manual recount this election may require, or for a required runoff election consistent with charges and hourly rates shown on Exhibit "C" for required services.
- F. The Participating Political Subdivisions shall submit this **signed contract by Friday, March 31, 2023** and **pay the Treasurer's Office a deposit of 80% of the estimated cost to run the said election by Friday, March 31, 2023**. The County Election Officer shall place the funds in a "contract fund" as prescribed by Section 31.100 of the Texas Election Code.

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

**Ellis County Treasurer
Att. Cheryl Chambers
109 S. Jackson Street
Waxahachie, Texas 75165**

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

The signed contract should be delivered or mailed to:

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

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



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

- A. All actual shared cost incurred in the conduct of the election will be divided by the Participating Political Subdivisions contracting with the County Election Officer to hold the said election. If one of the Participating Political Subdivisions cancels their election, the full cost of the election will be the responsibility of the remaining Participating Political Subdivisions.
- B. An addendum of Exhibit "C" to the contract shall be provided to the remaining participating Political Subdivisions no later than five (5) business days after receipt of any Political Subdivisions notification of intent to withdraw in writing by Ellis County.
- C. If a Runoff Election is required, all cost will be billed to the Participating Political Subdivisions. Runoff Election will be held on Saturday, June 10, 2023 (subject to changes), if required.

IV. GENERAL PROVISIONS.

- A. Nothing contained in this contract shall authorize or permit a change in the officer with whom or the place at which any document or record relating to the said Election is to be filed or the place at which any function is to be carried out, or any nontransferable functions specified under Section 31.096 of the Texas Election Code.
- B. Upon request, the County Election Officer will provide copies of all invoices and other charges received in the process of running said election for the Participating Political Subdivisions.
- C. If a Participating Political Subdivision cancels an election pursuant to the Texas Election Code, they will not be liable for any further costs incurred by the County Election Officer in conducting the said Election. Notice of a cancelled election should be provided to the County Election Officer as soon as the Participating Political Subdivision has approved it in an official meeting of the governing body.
- D. If any provision of this joint election contract and election services agreement is construed to be illegal or invalid, this will not affect the legality or validity of any of the other provisions. The illegal or invalid provision will be deemed stricken and deleted, but all other provisions shall continue and be given effect as if the illegal or invalid provisions had never been incorporated.



- E. The Elections Administrator of Ellis County, Texas and all of the contracting authorities of all of the participating political subdivisions listed in this joint election contract and election services agreement represent that each has the full right, power and authority to enter and perform this Contract in accordance with all of the terms and conditions, and that the execution and delivery of this Contract has been made by authorized representatives of the parties to validly and legally bind the parties to all terms, performances and provisions set forth in this Contract.
- F. The County Election Officer shall file copies of this contract with the County Auditor and the County Treasurer of Ellis County, Texas (Sec. 31.099).
- G. Neither party shall be deemed to have breached any provision of this contract as a result of any delay, failure in performance, or interruption of service resulting directly or indirectly from acts of God, network failures, acts of civil or military authorities, civil disturbances, wars, energy crises, fires, transportation contingencies, interruptions in third-party telecommunications or Internet equipment or service, other catastrophes, or any other occurrences which are reasonably beyond any party's control. The parties are required to use due caution and preventive measures to protect against the effects of a force majeure event, and the burden of proving that a force majeure event has occurred shall rest on the party seeking relief under this provision. The party seeking relief due to force majeure is required to promptly notify the other parties in writing, citing the details of the force majeure event and relief sought, and shall resume performance immediately after the obstacles to performance caused by a force majeure event have been removed, provided the Contract has not been terminated. Delay or failure of performance, by either party to this Contract, caused solely by a force majeure event, shall be excused for the period of delay caused solely by the force majeure event.
- H. Due to recent concerns, if it is determined by the Ellis County Elections Administrator and the Commissioners Court of Ellis County that the health and safety of the Ellis County employees, poll workers, volunteers, and other people involved in conducting an election would be placed in danger by conducting an election according to the terms of this agreement, then the Ellis County Elections Administrator and Commissioners Court of Ellis Court, at their sole discretion, may elect not to conduct an election for the political subdivision. If Ellis County elects not handle the election of a local subdivision due to health



and safety concerns, then Ellis County will provide written notice to the political subdivision with sufficient time for the political subdivision to comply with the Election Code.

- I. All parties agree to comply with Section 2270.002 and Section 2252.152 of the Texas Government Code.

COUNTY ELECTION OFFICER:

WITNESS BY MY HAND THIS THE _____ DAY OF _____ 2023

Jana Onyon, CERA
Elections Administrator
Ellis County, Texas

PARTICIPATING POLITICAL SUBDIVISIONS:

WITNESS BY MY HAND THIS THE _____ DAY OF _____ 2023

By: _____
Signature _____ Printed Name and Title

Political Subdivision Name: _____
Printed

Exhibit A

Ellis County, Texas Condado de Ellis, Texas

Joint General and Special Elections Elecciones General y Especial Conjunta

May 6, 2023 06 de mayo de 2023

Early Voting Vote Centers Centros de votación adelantada

The below listed Early Voting Vote Centers will be established for any qualified voter with an effective date of registration on or before May 6, 2023. A voter may vote at ANY of the Early Voting Vote Centers for the Joint General and Special Elections.

Las ubicaciones para centros de votación anticipada que se enumeran a continuación se establecerán para cualquier votante calificado con una fecha efectiva de registro en o antes del 06 de mayo de 2023. Un votante puede votar en cualquiera de los lugares de votación anticipada para las Elecciones General y Especial Conjunta.

Early Voting Location Dates and Times:

Ubicación, fechas, y horarios de la votación anticipada:

1. Elections Office (Main Location) 204 E. Jefferson Street	Waxahachie, TX 75165
2. Midlothian Conference Ctr (Lobby) 1 Community Circle Dr.	Midlothian, TX 76065
3. Palmer ISD Annex Bldg (Portable Bldg) 303 Bulldog Way	Palmer, TX 75152
4. Ellis County Sub-Courthouse (Conf. Rm) 207 S. Sonoma Trail	Ennis, TX 75119
5. Red Oak Municipal Center (Pitts Rm) 200 Lakeview Pkwy	Red Oak, TX 75154
6. Waxahachie ISD Admin Bldg (Board Rm) 411 N. Gibson	Wax., TX 75165
7. Mt Gilead Baptist Church (Fellowship Hall) 106 Harris St.	Italy, TX 76651
8. Ferris Public Library (A. Trussell Memorial Rm) 301 E. 10th St.	Ferris, TX 75125
9. First Baptist Church of Maypearl (Youth Rm) 5744 FM 66	Maypearl, TX 76064

Monday, April 24, 2023 <i>Junes, 24 de abril de 2023</i>	through <i>hasta</i>	Friday, April 28, 2023 <i>viernes, 28 de abril de 2023</i>	8:00 AM - 5:00 PM <i>8:00 AM - 5:00 PM</i>
Saturday, April 29, 2023 <i>sábado, 29 de abril de 2023</i>			8:00 AM - 4:00 PM <i>8:00 AM - 4:00 PM</i>
Monday, May 1, 2023 <i>Junes, 01 de mayo de 2023</i>	and <i>y</i>	Tuesday, May 2, 2023 <i>martes, 02 de mayo de 2023</i>	7:00 AM - 7:00 PM <i>7:00 AM - 7:00 PM</i>

Last day to register to vote for the Joint General and Special Elections is: Thursday, April 06, 2023.

Último día para registrarse para votar en la Elecciones General y Especial Conjunta es: jueves, 06 de abril de 2023.

Last day for the Election's Office to receive a Regular or FPCA Ballot by Mail Application: Tuesday, April 25, 2023.

El Último día para que la Oficina de Elecciones reciba una solicitud regular o una solicitud de tarjeta postal federal para votar por correo (FPCA-por sus siglas en inglés) es: martes, 25 de abril de 2023.

Absentee Application (Regular or Federal Postcard) for ballot by mail shall be mailed to:

Early Voting Clerk, 204 E Jefferson Street, Waxahachie, Texas 75165

Or email a scanned copy of signed application to elections@co.ellis.tx.us

Or faxed to 972-923-5194 (If faxed or emailed, then must receive original application by mail within 4 days)

Las solicitudes (Regular o FPCA) de boletas electorales por correo deben enviarse por correo a:

Secretaría de la Votación Adelantada 204 E. Jefferson Street Waxahachie, TX 75165

O por correo electrónico una copia e su aplicación firmada a elections@co.ellis.tx.us

O por fax al 972-923-5194 (Si se envía por fax o correo electrónico, debe recibir la solicitud original dentro de los cuatro días)

Exhibit B

Ellis County, Texas Condado de Ellis, Texas
Joint General and Special Elections Elecciones General y Especial Conjunta
May 6, 2023 06 de mayo de 2023

Election Day Vote Centers Centros de votación el día de las elecciones

Polls open from 7:00 am to 7:00 pm

Horario de votación estarán abiertos de 7:00 am a 7:00 pm

The below listed Election Day Vote Centers will be established for any qualified voter with an effective date of registration on or before May 6, 2023. A voter may vote at ANY of the Election Day Vote Centers for the Joint General and Special Elections.

Las ubicaciones para centros de voto de días de votación se establecerán para cualquier votante calificado con una fecha efectiva de registro en o antes del 06 de mayo de 2023. Un votante puede votar en cualquiera de los centros de votación de dia de las elecciones para las Elecciones General y Especial Conjunta.

1	ALMA VOLUNTEER FIRE DEPARTMENT (Conf Rm) 104 INTERURBAN RD	ENNIS, TX 75119
2	ELLIS COUNTY SUB-COURTHOUSE (Conference Rm) 207 S SONOMA TRAIL	ENNIS, TX 75119
3	ENNIS WELCOME CENTER (Bluebonnet Rm) 201 NW MAIN	ENNIS, TX 75119
4	FERRIS PUBLIC LIBRARY (A. Trussell Memorial Rm) 301 E 10TH STREET	FERRIS, TX 75125
5	MT GILEAD BAPTIST CHURCH (Fellowship Hall) 106 HARRIS ST.	ITALY, TX 76651
6	FIRST BAPTIST CHURCH-MAYPEARL (Fellowship Hall) 5744 FM 66	MAYPEARL, TX 76064
7	MIDLOTHIAN CHURCH OF CHRIST (Rear Foyer) 1627 N HWY 67	MIDLOTHIAN, TX 76065
8	MIDLOTHIAN CONFERENCE CTR (Lobby) 1 COMMUNITY CIRCLE DR	MIDLOTHIAN, TX 76065
9	MOUNTAIN PEAK COMMUNITY CHURCH (Sanctuary) 751 W. FM 875	MIDLOTHIAN, TX 76065
10	MILFORD SENIOR CITIZENS CTR (Main Room) 109 S. MAIN STREET	MILFORD, TX 76670
11	OVILLA CITY HALL (Council Chambers) 105 S. COCKRELL HILL RD	OVILLA, TX 75154
12	PALMER ISD ANNEX BUILDING (Portable Bldg) 303 BULLDOG WAY	PALMER, TX 75152
13	EASTRIDGE BAPTIST CHURCH (Family Activity Ctr) 732 E OVILLA RD	RED OAK, TX 75154
14	RED OAK MUNICIPAL CENTER (Pitts Room) 200 LAKEVIEW PKWY	RED OAK, TX 75154
15	ELLIS COUNTY WOMANS BUILDING (Davis Hall) 407 W JEFFERSON ST.	WAXAHACHIE, TX 75165
16	FARLEY STREET BAPTIST CHURCH (Gym) 1116 BROWN ST.	WAXAHACHIE, TX 75165
17	MARVIN BIOMEDICAL ACADEMY (Gym) 110 BROWN STREET	WAXAHACHIE, TX 75165
18	PARK MEADOWS BAPTIST CHURCH (Youth Rm) 3350 N HWY 77	WAXAHACHIE, TX 75165

Last day to register to vote for the Joint General and Special Elections is: Thursday, April 06, 2023.

Último día para registrarse para votar en la Elecciones General y Especial Conjunta es: jueves, 06 de abril de 2023.

Last day for the Election's Office to receive a Regular or FPCA Ballot by Mail Application: Tuesday, April 25, 2023.

El Último día para que la Oficina de Elecciones reciba una solicitud regular o una solicitud de tarjeta postal federal para votar por correo (FPCA- por sus siglas en inglés) es: martes, 25 de abril de 2023.

**Estimated Cost for May 6, 2023 Joint General and Special Elections
with 21 Political Subdivisions**

Item	Estimated Total Invoiced Cost of Election
Election Day Locations	18
Early voting Locations	9
Election Systems & Software (ES&S) Ballots Cost	\$11,000.00
Election Systems & Software (ES&S) Ballot Layout Charges	\$3,300.00
Election Systems & Software (ES&S) Ballot Audio Charges	\$7,700.00
Election Systems & Software (ES&S) Electronic Voting system programing	\$6,400.00
Election Systems & Software (ES&S) Election Day Support	\$4,975.00
Election Systems & Software (ES&S) Absentee Testing and Coding Ballots	\$2,000.00
Newspaper Public Notice of Testing of Electronic Voting System	\$400.00
Newspaper Public Notice of Joint Election	\$4,000.00
Precinct Kits for Early Voting and Election Day: Labels, paper, envelopes, supplies, pens, seals, tape, copies for precinct packets and training packets, signs for posting of state required information at polling place.	\$2,700.00
Lease of County voting equipment DS200 Machines	\$4,364.80
Lease of County voting equipment DS450 Machine for Absentee ballots	\$974.00
Lease of County voting equipment ExpressVote Terminal Marking Device (ADA)	\$15,518.40
Movers Transportation of Voting Equipment Early Voting and Election Day locations Dropped off and picked up after election	\$5,710.00
Required Live Streaming Service during Ballot Board and Central Counting Station processes 24/7	\$1,117.75
Rental of facilities for training classes and equipment storage	\$2,400.00
Voting Places Rental Charges	\$1,800.00
Election Day # of Poll workers	120
Election Day: Judges at \$12, Alternate Judges at \$12, Clerks at \$10 Polling Location on Election day poll workers, hours on ED, training class, setup, Judge pickup fees \$25	\$18,000.00
Early voting # of Poll workers	120
Early Voting: Judges at \$12, Clerks at \$10 at Early Voting Locations Poll Workers hours, overtime hours, training class, setup, Judge pickup fees \$25, Fica, Medicare	\$30,000.00
Absentee Mail Ballots Request	200
Cost for Early Voting mail Ballots for postage and materials for each for ballot mailed	\$940.00
Early Voting Ballot Board and Central Counting Station Workers	\$800.00
WiFi for Early voting and Election Day Laptops	\$1,600.00
Additional Office Personnel to assist before/during/after the Election and technicians for Early Voting and Election Day, and Election employee accrual overtime hours	\$10,000.00
Technicians Mileage for Early Voting and Election Day Support at polling sites	\$400.00
Estimated Grand Total of Election Expenses	\$136,100
Estimated Cost for Election Services Contract 10% Admin Fee	\$13,610
Estimated Total Cost for Political Subdivisions for Joint Election	\$149,710

**Political Subdivisions estimated cost of contracting with the Elections
Department for May 6, 2023 Joint Election
(Estimated Cost After Cancellations)**

ENTITY	Voters 3/2023	Estimated Cost	80% of Deposit
ALMA	246	\$3,500.00	\$2,800.00
CEDAR HILL	571	\$3,500.00	\$2,800.00
ENNIS (Ward 4 only)	1106	\$4,500.00	\$3,600.00
ENNIS ISD	16135	\$10,500.00	\$8,400.00
FERRIS	1683	\$5,000.00	\$4,000.00
FERRIS ISD	6105	\$8,000.00	\$6,400.00
GRAND PRAIRIE	497	\$3,500.00	\$2,800.00
ITALY	1177	\$4,500.00	\$3,600.00
ITALY ISD	2014	\$5,500.00	\$4,400.00
MANSFIELD	650	\$3,500.00	\$2,800.00
MAYPEARL	523	\$3,500.00	\$2,800.00
MAYPEARL ISD	4461	\$6,500.00	\$5,200.00
MIDLOTHIAN	25414	\$13,500.00	\$10,800.00
MIDLOTHIAN ISD	37416	\$15,500.00	\$12,400.00
MILFORD	457	\$3,500.00	\$2,800.00
MILFORD ISD	818	\$3,500.00	\$2,800.00
OVILLA	3460	\$6,000.00	\$4,800.00
RED OAK ISD	22239	\$12,750.00	\$10,200.00
VENUS	425	\$3,500.00	\$2,800.00
WAXAHACHIE	27403	\$14,250.00	\$11,400.00
WAXAHACHIE ISD	38298	\$15,750.00	\$12,600.00

The following Political Subdivisions will be having an Election on May 6, 2023.

City of Alma General Election for the purpose of electing a Mayor and two At-Large Council Members – Vote for 2
City of Alma Special Election to Fill a Vacancy of electing one At-Large Council Member – Unex Term – Vote for 1
City of Alma Local Option Election to Legalize voting to adopt or reject one proposed proposition
City of Cedar Hill General Election for the purpose of electing At-Large Council Member Places 2 & 6
City of Ennis General Election for the purpose of electing Commissioner Ward 4
City of Ferris General Election for the purpose of electing At-Large Alderman Places 2, 3 & 5
City of Grand Prairie General Election for the purpose of electing At-Large Council Member Place 7
City of Italy General Election for the purpose of electing a Mayor and two At-Large Council Members – Vote for 2
City of Italy Special Election voting to adopt or reject one proposed proposition
City of Mansfield General Election for the purpose of electing At-Large Council Member Places 6 & 7
City of Mansfield Special Election to Fill a Vacancy of electing one At-Large Council Member Place 3 – Unex Term
City of Mansfield Special Election voting to adopt or reject two proposed propositions
City of Maypearl General Election for the purpose of electing a Mayor and three At-Large Council Members – Vote for 3
City of Midlothian General Election for the purpose of electing a Mayor and At-Large Council Member Places 1 & 2
City of Midlothian Special Election to Fill a Vacancy of electing one At-Large Council Member Place 5 – Unex Term
City of Milford General Election for the purpose of electing two At-Large Council Members – Vote for 2
City of Ovilla Special Election voting to adopt or reject one proposed proposition
City of Venus General Election for the purpose of electing a Mayor and two At-Large Council Members – Vote for 2
City of Waxahachie General Election for the purpose of electing At-Large Council Member Places 4 & 5

Ennis ISD General Election for the purpose of electing At-Large Member of Board of Trustees Places 1 & 2
Ennis ISD Special Election to Fill a Vacancy for the purpose of electing At-Large Member of Board of Trustees Place 6 - Unex Term
Ferris ISD General Election for the purpose of electing At-Large Member of Board of Trustees Places 6 & 7
Italy ISD General Election for the purpose of electing two At-Large Member of Board of Trustees – Vote for 2
Maypearl ISD General Election for the purpose of electing two At-Large Member of Board of Trustees – Vote for 2
Maypearl ISD Special Bond Election voting to adopt or reject one proposed proposition
Midlothian ISD General Election for the purpose of electing At-Large Member of Board of Trustees Places 6 & 7
Midlothian ISD Special Bond Election voting to adopt or reject three proposed propositions
Milford ISD General Election for the purpose of electing two At-Large Member of Board of Trustees – Vote for 2
Red Oak ISD General Election for the purpose of electing At-Large Member of Board of Trustees Places 3, 4 & 5
Red Oak ISD Special Bond Election voting to adopt or reject one proposed proposition
Waxahachie ISD General Election for the purpose of electing At-Large Member of Board of Trustees Places 1 & 2
Waxahachie ISD Special Bond Election voting to adopt or reject four proposed propositions

Informational purposes . List is pending deadlines for any special election to fill a vacancy. Subject to changes.



Make your MARK
and VOTE!

Invoice by Ellis County Elections

CITY of OVILLA

**Bobbie Jo Taylor
105 S.Cockrell Hill Road
Ovilla, Texas 75154
(972) 617-7262**

Date: 03/03/2023

Due Date: 03/31/2023

Description	Amount Due
Ellis County Elections Department has contracted jointly with Ellis County Political Subdivisions for the May 6, 2023 Joint General and Special Elections.	
Estimated Cost to administer the election is \$149,710	
City of OVILLA estimated portion: \$6000	
City of OVILLA portion of the deposit of 80% due:	\$4,800.00
Invoice for final cost of election will be sent after the election is completed.	

Please make payment to:
Ellis County Treasurer
Attn: Cheryl Chambers
109 S Jackson Street
Waxahachie, Texas 75165

Document on check it is "For Election Services"

Thank you,

A handwritten signature in cursive script that reads "Jana Onyon".

Jana Onyon
Elections Administrator

AGENDA ITEM REPORT Item #1

Meeting Date: March 13, 2023

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Reviewed By: City Manager

City Secretary

City Attorney

Finance Director

Other:

AGENDA ITEM:

ITEM 1. DISCUSSION/ACTION – Consideration of and action on Resolution R2023-02 a Resolution of the City Council of the City of Ovilla, Texas accepting the Annual Financial Audit report for the year ended September 30, 2022, prepared and presented by Forvis, LLP.

Attachments:

1. Resolution No. 2023-02
2. Independent Auditor's Report and Financial Statements

Discussion / Justification:

Background: Forvis, LLP, will present, review, and answer questions regarding the Annual Financial Report for the City's fiscal year ending September 30, 2022

Recommendation / Staff Comments:

Staff Recommends: Approval

Sample Motion(s):

I move to approve/deny Resolution R2023.02 a Resolution of the City Council of the City of Ovilla, Texas accepting the Annual Financial Audit report for the year ended September 30, 2022.

RESOLUTION NO. R2023-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS ACCEPTING THE ANNUAL FINANCIAL AUDIT REPORT FOR THE YEAR ENDED SEPTEMBER 30, 2022, PREPARED BY FORVIS, LLP.

WHEREAS, Section 103.001. of the Local Government Code requires a municipality to have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit, and;

WHEREAS, Section. 1.05.003. Audit of City Funds. The Code of Ordinances of the City of Ovilla in accordance with the Local Government Code, Section 103.001, requires the city audit to be performed by a licensed certified public accountant and filed with the city secretary within one hundred and twenty (120) days after the last day of each fiscal year.

WHEREAS, the City of Ovilla has an agreement with Forvis, LLP, to conduct and manage their annual audits and prepare financial statements.

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

Section 1.

The City Council of the City of Ovilla hereby approves and accepts the Annual Financial Audit Report for the year ended September 30, 2022, prepared by Forvis, LLP.

Section 2.

A copy of the said Annual Financial Audit Report is attached hereto as Exhibit "A" and made a part hereof for all purposes.

PASSED, APPROVED, AND RESOLVED this 13th day of March 2023.

APPROVED: _____

Richard Dormier, **MAYOR**

ATTEST: _____

Bobbie Jo Taylor, **CITY SECRETARY**

DRAFT

City of Ovilla, Texas

Independent Auditor's Report and Financial Statements

September 30, 2022

City of Ovilla, Texas

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Independent Auditor's Report

The Honorable Mayor and Members of City Council
City of Ovilla, Texas
Ovilla, Texas

Opinions

We have audited the financial statements of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Ovilla, Texas (City) as of and for the year ended September 30, 2022, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of the City, as of September 30, 2022, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the "Auditor's Responsibilities for the Audit of the Financial Statements" section of our report. We are required to be independent of the City, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Emphasis of Matter

As discussed in *Note 1* to the financial statements, in fiscal year 2022, the City adopted Governmental Accounting Standards Board (GASB) Statement No. 87, *Leases*. Our opinions are not modified with respect to this matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

The Honorable Mayor and Members of City Council
City of Ovilla, Texas
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In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for 12 months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements. In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

The Honorable Mayor and Members of City Council
City of Ovilla, Texas
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Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparisons, and pension and other postemployment benefit information as listed in the table of contents be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The supplementary information including the budgetary comparison schedules and the combining and individual fund financial statements as listed in the table of contents, be presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with GAAS. In our opinion, the budgetary comparison schedules combining and the individual fund financial statements are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Dallas, Texas
February 14, 2023

City of Ovilla, Texas
Management's Discussion and Analysis (Unaudited)
Year Ended September 30, 2022

As management of the City of Ovilla, Texas, we offer readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the fiscal year ended September 30, 2022.

Financial Highlights

- The assets and deferred outflows of resources of the City exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year by \$8,880,204 (net position). Of this amount, \$2,469,881 represents unrestricted net position, which may be used to meet the City's ongoing obligations to citizens and creditors.
- The City's total net position increased \$2,772,915 from prior year. \$1,461,378 of this increase was attributed to governmental activities and an increase of \$1,311,537 was due to business-type activities.
- At the close of the current fiscal year, the City's governmental funds reported combined fund balances of \$1,123,991, a decrease of \$233,696 in comparison with the prior year. Approximately 30 percent of this amount (\$342,123) is available for spending at the City's discretion (unassigned fund balance).
- At the end of the current fiscal year, unassigned fund balance for the general fund was \$342,123, or approximately 6 percent of total general fund expenditures.
- The City's total outstanding long-term bonded debt decreased by \$375,000 during the current fiscal year because of scheduled debt service payments and the refunding of the 2011 bonds.

Overview of the Financial Statements

The discussion and analysis provided here is intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements consist of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) the notes to financial statements. This report also includes required supplementary information intended to furnish additional detail to support the basic financial statements themselves.

Government-wide Financial Statements. The *government-wide financial statements* are designed to provide readers with a broad overview of the City's finances, in a manner similar to a private-sector business.

The *statement of net position* presents financial information on all of the City's assets, liabilities, and deferred inflows/outflows of resources, with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

City of Ovilla, Texas
Management's Discussion and Analysis (Unaudited)
Year Ended September 30, 2022

The *statement of activities* presents information showing how the City's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused compensated absences).

Both of the government-wide financial statements distinguish functions of the City's that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The governmental activities of the City include general government, public safety, streets, cultural and recreational, and solid waste. The business-type activities of the City include the City's water and sewer operations.

The government-wide financial statements include not only the City itself (known as the primary government), but also a legally separate economic development corporation and legally separate municipal development district for which the City is finically accountable. Financial information for these component units is reported separately from the financial information presented for the primary government itself.

The government-wide financial statements can be found on pages 12-13 of this report.

Fund Financial Statements. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City can be divided into two categories: governmental funds and proprietary funds.

Governmental Funds. Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in assessing a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The basic governmental fund financial statements can be found on pages 14-17 of this report.

City of Ovilla, Texas
Management's Discussion and Analysis (Unaudited)
Year Ended September 30, 2022

Proprietary Funds. The City maintains one type of proprietary fund, an enterprise fund. An enterprise fund is used to report the same functions presented as business-type activities in the government-wide financial statements. The City uses an enterprise fund to account for its water and sewer operations.

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail. The proprietary fund financial statements provide separate information for the Water and Sewer Fund, which is considered to be a major fund of the City.

The basic proprietary fund financial statements can be found on pages 18-20 of this report.

Notes to the Financial Statements. The notes provide additional information that is necessary to acquire a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found on pages 21-50 of this report.

Other Information. In addition to the basic financial statements and accompanying notes, this report also presents *required supplementary information* concerning the general fund's budget to actual performance and the City's progress in funding its obligation to provide pension and OPEB benefits to its employees. Required supplementary information can be found on pages 51-54 of this report.

The budget to actual schedules and individual fund combining statements in connection with debt service fund, water and sewer fund, nonmajor governmental funds and discretely presented component units are presented immediately following the required supplementary information on budget, pensions and other postemployment benefits. These schedules and statements can be found on pages 55-62 of this report.

Government-wide Overall Financial Analysis

Net position for the City may serve as a useful indicator of a government's financial stability. For the City, assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by \$8,880,204, at the close of the most recent fiscal year.

City of Ovilla, Texas
Management's Discussion and Analysis (Unaudited)
Year Ended September 30, 2022

A condensed version of the government-wide statement of net position follows:

	Governmental Activities		Business-type Activities		Total	
	2022	2021	2022	2021	2022	2021
Current and other assets	\$ 2,642,250	\$ 2,050,403	\$ 2,852,499	\$ 2,029,894	\$ 5,494,749	\$ 4,080,297
Capital and leased assets	6,098,000	4,740,796	2,857,602	2,500,364	8,955,602	7,241,160
Total assets	8,740,250	6,791,199	5,710,101	4,530,258	14,450,351	11,321,457
Deferred outflows of resources	243,925	186,500	52,316	40,001	296,241	226,501
Long-term liabilities	2,310,162	2,770,427	552,260	668,010	2,862,422	3,438,437
Other liabilities	1,083,000	1,106,319	755,701	788,470	1,838,701	1,894,789
Total liabilities	3,393,162	3,876,746	1,307,961	1,456,480	4,701,123	5,333,226
Deferred inflows of resources	1,117,152	88,470	48,113	18,973	1,165,265	107,443
Net position:						
Net investment in capital assets	3,235,584	1,925,401	2,389,027	1,946,920	5,624,611	3,872,321
Restricted	781,868	621,393	3,844	3,941	785,712	625,334
Unrestricted	456,409	465,689	2,013,472	1,143,945	2,469,881	1,609,634
Total net position	\$ 4,473,861	\$ 3,012,483	\$ 4,406,343	\$ 3,094,806	\$ 8,880,204	\$ 6,107,289

A portion of the City's net position (63.3 percent) reflects its investment in capital assets (*e.g.*, land, construction in progress, buildings, improvements, machinery and equipment, and infrastructure), less any related outstanding debt that was used to acquire those assets. The City uses these capital assets to provide a variety of services to its citizens. Accordingly, these assets are not available for future spending. Although the City's investment in capital assets is reported net of related debt, it should be noted that the resources used to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

An additional portion of the City's net position (8.8 percent) represents resources that are subject to external restrictions on how they may be used. The remaining balance of \$2,469,881 is unrestricted and may be used to meet the City's ongoing obligations to its citizens and creditors.

The City's net investment in capital assets increased as a result of scheduled principal payments and capital asset additions exceeding the current year's depreciation.

City of Ovilla, Texas
Management's Discussion and Analysis (Unaudited)
Year Ended September 30, 2022

At the end of the current fiscal year, the City is able to report positive balances in all reported categories of net position, both for the City as a whole, as well as for its separate governmental and business-type activities.

The City's overall net position increased \$2,772,915 from the prior fiscal year. The reasons for this overall increase are discussed in the following sections for governmental activities and business-type activities.

Governmental Activities. During the current fiscal year, net position for governmental activities increased \$1,461,378 from the prior fiscal year for an ending balance of \$4,473,861. Revenues benefitted from an increase in property tax (\$175,518) and sales tax (\$100,373) due to growth of the City. The City also saw an increase in operating grants and capital contributions largely due to the contributions from the Economic Development Corporation and the Municipal Development District and funding from the federal government related to the pandemic. General government expenses increased throughout the year (\$491,837) during the year due to an increase in wages, repairs and maintenance, and building inspections.

Business-type Activities. For the City's business-type activities, the current fiscal year resulted in an increase in net position of \$1,311,537 for an ending balance of \$4,406,343. Charges for services increased 85.61 percent (\$1,260,021) largely due to an increase in impact fees attributable to an increase in new home construction. Total expenses increased 12.51 percent (\$205,073) due to an increase in wages and purchased water and treatment costs as a result of the City's growth.

City of Ovilla, Texas
Management's Discussion and Analysis (Unaudited)
Year Ended September 30, 2022

A summary of the government-wide statement of activities follows:

	Governmental Activities		Business-type Activities		Total	
	2022	2021	2022	2021	2022	2021
REVENUES:						
Program Revenues:						
Charges for services	\$ 1,243,192	\$ 1,004,175	\$ 2,731,859	\$ 1,471,838	\$ 3,975,051	\$ 2,476,013
Operating grants and contributions	884,738	431,550	-	-	884,738	431,550
General Revenues:						
Property tax	2,937,391	2,761,873	-	-	2,937,391	2,761,873
Sales tax	574,512	474,139	-	-	574,512	474,139
Franchise tax	179,990	159,248	-	-	179,990	159,248
Grants not restricted to specific programs	-	-	533,776	-	533,776	-
Investment earnings	48,541	26,295	42	8	48,583	26,303
Miscellaneous	256,217	329,735	-	-	256,217	329,735
Gain on sale of capital assets	145,000	-	-	-	145,000	-
Total revenues	<u>6,269,581</u>	<u>5,187,015</u>	<u>3,265,677</u>	<u>1,471,846</u>	<u>9,535,258</u>	<u>6,658,861</u>
EXPENSES:						
General government	1,302,762	913,829	-	-	1,302,762	913,829
Public safety	2,516,905	2,442,549	-	-	2,516,905	2,442,549
Streets	530,979	494,810	-	-	530,979	494,810
Cultural and recreation	216,794	156,985	-	-	216,794	156,985
Solid waste	293,394	303,417	-	-	293,394	303,417
Interest and fiscal charges	56,641	114,048	-	-	56,641	114,048
Water and sewer	-	-	1,844,868	1,639,795	1,844,868	1,639,795
Total expenses	<u>4,917,475</u>	<u>4,425,638</u>	<u>1,844,868</u>	<u>1,639,795</u>	<u>6,762,343</u>	<u>6,065,433</u>
Increase (decrease) in net position before transfers	1,352,106	761,377	1,420,809	(167,949)	2,772,915	593,428
Transfers	<u>109,272</u>	<u>(6,070)</u>	<u>(109,272)</u>	<u>6,070</u>	<u>-</u>	<u>-</u>
Increase (decrease) in net position	<u>1,461,378</u>	<u>755,307</u>	<u>1,311,537</u>	<u>(161,879)</u>	<u>2,772,915</u>	<u>593,428</u>
Net position, beginning	<u>3,012,483</u>	<u>2,257,176</u>	<u>3,094,806</u>	<u>3,256,685</u>	<u>6,107,289</u>	<u>5,513,861</u>
Net position, ending	<u>\$ 4,473,861</u>	<u>\$ 3,012,483</u>	<u>\$ 4,406,343</u>	<u>\$ 3,094,806</u>	<u>\$ 8,880,204</u>	<u>\$ 6,107,289</u>

Financial Analysis of Funds

As noted earlier, the City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds. The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for discretionary use as they represent the portion of fund balance which has not yet been limited to use for a particular purpose by either an external party, the City itself, or a group or individual that has been delegated authority to assign resources for use for particular purposes by the City Council.

At September 30, 2022, the City's governmental funds reported combined fund balances of \$1,123,991, a decrease of \$233,696 in comparison with the prior year. Approximately 30 percent of this amount \$342,123 constitutes unassigned fund balance, which is available for spending at the City's discretion. The remainder of the fund balance is restricted for particular purposes (\$781,868).

City of Ovilla, Texas
Management's Discussion and Analysis (Unaudited)
Year Ended September 30, 2022

The general fund is the chief operating fund of the City. At the end of the current fiscal year, unassigned fund balance of the general fund was \$342,123, while total fund balance was \$368,407. As a measure of the general fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total general fund expenditures. Unassigned fund balance represents approximately 6 percent of total general fund expenditures, while total fund balance represents approximately 7 percent of that same amount.

The fund balance of the City's general fund decreased by \$433,917 during the current fiscal year due to increased outlay during the fiscal year. Additionally, the general fund had increases in general government, public safety, streets, and solid waste expenses due to an increase in wages and repairs and maintenance.

The debt service fund, a major governmental fund, had an increase in fund balance during the current year of \$292,099 to bring the year-end fund balance to \$568,267 due to budgeted increase in allocation of ad valorem revenues during the fiscal year.

The street maintenance fund, a major governmental fund, had a decrease in fund balance during the current year of \$98,404 to bring the year-end fund balance to \$91,717 due to capital outlay expenditures.

Proprietary Fund. The City's proprietary fund provides the same type of information found in the government-wide financial statements, but in more detail.

Unrestricted net position of the Water and Sewer Fund at the end of the year was \$2,013,472. The total increase in net position was \$1,311,537. Operating revenues increased in 2022 by \$1,260,021 (85.61 percent) due to an increase in impact fees attributable to an increase in new home construction. Operating expenses increased \$189,201 (11.5 percent) due to an increase in wages and purchased water costs as a result of the City's growth.

City of Ovilla, Texas
Management's Discussion and Analysis (Unaudited)
Year Ended September 30, 2022

General Fund Budgetary Highlights

Final budget compared to actual results. General fund actual revenues of \$4,538,461 exceeded budgeted revenues of \$4,082,571 by \$455,890. This positive variance in revenues was mostly attributable to higher than budgeted sales tax as a result of increased sales within the City limits and increases in licenses and permits which were related to new home permits issued. In FY 2021, the City issued 1 new single-family permit whereas, in FY 2022, the City issued 124.

Actual general fund expenditures of \$5,294,109 exceeded budgeted expenditures of \$4,949,117. This \$344,992 negative variance in expenditures was attributable to higher than budgeted expenditures for public safety as a result of increased wages and repairs and maintenance.

Capital and Leased Assets and Debt Administration

Capital and Leased Assets. The City's investment in capital and leased assets for its governmental and business-type activities as of September 30, 2022, amounts to \$8,955,602 (net of accumulated depreciation). This investment in capital assets includes land, buildings, improvements, machinery and equipment, and infrastructure. The total increase in capital assets for the current fiscal year was approximately 23.68 percent.

	Governmental Activities		Business-type Activities		Total	
	2022	2021	2022	2021	2022	2021
Land	\$ 397,763	\$ 397,763	\$ 86,700	\$ 86,700	\$ 484,463	\$ 484,463
Construction in progress	16,750	26,522	-	-	16,750	26,522
Buildings	1,305,077	419,693	74,479	77,491	1,379,556	497,184
Improvements	-	-	2,062,542	2,249,347	2,062,542	2,249,347
Machinery and equipment	701,723	557,623	633,881	86,826	1,335,604	644,449
Infrastructure	3,676,687	3,339,195	-	-	3,676,687	3,339,195
Total	\$ 6,098,000	\$ 4,740,796	\$ 2,857,602	\$ 2,500,364	\$ 8,955,602	\$ 7,241,160

City of Ovilla, Texas
Management's Discussion and Analysis (Unaudited)
Year Ended September 30, 2022

Major capital asset events during the current fiscal year included the following:

- Infrastructure additions of approximately \$460,000 related to resurfacing various roads throughout the City.
- Building additions of approximately \$903,000 related to Police Station remodel and the new Park Pavilion.
- Machinery and equipment additions of approximately \$564,000 related to smart water meters.

Additional information on the City's capital assets can be found in *Note 7* on pages 38-39 of this report.

Long-term Debt. At the end of the current fiscal year, the City had total bonded debt outstanding of \$3,060,000.

	Governmental Activities		Business-type Activities		Primary Government Total	
	2022	2021	2022	2021	2022	2021
General obligation bonds	\$ 2,459,322	\$ 2,760,803	\$ 600,678	\$ 674,197	\$ 3,060,000	\$ 3,435,000
Lease liability	28,508	-	-	-	28,508	-
Totals	\$ 2,487,830	\$ 2,760,803	\$ 600,678	\$ 674,197	\$ 3,088,508	\$ 3,435,000

The City's total bonded debt decreased by \$375,000, (11 percent) during the current fiscal year. The reason for the decrease is regularly scheduled debt service payments combined with the refunding of the 2011 General Obligation bonds.

The City maintains a "AA" rating from Standard & Poor's Ratings for general obligation debt.

Additional information on the City's long-term debt can be found in *Note 8* on pages 39-40 of this report.

Economic Factors and Next Year's Budgets and Rates

The FY2022-23 Budget calls for adopting the Property Tax Rate of \$0.6262 per \$100 of assessed property valuation. The operating and debt tax rates are projected to change to \$0.5352 and \$0.0910, respectively. The FY2023 total combined budget of \$8,085,406 represents a decrease of \$1,178,934 from the FY2021-22 Budget of \$9,264,340. This decrease is attributable to reduced spending in multiple departments budgeted in the FY2023 budget.

According to both Ellis County and Dallas County Appraisal Districts, the total assessed property value for FY2023 equals \$502,093,822, which is an increase of \$65,414,622 over FY2022 certified value of \$436,679,200. This is a 14.98 percent increase over FY2022.

City of Ovilla, Texas
Management's Discussion and Analysis (Unaudited)
Year Ended September 30, 2022

Water and Sewer Fund revenue for fiscal year FY2023 is budgeted to increase by 42.82 percent over the FY2022 adopted budget.

The City's annual debt service is \$537,158, including principal of \$490,000 and interest of \$47,158. The outstanding debt reflects \$3,060,000 in General Obligation Refunding Bonds payable through 2028.

Requests for Information

This financial report is designed to provide a general overview of the City's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Office of the City Secretary, 105 South Cockrell Hill Rd., Ovilla, Texas 75154.

DRAFT

Basic Financial Statements

City of Ovilla, Texas
Statement of Net Position
September 30, 2022

						Component Units		
	Primary Government			Total	Ovilla 4B Economic Development Corporation	Ovilla Municipal Development District		
	Governmental Activities	Business-type Activities						
ASSETS								
Cash and cash equivalents	\$ 1,881,684	\$ 2,338,225	\$ 4,219,909	\$ 760,702	\$ 148,190			
Investments	58,574	-	58,574	-	-			
Receivables (net of allowances for uncollectibles)	634,472	252,075	886,547	41,804	22,155			
Due from component unit	37,960	-	37,960	-	-			
Internal balances	29,160	(29,160)	-	-	-			
Inventories	-	13,055	13,055	-	-			
Prepaid expenses	400	5,383	5,783	114	-			
Restricted cash and cash equivalents	-	272,921	272,921	-	-			
Capital and leased assets								
Nondepreciable	414,513	86,700	501,213	-	-			
Depreciable, net of accumulated depreciation	5,683,487	2,770,902	8,454,389	-	-			
Total Assets	8,740,250	5,710,101	14,450,351	802,620	170,345			
DEFERRED OUTFLOWS OF RESOURCES								
Deferred outflows of resources – Pension	220,735	47,343	268,078	-	-			
Deferred outflows of resources – OPEB	23,190	4,973	28,163	-	-			
Total Deferred Outflows of Resources	243,925	52,316	296,241					
LIABILITIES								
Current liabilities:								
Accounts payable	495,160	692	495,852	-	98,759			
Accrued wages payable	47,928	4,880	52,808	-	-			
Accrued interest payable	3,781	-	3,781	-	-			
Other accrued liabilities	36,863	-	36,863	-	-			
Due to primary government	-	-	-	37,335	625			
Customer deposits	-	136,057	136,057	-	-			
Unearned revenue	-	500,789	500,789	-	-			
Compensated absences	98,881	17,096	115,977	-	-			
Bonds payable – current	393,813	96,187	490,000	-	-			
Lease liability – current	6,574	-	6,574	-	-			
Noncurrent liabilities:								
Bonds payable	2,065,509	504,491	2,570,000	-	-			
Lease liability	21,934	-	21,934	-	-			
Net pension liability	136,202	29,212	165,414	-	-			
Total OPEB liability	86,517	18,557	105,074					
Total Liabilities	3,393,162	1,307,961	4,701,123	37,335	99,384			
DEFERRED INFLOWS OF RESOURCES								
Deferred charge on refunding	10,206	2,273	12,479	-	-			
Deferred inflows of resources – Lease related	896,013	-	896,013	-	-			
Deferred inflows of resources – Pension	207,795	44,566	252,361	-	-			
Deferred inflows of resources – OPEB	3,138	1,274	4,412	-	-			
Total Deferred Inflows of Resources	1,117,152	48,113	1,165,265					
NET POSITION								
Net investment in capital assets	3,235,584	2,389,027	5,624,611	-	-			
Restricted for:								
Cultural and recreational	74,158	-	74,158	-	-			
Debt service	568,267	-	568,267	-	-			
Economic development	-	-	-	765,285	-			
Infrastructure improvements	-	3,844	3,844	-	-			
Municipal development	-	-	-	-	70,961			
Public safety	47,726	-	47,726	-	-			
Streets	91,717	-	91,717	-	-			
Unrestricted	456,409	2,013,472	2,469,881	-	-			
Total Net Position	\$ 4,473,861	\$ 4,406,343	\$ 8,880,204	\$ 765,285	\$ 70,961			

City of Ovilla, Texas
Statement of Activities
Year Ended September 30, 2022

Function/Programs:	Primary Government	Expenses	Net (Expense) Revenue and Changes in Net Position						Component Units		
			Program Revenues			Primary Government			Ovilla 4B Economic Development Corporation	Ovilla Municipal Development District	
			Charges for Services	Operating Grants and Contributions	Governmental Activities	Business-type Activities	Total				
Function/Programs:											
Primary Government:											
Governmental activities:											
General government		\$ 1,302,762	\$ 240,577	\$ -	\$ (1,062,185)	\$ -	\$ (1,062,185)	\$ -	\$ -	\$ -	
Public safety		2,516,905	587,443	884,738	(1,044,724)	-	(1,044,724)	-	-	-	
Streets		530,979	-	-	(530,979)	-	(530,979)	-	-	-	
Cultural and recreation		216,794	17,149	-	(199,645)	-	(199,645)	-	-	-	
Solid waste		293,394	398,023	-	104,629	-	104,629	-	-	-	
Interest and fiscal charges		56,641	-	-	(56,641)	-	(56,641)	-	-	-	
Total governmental activities		4,917,475	1,243,192	884,738	(2,789,545)	-	(2,789,545)	-	-	-	
Business-type activities:											
Water and sewer		1,844,868	2,731,859	-	-	886,991	886,991	-	-	-	
Total business-type activities		1,844,868	2,731,859	-	-	886,991	886,991	-	-	-	
Total primary government		\$ 6,762,343	\$ 3,975,051	\$ 884,738	(2,789,545)	\$ 886,991	(1,902,554)	-	-	-	
Component Units:											
Ovilla 4B Economic Development Corporation		\$ 441,193	\$ -	\$ -				(441,193)	-	-	
Ovilla Municipal Development District		332,880	-	-				-	(332,880)	-	
Total component units		\$ 774,073	\$ -	\$ -				(441,193)	(332,880)	-	
General revenues:											
Property tax				2,937,391	-	2,937,391	-	-	-	-	
Sales tax				574,512	-	574,512	229,806	229,806	125,245	125,245	
Franchise tax				179,990	-	179,990	-	-	-	-	
Grants not restricted to specific programs				-	533,776	533,776	-	-	-	-	
Investment earnings				48,541	42	48,583	6,617	6,617	2,074	2,074	
Miscellaneous				256,217	-	256,217	-	-	-	-	
Transfers				109,272	(109,272)	-	-	-	-	-	
Total general revenues and transfers				4,250,923	424,546	4,675,469	236,423	236,423	127,319	127,319	
Change in net position				1,461,378	1,311,537	2,772,915	(204,770)	(204,770)	(205,561)	(205,561)	
Net Position, Beginning of Year				3,012,483	3,094,806	6,107,289	970,055	970,055	276,522	276,522	
Net Position, End of Year				\$ 4,473,861	\$ 4,406,343	\$ 8,880,204	\$ 765,285	\$ 765,285	\$ 70,961	\$ 70,961	

City of Ovilla, Texas
Balance Sheet – Governmental Funds
September 30, 2022

	General Fund	Debt Service Fund	Street Maintenance Fund	Total Nonmajor Funds	Total Governmental Funds
ASSETS					
Cash and cash equivalents	907,814	\$ 565,312	\$ 275,107	\$ 133,451	\$ 1,881,684
Investments	58,574	-	-	-	58,574
Receivables (net of allowance for uncollectibles)					
Taxes	131,089	9,313	20,902	-	161,304
Leases	427,347	-	-	-	427,347
Accounts receivable	45,821	-	-	-	45,821
Due from other funds	26,971	2,593	-	335	29,899
Due from component unit	37,960	-	-	-	37,960
Prepaid expenses	-	400	-	-	400
Total assets	<u>1,635,576</u>	<u>577,618</u>	<u>296,009</u>	<u>133,786</u>	<u>2,642,989</u>
LIABILITIES					
Accounts payable	252,682	-	204,292	38,186	495,160
Accrued wages payable	47,928	-	-	-	47,928
Other accrued liabilities	36,863	-	-	-	36,863
Due to other funds	335	404	-	-	739
Total liabilities	<u>337,808</u>	<u>404</u>	<u>204,292</u>	<u>38,186</u>	<u>580,690</u>
DEFERRED INFLOWS OF RESOURCES					
Lease related	896,013	-	-	-	896,013
Unavailable revenue – property taxes	33,348	8,947	-	-	42,295
Total deferred inflows of resources	<u>929,361</u>	<u>8,947</u>	<u>-</u>	<u>-</u>	<u>938,308</u>
FUND BALANCES					
Restricted:					
Cultural and recreational	24,497	-	-	49,661	74,158
Debt service	-	568,267	-	-	568,267
Public safety	1,787	-	-	45,939	47,726
Streets	-	-	91,717	-	91,717
Unassigned	342,123	-	-	-	342,123
Total fund balances	<u>368,407</u>	<u>568,267</u>	<u>91,717</u>	<u>95,600</u>	<u>1,123,991</u>
Total liabilities, deferred inflows of resources, and fund balances	<u>\$ 1,635,576</u>	<u>\$ 577,618</u>	<u>\$ 296,009</u>	<u>\$ 133,786</u>	<u>\$ 2,642,989</u>

City of Ovilla, Texas
Reconciliation of the Balance Sheet of Governmental Funds
to the Statement of Net Position
September 30, 2022

Amounts reported for governmental activities in the statement of net position are different because:

Total fund balance – governmental funds	\$ 1,123,991
Capital and leased assets (net of accumulated depreciation and amortization) used in governmental activities are not current financial resources and, therefore, are not reported in the fund financial statements.	6,098,000
Revenues earned but not available within 60 days of year-end are not recognized as revenue in the fund financial statements.	42,295
Interest payable on long-term debt does not require current financial resources, therefore interest payable is not reported as a liability in the fund financial statements.	(3,781)
Long-term liabilities including bonds payable, lease liability, compensated absences, net pension liability and total OPEB liability and the related deferred outflows and deferred inflows for pensions and OPEB, are not due and payable in the current period and therefore are not reported in the fund financial statements.	<u>(2,786,644)</u>
Net position of governmental activities	<u>\$ 4,473,861</u>

City of Ovilla, Texas
Statement of Revenues, Expenditures and Changes in Fund Balances –
Governmental Funds
For the Year Ended September 30, 2022

	General Fund	Debt Service Fund	Street Maintenance Fund	Total Nonmajor Funds	Total Governmental Funds
REVENUES					
Property tax	\$ 2,340,067	\$ 592,266	\$ -	\$ -	\$ 2,932,333
Sales tax	459,610	-	114,902	-	574,512
Franchise tax	179,990	-	-	-	179,990
Licenses and permits	459,232	-	-	-	459,232
Fines and forfeitures	119,373	-	-	7,111	126,484
Charges for services	615,996	-	-	-	615,996
Special assessment	-	-	-	41,480	41,480
Miscellaneous	174,619	-	-	-	174,619
Intergovernmental	146,889	-	-	-	146,889
Contributions and donations	7,349	-	-	-	7,349
Investment earnings	35,336	13,205	-	-	48,541
Total revenues	<u>4,538,461</u>	<u>605,471</u>	<u>114,902</u>	<u>48,591</u>	<u>5,307,425</u>
EXPENDITURES					
Current:					
General government	1,290,009	-	-	-	1,290,009
Public safety	2,403,685	-	-	880	2,404,565
Streets	360,070	-	-	-	360,070
Cultural and recreational	167,201	-	-	11,967	179,168
Solid waste	293,394	-	-	-	293,394
Debt service:					
Principal	-	393,813	-	-	393,813
Interest and fiscal charges	-	24,079	-	-	24,079
Bond issuance costs	42,589	-	-	-	42,589
Leases	33,420	-	-	-	33,420
Capital outlay	<u>703,741</u>	<u>-</u>	<u>204,292</u>	<u>29,218</u>	<u>937,251</u>
Total expenditures	<u>5,294,109</u>	<u>417,892</u>	<u>204,292</u>	<u>42,065</u>	<u>5,958,358</u>
Excess (deficiency) of revenues over (under) expenditures	<u>(755,648)</u>	<u>187,579</u>	<u>(89,390)</u>	<u>6,526</u>	<u>(650,933)</u>
OTHER FINANCING SOURCES (USES)					
Transfers in	13,766	104,520	-	-	118,286
Transfers out	-	-	(9,014)	-	(9,014)
Refunding bonds issued	2,853,135	-	-	-	2,853,135
Payment to refunded bond escrow agent	(2,805,188)	-	-	-	(2,805,188)
Leases issued	33,420	-	-	-	33,420
Insurance proceeds	81,598	-	-	-	81,598
Sale of capital assets	<u>145,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>145,000</u>
Total other financing sources (uses)	<u>321,731</u>	<u>104,520</u>	<u>(9,014)</u>	<u>-</u>	<u>417,237</u>
Net change in fund balances	<u>(433,917)</u>	<u>292,099</u>	<u>(98,404)</u>	<u>6,526</u>	<u>(233,696)</u>
Fund balances, beginning of year	<u>802,324</u>	<u>276,168</u>	<u>190,121</u>	<u>89,074</u>	<u>1,357,687</u>
Fund balances, end of year	<u>\$ 368,407</u>	<u>\$ 568,267</u>	<u>\$ 91,717</u>	<u>\$ 95,600</u>	<u>\$ 1,123,991</u>

City of Ovilla, Texas
**Reconciliation of the Statement of Revenues,
Expenditures and Changes in Fund Balances of
Governmental Funds to the Statement of Activities
For the Year Ended September 30, 2022**

Amounts reported for governmental activities in the statement of activities are different because:

Net change in fund balances – total governmental funds	\$ (233,696)
Governmental funds report capital and lease outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense and amortization. This is the amount by which capital outlays of \$937,251 and leases of \$33,420 exceeded depreciation of \$338,954 and amortization of \$5,013 in the current year.	626,704
Certain revenues in the statement of activities that do not provide current financial resources are not reported as revenue in the governmental funds. This amount is the net change in deferred inflows of resources.	5,058
The net effect of various miscellaneous transactions involving capital assets (<i>i.e.</i> capital contributions of capital assets)	730,500
Bond and other debt proceeds provide current financial resources to governmental funds, but issuing debt increases long-term liabilities in the Statement of Net Position. Repayment of bond and other debt principal is an expenditure in the governmental funds, but repayment reduces long-term liabilities in the Statement of Net Position. Also, governmental funds report the effect of premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities.	
Issuance of refunding bonds	(2,853,135)
Payment to escrow agent	2,805,188
Leases issued	(33,420)
Principal payments on leases	4,912
Principal paid on long-term debt	393,813
Current year pension and OPEB expenditures are reported on the fiscal year basis in the governmental statement of revenues, expenditures and changes in fund balance and as actuarially determined in the government-wide statement of activities. These differences are reflected in deferred outflows/inflows of resources balances.	8,859
Current year changes in long-term liabilities for compensated absences do not require the use of current financial resources; therefore they are not reported as expenditures in the governmental funds.	(3,432)
Current year change in accrued interest payable required the use of current financial resources, but is is not an expense at government-wide.	10,027
Change in net position of governmental activities	<u>\$ 1,461,378</u>

City of Ovilla, Texas
Statement of Net Position – Proprietary Fund
September 30, 2022

	Water and Sewer Fund
ASSETS	
Current assets	
Cash and cash equivalents	\$ 2,338,225
Receivables (net of allowance for doubtful accounts)	
Accounts receivable	252,075
Inventories	13,055
Prepays	5,383
Restricted cash and cash equivalents	272,921
Total current assets	<u>2,881,659</u>
Noncurrent assets	
Capital assets	
Nondepreciable	86,700
Depreciable, net of accumulated depreciation	<u>2,770,902</u>
Total noncurrent assets	<u>2,857,602</u>
Total assets	<u>5,739,261</u>
DEFERRED OUTFLOWS OF RESOURCES	
Deferred outflows of resources – Pension	47,343
Deferred outflows of resources – OPEB	4,973
Total deferred outflows of resources	<u>52,316</u>
LIABILITIES	
Current liabilities	
Accounts payable	692
Accrued wages payable	4,880
Compensated absences	17,096
Customer deposits	136,057
Due to other funds	29,160
Unearned revenue	500,789
Bonds payable – current	96,187
Total current liabilities	<u>784,861</u>
Noncurrent liabilities	
Long-term debt, less current portion	504,491
Net pension liability	29,212
Total OPEB liability	<u>18,557</u>
Total noncurrent liabilities	<u>552,260</u>
Total liabilities	<u>1,337,121</u>
DEFERRED INFLOWS OF RESOURCES	
Deferred charge on refunding	2,273
Deferred inflows of resources – Pension	44,566
Deferred inflows of resources – OPEB	1,274
Total deferred inflows of resources	<u>48,113</u>
NET POSITION	
Net investment in capital assets	2,389,027
Restricted for:	
Infrastructure improvements	3,844
Unrestricted	
Total net position	<u>2,013,472</u>

City of Ovilla, Texas
Statement of Revenues, Expenses, and Changes in Net Position –
Proprietary Fund
Year Ended September 30, 2022

	Water and Sewer Fund
OPERATING REVENUES	
Water sales	\$ 1,140,145
Sewer service charges	475,704
Impact fees	689,895
Infrastructure improvement fees	114,955
Miscellaneous	<u>311,160</u>
Total operating revenues	<u>2,731,859</u>
OPERATING EXPENSES	
Water administration	175,780
Water	806,400
Sewer	639,737
Depreciation	<u>207,079</u>
Total operating expenses	<u>1,828,996</u>
Operating income	<u>902,863</u>
NONOPERATING REVENUES (EXPENSES)	
Investment earnings	42
Grant revenue	533,776
Interest and fiscal charges	(5,501)
Bond issuance cost	<u>(10,371)</u>
Total nonoperating revenues (expenses)	<u>517,946</u>
Income before transfers	1,420,809
Transfers out	<u>(109,272)</u>
Change in net position	1,311,537
Net Position, Beginning of Year	<u>3,094,806</u>
Net Position, End of Year	<u>\$ 4,406,343</u>

City of Ovilla, Texas
Statement of Cash Flows – Proprietary Fund
Year Ended September 30, 2022

	Water and Sewer Fund
OPERATING ACTIVITIES	
Receipts from customers	\$ 2,711,893
Receipt of customer deposits	19,725
Payments to suppliers for goods and services	(1,519,822)
Payments to employees for salaries and benefits	(170,670)
Net cash provided by operating activities	<u>1,041,126</u>
NONCAPITAL FINANCING ACTIVITIES	
Transfers to other funds	<u>(109,272)</u>
Net cash used in noncapital financing activities	<u>(109,272)</u>
CAPITAL AND RELATED FINANCING ACTIVITIES	
Acquisition and construction of capital assets	(564,317)
Principal paid on capital debt	(96,187)
Interest and fiscal charges paid on capital debt	2,459
Cost of issuance of bonds	(10,371)
Grants used for capital outlay	533,776
Net cash used in capital and related financing activities	<u>(134,640)</u>
INVESTING ACTIVITIES	
Interest on investments	<u>42</u>
Net cash provided by investing activities	<u>42</u>
Net increase in cash and cash equivalents	797,256
Cash and Cash Equivalents, Beginning of Year (including \$253,280 reported as restricted assets)	<u>1,813,890</u>
Cash and Cash Equivalents, End of Year (including \$272,921 reported as restricted assets)	<u>\$ 2,611,146</u>
Reconciliation of Operating Income to Net Cash Provided by Operating Activities:	
Operating income	\$ 902,863
Adjustment to reconcile operating income to net cash provided by operating activities:	
Depreciation	207,079
(Increases) decreases in assets and deferred outflows of resources:	
Accounts receivable and unbilled revenue	(19,966)
Prepaid expenses	(5,383)
Deferred outflows of resources	(12,067)
Increases (decreases) in liabilities and deferred inflows of resources:	
Accounts payable	(52,186)
Accrued liabilities	(16,192)
Customer deposits	19,725
Compensated absences	6,483
Net pension liability	(18,084)
Total OPEB liability	2,235
Deferred inflows of resources	<u>26,619</u>
Total adjustments	<u>138,263</u>
Net cash provided by operating activities	<u>\$ 1,041,126</u>

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

Note 1: Summary of Significant Accounting Policies

The accounting policies of the City of Ovilla, Texas conform to accounting principles applicable to governments as promulgated by the Governmental Accounting Standards Board (GASB). The City of Ovilla's significant accounting policies are described below.

Description of the Government-wide Financial Statements

The government-wide financial statements (*i.e.*, the statement of net position and the statement of activities) report information on all of the activities of the primary government and its component units. *Governmental activities*, which normally are supported by taxes, intergovernmental revenues, and other nonexchange transactions, are reported separately from *business-type activities*, which rely to a significant extent on fees and charges to external customers for support. Likewise, the *primary government* is reported separately from the legally separate *component units* for which the primary government is financially accountable.

Reporting Entity

The City of Ovilla, Texas (City) is a general law municipality and was incorporated in 1963. The accompanying financial statements present the City and its component units, entities for which the City is considered to be financially accountable. The City (the primary government) is financially accountable if it appoints a voting majority of the organization's governing board and (1) is able to impose its will on the organization or (2) there is a potential for the organization to provide specific financial benefit to or impose specific financial burden on the City. Additionally, the City is required to consider other organizations for which the nature and significance of their relationship with the City are such that exclusion would cause the City's financial statements to be misleading or incomplete. The financial statements are formatted to allow the user to clearly distinguish between the primary government and its component units.

Discretely Presented Component Units

The Corporation and District described below are included in the City's reporting entity because the City appoints the governing body and are fiscally dependent on the City. The Corporation and District are reported as discretely presented component units since the governing body is not substantively the same as the governing body of the City, and they provide services to the citizens of Ovilla and the surrounding area as opposed to only the primary government. To emphasize that they are legally separate from the City, they are reported in separate columns in the financial statements.

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

The Ovilla 4B Economic Development Corporation was created under Section 4B of the Development Corporation Act of 1979, as amended, Article 5190.6, Vernon's Texas civil statutes, as amended, and is responsible for collecting and disbursing the one-half percent sales tax to be used for economic development within the City. The members of the Corporation's board are appointed by the City. The City can impose its will on the Corporation by significantly influencing the program, projects, activities, or level of service performed by the Corporation. The Corporation is presented as a governmental fund type and has a September 30 year-end. The Ovilla Municipal Development District was created in accordance with Chapter 377 of the Texas Local Government Code and is responsible for collecting and disbursing the one-quarter percent sales tax to be used for municipal development within the City. The members of the District's board are appointed by the City. The City can impose its will on the District by significantly influencing the program, projects, activities, or level of service performed by the District. The District is presented as a governmental fund type and has a September 30 year-end.

Separate financial statements for the Corporation and District are not issued.

Basis of Presentation

Government-Wide Financial Statements

While separate government-wide and fund financial statements are presented, they are interrelated. The governmental activities column incorporates data from governmental funds, while business-type activities incorporate data from the City's enterprise fund. Separate financial statements are provided for governmental funds and proprietary fund.

As discussed earlier, the City has two discretely presented component units. The Ovilla 4B Economic Development Corporation and Ovilla Municipal Development District are shown in separate columns in the government-wide financial statements.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are charges between the City's water function and various other functions of the City. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned.

Fund Financial Statements

The fund financial statements provide information about the City's funds. Separate statements for each fund category—governmental and proprietary—are presented. The emphasis of fund financial statements is on major governmental and the enterprise funds, each displayed in a separate column. All remaining governmental funds are aggregated and reported as nonmajor.

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

The City reports the following major governmental funds:

The General Fund is the City's primary operating fund. It accounts for all financial resources of the City, except those required to be accounted for in another fund.

The Debt Service Fund is used to account for the accumulation of resources for, and the payment of, general long-term debt principal, interest, and related costs.

The Street Maintenance is used to account for the 1/4 cent Street Maintenance Tax revenues and expenditures devoted to street repair, mill and overlay, and reconstruction projects.

The City reports the following major enterprise fund:

The Water and Sewer Fund accounts for the activities of the sewage pumping stations and collection systems, and the water distribution system.

During the course of operations, the City has activity between funds for various purposes. Any residual balances outstanding at year-end are reported as due from/to other funds. While these balances are reported in fund financial statements, certain eliminations are made in the preparation of the government-wide financial statements. Balances between the funds included in governmental activities (*i.e.*, the governmental funds) are eliminated so that only the net amount is included as internal balances in the governmental activities' column.

Further, certain activity occurs during the year involving transfers of resources between funds. In fund financial statements, these amounts are reported at gross amounts as transfers in/out. While reported in fund financial statements, certain eliminations are made in the preparation of the government-wide financial statements. Transfers between the funds included in governmental activities are eliminated so that only the net amount is included as transfers in the governmental activities' column.

Measurement Focus and Basis of Accounting

The accounting and financial reporting treatment is determined by the applicable measurement focus and basis of accounting. Measurement focus indicates the type of resources being measured such as current financial resources or economic resources. The basis of accounting indicates the timing of transactions or events for recognition in the financial statements.

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

The governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences, pension and OPEB obligations, and claims and judgments, are recorded only when payment is due. General capital asset acquisitions are reported as expenditures in governmental funds. Issuance of long-term debt and acquisitions under capital leases are reported as other financing sources.

Property taxes, sales taxes, franchise taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Entitlements are recorded as revenues when all eligibility requirements are met, including any time requirements, and the amount is received during the period or within the availability period for this revenue source (within 60 days of year-end). Expenditure-driven grants are recognized as revenue when the qualifying expenditures have been incurred and all other eligibility requirements have been met, and the amount is received during the period or within the availability period for this revenue source (within 60 days of year-end). All other revenue items are considered to be measurable and available only when cash is received by the City.

The proprietary fund is reported using the economic resources measurement focus and the accrual basis of accounting.

Budgetary Policy and Control

Budgetary Basis of Accounting

Budgets are adopted on a basis consistent with accounting principles generally accepted in the United States of America and are used as a management control device. For management purposes, the City adopts budgets for all funds. An annual budget is legally adopted by the General Fund, Debt Service Fund, and Water and Sewer Fund. The City maintains budgetary controls to ensure compliance with legal provisions embodied in the appropriated budget approved by the City Council. The level of budgetary control (that is, the level at which expenditures cannot legally exceed the appropriated amount) for the operating budget is within a fund. Budgeted amounts presented are the original adopted budget and the budget as further amended by the City Council (if amended).

Continuing Appropriations

The unexpended and unencumbered appropriations, which are available and recommended for continuation to the following fiscal year, are approved by the City Council for carryover. These commitments are reported as a designation of fund balance. Encumbered appropriations lapse at year-end but are recommended to the City Council for carryover. There were no unexpended and unencumbered appropriations at year-end.

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

Cash and Cash Equivalents

The City's cash and cash equivalents are considered to be cash on hand, demand deposits, certificates of deposit and short-term investments with original maturities of three months or less from the date of acquisition.

Investments

Nonnegotiable certificates of deposit are carried at amortized cost. The government investment pools, TexPool and TexSTAR operate in accordance with state laws and regulations. Investments in external pools are carried at either net asset value or amortized cost, as determined by each pool's individual investment valuation method and whether there is a readily determinable fair value of the pool as of the City's fiscal year-end. In instances where pools transact at amortized cost, such as TexPool, no readily determinable fair value is deemed available.

Restricted Assets

Certain proceeds of the City's enterprise fund bonds are classified as restricted assets on the statement of net position because they are maintained in separate bank accounts and their use is limited by applicable bond covenants of City ordinance, resulting in enabling legislation. The "bond construction" account is used to report those proceeds of bond issuances that are restricted for use in construction. The "infrastructure impact fees" account is used to segregate resources accumulated for infrastructure improvements. The "customer deposits" account is used to segregate customer deposits that will be returned in a future period.

Business-type Activities

Customer deposits	\$ 134,701
Bond construction account	134,376
Infrastructure impact fees	<u>3,844</u>
Total Restricted Assets	<u>\$ 272,921</u>

Inventories

Inventories are valued at cost using the first-in/first-out (FIFO) method and consist of expendable supplies. The cost of such inventories is recorded as expenditures/expenses when consumed rather than when purchased.

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

Lease Receivable

City leases a portion of its property to various cell phone companies and businesses who use the space to conduct their operations. The City recognizes a lease receivable and a deferred inflow of resources in the government-wide and governmental fund financial statements.

At the commencement of a lease, the City initially measures the lease receivable at the present value of payments expected to be received during the lease term. Subsequently, the lease receivable is reduced by the principal portion of lease payments received. The deferred inflow of resources is initially measured as the initial amount of the lease receivable, adjusted for lease payments received at or before the lease commencement date. Subsequently, the deferred inflow of resources is recognized as revenue over the life of the lease term.

Key estimates and judgments include how the City determines (1) the discount rate it uses to discount the expected lease receipts to present value, (2) lease term, and (3) lease receipts.

- The City uses its estimated incremental borrowing rate as the discount rate for leases.
- The lease term includes the noncancellable period of the lease. Lease receipts included in the measurement of the lease receivable is composed of fixed payments from the lessee.

The City monitors changes in circumstances that would require a remeasurement of its lease, and will remeasure the lease receivable and deferred inflows of resources if certain changes occur that are expected to significantly affect the amount of the lease receivable.

Capital Assets

Capital assets, which include property, plant, equipment and infrastructure assets (e.g., roads, bridges, sidewalks and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the City as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of one year. As the City constructs or acquires additional capital assets each period, they are capitalized and reported at historical cost. The reported value excludes normal maintenance and repairs which are essentially amounts spent in relation to capital assets that do not increase the capacity or efficiency of the item or increase its estimated useful life. Donated capital assets are recorded at their acquisition value at the date of donation. Land and construction in progress are not depreciated. The other property, plant, equipment, and infrastructure of the primary government are depreciated using the straight-line method over the following estimated useful lives:

Assets

Buildings	30 to 50 Years
Improvements	5 to 40 Years
Machinery and equipment	3 to 15 Years
Infrastructure	10 to 40 Years

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

Lease Liability

The City is a lessee for a noncancelable lease of equipment. The City recognizes a lease liability and an intangible right-to-use lease asset (lease asset) in the government-wide financial statements. The City recognizes lease liabilities with an initial, individual value of \$5,000 or more.

At the commencement of a lease, the City initially measures the lease liability at the present value of payments expected to be made during the lease term. Subsequently, the lease liability is reduced by the principal portion of lease payments made. The lease asset is initially measured as the initial amount of the lease liability, adjusted for lease payments made at or before the lease commencement date, plus certain initial direct costs. Subsequently, the lease asset is amortized on a straight-line basis over its useful life or term of lease, whichever is shorter.

Key estimates and judgments related to leases include how the City determines (1) the discount rate it uses to discount the expected lease payments to present value, (2) lease term, and (3) lease payments.

- The City uses the interest rate charged by the lessor as the discount rate. When the interest rate charged by the lessor is not provided, the City generally uses its estimated incremental borrowing rate as the discount rate for leases.
- The lease term includes the noncancelable period of the lease. Lease payments included in the measurement of the lease liability are composed of fixed payments and purchase option price that the City is reasonably certain to exercise.

The City monitors changes in circumstances that would require a remeasurement of its lease and will remeasure the lease asset and liability if certain changes occur that are expected to significantly affect the amount of the lease liability.

Lease assets are reported with other capital assets and lease liabilities are reported with long-term debt on the statement of net position.

Unearned Revenue

In the business-type activities and enterprise fund, unearned revenue of \$500,789 represents intergovernmental monies received in advance as part of the Coronavirus State and Local Fiscal Recovery Funds program during fiscal years 2021 and 2022. As September 30, 2022, the City has \$500,789 remaining to be spent.

Compensated Absences

The City's policy permits employees to accumulate earned but unused vacation benefits, which are eligible for payment upon separation from City service. The liability for such leave is reported as incurred in the government-wide and proprietary fund financial statements. A liability for those amounts is recorded in the governmental funds only if the liability has matured as a result of employee resignations or retirements. The liability for compensated absences includes salary

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

related benefits, where applicable. Vacation leave shall be taken during the year following its accumulation.

Long-term Obligations

In the government-wide financial statements and proprietary fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the straight-line method. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are expensed during the period of issuance.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Pensions

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the Fiduciary Net Position of the Texas Municipal Retirement System (TMRS) and additions to/deductions from the City's Fiduciary Net Position have been determined on the same basis as they are reported by TMRS. For this purpose, plan contributions are recognized in the period that compensation is reported for the employee, which is when contributions are legally due. Benefit payments and refunds are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Defined Benefit Other Postemployment Benefit Plan

The City has a single-employer defined benefit other postemployment benefit (OPEB) plan (Plan). For purposes of measuring the total OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB and OPEB expense have been determined on the same basis as they are reported by the Plan. For this purpose, benefit payments are recognized when due and payable in accordance with the benefit terms.

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future reporting period(s) and so will not be recognized as an outflow of resources (expense/expenditure/reduction of net pension liability or total OPEB liability) until then. The City has the following items that qualify for reporting in this category:

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

- Pension and OPEB contributions after measurement date – These contributions are deferred and recognized as a reduction of the pension and OPEB liabilities in the subsequent fiscal year-end.
- Difference in expected and actual experience – pension – This difference is deferred and amortized over the average remaining service life of all participants in the pension plan and recorded as a component of pension expense beginning with the period in which they are incurred.
- Difference in assumption changes – pension – This difference is deferred and amortized over the average remaining service life of all participants in the pension plan and recorded as a component of pension expense beginning with the period in which they are incurred.
- Difference in expected and actual experience – OPEB – This difference is deferred and amortized over the average remaining service life of all participants in the OPEB plan and recorded as a component of OPEB expense beginning with the period in which they are incurred.
- Difference in assumption changes – OPEB – This difference is deferred and amortized over the average remaining service life of all participants in the OPEB plan and recorded as a component of OPEB expense beginning with the period in which they are incurred.

In addition to liabilities, the statement of net position or balance sheet will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future reporting period(s) and so will not be recognized as an inflow of resources (revenue/increase of net pension liability or total OPEB liability) until that time. The City has the following items that qualify for reporting in this category:

- Difference in expected and actual experience – pension – This difference is deferred and amortized over the average remaining service life of all participants in the pension plan and recorded as a component of pension expense beginning with the period in which they are incurred.
- Difference in expected and actual experience – OPEB – This difference is deferred and amortized over the average remaining service life of all participants in the OPEB plan and recorded as a component of OPEB expense beginning with the period in which they are incurred.
- Difference in assumption changes – OPEB – This difference is deferred and amortized over the average remaining service life of all participants in the OPEB plan and recorded as a component of OPEB expense beginning with the period in which they are incurred.
- Difference in projected and actual earnings on pension plan investments – This difference is deferred and amortized as a component of pension expense on a closed basis over a five-year period beginning with the period in which the difference occurred.
- Deferred charge on refunding - A deferred charge refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt.

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

- Unavailable revenue – This arises only under a modified accrual basis of accounting. Accordingly, unavailable revenue is reported only in the governmental funds balance sheet. The governmental funds report unavailable revenues from property taxes. In the General Fund, deferred inflows of resources consist of property taxes of \$33,348. In the Debt Service Fund, unavailable revenues consist of property taxes in the amount of \$8,947. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available.
- Leases – Represents the initial value of the lease receivable under GASB 87 systematically reduced and recognized as lease revenue over the term of the lease. This deferred inflow is recorded at both the fund level and government-wide financial statements.

Net Position

Net position represents the difference between assets, deferred outflows of resources, liabilities, and deferred inflows of resources of governmental and business-type activities and proprietary funds. The government-wide and proprietary fund financial statements utilize a net position presentation. Net position is categorized as net investment in capital assets, restricted and unrestricted.

- Net Investment in Capital Assets – This amount consists of capital and leased assets, net of accumulated depreciation/amortization and reduced by outstanding balances of bonds, notes, and other debt that are attributable to the acquisition, construction, or improvement of those assets. Deferred outflows of resources and deferred inflows of resources that are attributable to the acquisition, construction, or improvement of those assets or related debt are included in this component of net position.
- Restricted Net Position – This amount is restricted by external parties such as creditors, grantors, contributors, or laws or regulations of other governments and restrictions imposed by law through constitutional provisions or enabling legislation.
- Unrestricted Net Position – This amount is the net position that does not meet the definition of “net investment in capital assets” or “restricted net position”.

Sometimes the government will fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts reported as restricted – net position and unrestricted net position in the government-wide and proprietary fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the City’s policy to consider restricted net position to have been depleted before unrestricted net position is applied.

Fund Balance Policies and Classifications

In the fund financial statements, governmental funds report fund balance into classifications that comprise a hierarchy based on the extent to which the City is bound to honor constraints on the specific purpose for which amount in those funds can be spent. The classifications of fund balance are Nonspendable, Restricted, Committed, Assigned, and Unassigned.

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- Nonspendable: This classification includes amounts that cannot be spent because they are either (a) not in a spendable form or (b) are legally or contractually required to remain intact.
- Restricted: This classification includes amounts for which constraints have been placed on the use of the resources either (a) externally imposed by creditors, grantors, contributors, or laws and regulations of other governments or (b) imposed by law through constitutional provisions or enabling legislation.
- Committed: This classification includes amounts that can be used only for specific purposes pursuant to constraints imposed by formal action (ordinance) by the highest level of decision-making authority, namely the City Council, prior to the end of the reporting period. These amounts cannot be used for any other purpose unless the City Council removes or changes the specified use by taking the same type of formal action that was employed when the funds were initially committed. This classification also includes contractual obligations to the extent that existing resources have been specifically committed for use in satisfying those contractual requirements.
- Assigned: This classification includes amounts that are constrained by the City's intent to be used for specific purposes but are neither restricted nor committed. This intent can be expressed by the City Council or through the City Council delegating this responsibility to the City Manager. Assigned fund balances are constrained by intent to be used for specific purposes but are neither restricted nor committed. Assignments are made by the City management based on the City Council's direction.
- Unassigned: This classification represents the residual net resources in excess of the other classifications. The General Fund is the only fund that can report a positive unassigned fund balance. In other governmental funds it is not appropriate to report a positive unassigned fund balance amount. However, in governmental funds other than the general fund, if expenditures incurred for specific purposes exceed the amounts that are restricted, committed, or assigned to those purposes, it may be necessary to report a negative unassigned fund balance in that fund.

When both restricted and unrestricted resources (the total of committed, assigned, and unassigned fund balance) are available for specified expenditures, a flow assumption must be made about the order in which the resources are considered to be applied. It is the City's policy to consider restricted fund balance to have been depleted before using any of the components of unassigned fund balance. Further, when the components of unassigned fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires the City's management to make estimates and assumptions that effect reported amounts of assets, deferred outflows of resources, liabilities and deferred inflows of resources at

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the date of the financial statements and the reported changes in net position during the reporting period. Actual results may differ from those estimates.

Program and General Revenues

Amounts reported as program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions (including special assessments) that are restricted to meeting the operational or capital requirements of a particular function or segment.

All taxes, including those dedicated for specific purposes, and other internally dedicated resources are reported as general revenues rather than as program revenues.

Property Taxes

Property tax revenue is recognized in the fiscal year for which the taxes have been levied providing they become available. Available means due, or past due and receivable within the current period and collected within the current period or expected to be collected soon enough thereafter (not to exceed 60 days) to be used to pay liabilities in the current period.

Proprietary Funds Operating and Nonoperating Revenues and Expenses

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the water and sewer fund is charges to customers for sales and services. The water and sewer fund also recognizes as operating revenue the portion of various fees intended to recover the cost of connecting new customers to the system. Operating expenses for the enterprise fund include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

Adoption of New Accounting Standards

GASB Statement No. 87, *Leases*, establishes new guidance for lease accounting for lessees and lessors and eliminates the classification of leases as either operating or capital leases. This statement establishes a single model for lease accounting based on the principle that leases are financings of the right-to-use an underlying asset. Lessees will recognize a lease liability and an intangible right-to-use lease asset. Lessors will recognize a lease receivable and a deferred inflow of resources. The requirements of this Statement are effective for reporting periods beginning after June 15, 2021. The City has implemented this Statement in fiscal year 2022. See Notes 6 and 9 for additional information.

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Future Change in Accounting Principles

GASB Statement No. 96, *Subscription-Based Information Technology Arrangements (SBITA)*, is effective for the City's fiscal year 2023. This Statement provides guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users (governments). This Statement (1) defines a SBITA; (2) establishes that a SBITA results in a right-to-use subscription asset—an intangible asset—and a corresponding subscription liability; (3) provides the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA; and (4) requires note disclosures regarding a SBITA. To the extent relevant, the standards for SBITAs are based on the standards established in Statement No. 87, *Leases*, as amended.

Note 2: Deposits and Investments

Deposits

At September 30, 2022, the carrying amount of the City's cash and cash equivalents (including certificates of deposit) was \$4,540,042 and the respective bank balances totaled \$4,835,825. At September 30, 2022, the carrying amount and respective bank balance of the Corporation's cash and cash equivalents was \$760,702. At September 30, 2022, the carrying amount and the respective bank balance of the District's cash and cash equivalents was \$148,190. Nonnegotiable certificates of deposit are carried at amortized cost.

Custodial Credit Risk

There is a risk that, in the event of a bank failure, the City's deposits may not be returned. Both the City's investment policy and the Texas Public Funds Investment Act requires that all deposits of the City that exceed the Federal Depository Insurance Corporation (FDIC) coverage levels are collateralized with securities held by a third-party custodian in the City's name. As of September 30, 2022, the City and its discretely presented component units deposits and investments not insured through the FDIC were fully collateralized.

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Investment

The City's investment policies are governed by state statutes. The City's investment policies further limit state statutes such that eligible investments include the following:

1. Obligations of the United States or its agencies and instrumentalities.
2. Direct obligations of the state of Texas or its agencies and instrumentalities.
3. Collateralized mortgage obligations directly issued by a federal agency instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentalities of the United States.
4. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by the state or the United States of America or its agencies and instrumentalities.
5. Obligations of states, agencies, counties, cities, and other political subdivisions or any state having been rated as to investment quality by a nationally recognized investment rating firm and having received a rating of not less than "A" or its equivalent.
6. Pooled investments with other government entities as authorized by the *Interlocal Cooperation Act*

Investment Pools

During the year, the City invested in multiple public fund investment pools, including TexPool and TexSTAR. Each pool's governing body is comprised of individuals who are employees, officers, or elected officials of participants in the funds or who do not have a business relationship with the fund and are qualified to advise. Investment objective and strategies of the pools are to seek preservation of principal, liquidity, and current income through investment in a diversified portfolio of short-term marketable securities. Pools offer same day access to investment funds. The City can liquidate funds daily without penalty and there is no unfunded commitment.

Federated Investors is the full-service provider for the TexPool program. As the provider, the responsibilities include managing the assets, providing participant services, and arranging for all custody and other functions in support of the operations under a contract with the State Comptroller of Public Accounts. JPMorgan Investment Management (JPMIM) and Hilltop Securities, Inc. (HSAM) serve as co-administrators for TexSTAR under an agreement with the TexSTAR board of directors. JPMIM serves as an investment advisor to TexSTAR, while HSAM provides administrative participant support and marketing services.

Following the criteria for GASB Statement No. 79, *Certain External Investment Pools and Pool Participants*, TexPool uses amortized cost and TexStar uses NAV to value portfolio assets. As is legally permissible for municipalities and school districts in the state, TexPool and TexSTAR invest in a high-quality portfolio of short-term investments. Investments in the pools are considered to be cash equivalents when preparing these financial statements.

City of Ovilla, Texas
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Interest Rate Risk

Interest rate risk is the risk that changes in the market interest rates will adversely affect the fair value of an investment. In accordance with its investment policy, the City manages its exposure to declines in fair market values by limiting the weighted-average days to maturity of its investment portfolio to 24 months (730 days). This means investing operating funds primarily in short-term securities, money market mutual funds or similar investment pools.

Credit Risk

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. The City's investment policy requires that investment pools be continuously rated no lower than "AAA" or "AAA-m" or an equivalent rating by at least one nationally recognized rating service. TexPool and TexSTAR are both currently rated AAA by Standard and Poor's.

Fair Value of Investments

The City measures and records its investments using fair value measurement guidelines established by generally accepted accounting principles (GAAP). These guidelines recognize a three-tiered fair value hierarchy as follows:

Level 1 Quoted prices for identical investments in active markets;

Level 2 Observable inputs other than those in Level 1; and

Level 3 Unobservable inputs.

The City has no investments that are required to be included in the fair value hierarchy at September 30, 2022.

	Fair Value	Quoted Prices in Active Markets for Identical Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Investments measured at net asset value - TexSTAR	\$ 11,034	\$ -	\$ -	\$ -
Investment measured at amortized cost - TexPool	327	-	-	-
Nonnegotiable certificates of deposit	58,574	-	-	-
Total investments	\$ 69,935	\$ -	\$ -	\$ -

Investments that are measured using the net asset value per share (or its equivalent) practical expedient and amortized cost have not been classified in the fair value hierarchy. Additionally, certificates of deposits are excluded from the fair value hierarchy as their carrying amounts approximate fair value.

City of Ovilla, Texas
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Note 3: Property Taxes

The City's property tax is levied each October 1 on the assessed value listed as of the prior January 1 for all real and personal property. Appraised values are established by the Ellis Appraisal District as market value and assessed at 100 percent of appraised value. Property taxes attach as an enforceable lien on property as of January 1. The Ellis County Tax Assessor/Collector bills and collects the City's property taxes, which are due October 1. Full payment can be made prior to the next January 31 to avoid penalty and interest charges. Over time substantially all property taxes are collected. Allocations of property tax levy by purpose for 2022 are as follows (amounts per \$100 assessed value):

Fund Type	2022	2021
General Fund	\$ 0.52620	\$ 0.52000
Debt Service Fund	\$ 0.13380	\$ 0.14000
Total	\$ 0.66000	\$ 0.66000

In the Governmental Funds, property taxes are recorded as receivables when assessed. At fiscal year-end, property tax receivables represent delinquent taxes. If delinquent taxes are not paid within 60 days of this fiscal year-end, they are recorded as unavailable revenue. Revenues are recognized as the related ad valorem taxes are collected. In Texas, county-wide central appraisal districts are required under the Property Tax Code to assess all property within the appraisal district on the basis of 100 percent of its market value and are prohibited from applying any assessment ratios. The value of property within the appraisal district must be reviewed every five years; however, the City may, at its own expense, require annual reviews of appraised values. The City may challenge appraised values established by the appraisal district through various appeals, and, if necessary, take legal action. Under this legislation, the City continues to set tax rates on City property. If a city with a population of less than 30,000 adopts a tax rate that exceeds the greater of the city's voter-approval tax rate or the de minimis tax rate, the city council must order an election to approve the adopted tax rate for the November uniform election date.

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Note 4: Receivables and Interfund Balances

Amounts are aggregated into a single accounts receivable (net of allowance for uncollectibles) line for certain funds and aggregated columns. Below is the detail of receivables (excluding leases which are discussed at Note 6) for the general, debt service, water and sewer fund, and nonmajor governmental funds, including the applicable allowances for uncollectible accounts:

Receivables	General	Debt Service	Street Maintenance	Water and Sewer	Total
Taxes	\$ 155,507	\$ 15,522	\$ 20,902	\$ -	\$ 191,931
Accounts	51,256	-	-	269,031	320,287
Less allowance for uncollectibles	(29,853)	(6,209)	-	(16,956)	(53,018)
Net receivables	<u>\$ 176,910</u>	<u>\$ 9,313</u>	<u>\$ 20,902</u>	<u>\$ 252,075</u>	<u>\$ 459,200</u>

Interfund Balances

The composition of interfund balances as of September 30, 2022, was as follows:

Receivable Fund	Payable Fund	Amount
General Fund	Debt Service	\$ 404
Park Impact	General Fund	355
General Fund	Water and Sewer Fund	26,567
Debt Service	Water and Sewer Fund	2,593
General Fund	Ovilla 4B Economic Development Corporation	37,335
General Fund	Ovilla Municipal District Development	625

The outstanding balances between funds result mainly from the time lag between the dates that (1) interfund goods and services are provided or reimbursable expenditures occur, (2) transactions are recorded in the accounting system, and (3) payments between funds are made.

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Note 5: Interfund Transfers

All interfund transfers between the various funds are approved supplements to the operations of those funds. Transfers between funds for the year ended September 30, 2022, were as follows:

	Transfers in		
	<i>Major Governmental</i>		Total Transfers Out
	General	Debt Service	
Transfers out			
Street Maintenance	9,014	-	9,014
Water and Sewer	4,752	104,520	109,272
Total transfers in	\$ 13,766	\$ 104,520	\$ 118,286

Transfers were primarily used to move funds from the Water and Sewer Fund to the Debt Service Fund for the payment of bonds.

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Note 6: Lease Receivable

The City leases a portion of its property to various cell phone companies and businesses who use the space to conduct their operations, the terms of which expire 2024 through 2028. The measurement of the lease receivable is based on the present value of lease payments expected to be received during the lease term, such as fixed payments, variable payments that depend on an index or rate, variable payments that are fixed in substance, residual value guarantee payments that are fixed in substance, and any lease incentives payable to the lessee.

The City recognized \$129,451 in lease revenue and \$8,386 in interest revenue during the current fiscal year related to these leases. As of September 30, 2022, the City receivable for lease payments was \$427,347. Also, the City has a deferred inflow of resources associated with these leases that will be recognized as revenue over the lease terms. As of September 30, 2022, the balance of the deferred inflow of resources was \$896,013.

In the governmental activities and general fund, a portion of the deferred inflow of resources associated with these leases of \$480,038 represents monies received in advance related to a 35-year telecom easement the City granted during fiscal year 2018. The City is amortizing the balance over the life of the easement and will recognize revenue each year on a straight-line basis.

The following is a schedule by year of minimum payments to be received under the City's leases that are included in the measurement of the lease receivable as of September 30, 2022:

Fiscal Year	Governmental Activities		
	Principal	Interest	Total
2023	\$ 110,002	\$ 5,880	\$ 115,882
2024	95,036	3,335	98,371
2025	54,518	2,166	56,684
2026	59,226	1,466	60,692
2027	61,450	714	62,164
2028	47,115	160	47,275
	<hr/> <u>\$ 427,347</u>	<hr/> <u>\$ 13,721</u>	<hr/> <u>\$ 441,068</u>

City of Ovilla, Texas
Notes to the Financial Statements
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Note 7: Capital and Leased Assets

Capital and leased asset activity for the year ended September 30, 2022, was as follows:

	Balance Beginning of Year	Additions	Sales/ Disposals	Transfers	Balance End of Year
Governmental activities					
Capital assets not being depreciated					
Land	\$ 397,763	\$ -	\$ -	\$ -	\$ 397,763
Construction in progress	26,522	16,750	-	(26,522)	16,750
Total capital assets not being depreciated	<u>424,285</u>	<u>16,750</u>	<u>-</u>	<u>(26,522)</u>	<u>414,513</u>
Capital and leased assets being depreciated					
Buildings	689,388	903,094	-	26,522	1,619,004
Machinery and equipment	3,639,045	284,743	(190,300)	-	3,733,488
Equipment - right to use lease asset	-	33,420	-	-	33,420
Infrastructure	4,108,721	463,164	-	-	4,571,885
Total capital assets being depreciated	<u>8,437,154</u>	<u>1,684,421</u>	<u>(190,300)</u>	<u>26,522</u>	<u>9,957,797</u>
Less accumulated depreciation and amortization					
Buildings	(269,695)	(44,232)	-	-	(313,927)
Machinery and equipment	(3,081,422)	(169,050)	190,300	-	(3,060,172)
Equipment - right to use lease asset	-	(5,013)	-	-	(5,013)
Infrastructure	(769,526)	(125,672)	-	-	(895,198)
Total accumulated depreciation	<u>(4,120,643)</u>	<u>(343,967)</u>	<u>190,300</u>	<u>-</u>	<u>(4,274,310)</u>
Total capital assets being depreciated, net	<u>4,316,511</u>	<u>1,340,454</u>	<u>-</u>	<u>26,522</u>	<u>5,683,487</u>
Governmental activities capital assets and leased, net	<u><u>\$ 4,740,796</u></u>	<u><u>\$ 1,357,204</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 6,098,000</u></u>
 Business-type activities					
Capital assets not being depreciated					
Land	\$ 86,700	\$ -	\$ -	\$ -	\$ 86,700
Total capital assets not being depreciated	<u>86,700</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>86,700</u>
Capital assets being depreciated					
Buildings	119,104	-	-	-	119,104
Improvements	5,917,440	-	-	-	5,917,440
Machinery and equipment	357,609	564,317	-	-	921,926
Total capital assets being depreciated	<u>6,394,153</u>	<u>564,317</u>	<u>-</u>	<u>-</u>	<u>6,958,470</u>
Less accumulated depreciation					
Buildings	(41,613)	(3,012)	-	-	(44,625)
Improvements	(3,668,093)	(186,805)	-	-	(3,854,898)
Machinery and equipment	(270,783)	(17,262)	-	-	(288,045)
Total accumulated depreciation	<u>(3,980,489)</u>	<u>(207,079)</u>	<u>-</u>	<u>-</u>	<u>(4,187,568)</u>
Total capital assets being depreciated, net	<u>2,413,664</u>	<u>357,238</u>	<u>-</u>	<u>-</u>	<u>2,770,902</u>
Business-type activities capital assets, net	<u><u>\$ 2,500,364</u></u>	<u><u>\$ 357,238</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 2,857,602</u></u>

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Depreciation expense and amortization was charged to functions/programs of the primary government as follows:

Governmental Activities

General government	\$ 11,933
Public safety	120,991
Streets	172,028
Culture and recreation	<u>39,015</u>
Total depreciation expense and amortization – governmental activities	<u>\$ 343,967</u>

Business-type Activities

Water and Sewer	\$ 207,079
Total depreciation expense – business-type activities	<u>\$ 207,079</u>

Note 8: Long-term Debt

The following is a summary of the long-term debt activity for the year ended September 30, 2022:

	Balance Beginning of Year	Borrowings/ Additions	Repayments/ Reductions	Balance End of Year	Due within One Year
Governmental activities					
General obligation bonds	\$ 2,760,803	\$ 2,853,135	\$ (3,154,616)	\$ 2,459,322	\$ 393,813
Premium on bonds	57,296	-	(57,296)	-	-
Discount on bonds	(2,704)	-	2,704	-	-
Lease liability	-	33,420	(4,912)	28,508	6,574
Compensated absences	95,449	82,345	(78,913)	98,881	98,881
Total governmental activities	<u>2,910,844</u>	<u>2,968,900</u>	<u>(3,293,033)</u>	<u>2,586,711</u>	<u>499,268</u>
Business-type activities					
General obligation refunding bonds	674,197	696,865	(770,384)	600,678	96,187
Premium on bonds	13,993	-	(13,993)	-	-
Discount on bonds	(383)	-	383	-	-
Compensated absences	10,613	26,737	(20,254)	17,096	17,096
Total business-type activities	<u>698,420</u>	<u>723,602</u>	<u>(804,248)</u>	<u>617,774</u>	<u>113,283</u>
Total primary government	<u>\$ 3,609,264</u>	<u>\$ 3,692,502</u>	<u>\$ (4,097,281)</u>	<u>\$ 3,204,485</u>	<u>\$ 612,551</u>

General obligation refunding bonds issued for governmental activity purposes are liquidated by the debt service fund. Governmental compensated absences will be liquidated by the general fund. General obligation refunding bonds issued for business-type activities are repaid from those activities. Business-type compensated absences will be liquidated by those activities.

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General Obligation Bonds

In December 2021, the City issued \$3,550,000 in debt to refund the General Obligation Refunding Bonds, Series 2011. As a result of the refunding, the City reduced its total debt service requirements by \$295,647, which resulted in an economic gain (difference between the present value of the debt service payments on the old and new debt) of \$279,484.

The City issues general obligation bonds to provide funds for the acquisition, construction and maintenance of major capital facilities. General obligation bonds have been issued for both governmental and business-type activities. General obligation bonds are direct obligations and pledge the full faith and credit of the government. The debt service requirements for the City's bonds payable are as follows:

Fiscal Year	Governmental Activities		Business-type Activities			Total
	Principal	Interest	Principal	Interest		
2023	\$ 393,813	\$ 30,250	\$ 96,187	\$ 7,388		\$ 527,638
2024	401,864	25,406	98,136	6,205		531,611
2025	405,882	20,464	99,118	4,997		530,461
2026	413,920	15,472	101,080	3,778		534,250
2027	417,868	10,380	102,132	2,535		532,915
2028	<u>425,975</u>	<u>5,240</u>	<u>104,025</u>	<u>1,279</u>		<u>536,519</u>
	<u><u>\$ 2,459,322</u></u>	<u><u>\$ 107,212</u></u>	<u><u>\$ 600,678</u></u>	<u><u>\$ 26,182</u></u>		<u><u>\$ 3,193,394</u></u>

Note 9: Lease Liability

The City leases equipment from various third parties to conduct its operations, the terms of which expire in 2027. The measurement of the lease payable is based on the present value of lease payments expected to be paid during the lease term, such as fixed payments, variable payments that depend on an index or rate, variable payments that are fixed in substance, residual value guarantee payments that are fixed in substance, and any lease incentives payable to the lessee.

An initial lease liability was recorded in the amount of \$33,420 during the current fiscal year. As of September 30, 2022, the value of the lease liability was \$28,508. Incremental borrowing rate of 1.23 percent was used to measure lease payables. The value of the right-to-use assets as of the end of the current fiscal year was \$33,420 and had accumulated amortization of \$5,013.

City of Ovilla, Texas
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The future principal and interest payments for lease liabilities as of June 30, 2022, are as follows:

Fiscal Year	Governmental Activities			Total
	Principal	Interest		
2023	\$ 6,574	\$ 314	\$	6,888
2024	6,655	232		6,887
2025	6,738	150		6,888
2026	6,821	66		6,887
2027	1,720	4		1,724
	<u>\$ 28,508</u>	<u>\$ 766</u>	<u>\$ 29,274</u>	

Note 10: Defined Benefit Pension Plan

Plan Description

The City participates as one of 901 plans in the nontraditional, jointly contributory, hybrid defined benefit pension plan administered by the Texas Municipal Retirement System (TMRS). TMRS is a statewide public retirement plan created by the State of Texas and administered in accordance with the TMRS Act, Subtitle G, Title 8, Texas Government Code (the TMRS Act) as an agent multiple-employer retirement system for employees of Texas participating cities. The TMRS Act places the general administration and management of TMRS with a six-member, Governor-appointed Board of Trustees; however, TMRS is not fiscally dependent on the State of Texas. TMRS issues a publicly available Annual Comprehensive Financial Report (ACFR) that can be obtained at www.tmrs.com.

All eligible employees of the City are required to participate in TMRS.

City of Ovilla, Texas

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Benefits Provided

TMRS provides retirement, disability, and death benefits. Benefit provisions are adopted by the governing body of the City, within the options available in the state statutes governing TMRS.

At retirement, the Member's benefit is calculated based on the sum of the Member's contributions, with interest, and the city-financed monetary credits with interest. The retiring Member may select one of seven monthly benefit payment options. Members may also choose to receive a portion of their benefit as a lump sum distribution in an amount equal to 12, 24 or 36 monthly payments, which cannot exceed 75 percent of the total Member contributions and interest.

Employees Covered by Benefit Terms

At the December 31, 2021 valuation and measurement date, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefits	17
Inactive employees entitled to but not yet receiving benefits	38
Active employees	33
	88

Contributions

Member contribution rates in TMRS are either 5 percent, 6 percent or 7 percent of the Member's total compensation, and the city matching percentages are either 100 percent, 150 percent or 200 percent, both as adopted by the governing body of the city. Under the state law governing TMRS, the contribution rate for each city is determined annually by the actuary, using the Entry Age Normal (EAN) actuarial cost method. The city's contribution rate is based on the liabilities created from the benefit plan options selected by the city and any changes in benefits or actual experience over time.

Employees for the City were required to contribute 7 percent of their annual compensation during the fiscal year. The contribution rates for the City were 10.20 percent and 9.72 percent in calendar years 2022 and 2021, respectively. The City's contributions to TMRS for the year ended September 30, 2022, were \$188,460, and were equal to the required contributions.

Net Pension Liability

The City's Net Pension Liability (NPL) was measured as of December 31, 2021, and the Total Pension Liability (TPL) used to calculate the Net Pension Liability was determined by an actuarial valuation as of that date.

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Actuarial Assumptions

The Total Pension Liability in the December 31, 2021, actuarial valuation was determined using the following actuarial assumptions:

Inflation	2.5% per year
Overall payroll growth	2.75% per year
Investment rate of return	6.75%, net of pension plan investment expense, including inflation

Salary increases are based on a service-related table. Mortality rates for active members are based on the PUB(10) mortality tables with the Public Safety table used for males and the General Employee table used for females. Mortality rates for healthy retirees and beneficiaries are based on the Gender-distinct 2019 Municipal Retirees of Texas mortality tables. The rates for actives, healthy retirees and beneficiaries are projected on a fully generational basis by Scale UMP to account for future mortality improvements. For disabled annuitants, the same mortality tables for healthy retirees are used with a 4- year set-forward for males and a 3-year set-forward for females. In addition, a 3.5 percent and 3.0 percent minimum mortality rate is applied, for males and females respectively, to reflect the impairment for younger members who become disabled. The rates are projected on a fully generational basis by Scale UMP to account for future mortality improvements subject to the floor.

The actuarial assumptions were developed primarily from the actuarial investigation of the experience of TMRS over the four-year period from December 31, 2014 to December 31, 2018. They were adopted in 2019 and first used in the December 31, 2019 actuarial valuation. The post-retirement mortality assumption for Annuity Purchase Rates (APRs) is based on the Mortality Experience Investigation Study covering 2009 through 2011 and dated December 31, 2013. Plan assets are managed on a total return basis with an emphasis on both capital appreciation as well as the production of income in order to satisfy the short-term and long-term funding needs of TMRS.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

The target allocation and best estimates of real rates of return for each major asset class in fiscal year 2022 are summarized in the following table:

Asset Class	Target Allocation	Long-term Expected Real Rate of Return (Arithmetic)
Global Equity	35.00%	7.55%
Core Fixed Income	6.00%	2.00%
Non-Core Fixed Income	20.00%	5.68%
Other Public and Private Markets	12.00%	7.22%
Real Estate	12.00%	6.85%
Hedge Funds	5.00%	5.35%
Private Equity	<u>10.00%</u>	10.00%
	<u>100.00%</u>	

Discount Rate

The discount rate used to measure the Total Pension Liability was 6.75 percent. The projection of cash flows used to determine the discount rate assumed that Member and employer contributions will be made at the rates specified in statute. Based on that assumption, the pension plan's Fiduciary Net Position was projected to be available to make all projected future benefit payments of current active and inactive Members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the Total Pension Liability.

Changes in the Net Pension Liability

	Increase (Decrease)		
	Total Pension Liability (a)	Plan Fiduciary Net Position (b)	Net Pension Liability (a) - (b)
Balances at October 1, 2021	\$ 4,019,953	\$ 3,752,139	\$ 267,814
Changes for the year:			
Service cost	272,492	-	272,492
Interest (on the total pension liability)	277,281	-	277,281
Difference between expected and actual experience	131,145	-	131,145
Changes of assumptions	-	-	-
Benefit payments, including refunds of employee contributions	(96,657)	(96,657)	-
Administrative expense	-	(2,263)	2,263
Contributions - member	-	124,102	(124,102)
Contributions - employer	-	172,325	(172,325)
Net investment income	-	489,139	(489,139)
Other	-	15	(15)
Net Changes	<u>584,261</u>	<u>686,661</u>	<u>(102,400)</u>
Balances at September 30, 2022	<u>\$ 4,604,214</u>	<u>\$ 4,438,800</u>	<u>\$ 165,414</u>

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

Sensitivity of the Net Pension Liability (Asset) to Changes in the Discount Rate

The following presents the net pension liability (asset) of the City, calculated using the discount rate of 6.75 percent, as well as what the City's net pension liability (asset) would be if it were calculated using a discount rate that is 1-percentage-point lower (5.75 percent) or 1-percentage-point higher (7.75 percent) than the current rate:

1% Decrease in Discount Rate (5.75%)	Current Single Rate Assumption (6.75%)	1% Increase in Discount Rate (7.75%)
\$ 870,109	\$ 165,414	\$ (411,434)

Pension Plan Fiduciary Net Position

Detailed information about the pension plan's Fiduciary Net Position is available in the Schedule of Changes in Fiduciary Net Position, by Participating City. That report may be obtained at www.tmrs.com.

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

For the year ended September 30, 2022, the City recognized pension expense of \$165,485.

At September 30, 2022, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference in expected and actual experience	\$ 118,164	\$ 2,508
Difference between projected and actual investment earnings on pension plan investments	-	249,853
Changes of assumptions	3,085	-
Contributions subsequent to the measurement date	146,829	-
Total	<u>\$ 268,078</u>	<u>\$ 252,361</u>

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

\$146,829 reported as deferred outflows of resources related to pensions resulting from contributions subsequent to the measurement date will be recognized as a reduction of the Net Pension Liability for the year ending September 30, 2023. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

2023	\$ 14,278
2024	(65,087)
2025	(33,130)
2026	(47,173)
	<u>\$ (131,112)</u>

Allocation of Pension Items

The City allocates pension items between governmental activities and business-type activities on the basis of employee payroll funding. For the governmental activities, the net pension liability is liquidated by the general fund. For the business type activities, the water and sewer fund liquidates the net pension liability.

Note 11: Postemployment Benefits Other Than Pensions

Plan Description

TMRS administers a defined benefit group-term life insurance plan known as the Supplemental Death Benefits Fund (SDBF). This is a voluntary program in which participating member cities may elect, by ordinance, to provide group-term life insurance coverage for their active members, including or not including retirees. As the SDBF covers both active and retiree participants with no segregation of assets, the SDBF is considered to be an unfunded OPEB plan (*i.e.*, no assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75).

Benefits Provided

The death benefit for active employees provides a lump-sum payment approximately equal to the employee's annual salary (calculated based on the employee's actual earnings for the 12-month period preceding the month of death). The death benefit for retirees is considered another postemployment benefit (OPEB) and is a fixed amount of \$7,500.

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

Employees Covered by Benefit Terms

At the December 31, 2021 valuation and measurement date, the following employees were covered by the benefit terms:

Inactive employees currently receiving benefits	11
Inactive employees entitled to but not yet receiving benefits	5
Active employees	<u>33</u>
	<u><u>49</u></u>

Benefit Payments

The City contributes to the SDBF at a contractually required rate as determined by an annual actuarial valuation. The rate is equal to the cost of providing one-year term life insurance. The funding policy for the SDBF program is to assure that adequate resources are available to meet all death benefit payments for the upcoming year. The intent is not to pre-fund retiree term life insurance during employees' entire careers.

The City's total SBDF contribution rates were 0.18 and 0.19 percent for calendar year 2022 and 2021, respectively. The retiree portion of the total SBDF contribution rates for the City were 0.08 percent in both calendar year 2022 and 2021.

Total OPEB Liability

The City's Total OPEB Liability (TOL) was measured as of December 31, 2021, and was determined by an actuarial valuation as of that date.

Actuarial Assumptions

The Total OPEB Liability in the December 31, 2021 actuarial valuation was determined using the following actuarial assumptions:

Actuarial Cost Method	Entry-Age Normal
Discount Rate	1.84% as of December 31, 2021 (2.00% as of December 31, 2020)
Inflation	2.50%
Salary Increase	3.50% to 11.50%, including inflation
Retirees' share of benefit related costs	\$0

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

Mortality rates for retirees and beneficiaries are based on the gender-distinct 2019 Municipal Retirees of Texas mortality tables. Based on the size of the City, rates are multiplied by an additional factor of 100.0 percent, which adds an additional layer of conservatism. The rates are projected on a fully generational basis by scale UMP to account for future mortality improvements. For disabled annuitants, the mortality tables for healthy retirees is used with a four-year set-forward for males and a three-year set-forward for females. In addition, a 3.5 percent and 3 percent minimum mortality rate is applied, for males and females respectively, to reflect the impairment for younger members who become disabled. The rates are projected on a fully generational basis by scale UMP to account for future mortality improvements subject to the floor.

The actuarial assumptions were developed primarily from the actuarial investigation of the experience of TMRS over the four-year period from December 31, 2014 to December 31, 2018. They were adopted in 2019 and first used in the December 31, 2019 actuarial valuation.

Discount Rate

The discount rate used to measure the Total OPEB Liability as of December 31, 2021 was 1.84 percent, compared to 2.00 percent as of December 31, 2020. Because the Supplemental Death Benefits Fund is considered an unfunded trust under GASB Statement No. 75, the relevant discount rate for calculating the Total OPEB Liability is based on the Fidelity Index's "20-Year Municipal GO AA Index" rate as of the measurement date of December 31, 2021.

Changes in the Total OPEB Liability

	Total OPEB Liability
Balance at October 1, 2021	\$ 92,421
Changes for the year:	
Service cost	7,623
Interest (on the total OPEB liability)	1,909
Difference between expected and actual experience	1,297
Changes in assumptions or other inputs	3,420
Benefit payments	<u>(1,596)</u>
Balance at September 30, 2022	<u><u>\$ 105,074</u></u>

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

Sensitivity of the Total OPEB Liability to Changes in the Discount Rate

The following presents the Total OPEB liability of the City, calculated using the discount rate of 1.84 percent, as well as what the City's total OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (0.84 percent) or 1-percentage-point higher (2.84 percent) than the current rate:

1% Decrease 0.84%	Current Discount Rate 1.84%	1% Increase 2.84%
\$ 130,682	\$ 105,074	\$ 85,581

OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

For the year ended September 30, 2022, the City recognized OPEB expense of \$14,092.

At September 30, 2022, the City reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference in expected and actual experience	\$ 5,164	\$ 2,741
Changes of assumptions	20,408	1,671
Contributions subsequent to the measurement date	2,591	-
Total	\$ 28,163	\$ 4,412

\$2,591 reported as deferred outflows of resources related to OPEB resulting from contributions subsequent to the measurement date will be recognized as a reduction of the total OPEB liability for the year ending September 30, 2023. Other amounts reported as deferred outflows and inflows of resources related to OPEB will be recognized in OPEB expense as follows:

2023	\$ 4,560
2024	4,560
2025	4,039
2026	5,156
2027	2,394
Thereafter	451
	<hr/>
	\$ 21,160

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

Allocation of OPEB Items

The City allocates OPEB items between governmental activities and business-type activities on the basis of employee payroll funding. For the governmental activities, the total OPEB liability is liquidated by the general fund. For the business type activities, the water and sewer fund liquidates the total OPEB liability.

Note 12: Commitments, Contingencies, and Uncertainties

Commitments

The City has entered into a memorandum of agreement with the City of Dallas, Texas to purchase treated water for a term of thirty years, expiring in 2039. The City pays for water based on the volume received at a flat rate as determined under the contract. The City of Dallas agrees to provide potable water to meet volume and demand requirements of the City. Delivery of potable water are subject to and limited to available system supply and system deliverability, as determined by the Director of Water Utilities of Dallas. If the City ceases to take water from the City of Dallas because other surface water supplies have been developed or acquired, the City shall for five years or the balance of this contract, whichever is less, remain liable for demand charges at the billing level in effect at such cessation.

Expenses incurred for the year ended September 30, 2022 were \$517,058.

The City has entered into a contract with the Trinity River Authority of Texas - Red Oak Creek Regional Wastewater System to obtain wastewater treatment services. In the contract, the Authority agreed to acquire and construct a regional wastewater treatment system to serve the City and other contractual parties, in the area of the watershed or drainage basin of Red Oak Creek, being a tributary of the Trinity River, and located in Ellis and Dallas Counties, Texas. The Trinity River Authority (TRA) is a governmental agency, which is controlled by directors appointed by the governor.

The City is responsible for a proportionate share of the system's annual operation, maintenance and debt service costs for the term of the contract. These costs are determined annually and are payable in monthly installments.

Expenses incurred for the year ended September 30, 2022 were \$425,082.

The City has entered into a contract with Progressive Waste Solutions of TX, Inc. that grants the exclusive right to operate and maintain the collection, transportation and recycling or disposal of municipal solid waste, expiring November 30, 2023.

Expenses incurred for the year ended September 30, 2022 were \$293,394.

City of Ovilla, Texas
Notes to the Financial Statements
September 30, 2022

Contingencies

Amounts received or receivable from grantor agencies are subject to audit and adjustment by grantor agencies. Any disallowed claims, including amounts already collected, may constitute a liability of the applicable funds. The amount, if any, of expenditures which may be disallowed by the grantor, cannot be determined at this time although the City expects such amounts, if any, to be immaterial.

Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The City maintains commercial insurance coverage covering each of those risks of loss. Management believes such coverage is sufficient to preclude any significant uninsured losses to the City. Settled claims have not exceeded this commercial coverage in any of the past three fiscal years.

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Required Supplementary Information

City of Ovilla, Texas
Required Supplementary Information
Schedule of Revenues, Expenditures, and Changes in Fund Balances
Budget to Actual – General Fund
Year Ended September 30, 2022

	Budgeted Amounts		Actual	Variance with Final Budget - Positive(Negative)
	Original	Final	Amounts	
REVENUES				
Property tax	\$ 2,473,690	\$ 2,473,690	\$ 2,340,067	\$ (133,623)
Sales tax	322,500	322,500	459,610	137,110
Franchise tax	165,000	165,000	179,990	14,990
Licenses and permits	146,100	146,100	459,232	313,132
Fines and forfeitures	76,650	76,650	119,373	42,723
Charges for services	702,631	702,631	615,996	(86,635)
Miscellaneous	158,000	158,000	174,619	16,619
Intergovernmental	-	-	146,889	146,889
Contributions and donations	8,000	8,000	7,349	(651)
Investment income	30,000	30,000	35,336	5,336
Total revenues	<u>4,082,571</u>	<u>4,082,571</u>	<u>4,538,461</u>	<u>455,890</u>
EXPENDITURES				
Current:				
General government	1,329,907	1,329,907	1,290,009	39,898
Public safety	2,246,105	2,246,105	2,403,685	(157,580)
Streets	303,600	303,600	360,070	(56,470)
Cultural and recreational	147,655	147,655	167,201	(19,546)
Solid waste	285,000	285,000	293,394	(8,394)
Debt service:				
Bond issuance costs	-	-	42,589	(42,589)
Leases	-	-	33,420	(33,420)
Capital outlay	<u>636,850</u>	<u>636,850</u>	<u>703,741</u>	<u>(66,891)</u>
Total expenditures	<u>4,949,117</u>	<u>4,949,117</u>	<u>5,294,109</u>	<u>(344,992)</u>
Excess (deficiency) of revenues over (under) expenditures	<u>(866,546)</u>	<u>(866,546)</u>	<u>(755,648)</u>	<u>110,898</u>
OTHER FINANCING SOURCES (USES)				
Insurance proceeds	-	-	81,598	81,598
Sale of capital assets	125,000	125,000	145,000	20,000
Refunding bonds issued	-	-	2,853,135	2,853,135
Payment to refunded bond escrow agent	-	-	(2,805,188)	(2,805,188)
Leases issued	-	-	33,420	33,420
Transfers out	-	-	-	-
Total other financing sources (uses), net	<u>125,000</u>	<u>125,000</u>	<u>321,731</u>	<u>196,731</u>
Net changes in fund balances	<u>(741,546)</u>	<u>(741,546)</u>	<u>(433,917)</u>	<u>307,629</u>
Fund Balances, Beginning of Year	<u>802,324</u>	<u>802,324</u>	<u>802,324</u>	<u>-</u>
Fund Balances, End of Year	<u>\$ 60,778</u>	<u>\$ 60,778</u>	<u>\$ 368,407</u>	<u>\$ 307,629</u>

City of Ovilla, Texas
Required Supplementary Information
Schedule of Changes in City's Net Pension Liability (Asset) and Related Ratios
Texas Municipal Retirement System (Unaudited)

	Measurement Year 2014	Measurement Year 2015	Measurement Year 2016	Measurement Year 2017	Measurement Year 2018	Measurement Year 2019	Measurement Year 2020	Measurement Year 2021
Total pension liability:								
Service cost	\$ 133,126	\$ 152,418	\$ 169,345	\$ 186,109	\$ 196,139	\$ 206,345	\$ 227,874	\$ 272,492
Interest (on the Total Pension Liability)	131,163	146,343	158,406	178,592	199,433	225,012	246,441	277,281
Difference between expected and actual experience	30,618	(33,064)	40,946	38,596	99,321	(14,448)	72,513	131,145
Change in assumptions	-	68,368	-	-	-	17,779	-	-
Benefit payments, including refunds of employee contributions	(73,514)	(101,887)	(70,894)	(85,146)	(113,964)	(128,138)	(127,831)	(96,657)
Net change in total pension liability	221,393	232,178	297,803	318,151	380,929	306,550	418,997	584,261
Total pension liability – beginning	1,843,952	2,065,345	2,297,523	2,595,326	2,913,477	3,294,406	3,600,956	4,019,953
Total pension liability – ending (a)	\$ 2,065,345	\$ 2,297,523	\$ 2,595,326	\$ 2,913,477	\$ 3,294,406	\$ 3,600,956	\$ 4,019,953	\$ 4,604,214
Plan fiduciary net position:								
Contributions – employer	\$ 65,545	\$ 87,584	\$ 93,871	\$ 113,088	\$ 136,171	\$ 129,665	\$ 148,148	\$ 172,325
Contributions – employee	94,459	69,779	75,265	82,978	99,975	94,654	105,497	124,102
Net investment income	107,420	3,054	143,377	327,413	(83,870)	438,791	255,845	489,139
Benefit payments, including refunds of employee contributions	(73,514)	(101,887)	(70,894)	(85,146)	(113,965)	(128,138)	(127,831)	(96,657)
Administrative expense	(1,121)	(1,861)	(1,623)	(1,700)	(1,623)	(2,481)	(1,656)	(2,263)
Other	(92)	(92)	(87)	(86)	(84)	(75)	(65)	15
City's net change in plan fiduciary net position	192,697	56,577	239,909	436,547	36,604	532,416	379,938	686,661
Plan fiduciary net position – beginning	1,877,451	2,070,148	2,126,725	2,366,634	2,803,181	2,839,785	3,372,201	3,752,139
Plan fiduciary net position – ending (b)	\$ 2,070,148	\$ 2,126,725	\$ 2,366,634	\$ 2,803,181	\$ 2,839,785	\$ 3,372,201	\$ 3,752,139	\$ 4,438,800
City's net pension liability (asset) – ending (a) – (b)	\$ (4,803)	\$ 170,798	\$ 228,692	\$ 110,296	\$ 454,621	\$ 228,755	\$ 267,814	\$ 165,414
Plan fiduciary net position as a percentage of total pension liability	100.23%	92.57%	91.19%	96.21%	86.20%	93.65%	93.34%	96.41%
Covered payroll	\$ 955,646	\$ 996,849	\$ 1,075,213	\$ 1,185,406	\$ 1,272,801	\$ 1,352,193	\$ 1,507,100	\$ 1,772,884
City's net pension liability (asset) as a percentage of covered payroll	-0.50%	17.13%	21.27%	9.30%	35.72%	16.92%	17.77%	9.33%

Other Information:

For the 2019 valuation, inflation used was 2.5%, investment rate of return and discount rate used was 6.75% and actuarial studies were updated through December 31, 2018.

This schedule is presented to illustrate the requirement to show information for 10 years. However, until a full 10-year trend is compiled, the City will present information for only those years for which information is available. Information has been determined as of the City's measurement date (December 31).

City of Ovilla, Texas
Required Supplementary Information
Schedule of City's Pension Contributions
Texas Municipal Retirement System (Unaudited)

	Fiscal Year 2015	Fiscal Year 2016	Fiscal Year 2017	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022
Actuarially determined contribution	\$ 76,327	\$ 90,963	\$ 108,758	\$ 119,502	\$ 131,837	\$ 139,428	\$ 175,591	\$ 188,460
Contribution in relation of the actuarially determined contribution	<u>76,327</u>	<u>90,963</u>	<u>108,758</u>	<u>119,502</u>	<u>131,837</u>	<u>139,428</u>	<u>175,591</u>	<u>188,460</u>
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Covered payroll	\$ 955,673	\$ 1,040,711	\$ 1,166,120	\$ 1,231,768	\$ 1,368,217	\$ 1,404,914	\$ 1,801,336	\$ 1,867,795
Contributions as a percentage of covered payroll	7.99%	8.74%	9.33%	9.70%	9.64%	9.92%	9.75%	10.09%

Notes to Schedule of Contributions

Valuation Date:

Notes

Actuarially determined contribution rates are calculated as of December 31 and become effective in January 13 months later.

Methods and Assumptions Used to Determine Contribution Rates:

Actuarial Cost Method	Entry Age Normal
Amortization Method	Level Percentage of Payroll, Closed
Remaining Amortization Period	23 years
Asset Valuation Method	10 Year smoothed market; 12% soft corridor
Inflation	2.50%
Salary Increases	3.50% to 11.50%, including inflation
Investment Rate of Return	6.75%
Retirement Age	Experience-based table of rates that are specific to the City's plan of benefits. Last updated for the 2019 valuation pursuant to an experience study of the period 2014 - 2018
Mortality	Post-retirement: 2019 Municipal Retirees of Texas Mortality Tables. The rates are projected on a fully generational basis with scale UMP. Pre-retirement: PUB(10) mortality tables, with the Public Safety table used for males and the General Employee table used for females. The rates are projected on a fully generational basis with scale UMP.

Other Information:

Notes

There were no benefit changes during the most recent fiscal year.

This schedule is presented to illustrate the requirement to show information for 10 years. However, until a full 10-year trend is compiled, the City will present information for only those years for which information is available. Information has been determined as of the City's most recent fiscal year-end (September 30).

City of Ovilla, Texas
Required Supplementary Information
Schedule of Changes in City's Total OPEB Liability and Related Ratios
Supplemental Death Benefit Plan (Unaudited)

	Measurement Year 2017	Measurement Year 2018	Measurement Year 2019	Measurement Year 2020	Measurement Year 2021
Total OPEB liability:					
Service cost	\$ 3,083	\$ 3,818	\$ 3,380	\$ 4,823	\$ 7,623
Interest (on the Total OPEB Liability)	1,782	1,864	1,907	1,932	1,909
Difference between expected and actual experience	-	(6,229)	916	5,148	1,297
Change in assumptions	4,343	(3,799)	12,356	12,915	3,420
Benefit payments, including refunds of employee contributions	(356)	(382)	(406)	(452)	(1,596)
Net change in Total OPEB liability	8,852	(4,728)	18,153	24,366	12,653
Total OPEB liability – beginning	45,778	54,630	49,902	68,055	92,421
Total OPEB liability – ending	\$ 54,630	\$ 49,902	\$ 68,055	\$ 92,421	\$ 105,074
Covered employee payroll	\$ 1,185,406	\$ 1,272,801	\$ 1,352,193	\$ 1,507,100	\$ 1,772,884
City's total OPEB liability as a percentage of covered employee payroll	4.61%	3.92%	5.03%	6.13%	5.93%

Notes to Schedule:

No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB 75 to pay related benefits.

Changes of Benefit Terms: None

Changes of Assumptions:

Changes of assumptions and other inputs reflect the effects of changes in the discount rate each period. The following are the discount rates used in each period:

2019	2.75%
2020	2.00%
2021	1.84%

This schedule is presented to illustrate the requirement to show information for 10 years. However, until a full 10-year trend is compiled, the City will present information for only those years for which information is available. Information has been determined as of the City's measurement date (December 31).

**Budgetary Comparison Schedules and
Combining Fund Financial Statements**

City of Ovilla, Texas
Schedule of Revenues, Expenditures, and Changes in Fund Balances
Budget to Actual – Debt Service Fund
Year Ended September 30, 2022

	Budgeted Amounts		Actual Amounts	Variance with Final Budget - Positive(Negative)
	Original	Final		
REVENUES				
Property tax	\$ 452,450	\$ 452,450	\$ 592,266	\$ 139,816
Investment income	100	100	13,205	13,105
Total revenues	<u>452,550</u>	<u>452,550</u>	<u>605,471</u>	<u>152,921</u>
EXPENDITURES				
Debt service:				
Principal retirement	425,000	425,000	393,813	31,187
Interest and fiscal charges	137,950	137,950	24,079	113,871
Total expenditures	<u>562,950</u>	<u>562,950</u>	<u>417,892</u>	<u>145,058</u>
Excess (deficiency) of revenues over (under) expenditures	<u>(110,400)</u>	<u>(110,400)</u>	<u>187,579</u>	<u>297,979</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	110,400	110,400	104,520	5,880
Total other financing sources (uses), net	<u>110,400</u>	<u>110,400</u>	<u>104,520</u>	<u>5,880</u>
Net changes in fund balances	-	-	292,099	303,859
Fund Balances, Beginning of Year	<u>276,168</u>	<u>276,168</u>	<u>276,168</u>	<u>-</u>
Fund Balances, End of Year	<u>\$ 276,168</u>	<u>\$ 276,168</u>	<u>\$ 568,267</u>	<u>\$ 303,859</u>

City of Ovilla, Texas
Schedule of Revenues, Expenditures, and Changes in Net Position
Budget to Actual – Water and Sewer Fund
Year Ended September 30, 2022

	Budgeted Amounts		Actual Amounts	Variance with Final Budget - Positive (Negative)
	Original	Final		
OPERATING REVENUES				
Water sales	\$ 900,000	\$ 900,000	\$ 1,140,145	\$ 240,145
Sewer service charges	425,000	425,000	475,704	50,704
Impact fees	53,852	53,852	689,895	636,043
Infrastructure improvement fees	64,000	64,000	114,955	50,955
Miscellaneous	80,000	80,000	311,160	231,160
Total revenues	<u>1,522,852</u>	<u>1,522,852</u>	<u>2,731,859</u>	<u>1,209,007</u>
OPERATING EXPENSES				
Water administration	531,748	531,748	175,780	355,968
Water	1,465,474	1,465,474	806,400	659,074
Sewer	582,342	582,342	639,737	(57,395)
Depreciation	-	-	207,079	(207,079)
Total expenditures	<u>2,579,564</u>	<u>2,579,564</u>	<u>1,828,996</u>	<u>750,568</u>
Operating income (loss)	<u>(1,056,712)</u>	<u>(1,056,712)</u>	<u>902,863</u>	<u>1,959,575</u>
NONOPERATING REVENUES (EXPENSES)				
Investment earnings	50	50	42	8
Grant revenue		-	533,776	(533,776)
Bond issuance cost	-	-	(10,371)	10,371
Interest expense	-	-	(5,501)	(5,501)
Total nonoperating revenues (expenses)	<u>50</u>	<u>50</u>	<u>517,946</u>	<u>(528,898)</u>
Income before transfers, net	<u>(1,056,662)</u>	<u>(1,056,662)</u>	<u>1,420,809</u>	<u>1,430,677</u>
Transfers out	<u>-</u>	<u>-</u>	<u>(109,272)</u>	<u>(109,272)</u>
Transfers, net	<u>-</u>	<u>-</u>	<u>(109,272)</u>	<u>(109,272)</u>
Change in Net Position	<u>(1,056,662)</u>	<u>(1,056,662)</u>	<u>1,311,537</u>	<u>2,368,199</u>
Net Position, Beginning of Year	<u>3,094,806</u>	<u>3,094,806</u>	<u>3,094,806</u>	<u>-</u>
Net Position, End of Year	<u>\$ 2,038,144</u>	<u>\$ 2,038,144</u>	<u>\$ 4,406,343</u>	<u>\$ 2,368,199</u>

Nonmajor Governmental Funds

Special Revenue Funds

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

Fire Department Auxiliary – This fund is used to account for donations to the Fire Department which in turn are spent on education, firefighter awards banquet and community services such as National Night Out and Heritage Day.

Park Impact Fees – This fund is used to account for funds received from an impact fee assessed through new building permits and is used to purchase new park equipment and make improvements to our parks.

Police Department Special – This fund is used to account for donations to the Police Department which in turn are spent on education, protective equipment, police awards and community services such as National Night Out and Heritage Day.

Court Technology Fund – This fund accounts for the collection of a municipal court technology fee. The proceeds of a fee attached to each conviction are dedicated to acquisition of technology that enhances the operation efficiency of the court.

Court Security Fund – This fund accounts for the collection of a municipal court security fee. The proceeds of a fee attached to each conviction are dedicated to secure the municipal court.

City of Ovilla, Texas
Combining Balance Sheet
Nonmajor Governmental Funds
September 30, 2022

	Fire Department Auxiliary Fund	Park Impact Fees Fund	Police Department Special Fund	Court Technology Fund	Court Security Fund	Total Nonmajor Governmental Funds
ASSETS						
Cash and cash equivalents	\$ 3,590	\$ 87,512	\$ 1,965	\$ 11,583	\$ 28,801	\$ 133,451
Receivables	-	-	-	-	-	-
Due from other funds	-	335	-	-	-	335
Total assets	<u>3,590</u>	<u>87,847</u>	<u>1,965</u>	<u>11,583</u>	<u>28,801</u>	<u>133,786</u>
LIABILITIES						
Accounts payable	-	38,186	-	-	-	38,186
Total liabilities	<u>-</u>	<u>38,186</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>38,186</u>
FUND BALANCES						
Restricted						
Public safety	3,590	-	1,965	11,583	28,801	45,939
Cultural and recreational	-	49,661	-	-	-	49,661
Streets	-	-	-	-	-	-
Total fund balances	<u>3,590</u>	<u>49,661</u>	<u>1,965</u>	<u>11,583</u>	<u>28,801</u>	<u>95,600</u>
Total liabilities and fund balances	<u>\$ 3,590</u>	<u>\$ 87,847</u>	<u>\$ 1,965</u>	<u>\$ 11,583</u>	<u>\$ 28,801</u>	<u>\$ 133,786</u>

City of Ovilla, Texas
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances
Nonmajor Governmental Funds
For the Year Ended September 30, 2022

	Fire Department Auxiliary Fund	Park Impact Fees Fund	Police Department Special Fund	Court Technology Fund	Court Security Fund	Total Nonmajor Governmental Funds
REVENUES						
Sales tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fines and forfeitures	-	-	-	3,239	3,872	7,111
Special assessment	-	41,480	-	-	-	41,480
Total revenues	<u>-</u>	<u>41,480</u>	<u>-</u>	<u>3,239</u>	<u>3,872</u>	<u>48,591</u>
EXPENDITURES						
Public safety	-	-	-	-	880	880
Cultural and recreational	-	11,967	-	-	-	11,967
Capital outlay	-	29,218	-	-	-	29,218
Total expenditures	<u>-</u>	<u>41,185</u>	<u>-</u>	<u>-</u>	<u>880</u>	<u>42,065</u>
Excess (deficiency) of revenues over (under) expenditures	<u>-</u>	<u>295</u>	<u>-</u>	<u>3,239</u>	<u>2,992</u>	<u>6,526</u>
OTHER FINANCING SOURCES (USES)						
Transfers out	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total other financing sources (uses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net change in fund balances	-	295	-	3,239	2,992	6,526
Fund balances, beginning of year	<u>3,590</u>	<u>49,366</u>	<u>1,965</u>	<u>8,344</u>	<u>25,809</u>	<u>89,074</u>
Fund balances, end of year	<u>\$ 3,590</u>	<u>\$ 49,661</u>	<u>\$ 1,965</u>	<u>\$ 11,583</u>	<u>\$ 28,801</u>	<u>\$ 95,600</u>

Discretely Presented Component Units

Ovilla 4B Economic Development Corporation – to aid, promote and further economic development within the City.

Ovilla Municipal Development District – to fund public projects to maintain or enhance the quality of life in the City.

City of Ovilla, Texas
Balance Sheet/Statement of Net Position
Discretely Presented Component Units
September 30, 2022

	Ovilla 4B Economic Development Corporation	Ovilla Municipal Development District
ASSETS		
Cash and cash equivalents	\$ 760,702	\$ 148,190
Receivables	41,804	22,155
Prepaid expenses	114	-
Total assets	<u>802,620</u>	<u>170,345</u>
LIABILITIES		
Accounts payable	-	98,759
Due to primary government	<u>37,335</u>	<u>625</u>
Total liabilities	<u>37,335</u>	<u>99,384</u>
FUND BALANCES/NET POSITION		
Restricted:		
Economic development	765,285	-
Municipal development	-	70,961
Total fund balances/net position	<u>765,285</u>	<u>70,961</u>
Total liabilities and fund balances/net position	<u>\$ 802,620</u>	<u>\$ 170,345</u>

City of Ovilla, Texas
Statement of Revenues, Expenditures, and Changes
in Fund Balances/Net Position
Discretely Presented Component Units
For the Year Ended September 30, 2022

	Ovilla 4B Economic Development Corporation	Ovilla Municipal Development District
REVENUES		
Sales tax	\$ 229,806	\$ 125,245
Interest income	6,617	2,074
Total revenues	<u>236,423</u>	<u>127,319</u>
EXPENDITURES		
Economic development	441,193	-
Municipal development	-	332,880
Total expenditures	<u>441,193</u>	<u>332,880</u>
Excess of revenues over expenditures	<u>(204,770)</u>	<u>(205,561)</u>
Net change in fund balances	(204,770)	(205,561)
Fund Balances/Net Position, Beginning of Year	<u>970,055</u>	<u>276,522</u>
Fund Balances/Net Position, End of Year	<u>\$ 765,285</u>	<u>\$ 70,961</u>

AGENDA ITEM REPORT Item #2

Meeting Date: March 13, 2023

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Reviewed By: City Manager

City Secretary

City Attorney

Finance Director

Other:

AGENDA ITEM:

ITEM 2. DISCUSSION/ACTION – Consideration of and action on and consideration of Resolution No. 2023-03 a Resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.

Attachments:

1. Resolution 2023-03
2. Staff Report

Discussion / Justification:

Background: Most municipalities have retained original jurisdiction over gas utility rates and services within municipal limits. The Atmos Cities Steering Committee (“ACSC”) is composed of 184 municipalities in the service area of Atmos Energy Corporation, Mid-Tex Division that have retained original jurisdiction. Atmos is a monopoly provider of natural gas. Because Atmos has no competitors, regulation of the rates that it charges its customers is the only way that cities can ensure that natural gas rates are fair. Working as a coalition to review the rates charged by Atmos allows cities to accomplish more collectively than each city could do acting alone. Cities have more than 100 years experience in regulating natural gas rates in Texas.

ACSC is the largest coalition of cities served by Atmos Mid-Tex. There are 184 ACSC member cities, which represent more than 60 percent of the total load served by Atmos-Mid Tex. ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of residential and small commercial customers within the cities. Although many of the activities undertaken by ACSC are connected to rate cases (and therefore expenses are reimbursed by the utility), ACSC also undertakes additional activities on behalf of municipalities for which it needs funding support from its members.

Recommendation / Staff Comments:

Staff Recommends: Approval

Sample Motion(s):

I move to approve/deny Resolution No. 2023-03 a Resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.

RESOLUTION NO. 2023-03

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

WHEREAS, the City of Ovilla is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and

WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and

WHEREAS, the City is a member of ACSC; and

WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs; NOW THEREFORE,

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

I.

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

II.

The City is further authorized to pay its 2023 assessment to the ACSC in the amount of five cents (\$0.05) per capita.

III.

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

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

PRESENTED AND PASSED on this the 13th day of March 2023, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of Ovilla, Texas.

Signature
Mayor

ATTEST:

Signature
City Secretary

APPROVED AS TO FORM:
City Attorney

BY _____

STAFF REPORT ON ASSESSMENT RESOLUTION FOR ATMOS CITIES STEERING COMMITTEE

Purpose of the Resolution:

Most municipalities have retained original jurisdiction over gas utility rates and services within municipal limits. The Atmos Cities Steering Committee (“ACSC”) is composed of 184 municipalities in the service area of Atmos Energy Corporation, Mid-Tex Division that have retained original jurisdiction. Atmos is a monopoly provider of natural gas. Because Atmos has no competitors, regulation of the rates that it charges its customers is the only way that cities can ensure that natural gas rates are fair. Working as a coalition to review the rates charged by Atmos allows cities to accomplish more collectively than each city could do acting alone. Cities have more than 100 years experience in regulating natural gas rates in Texas.

ACSC is the largest coalition of cities served by Atmos Mid-Tex. There are 184 ACSC member cities, which represent more than 60 percent of the total load served by Atmos-Mid Tex. ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of residential and small commercial customers within the cities. Although many of the activities undertaken by ACSC are connected to rate cases (and therefore expenses are reimbursed by the utility), ACSC also undertakes additional activities on behalf of municipalities for which it needs funding support from its members.

The ACSC Membership Assessment Supports Important Activities:

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

Explanation of Resolution Paragraphs:

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

Payment of Assessment

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

2022 ACSC



2022 YEAR IN REVIEW ISSUE

This past year was a busy one for ACSC. This annual review highlights the significant events of 2022 that impacted ACSC and what's on the horizon next year.



ACSC Welcomes New 2022 Members

The Atmos Cities Steering Committee welcomed several new members to the coalition in 2022, including Archer City, Belton and Seymour. ACSC, an organization of more than 180 cities in north and central Texas with nearly 1.2 million residential customers, is one of the state's most important municipal coalitions active at the Texas Railroad Commission in ratemaking matters. Membership is determined by passage of a resolution by each governing body.

RRC Amends Gas Facilities Rules

On November 1, the Texas Railroad Commission updated rules relating to the designation of natural gas facilities as critical during emergencies.

Initially proposed last year by the Railroad Commission as part of its implementation of Senate Bill 3 and House Bill 3648 from the 87th Texas Legislature, the rules specify how the agency designates certain gas facilities as critical," which is particularly important when it comes to the power grid. This is because natural gas suppliers fuel many electric generators and failures by the gas industry have been identified as major contributing factors behind last year's rolling outages.

The Railroad Commission initially adopted the rules in November 2021, but then re-opened the rulemaking process soon afterwards there-after in response to additional staff and stakeholder input. On November 1, 2022 the three-member panel adopted new changes, many of them technical in nature. The rules took effect on November 21.

The Details

Some of the adopted changes incorporate suggestions from the Atmos Cities Steering Committee. For instance, the agency agreed to further clarify the process that gas facilities must follow when requesting critical designations, as per an ACSC suggestion. The agency also agreed to clarify how the agency makes such designations, as per an ACSC suggestion. Some of the other changes include the following:

- The Commission adopted amendments to provide more certainty regarding the definition of "energy emergency." In specific terms, the Commission adopted amendments to define an event with "potential to result in firm load shed" as when the reliability coordinator of a power region in Texas issues an Energy Emergency Alert Level 1 or 2.
- The Commission adopted amendments to the list of critical gas suppliers to exclude gas wells producing an average

of 250 Mcf of natural gas per day or less and oil leases producing an average of 500 Mcf of natural gas per day or less.

- The Commission adopted amendments clarifying that certain facilities designated as critical may request an exception unless the facility is included on the electricity supply chain map. The amendments likewise clarify acceptable reasons for requesting an exception.

More Information

More information about the rule designated as 16 TAC § 3.65 can be found at the Railroad Commission website.

Railroad Commission Sets Emergency Gas Curtailment Rules

In response to the massive gas supply failures during Winter Storm Uri, the Texas Railroad Commission on April 12 updated its rules governing emergency service priorities.

As a result of the action, gas suppliers will have to follow new rules during those emergency situations when they lack sufficient supply to serve all customers. The Atmos Cities Steering Committee earlier expressed general support for a draft of the new rules.

In specific terms, the agency reset its 1970s-era “Order 489” that relates to gas deliveries during “curtailment events;” i.e., when gas utilities lack sufficient supply to serve all customers. The new action amends a section of the Texas Administrative Code (16 TAC § 7.455) relating to curtailment standards and likewise repeals a

section of the Texas Administrative Code (16 TAC § 7.305) relating to the commission’s existing curtailment program.

Prioritizing Human-Needs Customers

Of particular importance, the rules set forth various service priorities for gas suppliers that find themselves unable to meet all their firm delivery obligations. The rules name human-needs customers — such as residences, hospitals, water and wastewater facilities, and emergency responder facilities — as the top priority for gas service, as well as electric generation facilities. It then sets forth other customer categories, in priority-order of service. The agency’s three commissioners adopted the new rules after only a brief discussion, and they took effect on September 1.

Lawmakers Begin Filing Energy-Related Bills in Advance of 88th Legislature

The next Regular Session of the Texas Legislature — the 88th — convenes on January 10. Some of the bills filed so far would affect gas utility customers, including residential customers living within cities served by the Atmos Cities Steering Committee. However, given that Texas hasn’t suffered a repeat energy crisis like the one brought on by Winter Storm Uri, don’t expect to see a flood of energy-related bills similar to what the legislature experienced in 2021.

Two bills of interest we’ve seen filed so far are House Bills 697 and 743, by Reps. Justin Holland and Jay Dean respectively. Under HB 697 home sellers would be required to reveal the sort of gas piping installed at their residence. The disclosure holds importance for customer safety given that older iron pipes have been associated with various fatal accidents. Under House Bill 743, cities and counties would be prohibited from adopting ordinances that restrict the use of gas appliances in residential or commercial buildings. The issue has been pressed in recent years by gas utilities as they have witnessed a reduction in the use of gas appliances nationwide for environmental reasons.

Railroad Commission Oks Securitization Financing Order

On February 8, the Texas Railroad Commission approved a \$3.4 billion financing order to pay natural gas costs from Winter Storm Uri.

Under the regulatory action, ratepayers will end up paying potentially for decades for fuel they consumed during the weeklong storm. The Railroad Commission had given its initial OK in November 2021, and the February action pushed the process forward by directing a separate agency known as the Texas Public Finance Authority to issue the bonds.

Atmos, CenterPoint, Texas Gas Service and 8 other gas utilities applied for financial recovery under the debt financing deal, which utilities promote as a method to help their customers avoid rate shock. Under ordinary circumstances, the cost of natural gas consumed by utility customers would have flowed directly into monthly bills. During last year's Winter Storm Uri, however, gas prices spiked to intolerable levels and so gas utilities instead set aside those fuel costs as "regulatory assets" to deal with later. The new bond financing allows utilities to receive reimbursements for these expenses. The downside for ratepayers, however, is that they will have to pay off the bonds over many years and with interest. The size of the resulting bill charges remains unclear.

UTILITIES PARTICIPATING IN PROGRAM

Under the financing order, Atmos Energy can receive reimbursements under the bond financing arrangement for approximately \$2 billion in fuel costs, CenterPoint can

receive approximately \$1.1 billion and TGS can receive \$197.3 million. Other utilities to receive recovery include Bluebonnet, Corix, EPCOR, SiEnergy, UniGas, TGS West Texas Service Area and CoServ.

The bond financing process (known as "securitization") received authorization in 2021 by the Texas Legislature, under House Bill 1520. By law, gas distribution utilities such as Atmos, CenterPoint and TGS cannot profit from the sale of the gas commodity, but instead must pass those costs directly to end users without markups.

UTILITY	STIPULATED MAXIMUM REGULATORY ASSET AMOUNT
Atmos	\$2,021,888,534
Bluebonnet	\$1,962,731
CenterPoint	\$1,099,929,626
Corix	\$294,407
EPCOR	\$11,296,221
SiEnergy	\$18,795,497
TGS	\$197,342,375
UniGas	\$32,431,370
TGS WTSA	\$59,663,320
CoServ	\$67,224,791

Atmos Reports More Financial Gains

Atmos Energy announced consolidated net income of \$774.4 million for the year ending September 30, 2022. In a Nov. 10 call with financial analysts, the company also said its capital expenditures totaled \$2.4 billion for the year, with capital expenditures expected to approximate \$2.7 billion in fiscal 2023.

Due to the availability of interim rate mechanisms (such as the Gas Reliability Infrastructure Program in Texas that allows the utility to promptly implement rate increases), Atmos said that 90 percent of its annual capital expenditures begin to earn financial returns within six months.

Atmos noted that average residential monthly customer bills were \$68 in the 2022 fiscal year, will rise to an estimated \$79 in fiscal 2023, and rise to an estimated \$91 in 2027. Meanwhile, the portion of customer bills associated with pass-through gas costs will decline — from about 50 percent in 2023, to 35 percent in 2027.

In addition to the effect of rate increases, some of the company's revenue growth has been driven by a growth in the number of its customers. Atmos noted that it added 62,000 customers in Texas during the 2022 fiscal year, including 50 new industrial customers. It estimated that it will add 120 industrial customers over the next three years.

The company said that 2022 marked the 20th consecutive year for earnings per share growth, and 39th consecutive year of dividend increases.

During the earnings call, Atmos also revealed other details regarding its financial performance:

Results for the Fiscal Year Ending September 30, 2022.

Consolidated operating income increased \$16 million to \$921 million for the year ending September 30, compared to \$905 million during the previous year. Refunds of excess deferred income taxes reduced operating income by \$111.8 million, although that was substantially offset by a corresponding decrease in income tax expenses. Excluding the impact of these refunds, operating income increased \$127.8 million because of rate increases, customer growth in distribution operations and other factors.

Distribution operating income decreased \$14 million to \$604.5 million for the year ending September 30, as compared with \$618.5 million during the corresponding prior-year period. Refunds of excess deferred taxes reduced operating income by \$98.5 million year over year, while a \$149.9 million increase in rates, customer growth of \$15.2 million and other factors drove up revenues.

Pipeline and storage operating income increased \$29.9 million to \$316.4 million for the year ending September 30, as compared with \$286.5 million during the prior year. Key operating drivers for this segment include a \$70.4 million increase from GRIP filings approved in fiscal 2021 and 2022.

Capital expenditures increased \$474.9 million to \$2.4 billion for the year ending September 30, compared with \$2 billion during the prior year.

2022 Atmos RRM and GRIP Orders

Two of the most significant rate-setting mechanisms employed by the Atmos gas utility are the Gas Reliability Infrastructure Program (GRIP) and the Rate Review Mechanism (RRM). The first, GRIP, was created by the Texas Legislature; the other, the RRM, does not exist in statute but rather is the result of various covenants reached between the Atmos utility and participating member governments of the Atmos Cities Steering Committee.

Both GRIP and the RRM permit Atmos to hike rates on an annual basis. However, under GRIP, Atmos can effectuate these hikes without any contemporaneous and substantive regulatory review. This means that under GRIP, Atmos (or any other utility that employs it) can increase rates without consideration of offsetting savings, without consideration of revenue levels — without even consideration of the prudence of their underlying investments.

The RRM, by contrast, requires utilities to submit their rate requests to regulatory scrutiny, sets forth various deadlines for expedited reviews of those rate requests, and allows for examination of various mitigating factors that can limit rate hikes and potentially save money for Texas gas consumers. While outcomes may vary from year to year, on balance the RRM process

consistently provides better long-term outcomes for ratepayers than GRIP.

Atmos, which serves about 2 million customers in north, central and west Texas, employs the RRM only in areas falling within the boundaries of ACSC cities. It employs GRIP in those sections of its service territory lying outside the territorial boundaries of ACSC cities and within some non-ACSC cities. Under GRIP, utilities can hike rates once per year for six years before submitting to a more thorough rate case at the Texas Railroad Commission.

Just below we summarize 2022 rate increases for Atmos customers under both mechanisms.

Atmos Mid-Tex RRM

On April 1, 2022, Atmos filed a rate request under the Rate Review Mechanism process claiming that it was entitled to additional system-wide revenues of \$141.3 million for its Mid-Tex service territory, based on a 2021 test year. Under a 2022 settlement, that amount will be reduced to \$115 million, \$83.26 million of which would be applicable to ACSC members. ACSC's consultants concluded that the system-wide deficiency under the RRM regime should be \$95.8 million instead of the claimed \$141.3 million. The effective date for the new

rates was October 1, 2022. The impact of the settlement on average residential rates is an increase of \$4.60 monthly, or 6.7 percent. The increase for average commercial usage will be \$14.34 or 4.3 percent.

Atmos West Texas RRM

On April 1, 2022, Atmos filed a rate request under the Rate Review Mechanism process claiming it was entitled to additional revenues of \$8.77 million for 71 ACSC cities within the company's West Texas service territory, based on a 2021 test year. Under a 2022 settlement, that amount will be reduced to \$6.72 million. The impact of this increase to an average residential customer's bill is approximately \$3.36 per month. Comparison of these new rates to rates in effect for areas not under the RRM process reveals that settling cities will maintain an economic monthly rate advantage over Lubbock, and West Texas service territory environs.

Mid-Tex GRIP

On Feb. 25, 2022, Atmos filed for a GRIP increase for the unincorporated areas of its Mid-Tex Division, which has approximately 2,747,558 customers, of which 83,056 were subject to the new GRIP order. The GRIP filing is the fourth since the company's most recent rate case in 2018. Under a June 7, 2022, GRIP order, the approved revenue requirement increase in the West Texas service area is \$128,361,676, of which \$5,645,756 is to be recovered from customers subject to the order. The GRIP filing will result in an increased residential customer charge of

\$5.15 per month. More information can be found on the Railroad Commission website, under Case No. 00008887.

West Texas GRIP

On Feb. 25, 2022, Atmos filed for a GRIP increase for the unincorporated areas of its West Texas Division, which has approximately 314,896 customers. However, 22,532 customers were subject to the new GRIP order. The GRIP filing is the fourth since the company's most recent rate case, in 2018. The Texas Railroad Commission approved the GRIP adjustment on June 7, 2022. Under it, the approved revenue requirement increase in the West Texas service area is \$14,686,365, of which \$1,221,084 is to be recovered from customers subject to the order. The GRIP filing will result in an increase in the residential customer charge of \$3.20 per month, bringing the total customer charge to \$27.99. More information can be found on the Railroad Commission website, under Case No. 00008885.

Expected 2023 RRM, GRIP and DARR Activities

- Atmos anticipates making a GRIP filing for its Texas Pipeline division in February 2023, with new rates anticipated for the third quarter of 2023.
- Atmos anticipates making a Dallas Annual Rate Review ("DARR") filing in January 2023, with new rates anticipated for the fourth fiscal quarter of 2023.
- Atmos anticipates making Rate Review Mechanism ("RRM") filings for Mid-Tex and West Texas Cities in April 2023, with new rates anticipated for the first fiscal quarter of 2024

2023 ACSC Meetings

March 9

June 8—Zoom only

September 7

December 7—Zoom only

2023 Officers

Chair—Jennifer Richie (Waco)

Vice Chair—Meg Jakubik (Bedford)

Secretary—Lupe Orozco (Keller)

Treasurer—David Johnson (Arlington)

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



Thomas L. Brocato
(512) 322-5857
tbrocato@lglawfirm.com

Jamie Mauldin
(512) 322-5890
jmauldin@lglawfirm.com

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

Invoice

Date	Invoice #
1/31/2023	23-115

Bill To
City of Ovilla

Item	Population	Per Capita	Amount
2023 Membership Assessment	4,349	0.05	217.45
Please make check payable to: Atmos Cities Steering Committee and mail to Atmos Cities Steering Committee, Attn: Brandi Stigler, Arlington City Attorney's Office, 101 S. Mesquite St., Ste 300, MS #63-0300, Arlington, Texas 76010			Total \$217.45

AGENDA ITEM REPORT Item #3

Meeting Date: March 13, 2023

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Fire Chief Kennedy

Reviewed By: City Manager

City Secretary

City Attorney

Finance Director

Other: Fire Chief

AGENDA ITEM:

ITEM 3. DISCUSSION/ACTION – Consideration of and action on Resolution No. R 2023-04 a Resolution of the City Council of the City of Ovilla, Texas adopting the 2022 Ellis County Hazard Mitigation Plan.

Attachments:

1. Resolution R2023-04 Adopting the 2022 Ellis County HMP.

Discussion / Justification:

Background: Ellis County and local jurisdictions were awarded the PDM19 grant (in January 2020) to partner with the North Central Texas Council of Governments (NCTCOG) to update the [2015 Ellis County HazMAP plan](#). This plan which was reviewed by the Ovilla City Council and representatives of Ellis County in June of 2022, identifies the natural hazards, vulnerabilities, and mitigation strategies for future impacts faced by your jurisdiction.

The Ellis County Hazard Mitigation Action Plan has been developed by the Ellis County Hazard Mitigation Planning Team (HMPT). The plan represents the collective efforts of citizens, elected and appointed government officials, business leaders, non-profit organizations, and other stakeholders.

Through the development of this plan, the Planning Team has identified the natural hazards that could affect Ellis County and has evaluated the risks associated with these hazards. The implementation of this plan will make Ellis County more disaster-resistant because of the benefits that can be gained by planning ahead and taking measures to reduce damages before the next disaster strikes have been recognized.

The plan will allow Ellis County and participating jurisdictions to comply with the Disaster Mitigation Act of 2000 (DMA 2000) and its implementing regulations 44 CFR Part 201.6, thus resulting in eligibility to apply for federal aid for technical assistance and post-disaster hazard mitigation project funding.

Additionally, this plan will help Ellis County and local jurisdictions be eligible for mitigation grant funding opportunities.

Recommendation / Staff Comments:

Staff Recommends: Approval

Sample Motion(s):

I move to approve/deny Resolution No. R 2023-04 a Resolution of the City Council of the City of Ovilla, Texas adopting the 2022 Ellis County Hazard Mitigation Plan.

RESOLUTION NO. 2023-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, ADOPTING THE 2022 ELLIS COUNTY HAZARD MITIGATION PLAN.

WHEREAS the (local governing body) recognizes the threat that natural hazards pose to people and property within Ellis County; and

WHEREAS the County of Ellis has prepared a multi-hazard mitigation plan, hereby known as 2022 Ellis County Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS 2022 Ellis County Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in **(local community)** from the impacts of future hazards and disasters; and

WHEREAS adoption by the City of Ovilla demonstrates their commitment to the hazard mitigation and achieving the goals outlined in the 2022 Ellis County Hazard Mitigation Plan.

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

SECTION 1. In accordance with The City of Ovilla, the City Council adopts the 2022 Ellis County Hazard Mitigation Plan.

SECTION 2. This resolution shall be in force and effect immediately upon passage and approval.

ADOPTED by a vote of ____ in favor and ____ against, and ____ abstaining, this 13th day of March 2023.

CITY OF OVILLA, TEXAS

Richard Dormier, Mayor

ATTEST:

Bobbie Jo Taylor, City Secretary

AGENDA ITEM REPORT Item #4

Meeting Date: March 13, 2023

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Reviewed By: City Manager

City Secretary

City Attorney

Finance Director

Other:

AGENDA ITEM:

ITEM 4. DISCUSSION/ACTION – Consideration of and action on Ordinance 2023-06 an Ordinance of the City of Ovilla, Texas, declaring unopposed candidates in the May 06, 2023, General City Election elected to office; canceling the General Election; providing a savings clause; providing a severability clause; and providing an effective date.

Attachments:

1. Ordinance 2023-06 Canceling the May 6, 2023 General Election

Discussion / Justification:

Background: Following the period from January 18th through February 17th the “sign-up” time frame to file an application for a place on the ballot the following candidates have been certified as unopposed by the City Secretary:

Richard Dormier – Mayor
Dean Oberg – Place 2
Doug Hunt – Place 4

The certification of unopposed candidates was delivered to the governing body by email on 2/22/2023 as required by Section 6.12 of the Election Code. The City of Ovilla is still holding the special election on the imposition of the street tax and therefore, the ballot will be prepared and state that the above candidates have been declared elected. The certificate of election will be issued to each candidate when the city canvasses the special election in May.

Recommendation / Staff Comments:

Staff Recommends: Approval

Sample Motion(s):

I move to approve/deny Ordinance 2023-06 an Ordinance of the City of Ovilla, Texas, declaring unopposed candidates in the May 06, 2023, General City Election elected to office; canceling the General Election; providing a savings clause; providing a severability clause; and providing an effective date.

ORDINANCE 2023-06

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, DECLARING UNOPPOSED CANDIDATES IN THE MAY 06, 2023 GENERAL CITY ELECTION ELECTED TO OFFICE; CANCELING THE GENERAL ELECTION; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Ordinance 2023-02, approved and passed on January 9, 2023, called the Order of Election for Council Members, Mayor, Place 2, and Place 4, all at large positions in and for the City of Ovilla Texas; and,

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

Mayor:	Richard Dormier
Council Member Place 2:	Dean Oberg
Council Member Place 4:	Doug Hunt

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

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

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

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

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

1. CANCELLATION OF MAY 6, 2023, GENERAL ELECTION

Based on information received, and in accordance with Sections §2.052 and §2.053, the City Council hereby authorizes the cancellation of the general election of City Council Members Mayor, Place 2, and Place 4 called for May 06, 2023, and hereby declares the unopposed candidates elected to the office.

2. CERTIFICATES OF ELECTION TO BE ISSUED

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

3. NOTICE AND POSTING OF ORDINANCE

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

ORDINANCE 2023-06

4. **SAVINGS CLAUSE**

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

5. **SEVERABILITY CLAUSE**

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

6. **EFFECTIVE DATE**

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

PASSED, APPROVED and ADOPTED this the 13th day of March 2023.

Richard Dormier, Mayor

ATTEST:

Bobbie Jo Taylor, City Secretary

Approved as to form:

Ron G. MacFarlane, Jr. City Attorney

AGENDA ITEM REPORT Item #5

Meeting Date: March 13, 2023

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Reviewed By: City Manager

City Secretary

City Attorney

Finance Director

Other:

AGENDA ITEM:

ITEM 5. DISCUSSION/ACTION – Consideration of and action on Ordinance No. 2023-07 an Ordinance of the City of Ovilla, Texas, adopting the 2018 International Fire Code with 2018 North Central Texas Council of Governments (“COG”) amendments, the 2018 International Building Code with 2018 COG amendments, the 2018 International Mechanical Code with 2018 COG amendments, the 2018 International Residential Code with 2018 COG amendments, the 2018 International Plumbing Code with 2018 COG amendments, the 2018 International Fuel Gas Code with 2018 COG amendments, the 2018 international energy conservation code with 2018 COG amendments, the 2018 International Swimming Pool and Spa Code with 2018 COG amendments, and the 2017 National Electrical Code with 2017 COG amendments; repealing all prior editions of such codes previously adopted by the City of Ovilla; providing for penalties for violations; providing a savings clause; providing a severance clause; providing for incorporation into the Code Of Ordinances; providing for publication; and providing an effective date.

Attachments:

1. Ordinance No. 2023-07

Discussion / Justification:

Background: The City of Ovilla currently operates under 2015 editions of the International Fire Code, International Building Code, International Mechanical Code, International Residential Code, International Plumbing Code, International Fuel Gas Code, 2014 National Electric Codes, and 1991 edition of the Uniform Swimming Pool, Spa, and Hot Tub Code.

Recently staff met with an Insurance Services Office (ISO) representative regarding our ISO building code effectiveness rating. ISO provides fire suppression ratings and building code effectiveness ratings to insurance providers. Insurance providers use the ratings to set homeowner insurance rates. Obviously, better ratings equate to lower homeowner insurance rates. Our last building code effectiveness review was approximately four years ago.

We were informed by the ISO representative our fire suppression rating was a two (2) at the last review, but our building code effectiveness rating was a nine (9). The ratings are 1-10, with one (1) being the best and ten (10) being the worst. The representative advised ISO gives a five (5) year grace period for updating codes and because our building codes are over five (5) years old we would likely receive another rating of nine (9). I asked him if there was any way he could hold off on submitting our rating, so I could ask the city council to consider updating our building codes. He advised he would wait until March 14, 2023 to submit our information for a rating.

I did research on which codes surrounding cities have adopted. Below is what I found:

CITY	BUILDING CODE	ELECTRIC CODE
Cedar Hill	2018	2017
Desoto	2018	2017
Ferris	2018	2020
Glenn Heights	2015	2014
Midlothian	2018	2017
Oak Leaf	2015	2014
Red Oak	2018	2017
Venus	2021	2020
Waxahachie	2018	2017
Wilmer	2015	2014

In addition, I have spoken to Bureau Veritas, our building plan review and inspections contractor, and they have advised us that most cities have updated their codes to the 2018 codes and 2017 electric codes.

Recommendation / Staff Comments:

Staff Recommends: Updating our codes, which will give us a better ISO rating and hopefully reduce homeowner insurance rates for Ovilla citizens.

Sample Motion(s):

I move to approve/deny Ordinance No. 2023-07 an Ordinance of the City of Ovilla, Texas, adopting the 2018 international fire code with 2018 North Central Texas Council of Governments ("COG") amendments, the 2018 International Building Code with 2018 COG amendments, the 2018 International Mechanical Code with 2018 COG amendments, the 2018 International Residential Code with 2018 COG amendments, the 2018 International Plumbing Code with 2018 COG amendments, the 2018 International Fuel Gas Code with 2018 COG amendments, the 2018 international energy conservation code with 2018 COG amendments, the 2018 International Swimming Pool and Spa Code with 2018 COG amendments, and the 2017 National Electrical Code with 2017 COG amendments; repealing all prior editions of such codes previously adopted by the City of Ovilla; providing for penalties for violations; providing a savings clause; providing a severance clause; providing for incorporation into the Code Of Ordinances; providing for publication; and providing an effective date.

ORDINANCE NO. 2023-07

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, ADOPTING THE 2018 INTERNATIONAL FIRE CODE WITH 2018 NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (“COG”) AMENDMENTS, THE 2018 INTERNATIONAL BUILDING CODE WITH 2018 COG AMENDMENTS, THE 2018 INTERNATIONAL MECHANICAL CODE WITH 2018 COG AMENDMENTS, THE 2018 INTERNATIONAL RESIDENTIAL CODE WITH 2018 COG AMENDMENTS, THE 2018 INTERNATIONAL PLUMBING CODE WITH 2018 COG AMENDMENTS, THE 2018 INTERNATIONAL FUEL GAS CODE WITH 2018 COG AMENDMENTS, THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE WITH 2018 COG AMENDMENTS, THE 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE WITH 2018 COG AMENDMENTS, AND THE 2017 NATIONAL ELECTRICAL CODE WITH 2017 COG AMENDMENTS; REPEALING ALL PRIOR EDITIONS OF SUCH CODES PREVIOUSLY ADOPTED BY THE CITY OF OVILLA; PROVIDING FOR PENALTIES FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Ovilla, Texas (“City”) is a Type-A general law municipality located in Ellis and Dallas Counties; and

WHEREAS, on October 15, 2019, the City Council passed Ordinance No. 2019-21 thereby adopting the 2015 editions of the International Fire Code, International Building Code, International Mechanical Code, International Residential Code, International Plumbing Code, International Fuel Gas Code, and the 2014 National Electrical Code, all with the corresponding editions of COG amendments; and

WHEREAS, the City Council previously adopted the 1991 edition of the Uniform Swimming Pool, Spa, and Hot Tub Code; and

WHEREAS, the City Council now desires to update the above codes, adopt the 2018 International Energy Conservation Code, and replace the 1991 Uniform

Swimming Pool, Spa and Hot Tub Code with the 2018 International Swimming Pool and Spa Code; and

WHEREAS, the City Council finds and determines that the update and adoption of such codes serve the development needs of the city and are in the best interest of the health, safety, and welfare of the citizens of Ovilla.

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

SECTION 1. REPEAL OF PRIOR EDITIONS OF CODES.

The following provisions of the Code or Ordinances of the City of Ovilla are hereby repealed:

- a. Chapter 3, Art. 3.02, Div. 2, Sec. 3.02.05(a), 2015 International Building Code with COG amendments.
- b. Chapter 3, Art. 3.02, Div. 2, Sec. 3.02.05(b), 2015 International Residential Code with COG amendments.
- c. Chapter 3, Art. 3.02, Div. 3, Sec. 3.02.111, 2014 National Electrical Code with COG Amendments.
- d. Chapter 3, Art. 3.02, Div. 4, Sec. 3.02.161, 2015 International Plumbing Code with COG amendments.
- e. Chapter 3, Art. 3.02, Div. 5, Sec. 3.02.221, 2015 International Mechanical Code with COG amendments.
- f. Chapter 3, Art. 3.02, Div. 7, Sec. 3.02.331. 2015 International Fuel Gas Code with COG amendments.
- g. Chapter 3, Art. 3.02, Div. 8, Sec. 3.02.381(a), 1991 Uniform Swimming Pool, Spa and Hot Tub Code.
- h. Chapter 5, Art. 5.04, Sec. 5.04.002, 2015 International Fire Code with COG amendments.

SECTION 2. ADOPTION OF 2018 INTERNATIONAL FIRE CODE.

- a. The 2018 Edition of the International Fire Code with 2018 COG Amendments – Option A is hereby adopted as the official fire code of the City of Ovilla, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and

copying during regular business hours.

- b. The 2018 Edition of the International Fire Code with 2018 COG Amendments is hereby amended by the adoption of the local amendments set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION 3. ADOPTION OF 2018 INTERNATIONAL BUILDING CODE.

- a. The 2018 Edition of the International Building Code with 2018 COG Amendments – Option A is hereby adopted as the official building code of the City of Ovilla and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.
- b. The 2018 Edition of the International Building Code with 2018 COG Amendments is hereby amended by the adoption of those local amendments set forth in Exhibit B attached hereto and incorporated herein by reference.

SECTION 4. ADOPTION OF 2018 INTERNATIONAL MECHANICAL CODE.

- a. The 2018 Edition of the International Mechanical Code with 2018 COG Amendments is hereby adopted as the official mechanical code of the City of Ovilla and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.
- b. The 2018 Edition of the International Mechanical Code with 2018 COG Amendments is hereby amended by the adoption of those local amendments shown on Exhibit C attached hereto and incorporated by reference.

SECTION 5. ADOPTION OF 2018 INTERNATIONAL RESIDENTIAL CODE.

The 2018 Edition of the International Residential Code with 2018 COG Amendments is hereby adopted as the official residential code of the City of Ovilla, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall not be included in the formal

municipal codification of ordinances but shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

SECTION 6. ADOPTION OF 2018 INTERNATIONAL PLUMBING CODE.

The 2018 Edition of the International Plumbing Code with 2018 COG Amendments is hereby adopted as the official plumbing code of the City of Ovilla, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

SECTION 7. ADOPTION OF 2018 INTERNATIONAL FUEL GAS CODE.

The 2018 Edition of the International Fuel Gas Code with 2018 COG Amendments is hereby adopted as the official fuel gas code of the City of Ovilla, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

SECTION 8. ADOPTION OF 2018 INTERNATIONAL ENERGY CONSERVATION CODE.

The 2018 Edition of the International Energy Conservation Code with 2018 COG Amendments is hereby adopted as the official energy conservation code of the City of Ovilla, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

SECTION 9. ADOPTION OF 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE.

The 2018 Edition of the International Swimming Pool and Spa Code with 2018 COG Amendments is hereby adopted as the official swimming pool and spa code of

the City of Ovilla, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

SECTION 10. ADOPTION OF 2017 NATIONAL ELECTRICAL CODE.

The 2017 Edition of the National Electric Code with 2017 COG Amendments is hereby adopted as the official electric code of the City of Ovilla, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

SECTION 11. PENALTIES FOR VIOLATIONS.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined no more than Two Thousand and No/100 Dollars (\$2,000.00) for all violations involving zoning, fire safety or public health and sanitation, including dumping or refuse, and shall be fined not more than Five Hundred and No/100 Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate punishable offense.

SECTION 12. SAVINGS CLAUSE.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances for the City of Ovilla, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event, conflicting provisions of such ordinances and Code are hereby superseded.

SECTION 13. SEVERANCE CLAUSE.

Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance, or of the Code of Ordinances, as amended hereby, be held to be void or unconstitutional by a court of competent jurisdiction, the same shall not affect the

validity of the remaining portions of said Ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 14. INCORPORATION INTO CODE OF ORDINANCES.

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

SECTION 15. PUBLICATION.

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

SECTION 16. EFFECTIVE DATE.

Because of the nature of the interests sought to be protected and of the safeguards sought to be provided by this Ordinance, and in the interest of the health, safety, and welfare of the citizens of Ovilla, Texas, this Ordinance shall take effect immediately after its passage, approval, and publication as required by law.

PASSED, APPROVED and ADOPTED this ____ day of March, 2023.

Richard Dormier, Mayor

ATTEST:

Bobbie Jo Taylor, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney

Exhibit "A"
Local Amendments to 2015 International Fire Code

1. Ovilla's Residential sprinkler requirement will remain in place. (Chapter 5 and A4.001)

Exhibit "B"
Local Amendments to 2015 International Building Code

1. A provision to apply for a fill-dirt/grading plan to be supplied by the property owner, builder or developer of a vacant lot or undeveloped property.
2. Definitions:
 - a. Fill. Deposition of earth materials by artificial means.
 - b. Grading. An excavation or fill or combination thereof.
3. No grading shall be performed without first having obtained a permit therefore from the building official. A grading permit does not include the construction of retaining walls or other structures.
 - a. Permit shall include site plan and any construction plans.
 - b. Permit is valid for 90-days.
 - c. A one-time 90-day extension may be granted by the building official.
 - d. Property is to be graded to prevent soil from leaving property and property is to be properly maintained according to *City of Ovilla Article 6.04 Weeds and Brush*.
 - e. All fill dirt is to be Clean Fill as defined herein. Wood, trash, brush or other any foreign debris is not allowed. ("Clean Fill" means natural, non-clay soil or earthen materials consisting of soils, stones or rocks or a combination of these materials.)

Exhibit "C"
Local Amendments to 2015 International HVAC/Mechanical Code

1. Ovilla's hard duct requirement will remain. (Section 3.02.273 of the current code)

AGENDA ITEM REPORT Item #6

Meeting Date: March 13, 2023

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Reviewed By: City Manager

City Secretary

City Attorney

Finance Director

Other:

AGENDA ITEM:

ITEM 6 DISCUSSION/ACTION – Consideration of and action on Resolution No. R2023-05 a Resolution of the City Council of the City of Ovilla, Texas, adopting a policy and criteria for considering requests for the creation of Municipal Utility Districts.

Attachments:

1. Resolution R2023-05 Municipal Utility Districts

Discussion / Justification:

Background: At the previous City Council Meeting, Mayor Dormier, requested an action item be placed on the agenda relating to Municipal Utility Districts (MUD's). The Resolution written by our legal counsel will establish a policy and criteria for considering and determining whether the city should or should not consent to the creation of a MUD.

Recommendation / Staff Comments:

Staff Recommends: Approval

Sample Motion(s):

I move to approve/deny Resolution No. R2023-05 a Resolution of the City Council of the City of Ovilla, Texas, adopting a policy and criteria for considering requests for the creation of Municipal Utility Districts.

RESOLUTION NO. R2023 - 05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, ADOPTING A POLICY AND CRITERIA FOR CONSIDERING REQUESTS FOR THE CREATION OF MUNICIPAL UTILITY DISTRICTS.

WHEREAS, a municipal utility district (“MUD”) created by the Texas Commission on Environmental Quality (“TCEQ”) or the Texas Legislature with the City of Ovilla’s (“City”) express consent and approval can be used to meet community needs by funding public improvements or services; and

WHEREAS, the creation of MUDs can affect the City’s ability to implement the City’s Comprehensive Plan; and

WHEREAS, the City may benefit if the owners of property in a MUD pay their fair share for improvements and services funded in and through a MUD; and

WHEREAS, a MUD that finances public infrastructure benefits developers by allowing them to reduce their debt to private lenders by using public financing to pay the cost of infrastructure for development; and

WHEREAS, those requesting creation of such a MUD should demonstrate that it confers an extraordinary benefit not only to the properties within the MUD, but also to the community in general and to the City; and

WHEREAS, the City Council finds and determines that it is in the best interest of the health, safety and welfare of the citizens of Ovilla to establish a policy and criteria for considering and determining whether the City should or should not consent to the creation of a MUD without limiting the authority of the City Council to consent to any particular request.

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

SECTION 1. The City Council resolves that the following are established as its policy and criteria for considering requests to create MUDs to fund public infrastructure, municipal services, or both, in association with development projects:

- (a) The MUD must demonstrate that the City would benefit more from creation of a MUD than from use of the standard City development process or other types of districts.
- (b) The City's objective in creating the MUD should be to promote superior development, with attention to the Comprehensive Plan.
- (c) The City's basic requirements for creation of a MUD are that:
 - i. The development supported by the MUD should provide extraordinary public benefits (such as extension or enhancement of infrastructure, affordable housing, environmental improvement, public transportation facilities, and open space).
 - ii. It is accompanied by consent and other applicable agreements.
 - iii. The development that it supports meets or exceeds the intent of the building and development standards of the City's Code of Ordinances.
 - iv. The MUD will be financially self-sustaining, and its ad valorem tax rate will approximate or be greater than the City's rate;
 - v. It will use City design criteria for water, wastewater, drainage, and public safety infrastructure.
 - vi. It will be created only if the water, wastewater, and reclaimed water provider is the City.
 - vii. It will require the developer(s) to contribute a portion of infrastructure without reimbursement by the MUD or the City.
 - viii. It will not impair the City's future annexation of the MUD or adjacent property, or impose costs not mutually agreed upon.
 - ix. It must be located entirely within the City's extraterritorial jurisdiction ("ETJ").
- (d) Whether development supported by the MUD provides sufficient public benefits should be determined by weighing the value of the benefits to the

community, and to property in the MUD, against the costs to the City, including delayed annexation.

(e) In considering whether a MUD provides sufficient public benefits, the City will consider benefits including but not limited to:

- i. Land use controls (including land plans) that otherwise would not be available in the City's ETJ.
- ii. Amenities that would not typically accompany a development with conventional financing.
- iii. Connectivity with other existing City infrastructure.
- iv. The potential for City capital improvement program funds to be redirected to other high priority needs by financing capital infrastructure with alternative MUD financing and by the application of post-annexation surcharges.
- v. School and public safety sites, and transportation infrastructure, sufficient to meet development needs.
- vi. A MUD organizational structure, and policies and procedures, that promote timely dissolution of the MUD, and which fully meets the basic requirements for the City for creation of a MUD.

(f) As a basis for approving the issuance of MUD bonds, Council should consider criteria including but not limited to the following:

- i. Evidence that the value of the property within the MUD will be significantly increased by construction of the public improvements by the MUD, as determined by the City.
- ii. If development occurs in phases, development must be sustainable by the proposed bonding capacity, bond phasing, and development approvals.
- iii. The MUD must comply with all terms and conditions of development and consent agreements.
- iv. The term of the MUD bonds should be limited to 25 years.

(g) If an applicant for consent to creation of a MUD chooses to challenge either the City's determination of whether to consent to the creation of a MUD, or the lawfulness of the conditions imposed by the City in consenting to a MUD, the City will pursue the following course of action:

- i. The applicant's request before the Texas Commission on Environmental Quality (TCEQ) for the creation of the MUD shall be challenged.
- ii. If the City is not successful before the TCEQ, the City will pursue all available legal remedies to enforce its decision, including appeal of the decision of the TCEQ.

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.

RESOLVED, PASSED and APPROVED this 13th day of March 2023.

Richard Dormier, Mayor

ATTEST:

Bobbie Jo Taylor
City Secretary

AGENDA ITEM REPORT Item #7

Meeting Date: March 13, 2023

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Reviewed By: City Manager

City Secretary

City Attorney

Finance Director

Other:

AGENDA ITEM:

ITEM 7. DISCUSSION/ACTION – Consideration of and action on Resolution R2023-06 a Resolution of the City of Ovilla, Texas, selecting an administration/project delivery service provider(s) to complete implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of the Treasury, other Federal or State Agency.

Attachments:

1. Grant Administration Rating Sheets

Discussion / Justification:

Background: As directed by council action staff prepared and published a Request for Proposals for a grant administrator. The grant administrator would oversee the allocation of the revenue received from the second installment of payments from the American Rescue Plan Act.

Proposals were due by 2:00 p.m. on March 2nd, 2023. On Friday, March 3rd, 2023 Mayor Dormier, City Manager David Henley, City Secretary Bobbie Jo Taylor, and Fire Chief Brandon Kennedy met to review and rank the responses received in connection with the publication of the Request for Proposals. The City received three (3) proposals. The companies and the total scoring/rankings are listed below.

Grantworks – 392
Public Management – 297.8
TLC Engineering – 252.6

Recommendation / Staff Comments:

Staff Recommends: Administration Services be awarded to Grantworks

Sample Motion(s):

I move to approve/deny Resolution R2023-06 a Resolution of the City of Ovilla, Texas, selecting an administration/project delivery service provider(s) to complete implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of the Treasury, other Federal or State Agency.

Administration Professional Services Rating Sheet ARP Act

Respondent:

Grand Works

Final Score

100

Evaluator's Name:

Julie Dene

Date of

Evaluation

3/31/2023

Respondent will be scored by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from the submitted proposal and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental) will be scored only on those services.

Experience of the Proposing Firm

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Firm Experience / Background with federally funded projects	10	10
2	Related Firm Experience/ Background with specific services:		
a	Administrative, construction management	5	5
b	Administrative, non-construction management	5	5
c	Procurement of other services & construction	5	5
d	Financial Duties	5	5
	Subtotal, Experience	30	30

Prior Work Performance References

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Work Performance	10	10
2	References Provided for prior work	10	10
	Subtotal, Performance / References	20	20

Capacity to Perform

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Demonstrated understanding of scope of the ARP Act Project(s), as appropriate	5	5
2	Qualifications / Experience of Proposed Staff		
a	Resumes appropriate to services required	5	5
b	Organizational Chart	5	5
3	Approach/Strategy to Implement services/projects	5	5
4	Current and Projected Workloads	5	5
5	Financial Capacity	5	5
	Subtotal, Capacity to Perform	30	30

Proposed Cost

<u>Method to Evaluate Proposed Cost</u>			
"A" = The lowest priced proposal of all qualified respondents			
"B" = Respondents Proposed Price			(20 + 20) / 20 = 20

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Use values A and B above, in the equation below (A + B) X 20	20	20

Total Score

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
	Experience	30	30
	Prior Work Performance / References	20	20
	Capacity to Perform	30	30
	Proposed Cost	20	20
	Total Score	100	100

Administration Professional Services Rating Sheet ARP Act

Respondent:

GrantWorks

Final Score

95

Evaluator's Name:

David D. Henley

Date of
Evaluation

3/3/2023

Respondent will be scored by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from the submitted proposal and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental) will be scored only on those services.

Experience of the Proposing Firm

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Firm Experience / Background with federally funded projects	10	<u>10</u>
2	Related Firm Experience/ Background with specific services:		
a	Administrative, construction management	5	<u>5</u>
b	Administrative, non-construction management	5	<u>5</u>
c	Procurement of other services & construction	5	<u>5</u>
d	Financial Duties	5	<u>5</u>
	Subtotal, Experience	30	<u>20</u>

Prior Work Performance References

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Work Performance	10	<u>10</u>
2	References Provided for prior work	10	<u>10</u>
	Subtotal, Performance / References	20	<u>20</u>

Capacity to Perform

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Demonstrated understanding of scope of the ARP Act Project(s), as appropriate	5	<u>5</u>
2	Qualifications / Experience of Proposed Staff		
a	Resumes appropriate to services required	5	<u>5</u>
b	Organizational Chart	5	<u>5</u>
3	Approach/Strategy to Implement services/projects	5	<u>2</u>
4	Current and Projected Workloads	5	<u>3</u>
5	Financial Capacity	5	<u>5</u>
	Subtotal, Capacity to Perform	30	<u>25</u>

Proposed Cost

<u>Method to Evaluate Proposed Cost</u>			
"A" = The lowest priced proposal of all qualified respondents			
"B" = Respondents Proposed Price			
	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Use values A and B above, in the equation below <u>23,000</u> (A + B) X 20	20	<u>20</u>

Total Score

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
	Experience	30	<u>30</u>
	Prior Work Performance / References	20	<u>20</u>
	Capacity to Perform	30	<u>25</u>
	Proposed Cost	20	<u>20</u>
	Total Score	100	<u>95</u>

Administration Professional Services Rating Sheet ARP Act

Respondent:

Grant Weeks

Final Score

100

Evaluator's Name:

Brandon Kennedy

Date of
Evaluation

3.3.23

Respondent will be scored by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from the submitted proposal and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental) will be scored only on those services.

Experience of the Proposing Firm

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Firm Experience / Background with federally funded projects	10	<u>10</u>
2	Related Firm Experience/ Background with specific services:		
a	Administrative, construction management	5	<u>5</u>
b	Administrative, non-construction management	5	<u>5</u>
c	Procurement of other services & construction	5	<u>5</u>
d	Financial Duties	5	<u>5</u>
	Subtotal, Experience	30	<u>30</u>

Prior Work Performance References

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Work Performance	10	<u>10</u>
2	References Provided for prior work	10	<u>10</u>
	Subtotal, Performance / References	20	<u>20</u>

Capacity to Perform

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Demonstrated understanding of scope of the ARP Act Project(s), as appropriate	5	<u>5</u>
2	Qualifications / Experience of Proposed Staff		
a	Resumes appropriate to services required	5	<u>5</u>
b	Organizational Chart	5	<u>5</u>
3	Approach/Strategy to Implement services/projects	5	<u>5</u>
4	Current and Projected Workloads	5	<u>5</u>
5	Financial Capacity	5	<u>5</u>
	Subtotal, Capacity to Perform	30	<u>30</u>

Proposed Cost

<u>Method to Evaluate Proposed Cost</u>			
"A" = The lowest priced proposal of all qualified respondents			
"B" = Respondents Proposed Price			

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Use values A and B above, in the equation below (A + B) X 20	20	<u>20</u>

Total Score

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
	Experience	30	<u>20</u>
	Prior Work Performance / References	20	<u>20</u>
	Capacity to Perform	30	<u>30</u>
	Proposed Cost	20	<u>20</u>
	Total Score	100	<u>100</u>

Administration Professional Services Rating Sheet ARP Act

Respondent:

GrantWorks
Bobbie Jo Taylor

Final Score

97

Date of

Evaluation

3/3/23

Evaluator's Name:

Respondent will be scored by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from the submitted proposal and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental) will be scored only on those services.

Experience of the Proposing Firm

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Firm Experience / Background with federally funded projects	10	<u>10</u>
2	Related Firm Experience/ Background with specific services:		
a	Administrative, construction management	5	<u>5</u>
b	Administrative, non-construction management	5	<u>5</u>
c	Procurement of other services & construction	5	<u>5</u>
d	Financial Duties	5	<u>5</u>
	Subtotal, Experience	30	<u>30</u>

Prior Work Performance References

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Work Performance	10	<u>10</u>
2	References Provided for prior work	10	<u>8</u>
	Subtotal, Performance / References	20	<u>18</u>

Capacity to Perform

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Demonstrated understanding of scope of the ARP Act Project(s), as appropriate	5	<u>5</u>
2	Qualifications / Experience of Proposed Staff		
a	Resumes appropriate to services required	5	<u>5</u>
b	Organizational Chart	5	<u>5</u>
3	Approach/Strategy to Implement services/projects	5	<u>5</u>
4	Current and Projected Workloads	5	<u>4</u>
5	Financial Capacity	5	<u>5</u>
	Subtotal, Capacity to Perform	30	<u>29</u>

Proposed Cost

<u>Method to Evaluate Proposed Cost</u>			
"A" = The lowest priced proposal of all qualified respondents			
"B" = Respondents Proposed Price			

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Use values A and B above, in the equation below (A + B) X 20	20	<u>20</u>

Total Score

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
	Experience	30	<u>30</u>
	Prior Work Performance / References	20	<u>18</u>
	Capacity to Perform	30	<u>29</u>
	Proposed Cost	20	<u>20</u>
	Total Score	100	<u>97</u>

Administration Professional Services Rating Sheet ARP Act

Respondent: Public Management

Final Score 61.2

Evaluator's Name: Richie Dornir

Date of Evaluation 3/31/2023

Respondent will be scored by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from the submitted proposal and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental) will be scored only on those services.

Experience of the Proposing Firm

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Firm Experience / Background with federally funded projects	10	<u>8</u>
2	Related Firm Experience/ Background with specific services:		
a	Administrative, construction management	5	<u>2</u>
b	Administrative, non-construction management	5	<u>2</u>
c	Procurement of other services & construction	5	<u>2</u>
d	Financial Duties	5	<u>4</u>
	Subtotal, Experience	30	18

Prior Work Performance References

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Work Performance	10	<u>10</u>
2	References Provided for prior work	10	<u>8</u>
	Subtotal, Performance / References	20	18

Capacity to Perform

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Demonstrated understanding of scope of the ARP Act Project(s), as appropriate	5	<u>5</u>
2	Qualifications / Experience of Proposed Staff		
a	Resumes appropriate to services required	5	<u>5</u>
b	Organizational Chart	5	<u>0</u>
3	Approach/Strategy to Implement services/projects	5	<u>4</u>
4	Current and Projected Workloads	5	<u>3</u>
5	Financial Capacity	5	<u>5</u>
	Subtotal, Capacity to Perform	30	22

Proposed Cost

<u>Method to Evaluate Proposed Cost</u>			
"A" = The lowest priced proposal of all qualified respondents			
"B" = Respondents Proposed Price			

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Use values A and B above, in the equation below (A + B) X 20	20	<u>9.2</u>

Total Score

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
	Experience	30	18
	Prior Work Performance / References	20	18
	Capacity to Perform	30	22
	Proposed Cost	20	9.2
	Total Score	100	67.2

Administration Professional Services Rating Sheet ARP Act

Respondent:

Public Management

Final Score

76.2

Evaluator's Name:

David D. Henley

Date of Evaluation

Respondent will be scored by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from the submitted proposal and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental) will be scored only on those services.

Experience of the Proposing Firm

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Firm Experience / Background with federally funded projects	10	10
2	Related Firm Experience/ Background with specific services:		
a	Administrative, construction management	5	5
b	Administrative, non-construction management	5	3
c	Procurement of other services & construction	5	5
d	Financial Duties	5	5
	Subtotal, Experience	30	28

Prior Work Performance References

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Work Performance	10	10
2	References Provided for prior work	10	10
	Subtotal, Performance / References	20	20

Capacity to Perform

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Demonstrated understanding of scope of the ARP Act Project(s), as appropriate	5	5
2	Qualifications / Experience of Proposed Staff		
a	Resumes appropriate to services required	5	3
b	Organizational Chart	5	0
3	Approach/Strategy to Implement services/projects	5	2
4	Current and Projected Workloads	5	4
5	Financial Capacity	5	5
	Subtotal, Capacity to Perform	30	19

Proposed Cost

<u>Method to Evaluate Proposed Cost</u>			
"A" = The lowest priced proposal of all qualified respondents			
"B" = Respondents Proposed Price			

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Use values A and B above, in the equation below (A + B) X 20 <u>50,000</u>	20	9.2

Total Score

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
	Experience	30	28
	Prior Work Performance / References	20	20
	Capacity to Perform	30	19
	Proposed Cost	20	9.2
	Total Score	100	76.2

Administration Professional Services Rating Sheet ARP Act

Respondent: Public Management Final Score 71.2
 Evaluator's Name: Brandon Kennedy Date of Evaluation 3.3.23

Respondent will be scored by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from the submitted proposal and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental) will be scored only on those services.

Experience of the Proposing Firm

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Firm Experience / Background with federally funded projects	10	10
2	Related Firm Experience/ Background with specific services:		
a	Administrative, construction management	5	5
b	Administrative, non-construction management	5	5
c	Procurement of other services & construction	5	5
d	Financial Duties	5	5
	Subtotal, Experience	30	30

Prior Work Performance References

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Work Performance	10	10
2	References Provided for prior work	10	5
	Subtotal, Performance / References	20	15

Capacity to Perform

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Demonstrated understanding of scope of the ARP Act Project(s), as appropriate	5	5
2	Qualifications / Experience of Proposed Staff		
a	Resumes appropriate to services required	5	5
b	Organizational Chart	5	0
3	Approach/Strategy to Implement services/projects	5	4
4	Current and Projected Workloads	5	3
5	Financial Capacity	5	0
	Subtotal, Capacity to Perform	30	17

Proposed Cost

<u>Method to Evaluate Proposed Cost</u>			
"A" = The lowest priced proposal of all qualified respondents			
"B" = Respondents Proposed Price			
	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Use values A and B above, in the equation below (A + B) X 20	20	9.2

Total Score

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
	Experience	30	30
	Prior Work Performance / References	20	15
	Capacity to Perform	30	17
	Proposed Cost	20	9.2
	Total Score	100	71.2

Administration Professional Services Rating Sheet ARP Act

Respondent:

Public Management
Bobbie Jo Taylor

Final Score

83.2

Evaluator's Name:

Date of
Evaluation

Respondent will be scored by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from the submitted proposal and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental) will be scored only on those services.

Experience of the Proposing Firm

	Factors	Max. Pts.	Score
1	Related Firm Experience / Background with federally funded projects	10	<u>9</u>
2	Related Firm Experience/ Background with specific services:		
a	Administrative, construction management	5	<u>4</u>
b	Administrative, non-construction management	5	<u>5</u>
c	Procurement of other services & construction	5	<u>5</u>
d	Financial Duties	5	<u>5</u>
	Subtotal, Experience	30	<u>28</u>

Prior Work Performance References

	Factors	Max. Pts.	Score
1	Related Work Performance	10	<u>10</u>
2	References Provided for prior work	10	<u>10</u>
	Subtotal, Performance / References	20	<u>20</u>

Capacity to Perform

	Factors	Max. Pts.	Score
1	Demonstrated understanding of scope of the ARP Act Project(s), as appropriate	5	<u>5</u>
2	Qualifications / Experience of Proposed Staff		
a	Resumes appropriate to services required	5	<u>5</u>
b	Organizational Chart	5	<u>0</u>
3	Approach/Strategy to Implement services/projects	5	<u>5</u>
4	Current and Projected Workloads	5	<u>5</u>
5	Financial Capacity	5	<u>5</u>
	Subtotal, Capacity to Perform	30	<u>30.25</u>

Proposed Cost

<u>Method to Evaluate Proposed Cost</u>			
"A" = The lowest priced proposal of all qualified respondents			
"B" = Respondents Proposed Price			

	Factors	Max. Pts.	Score
1	Use values A and B above, in the equation below (A + B) X 20	20	<u>9.2</u>

Total Score

	Factors	Max. Pts.	Score
	Experience	30	<u>28</u>
	Prior Work Performance / References	20	<u>20</u>
	Capacity to Perform	30	<u>30</u>
	Proposed Cost	20	<u>9.2</u>
	Total Score	100	<u>83.2</u>

Administration Professional Services Rating Sheet ARP Act

Respondent:

TLC

Final Score

75.9

Evaluator's Name:

Ruth Donut

Date of
Evaluation

3/3/2023

Respondent will be scored by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from the submitted proposal and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental) will be scored only on those services.

Experience of the Proposing Firm

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Firm Experience / Background with federally funded projects	10	10
2	Related Firm Experience/ Background with specific services:		
a	Administrative, construction management	5	5
b	Administrative, non-construction management	5	5
c	Procurement of other services & construction	5	4
d	Financial Duties	5	4
	Subtotal, Experience	30	28

Prior Work Performance References

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Work Performance	10	8
2	References Provided for prior work	10	10
	Subtotal, Performance / References	20	18

Capacity to Perform

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Demonstrated understanding of scope of the ARP Act Project(s), as appropriate	5	4
2	Qualifications / Experience of Proposed Staff		
a	Resumes appropriate to services required	5	5
b	Organizational Chart	5	5
3	Approach/Strategy to Implement services/projects	5	4
4	Current and Projected Workloads	5	4
5	Financial Capacity	5	4
	Subtotal, Capacity to Perform	30	21

Proposed Cost

<u>Method to Evaluate Proposed Cost</u>			
"A" = The lowest priced proposal of all qualified respondents			
"B" = Respondents Proposed Price			

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Use values A and B above, in the equation below (A + B) X 20	20	8.9

Total Score

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
	Experience	30	28
	Prior Work Performance / References	20	18
	Capacity to Perform	30	21
	Proposed Cost	20	8.9
	Total Score	100	75.9

Administration Professional Services Rating Sheet ARP Act

Respondent:

TLC

Final Score

55.9

Evaluator's Name:

David D. Henley

Date of
Evaluation

Respondent will be scored by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from the submitted proposal and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental) will be scored only on those services.

Experience of the Proposing Firm

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Firm Experience / Background with federally funded projects	10	<u>7</u>
2	Related Firm Experience/ Background with specific services:		
a	Administrative, construction management	5	<u>3</u>
b	Administrative, non-construction management	5	<u>5</u>
c	Procurement of other services & construction	5	<u>5</u>
d	Financial Duties	5	<u>5</u>
	Subtotal, Experience	30	25

Prior Work Performance References

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Work Performance	10	<u>5</u>
2	References Provided for prior work	10	<u>2</u>
	Subtotal, Performance / References	20	7

Capacity to Perform

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Demonstrated understanding of scope of the ARP Act Project(s), as appropriate	5	<u>3</u>
2	Qualifications / Experience of Proposed Staff		
a	Resumes appropriate to services required	5	<u>2</u>
b	Organizational Chart	5	<u>0</u>
3	Approach/Strategy to Implement services/projects	5	<u>3</u>
4	Current and Projected Workloads	5	<u>2</u>
5	Financial Capacity	5	<u>5</u>
	Subtotal, Capacity to Perform	30	15

Proposed Cost

<u>Method to Evaluate Proposed Cost</u>			
"A" = The lowest priced proposal of all qualified respondents			
"B" = Respondents Proposed Price			

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Use values A and B above, in the equation below <u>51,728.</u> (A + B) X 20	20	<u>8.9</u>

Total Score

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
	Experience	30	25
	Prior Work Performance / References	20	7
	Capacity to Perform	30	15
	Proposed Cost	20	8.9
	Total Score	100	55.9

Administration Professional Services Rating Sheet ARP Act

Respondent:

TLC

Final Score

56.9

Evaluator's Name:

Beveron Kenney

Date of
Evaluation

3.3.23

Respondent will be scored by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from the submitted proposal and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental) will be scored only on those services.

Experience of the Proposing Firm

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Firm Experience / Background with federally funded projects	10	<u>8</u>
2	Related Firm Experience/ Background with specific services:		
a	Administrative, construction management	5	<u>5</u>
b	Administrative, non-construction management	5	<u>5</u>
c	Procurement of other services & construction	5	<u>4</u>
d	Financial Duties	5	<u>4</u>
	Subtotal, Experience	30	<u>26</u>

Prior Work Performance References

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Work Performance	10	<u>10</u>
2	References Provided for prior work	10	<u>5</u>
	Subtotal, Performance / References	20	<u>15</u>

Capacity to Perform

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Demonstrated understanding of scope of the ARP Act Project(s), as appropriate	5	<u>2</u>
2	Qualifications / Experience of Proposed Staff		
a	Resumes appropriate to services required	5	<u>5</u>
b	Organizational Chart	5	<u>0</u>
3	Approach/Strategy to Implement services/projects	5	<u>0</u>
4	Current and Projected Workloads	5	<u>0</u>
5	Financial Capacity	5	<u>0</u>
	Subtotal, Capacity to Perform	30	<u>7</u>

Proposed Cost

<u>Method to Evaluate Proposed Cost</u>			
"A" = The lowest priced proposal of all qualified respondents			
"B" = Respondents Proposed Price			
	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Use values A and B above, in the equation below (A + B) X 20	20	<u>8.9</u>

Total Score

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
	Experience	30	<u>26</u>
	Prior Work Performance / References	20	<u>15</u>
	Capacity to Perform	30	<u>7</u>
	Proposed Cost	20	<u>8.9</u>
	Total Score	100	<u>56.9</u>

Administration Professional Services Rating Sheet ARP Act

Respondent:

TLC Engineering, Inc.

Final Score

63.9

Evaluator's Name:

Bobbie Jo Taylor

Date of
Evaluation

Respondent will be scored by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from the submitted proposal and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental) will be scored only on those services.

Experience of the Proposing Firm

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Firm Experience / Background with federally funded projects	10	<u>7</u>
2	Related Firm Experience/ Background with specific services:		
a	Administrative, construction management	5	<u>5</u>
b	Administrative, non-construction management	5	<u>5</u>
c	Procurement of other services & construction	5	<u>5</u>
d	Financial Duties	5	<u>5</u>
	Subtotal, Experience	30	<u>27</u>

Prior Work Performance References

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Related Work Performance	10	<u>8</u>
2	References Provided for prior work	10	<u>8</u>
	Subtotal, Performance / References	20	<u>16</u>

Capacity to Perform

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Demonstrated understanding of scope of the ARP Act Project(s), as appropriate	5	<u>3</u>
2	Qualifications / Experience of Proposed Staff		
a	Resumes appropriate to services required	5	<u>3</u>
b	Organizational Chart	5	<u>0</u>
3	Approach/Strategy to Implement services/projects	5	<u>2</u>
4	Current and Projected Workloads	5	<u>2</u>
5	Financial Capacity	5	<u>0</u>
	Subtotal, Capacity to Perform	30	<u>12</u>

Proposed Cost

<u>Method to Evaluate Proposed Cost</u>			
"A" = The lowest priced proposal of all qualified respondents			
"B" = Respondents Proposed Price			

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
1	Use values A and B above, in the equation below (A + B) X 20	20	<u>8.9</u>

Total Score

	<u>Factors</u>	<u>Max. Pts.</u>	<u>Score</u>
	Experience	30	<u>27</u>
	Prior Work Performance / References	20	<u>16</u>
	Capacity to Perform	30	<u>12</u>
	Proposed Cost	20	<u>8.9</u>
	Total Score	100	<u>63.9</u>

AGENDA ITEM REPORT Item #8

Meeting Date: March 13, 2023

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Reviewed By: City Manager

City Secretary

City Attorney

Finance Director

Other:

AGENDA ITEM:

ITEM 8. DISCUSSION/ACTION – Consideration of and action on Resolution R2023-07 a Resolution of the City of Ovilla Texas, selecting an engineering service provider(s) to complete implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of the Treasury, other Federal or State Agency.

Attachments:

1. Professional Engineering Services Rating Sheets

Discussion / Justification:

Background: As directed by council action staff prepared and published a Request for Proposals for engineering services. The engineering could potentially work with the grant administrator to oversee any engineering project related to the American Rescue Plan Act.

Proposals were due by 2:00 p.m. on March 2nd, 2023. On Friday, March 3rd, 2023, Mayor Dormier, City Manager David Henley, City Secretary Bobbie Jo Taylor, and Fire Chief Brandon Kennedy met to review and rank the responses received in connection with the publication of the Request for Proposals. The City received one (1) proposal. The companies and the total scoring/rankings are listed below.

SPI- Schaumburg & Polk, INC. – 377

Recommendation / Staff Comments:

Staff Recommends: Engineering Services be awarded to SPI- Schaumburg & Polk, INC.

Sample Motion(s):

I move to approve/deny Resolution R2023-07 a Resolution of the City of Ovilla Texas, selecting an engineering service provider(s) to complete implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of the Treasury, other Federal or State Agency.

RESOLUTION NO. R2023-07

A RESOLUTION OF City of Ovilla TEXAS, AUTHORIZING PROFESSIONAL SERVICE PROVIDER(S) SELECTION FOR AMERICAN RESCUE PLAN ACT (ARP ACT) PROGRAM(S) FOR PROFESSIONAL ENGINEERING SERVICES.

WHEREAS, participation in American Rescue Plan Act (ARP Act) program(s) requires implementation by professionals experienced in the administration of federally-funded projects;

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Proposals (RFP) process for administration services has been completed in accordance with the federal requirements;

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service giving consideration to the ability to perform successfully under the terms and conditions of the proposed procurement, integrity, compliance with public policy, record of past performance, and financial and technical resources

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

Section 1.

That SPI- Schaumburg & Polk, INC is selected to provide project-related **professional engineering services** for ARP Act program(s).

Section 2.

That any and all project-related services contracts or commitments made with the above-named service provider (s) are dependent on the successful negotiation of a contract with the service provider(s).

PASSED, APPROVED, AND RESOLVED this 13th day of March 2023.

APPROVED: _____

Richard Dormier, **MAYOR**

ATTEST: _____

Bobbie Jo Taylor, **CITY SECRETARY**

Engineer/Architect/Surveyor Rating Sheet

Grant Recipient DWILH

Program(s) ARP Act

Name of Respondent Schaumburg & P.L.L.C.

Date of Rating 3/3/2023

Evaluator's Name Richie Dorner

Rate the Respondent of the Request For Qualifications (RFQ) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental or buyout only) will be scored only on those services.

Experience -- Rate the respondent for experience in the following areas:

	Comments	Score	Max
		Max.Pts.	Score
1.	Has previously designed _____ type of projects	15	20
2.	Has worked on federally funded construction projects	15	15
3.	Has worked on projects that were located in this general region. Note: Location for A/E (Architect/Engineer) may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract. 2 CFR 200.321(b)(3)	10	10
4.	Extent of experience in project construction management	10	15
Subtotal, Experience		50	60

Work Performance

	Factor	Max.Pts.	Score
1.	Past projects completed on schedule	5	10
2.	Manages projects within budgetary constraints	3	5
3.	Work product is of high quality	8	10
Subtotal, Performance		16	25

Capacity to Perform

	Factor	Max.Pts.	Score
1.	Staff Level / Experience of Staff	5	5
2.	Adequacy of Resources	5	5
3.	Professional liability insurance is in force	5	5
Subtotal, Capacity to Perform		15	15

TOTAL SCORE

	Factor	Max.Pts.	Score
<input type="checkbox"/>	Experience	50	60
<input type="checkbox"/>	Work Performance	16	25
<input type="checkbox"/>	Capacity to Perform	15	15
		81	100

	Total Score	81	100
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Example: Engineering Firm Scoring Summary

Engineering Firm	Total Score

All responses to the RFQ should be summarized on a spreadsheet to allow a comparison of scores.

Engineer/Architect/Surveyor Rating Sheet

Grant Recipient _____

Program(s) ARP Act

Name of Respondent SC Haumburg & Polk

Evaluator's Name David D. Henly

Date of Rating 3/3/2023

Rate the Respondent of the Request For Qualifications (RFQ) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental or buyout only) will be scored only on those services.

Experience -- Rate the respondent for experience in the following areas:

Comments

	Factor	Max.Pts.	Score
1.	Has previously designed _____ type of projects	20	20
2.	Has worked on federally funded construction projects	15	15
3.	Has worked on projects that were located in this general region. Note: Location for A/E (Architect/Engineer) may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract. 2 CFR 200.321(b)(3)	10	10
4.	Extent of experience in project construction management	15	15
	Subtotal, Experience	60	60

Work Performance

	Factor	Max.Pts.	Score
1.	Past projects completed on schedule	10	10
2.	Manages projects within budgetary constraints	12	12
3.	Work product is of high quality	10	10
	Subtotal, Performance	32	32

Capacity to Perform

	Factor	Max.Pts.	Score
1.	Staff Level / Experience of Staff	5	5
2.	Adequacy of Resources	5	5
3.	Professional liability insurance is in force	5	5
	Subtotal, Capacity to Perform	15	15

TOTAL SCORE

	Factor	Max.Pts.	Score
<input type="checkbox"/>	Experience	60	60
<input type="checkbox"/>	Work Performance	25	17
<input type="checkbox"/>	Capacity to Perform	15	15
	Subtotal	100	92

	Total Score			92
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Example: Engineering Firm Scoring Summary

Engineering Firm	Total Score
Schaumburg + Polk	92

All responses to the RFQ should be summarized on a spreadsheet to allow a comparison of scores.

Engineer/Architect/Surveyor Rating Sheet

Grant Recipient _____ Program(s) ARP Act

Name of Respondent SPI Schaumburg & Rock

Evaluator's Name Brandon Kennedy

Date of Rating 8.3.23

Rate the Respondent of the Request For Qualifications (RFQ) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (environmental or buyout only) will be scored only on those services.

Experience -- Rate the respondent for experience in the following areas:

Comments

	Factor	Max.Pts.	Score
1.	Has previously designed _____ type of projects	20	20
2.	Has worked on federally funded construction projects	15	15
3.	Has worked on projects that were located in this general region. Note: Location for A/E (Architect/Engineer) may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract. 2 CFR 200.321(b)(3)	10	10
4.	Extent of experience in project construction management	15	15
	Subtotal, Experience	60	60

Work Performance

	Factor	Max.Pts.	Score
1.	Past projects completed on schedule	10	5
2.	Manages projects within budgetary constraints	5	5
3.	Work product is of high quality	10	8
	Subtotal, Performance		18

Capacity to Perform

	Factor	Max.Pts.	Score
1.	Staff Level / Experience of Staff	5	5
2.	Adequacy of Resources	5	5
3.	Professional liability insurance is in force	5	5
	Subtotal, Capacity to Perform		15

TOTAL SCORE

	Factor	Max.Pts.	Score
<input type="checkbox"/>	Experience	60	60
<input type="checkbox"/>	Work Performance	25	18
<input type="checkbox"/>	Capacity to Perform	15	15

		Total Score			93
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Example: Engineering Firm Scoring Summary

Engineering Firm	Total Score
SPI	93

All responses to the RFQ should be summarized on a spreadsheet to allow a comparison of scores.

Engineer/Architect/Surveyor Rating Sheet

Grant Recipient

City of Orilla

Program(s) ARP Act

Name of Respondent

SPI Schaumburg

Evaluator's Name

Bobbie Jo Taylor

Date of Rating

3/3/23

Rate the Respondent of the Request For Qualifications (RFQ) by awarding points up to the maximum listed for each factor. Information necessary to assess the Respondent on these criteria may be gathered either from past experience with the Respondent and/or by contacting past/current clients of the Respondent. Respondents proposing to offer specific services (**environmental or buyout only**) will be scored only on those services.

Experience -- Rate the respondent for experience in the following areas:

Comments

	Factor	Max.Pts.	Score
1.	Has previously designed _____ type of projects	20	20
2.	Has worked on federally funded construction projects	15	15
3.	Has worked on projects that were located in this general region. Note: Location for A/E (Architect/Engineer) may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract. 2 CFR 200.321(b)(3)	10	10
4.	Extent of experience in project construction management	15	15
	Subtotal, Experience	60	60

Work Performance

	Factor	Max.Pts.	Score
1.	Past projects completed on schedule	10	8
2.	Manages projects within budgetary constraints	5	3
3.	Work product is of high quality	10	8
	Subtotal, Performance	25	19

Capacity to Perform

	Factor	Max.Pts.	Score
1.	Staff Level / Experience of Staff	5	3
2.	Adequacy of Resources	5	5
3.	Professional liability insurance is in force	5	5
	Subtotal, Capacity to Perform	15	13

TOTAL SCORE

	Factor	Max.Pts.	Score
<input type="checkbox"/>	Experience	60	60
<input type="checkbox"/>	Work Performance	25	19
<input type="checkbox"/>	Capacity to Perform	15	13
	Subtotal	100	92

		Total Score			92
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Example: Engineering Firm Scoring Summary

Engineering Firm	Total Score
SPI Schaumburg	92

All responses to the RFQ should be summarized on a spreadsheet to allow a comparison of scores.

AGENDA ITEM REPORT Item #9

Meeting Date: March 13, 2023

Department: Fire

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Fire Chief Kennedy

Reviewed By: City Manager

City Secretary

City Attorney

Finance Director

Other: Fire Chief

AGENDA ITEM:

ITEM 9. DISCUSSION/ACTION – Consideration of and action on Resolution R2023-08 approving the filing of the Fire Department SAFER Grant and authorizing the City Manager to execute the application and letter documents.

Attachments:

1. Resolution 2023-08
2. Cost Breakdown

Discussion / Justification:

Background: This grant, if approved would transition the part-time department into a full-time combination department. There will be 1 full-time per shift, 2 part-time per shift to have 3 per shift 24/7. Any time off of the full-time will be backfilled with a part-time employee. This will help fill operational gaps that the department experiences with a complete part-time staff and continue building a professional organization for the future growth of the city. Moving forward as the city grows, needs increase as well as call volume, and doing this we are trying to accomplish it with the least amount of impact on the city budget as possible and have found that if awarded, the SAFER Grant will allow the city to save a substantial amount of money over the next 3 years, and by the 4th year, have a minimal impact on the budget compared to continuing as we are.

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

- Because we would be creating new full-time positions, we do qualify to apply.
- It will be a 100% FEMA Funded Grant
- Allows the City to create positions and adjust to the cost over a 3-year period.
- Application period closes March 17, 2023
- If awarded, funding would be for FY 23-24 at the latest.
- We are applying for 1 per shift at minimum, for a total of 3 full-time personnel.

Financial Impact: SAFER is a grant where the city will benefit over a 3-year performance period. It will pay 100% of the beginning position's salary and 100% of any benefits that are associated with the position that is at the city's expense.

- Year 1 FEMA will pay 100% City will pay 0%
- Year 2 FEMA will pay 100% City will pay 0%
- Year 3 FEMA will pay 100% City will pay 0%
- Year 4 and after, the City will pay 100% of positions

Recommendation / Staff Comments:

Staff Recommends: Approval

Sample Motion(s):

I move to approve/deny Resolution R2023-08 approving the filing of the Fire Department Safer Grant and authorizing the City Manager to execute the application and letter documents, effective immediately.

RESOLUTION NO. R2023-08

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

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

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

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

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

WHEREAS, SAFER funding will pay a cost over three (3) years of 100 percent of the salary and benefit costs for newly hired firefighters (exclusive of overtime), and;

WHEREAS, the fire department will request that three (3) firefighter positions be funded at an estimated amount of \$241,649, and;

WHEREAS, the requested funding will pay for the three (3) positions as a cost for three (3) years, at 100 percent for each year, and;

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

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

WHEREAS, should the City Council approve this request and the grant is awarded, anticipated notification will occur in FY 2023-24. Should the Fire Department receive the grant award, the Fire Department will return to the City Council for consideration of approval to receive the grant, request the necessary appropriations, make any necessary budgetary adjustments and request authorization to begin the recruitment process.

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

Section 1. Authorize the City Manager to sign a letter of support for the 2022 Staffing for Adequate Fire and Emergency Response (SAFER) grant application for three (3) full-time firefighters.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ovilla duly held on the 13th day of March 2023 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Richard A. Dormier, Mayor

ATTEST:

Bobbie Jo Taylor, City Secretary

Proposed Total FD Salary, Payroll and All Benefits 28-Day FLSA Cycle	\$	864,186.26	Amount City will Supplement
Firefighter Salary at 60k	\$	194,891.15	\$ 44,373.00
TMRS @ 10.38%	\$	20,229.70	\$ 3,371.62
Medicare @ 1.45%	\$	2,825.92	\$ 470.99
Insurance for 3	\$	23,164.20	
New Bennies for 3	\$	360.00	
Life Insurance for 3	\$	177.12	
Total SAFER Grant will Supplement	\$	241,648.09	
City Portion of Total Payroll for 23-24	\$	598,836.85	\$ 48,215.61
Total Savings to the City from 22-23	\$	197,594.65	

Write the SAFER Grant to supplement the 3 fulltime postions as basic probationary Firefighter positions at \$60,000.00, and the city will supplement the remainder to make them 3 Captain Positions.

The amount to supplement will equal \$48,216.00 in salary and benefits. This model will save the city \$197,494.00 in the first year in payroll.

Ovilla City Council

AGENDA ITEM REPORT Item #10

Meeting Date: March 13, 2023

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Reviewed By: City Manager

City Secretary

City Attorney

Finance Director

Other:

AGENDA ITEM:

ITEM 10. DISCUSSION/ACTION – Consideration of and action on removing Pamela Woodall as a signatory on the City of Ovilla's bank accounts.

Attachments:

None

Discussion / Justification:

Background: Prosperity Bank has stated that the city will need to officially remove Ms. Woodall by council action from all bank accounts. Minutes will need to be supplied to move forward.

Recommendation / Staff Comments:

Staff Recommends: Approval

Sample Motion(s):

I move to approve/deny removing Pamela Woodall as a signatory on the City of Ovilla's bank accounts.

Ovilla City Council

AGENDA ITEM REPORT Item #11

Meeting Date: March 13, 2023

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Reviewed By: City Manager

City Secretary

City Attorney

Finance Director

Other:

AGENDA ITEM:

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

Attachments:

None

Discussion / Justification:

All consent items are attached for Council consideration. Any items pulled from the Consent agenda will be reviewed under this item.

Recommendation / Staff Comments:

Staff Recommends: Approval

Sample Motion(s):

I move to approve.....

OVILLA POLICE DEPARTMENT
ACTIVITY REPORT / FEBRUARY 2023



J. Bennett, Chief of Police

OVILLA POLICE DEPARTMENT
MONTHLY REPORT / FEBRUARY 2023

PERSONNEL UPDATE:

Below is a list of our current staffing:

CHIEF OF POLICE	(BENNETT)
LIEUTENANT	(GEISER)
SERGEANT	(BREEDLOVE)
SERGEANT	(ORTEGON)
PATROL OFFICER	(MALKE)
PATROL OFFICER	(HARTIN)
PATROL OFFICER	(FLORES)
PATROL OFFICER	(RAMIRES)
PATROL OFFICER	(VACANT)
PATROL OFFICER	(VACANT)
PATROL OFFICER	(VACANT) ON HOLD UNTIL MID-YEAR or LONGER.
ADMINISTRATIVE ASSISTANT	(PRICE)

*One officer currently on light-duty due to shoulder surgery. Anticipated return to patrol by end of March.

*We currently have one police applicant in the background process.

NOTE: Officers MALKE and RAMIRES are both splitting time between patrol and our criminal investigations division. Both officers submitted letters of interest and then tested for the opportunity.

OVILLA POLICE DEPARTMENT
MONTHLY REPORT / FEBRUARY 2023

1 – Felony arrest (Warrants were issued and served by OPD against one individual for AGG ASSAULT FV, UNAUTH USE OF VEHICLE, and CRIMINAL TREPASSING.

1 – Misdemeanor arrest (ASSAULT / BODILY INJURY / FV)

116 - Total Traffic Stops. (Pretextual and Non-Pretextual)

42 - Total Citations issued.

Roughly 36% of ALL traffic stops received a citation.

Average Response time for FEBRUARY was 4 MINUTES, 29 SECONDS.

Subject: Police Department Monthly Activity Report

Calls For Service	FEB 2023	FEB 2023 YTD	FEB 2022	FEB 2022 YTD
Accident	0	3	2	8
Alarms	12	26	17	32
Arrest	2	7	4	5
Assault/Assault FV	3	5	0	0
Assists	26	50	90	182
Building / House Security Check	232	479	374	696
Burglary	2	2	1	1
Burglary of Motor Vehicle	0	1	0	3
Criminal Mischief	1	1	2	3
Disturbance	13	24	12	22
Neighborhood Check	689	1451	848	1723
Other Calls for Service	67	114	123	235
Suspicious Person	4	11	8	11
Suspicious Vehicle	6	11	13	26
Theft	2	5	1	7
Traffic Assignment/School Enforcement	38	94	16	33
TOTAL CALLS FOR SERVICE	1097	2284	1511	2987

OVILLA POLICE DEPARTMENT
MONTHLY REPORT / FEBRUARY 2023

December 2022		TO	December	MILEAGE	MAINTENANCE PERFORMED
Police Unit #		Begin	End	Accrued	
116		118009	118240	231	\$1250.41 various repairs.
117		140091	142313	2222	
216		40803	40963	160	
119		77482	UNK	UNK	At FORD for repairs.
120		71217	72260	1043	
220		66360	67292	932	

END OF REPORT

Ovilla Fire Department

February 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 4 Volunteer Firefighter position open.
 - Going through applications to hire for these 4 openings.
 - Hired 2 volunteers.
- Current Staffing
 - 2 Chiefs
 - 5 Captains
 - 23 Firefighter Paramedics
 - 6 Firefighter EMT-Basics
 - 8 Volunteer Firefighters
 - Total Staffing of 44 out of 50 positions
- Of the Volunteers on staff,
 - 4 of them are Dual Certified, meaning they have their Fire Certs and EMT Basic and or Paramedic
 - 1 has EMT – B Certification
 - 3 Volunteers do not have any Certification currently.

Grants Report

- Submitted AFG grant to replace the station SCBA fill station. Projected cost of around 75K – 100K.

Summary of Events for the Department

- For the month of January, OFD made a total of 91 calls through dispatch, and several public service calls that were not dispatched. These public service calls come from a resident calling the station phone and needing 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 if they purchase the detector and or batteries, we will be happy to assist them.
- To date for this year, we have run 184 calls for service, an average of 92 per month, and are projected to run over 1100 this year.
- Siren Testing complete, and all are working properly.

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)
- 37 / 62 Volunteer shifts were covered, and these 37 shifts we had 4 personnel on the Engine.

Monthly Call Summary

INCIDENT COUNT		
INCIDENT TYPE	# INCIDENTS	
EMS	36	
FIRE	54	
TOTAL	91	
CO CHECKS		
736 - CO detector activation due to malfunction	1	
TOTAL	1	
MUTUAL AID		
Aid Type	Total	
Aid Given	11	
Aid Received	1	
OVERLAPPING CALLS		
# OVERLAPPING	% OVERLAPPING	
12	13.33	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)		
Station	EMS	FIRE
Station 701	0:06:08	0:12:15
AVERAGE FOR ALL CALLS		0:08:24
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)		
Station	EMS	FIRE
Station 701	0:01:27	0:01:32
AVERAGE FOR ALL CALLS		0:01:32
AGENCY		AVERAGE TIME ON SCENE (MM:SS)
Ovilla Fire Department		31:19

Fleet Report

Ovilla Fire Department Mileage, Fuel and Maintenance Report for February						
Apparatus	Beginning Mileage	Ending Mileage	Mileage for the Month	Fuel Expenses	Maintenance Expenditures	
B701	61,317	61,334	17	\$ -	\$ -	
	-		0	\$ -	\$ -	
C701	42,932	43,219	287	\$ 125.00	\$ -	
C702	16,169	16,523	354	\$ 87.00	\$ -	
S701	114,928	115,048	120	\$ 52.18	\$ -	
E701	34,929	35,059	130	\$ 153.40	\$ 3,659.23	
E702	36,333	36,719	386	\$ 509.43	\$ -	
Training E703	-		0	\$ -	\$ -	
R755	23,154	23,252	98	\$ 197.09	\$ 224.19	
Station Supplies (Small Equipment Fuel, Propane, Other)					\$ -	
Totals for the Month			1,392	\$ 1,124.10	\$ 3,883.42	

Maintenance Cost Explanations:

- E701 went out of service on 1/17/2023 for repairs.
 - Had a small hydraulic leak from the pump.
- E701 back in service on 2/22/2023
 - Bearing went out in pump and had to replace the pump

New Brush Truck update:

- We are still waiting for the chassis to be delivered to start production.
- Anticipate budgeting for it again in the 23-24 FY.

PUBLIC WORKS DIRECTOR REPORT

TO: Honorable Mayor, City Council Members, and City Manager-David Henly

FROM: James Kuykendall –Public Works Director

TOPIC February 2023 Public Works Overview Report

Employee report

One position frozen until April 2023.

One employee received his Class C Water Distribution license.

Public Works Project Overview

We continue to work the bugs out of the AMI metering system.

Impact study is nearly complete.

Water use survey is complete and filed with the state.

Waiting on engineering on the creek behind Cumberland Forest and Shiloh bridge.

UCMR 5 samples are complete.

Equipment

Still waiting on the parks vehicle that was ordered.

One (1) pump at pump station with seized bearings.

Repaired backhoe that had cracked injectors and was leaking fuel.

Crack seal machine is in the shop for a pump issue.

Water Department

Employee Accomplishments

Dustin Cleveland obtained his Water Distribution C license through TCEQ making him a certified water operator in the state of Texas.

PUBLIC WORKS DIRECTOR REPORT

GOV Pilot Work Orders Completed

Work Orders completed for the month February 2023

- Total Work Orders Entered- 39
- Total Work Orders Completed - 37

Water Wholesale Purchased & Pumped

- Gallons Billed – 8.426.400MGD
- Gallons Unbilled – 15.0k
- Builder Billed – 11.26k
- Maintenance Flushing – 500.000k
- Gallons pumped – 10.541.000MGD

WATER

Water Repairs

1. 110 Meadow Glen Ln – pulled in new service line due to failed copper service under the roadway.
2. 902 Cockrell Hill Rd – water main repair on 4" that goes under the creek. Pipe is extremely aged and seems to be a grey conduit which is not water rated. Will need to be replaced soon.

EVERYDAY DUTIES & SITE CHECKS PERFORMED DAILY EVEN ON THE WEEKENDS AND HOLIDAYS

(**Daily site checks of Overhead Water Tower, Pumpstation and Liftstation.

Check for any pump failures, power failures or any other issues that may interrupt service to the system.
Also check fencing, gates, signage, and locks that secure all locations.)

PUBLIC WORKS DIRECTOR

REPORT

DAILY NAP (NITRIFICATION ACTION PLAN) Sampling- **Perform Daily (NAP) Nitrification Action Plan at all state approved sampling locations and log all readings to the state approved reporting forms.

- Ground Storage Tank- Outside sampling location (Upstream)
- Pump Room Sample Port (Downstream)
- 114 Silverwood (Average Age)
- 607 Cardinal (High Age Water)
- 304 Ovilla Oaks (High Age Water)

Daily Sampling and Monitoring

- Water cutoffs – Water cutoffs were performed.
- Daily water sampling and pump station site check. (State Requirement)
- Daily Monitoring Chemical Feed - CL2 & NH3 feed rate and ratio check. (State Requirement)
- NAP Nitrification Action Plan performed daily @ five distribution locations. (State Requirement)
- Monthly TCEQ BACTI- water samples collected and sent to lab. (State Requirement)
- Performed calibration checks -chlorine meter & HACH SL1000 meter (State Requirement)
- Flushed dead end main's- Per state requirement.

Wastewater Daily Duties

Emergency Lift station and sewer repairs

1. 3324 Ovilla Rd – unstopped sewer main that runs under Ovilla Rd. due to clog.

Daily Site Checks of Lift stations

- 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)
- Site Maintenance- Cleaned all stations and wet wells.
- Lift station preventive maintenance- Added lift station degreaser / Emulsifier once weekly to all stations as part of a maintenance program.

PUBLIC WORKS DIRECTOR

REPORT

Construction Manager

- **Bryson Manor Phase 3**
 - House plans are being submitted, reviewed, and approved.
 - Homes are under construction all throughout this phase that have been approved and issued to home builders.
 - Two (2) site checks are performed daily to ensure contractors have the proper permits and no violations are found.
- **Broadmoor Estates Phase 1**
 - House plans are being submitted, reviewed, and approved.
 - Homes are under construction throughout this phase that have been approved and issued to home builders.
 - Two (2) site checks are performed daily to ensure contractors have the proper permits and no violations are found.
- **Broadmoor Estates Phase 2**
 - Nothing to report.
- **Hollywood Estates lot 22-24**
 - Circle H Utility Contractor has re-chlorinated and flushed water line.
 - We will take water samples soon.
 - Two (2) site checks are performed daily to ensure contractors have the proper permits and no violations are found.

50 building permits were reviewed and issued this month, 1 of which was a new single family residential home.

Assisted Streets and Drainage Department with asphalt on Cockrell Hill Road.

Assisted Water Department with water sampling, several water leak detection work orders and prep work inside the chlorine/ammonia building.

Assisted code/animal control with a deceased dog and several inspections.

PUBLIC WORKS DIRECTOR

REPORT

Parks and Facilities Monthly Report

The parks department can spend any where up to 2 1/2 hrs. for 1 employee to check all the parks and rest rooms each day to make sure they are clean and safe. The Parks Department takes 2 to 3 hrs. to check vehicles and power equipment in their department once a week to make sure that all equipment is working properly and safely. Reports are made to address any concerns to have them fixed promptly, if possible.

HERITAGE PARK

- 1) Check bathrooms daily clean once a week or as needed.
- 2) Picked up garbage and emptied garbage cans as needed.
- 3) The partition dividing bathroom stall with door going into the toilet area was repaired after having been kicked in and knocked off the wall.

CINDY JONES PARK

- 1) Emptied all garbage cans as needed.
- 2) Raked out kiddie cushion on playground during inspections.
- 3) Picked up garbage on premises.

The playground is getting more use as the weather is warming up.

ASHBURNE GLEN PARK

- 1) Raked out kiddie cushion around playground equipment.
- 2) Checked garbage cans and empty them as needed.

SILVER SPUR PARK

- 1) Raked kiddie cushion under swings during inspection of playground equipment.
Also picked up any garbage on the premises.

FOUNDERS PARK

- 1) Check the pavilion area for garbage on the ground and picnic tables and benches for cleanliness usually on a day basis.

PUBLIC WORKS DIRECTOR REPORT

SMALL BASEBALL FIELD

- 1) Ovilla Christian School girls' softball team has started to practice on the softball field the last couple of weeks. Their first game on the field is March 7, 2023, against Nazarene Christian School, weather permitting.

LARGE BASEBALL FIELD

- 1) Put 48 yards of red dirt on the infield to help with the dip between the dirt and surrounding grass to help stop the rain from pooling up on the infield, which in turn stops the field usage for several days. This also helps the ball from making unpredictable bounces.
- 2) Aerated the whole field where grass is to help with drainage.
- 3) Worked on field agreement. Reached out to last year's coaches for both fields and met to explain what will be required for them to use the fields this year.

FACILITIES

- 1) Cozy-D began the last week of this month installing the HVAC unit in the conference room and will finish the first week of March.
- 2) The concrete base for the marque electronic sign was installed and the sign is scheduled to be done the second week of March.
- 3) The existing marque sign changed twice.

Damage was done to the rock column on the northeast corner of the structure and the rock chipped off due to someone hitting it.

Streets/Drainage

Drainage Projects

- Excavated drainage ditch at 109 and 111 Silverwood Dr. Length of excavation 220 feet and sixty yards of dirt hauled off (3 man work crew 16-man hours to complete job)

Street Projects

- Picked up eight tons of hot mix asphalt from the plant.
- Saw cut crumbled area of road on Cockrell Hill Rd., south of Ashburne Glen entrance near S curve area of road that was excavated 5' x 80' prepped and laid with hot mix asphalt (6 man work crew 5-man hours to complete job)
- In progress on crack seal on Suburban Dr. 400' (3 man crew)
- Removed two dead trees that fell due to the winter storm that were blocking the roadway. One was at 1941 Duncanville Rd. and the other at 715 Johnson Ln.

PUBLIC WORKS DIRECTOR REPORT

- 5 yards of cold mix was used to patch potholes Cockrell Hill Rd., Johnson Ln, Westmoreland Rd., Red Oak Creek Rd., and Hosford Rd. (3 man work crew approximately 15-man hours)

Right of Way Mowing

N/A

Community Services

Code Enforcement

Four (4) illegal dumping incidents cleared by Code Enforcement

- Trash Removed at Johnson Lane at Joe Wilson Rd.
- Furniture and debris removed at Hampton Rd.
- Trash Removed on Shiloh Rd.
- Furniture and debris removed on Ovilla Rd.

Follow Up

Ovilla Auto – continue follow up.

Lariat Trail – Continue follow up, no increase in traffic.

Franks BBQ – Area has been cleared and maintained by Franks BBQ

Monthly Report

Calls For Service	Feb 23	Feb. 23 YTD
Complaint (Nuisance-27, Permit-11, Parking-11)	49	95
Follow up	49	104
Door Notice (Nuisance-11, Permit-5, Parking-7)	23	39
Mail Notice (Parking-2, Nuisance-3, Permit-4)	9	21
Posted Property (Nuisance-2, Grass-1)	5	7
Court (1 Public Nuisance FTA,1 set for trial)	\$0	\$0
Citizen Contacts	37	65
Permits Reviewed	51	51
Permits Issued	47	47
Inspections	55	55
Nuisance Abated by City (2 Trash-Johnson Ln)	2	31
Nuisance Signs (Garage sale-9, Business-32)	41	89
BOA variance	0	1

PUBLIC WORKS DIRECTOR

REPORT

Animal Control

Animal Welfare checks increased due to cold weather,
Wildlife trapped and released.

Animal transfer awaiting interlocal agreement with Glenn Heights

Monthly Report

Calls For Service	Feb.2023	Feb.23 YTD
Complaint (Registration-11, At large-9, Bark-2)	22	37
Follow up	25	40
Door Notice (Registration-8, At large-3	11	18
Impounded Animal (Dog 4)	4	9
Animal welfare check	27	63
Impound Results (Transport 1 RTO 2)	3	6
Impound fee collected	\$0.00	\$0.00
Court	\$0.00	\$0.00
Citizen Contacts	18	41
Animal registration	22	19
Registration Letter Mailed	2	37
Nuisance letter - 2 Barking	2	3
Animals relocated - 1	0	1
Deceased removed	18	45
Oak Leaf - 1 meeting	0	2
Traps Checked Out	2	4



Date: March 13, 2023

To: Honorable Mayor and Council Members

**Subject: Financial Statement Summaries for
October 1, 2022, thru January 31, 2023**

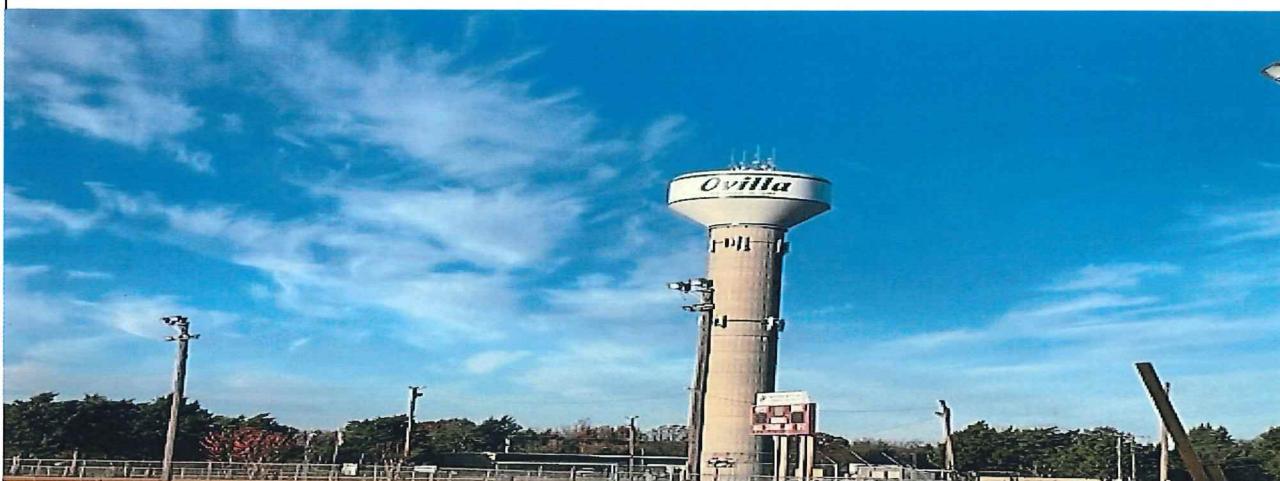
This period covers 33% of the FY2023 Budget.

From:

Ed Scott – Finance Director

CITY-WIDE OPERATING FUND TOTALS

For FY2023 Oct. 2022 Thru Jan. 31, 2023



TOTAL REVENUES		FY2022	FY2023	FY2023	FY2023
		Actual	Actual	Adopted & Amended	% of Budget
		To Date	To Date	Budget	Used
100	General Fund	2,699,914	2,740,673	4,725,894	58%
110	Leose	-	-	1,100	0%
120	Street Improvement	32,423	41,094	103,000	40%
130	Court Technology	806	1,307	3,000	44%
140	Court Security	941	1,571	3,000	52%
200	Water & Utilities	708,313	751,672	1,806,199	42%
250	WWW Infrastrurcture Improv.	22,894	24,363	75,000	32%
400	Debt Service Fund	520,662	401,094	537,158	75%
500	Municipal Devel. District	35,788	44,792	114,500	39%
600	4B Economic Devel. Fund	67,169	83,550	203,000	41%
700	Park Impact Fund	20,406	3,680	18,400	20%
800	Water & Utilities Impact Fund	376,600	49,780	495,155	10%
Total		\$ 4,485,916	\$ 4,143,576	\$ 8,085,406	51%

TOTAL EXPENDITURES		FY2022	FY2023	FY2023	FY2023
		Actual	Actual	Adopted & Amended	% of Budget
		To Date	To Date	Budget	Used
100	General Fund	1,350,284	1,279,407	4,725,894	27%
110	Leose	-	-	1,100	0%
120	Street Improvement	-	-	103,000	0%
130	Court Technology	-	-	3,000	0%
140	Court Security	160	260	3,000	9%
200	Water & Utilities	361,142	555,919	1,806,199	31%
250	WWW Infrastrurcture Improv.	-	-	75,000	0%
400	Debt Service Fund	-	400	537,158	0%
500	Municipal Devel. District	156,354	106	114,500	0%
600	4B Economic Devel. Fund	114	31,419	203,000	15%
700	Park Impact Fund	-	-	18,400	0%
800	Water & Utilities Impact Fund	-	-	495,155	0%
Total		\$ 1,868,054	\$ 1,867,511	\$ 8,085,406	23%

City of Ovilla
 Financial Statement
 As of January 31, 2023

3/5/2023 6:46 PM

100 - General Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Taxes	587,505.95	277,277.50	310,228.45	2,537,403.46	3,327,330.00	76.26%	789,926.54
Not Categorized	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Licenses-Permits-Fees	1,988.33	20,786.25	(18,797.92)	68,364.19	249,435.00	27.41%	181,070.81
Services	0.00	65,807.25	(65,807.25)	458.10	789,687.00	0.06%	789,228.90
Fines & Forfeitures	12,414.45	11,222.93	1,191.52	51,215.23	134,675.00	38.03%	83,459.77
Other Revenue	17,597.58	16,249.99	1,347.59	83,232.40	195,000.00	42.68%	111,767.60
Intergovernmental	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Transfers	0.00	2,480.58	(2,480.58)	0.00	29,767.00	0.00%	29,767.00
Revenue Totals	<u>619,506.31</u>	<u>393,824.50</u>	<u>225,681.81</u>	<u>2,740,673.38</u>	<u>4,725,894.00</u>	<u>57.99%</u>	<u>1,985,220.62</u>
Expense Summary							
Personnel	168,583.91	185,116.26	(16,532.35)	670,421.07	2,221,395.00	30.18%	1,550,973.93
Other Expense	2,469.62	9,334.19	(6,864.57)	63,856.76	112,010.00	57.01%	48,153.24
Contractual Services	32,349.20	31,578.82	770.38	57,503.30	378,946.00	15.17%	321,442.70
Special Expenses	1,170.84	2,808.34	(1,637.50)	2,561.47	33,700.00	7.60%	31,138.53
Repairs - Bldg & Machinery	6,093.00	13,033.34	(6,940.34)	21,854.00	156,400.00	13.97%	134,546.00
Professional Development	173.59	2,454.15	(2,280.56)	1,100.45	29,450.00	3.74%	28,349.55
Employee Benefits	44,137.91	45,704.18	(1,566.27)	158,436.54	548,450.00	28.89%	390,013.46
Special Services	4,243.75	8,133.34	(3,889.59)	14,431.97	97,600.00	14.79%	83,168.03
Operating Services	3,850.43	8,629.17	(4,778.74)	28,580.40	103,550.00	27.60%	74,969.60
Supplies	2,604.65	7,304.15	(4,699.50)	12,575.23	87,650.00	14.35%	75,074.77
Software & Computer Equipment	185.98	7,891.67	(7,705.69)	59,277.63	94,700.00	62.60%	35,422.37
Printing Expense	957.13	1,554.17	(597.04)	4,903.97	18,650.00	26.29%	13,746.03
Utilities	37,400.31	36,375.00	1,025.31	119,347.65	436,500.00	27.34%	317,152.35
Insurance	11,432.38	4,853.34	6,579.04	25,035.98	58,240.00	42.99%	33,204.02
Minor Capital Outlay	166.25	7,983.34	(7,817.09)	18,650.98	95,800.00	19.47%	77,149.02
Capital Outlay	952.37	14,841.92	(13,889.55)	931.81	178,103.00	0.52%	177,171.19
Transfers	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Reserve	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Vehicle Expenses	5,735.30	6,062.50	(327.20)	19,937.69	72,750.00	27.41%	52,812.31
Not Categorized	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Rentals	0.00	166.67	(166.67)	0.00	2,000.00	0.00%	2,000.00

Professional Services	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Long Term Debt	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Totals	<u>322,506.62</u>	<u>393,824.55</u>	<u>(71,317.93)</u>	<u>1,279,406.90</u>	<u>4,725,894.00</u>	<u>27.07%</u>	<u>3,446,487.10</u>

City of Ovilla
 Financial Statement
 As of January 31, 2023

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110 - LEOSE	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Other Revenue	0.00	91.67	(91.67)	0.00	1,100.00	0.00%	1,100.00
Transfers	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	<u>0.00</u>	<u>91.67</u>	<u>(91.67)</u>	<u>0.00</u>	<u>1,100.00</u>	<u>0.00%</u>	<u>1,100.00</u>
Expense Summary							
Professional Development	0.00	91.67	(91.67)	0.00	1,100.00	0.00%	1,100.00
Expense Totals	<u>0.00</u>	<u>91.67</u>	<u>(91.67)</u>	<u>0.00</u>	<u>1,100.00</u>	<u>0.00%</u>	<u>1,100.00</u>

City of Ovilla
 Financial Statement
 As of January 31, 2023

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120 - Street Improvement Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Taxes	10,091.65	8,583.33	1,508.32	41,094.43	103,000.00	39.90%	61,905.57
Other Revenue	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Transfers	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	<u>10,091.65</u>	<u>8,583.33</u>	<u>1,508.32</u>	<u>41,094.43</u>	<u>103,000.00</u>	<u>39.90%</u>	<u>61,905.57</u>
Expense Summary							
Capital Outlay	0.00	8,583.33	(8,583.33)	0.00	103,000.00	0.00%	103,000.00
Reserve	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Totals	<u>0.00</u>	<u>8,583.33</u>	<u>(8,583.33)</u>	<u>0.00</u>	<u>103,000.00</u>	<u>0.00%</u>	<u>103,000.00</u>

City of Ovilla
 Financial Statement
 As of January 31, 2023

3/5/2023 6:46 PM

130 - Court Technology	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Fines & Forfeitures	294.12	250.00	44.12	1,307.25	3,000.00	43.58%	1,692.75
Transfers	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	<u>294.12</u>	<u>250.00</u>	<u>44.12</u>	<u>1,307.25</u>	<u>3,000.00</u>	<u>43.58%</u>	<u>1,692.75</u>
Expense Summary							
Software & Computer Equipment	0.00	250.00	(250.00)	0.00	3,000.00	0.00%	3,000.00
Reserve	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Totals	<u>0.00</u>	<u>250.00</u>	<u>(250.00)</u>	<u>0.00</u>	<u>3,000.00</u>	<u>0.00%</u>	<u>3,000.00</u>

City of Ovilla
 Financial Statement
 As of January 31, 2023

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140 - Court Security	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Fines & Forfeitures	350.37	250.00	100.37	1,570.85	3,000.00	52.36%	1,429.15
Transfers	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	<u>350.37</u>	<u>250.00</u>	<u>100.37</u>	<u>1,570.85</u>	<u>3,000.00</u>	<u>52.36%</u>	<u>1,429.15</u>
Expense Summary							
Other Expense	59.95	100.00	(40.05)	259.80	1,200.00	21.65%	940.20
Reserve	0.00	150.00	(150.00)	0.00	1,800.00	0.00%	1,800.00
Expense Totals	<u>59.95</u>	<u>250.00</u>	<u>(190.05)</u>	<u>259.80</u>	<u>3,000.00</u>	<u>8.66%</u>	<u>2,740.20</u>

City of Ovilla
 Financial Statement
 As of January 31, 2023

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200 - Water And Utilities Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Services	154,672.95	144,783.25	9,889.70	734,161.28	1,737,399.00	42.26%	1,003,237.72
Other Revenue	0.00	4.17	(4.17)	10.65	50.00	21.30%	39.35
Intergovernmental	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Transfers	0.00	5,729.17	(5,729.17)	17,500.00	68,750.00	25.45%	51,250.00
Not Categorized	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	<u>154,672.95</u>	<u>150,516.59</u>	<u>4,156.36</u>	<u>751,671.93</u>	<u>1,806,199.00</u>	<u>41.62%</u>	<u>1,054,527.07</u>
Expense Summary							
Other Expense	11,296.43	1,961.11	9,335.32	12,187.74	23,300.00	52.31%	11,112.26
Reserve	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Personnel	27,610.43	38,177.09	(10,566.66)	109,617.70	458,125.00	23.93%	348,507.30
Employee Benefits	9,868.96	10,841.16	(972.20)	35,398.76	130,094.00	27.21%	94,695.24
Special Services	3,818.00	5,225.00	(1,407.00)	7,636.00	62,700.00	12.18%	55,064.00
Contractual Services	5,525.00	1,666.66	3,858.34	13,413.00	20,000.00	67.07%	6,587.00
Operating Services	1,305.00	2,866.67	(1,561.67)	11,106.00	34,400.00	32.28%	23,294.00
Supplies	770.52	616.66	153.86	2,873.06	7,400.00	38.83%	4,526.94
Special Expenses	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Professional Development	0.00	416.66	(416.66)	347.84	5,000.00	6.96%	4,652.16
Software & Computer Equipment	5,182.00	833.33	4,348.67	6,582.00	10,000.00	65.82%	3,418.00
Printing Expense	0.00	166.67	(166.67)	292.00	2,000.00	14.60%	1,708.00
Utilities	72,891.56	82,240.00	(9,348.44)	333,386.99	986,880.00	33.78%	653,493.01
Minor Capital Outlay	3,279.63	500.00	2,779.63	3,544.89	6,000.00	59.08%	2,455.11
Capital Outlay	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Not Categorized	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Long Term Debt	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Rentals	0.00	125.00	(125.00)	0.00	1,500.00	0.00%	1,500.00
Vehicle Expenses	505.89	750.00	(244.11)	1,986.29	9,000.00	22.07%	7,013.71
Repairs - Bldg & Machinery	2,003.80	3,088.90	(1,085.10)	11,459.19	37,300.00	30.72%	25,840.81
Insurance	2,398.05	1,041.67	1,356.38	6,087.88	12,500.00	48.70%	6,412.12
Expense Totals	<u>146,455.27</u>	<u>150,516.58</u>	<u>(4,061.31)</u>	<u>555,919.34</u>	<u>1,806,199.00</u>	<u>30.78%</u>	<u>1,250,279.66</u>

City of Ovilla
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250 - WWW Infrastructure Improvements	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Services	6,291.54	6,250.00	41.54	24,362.71	75,000.00	32.48%	50,637.29
Transfers	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	<u>6,291.54</u>	<u>6,250.00</u>	<u>41.54</u>	<u>24,362.71</u>	<u>75,000.00</u>	<u>32.48%</u>	<u>50,637.29</u>
Expense Summary							
Reserve	0.00	6,250.00	(6,250.00)	0.00	75,000.00	0.00%	75,000.00
Expense Totals	<u>0.00</u>	<u>6,250.00</u>	<u>(6,250.00)</u>	<u>0.00</u>	<u>75,000.00</u>	<u>0.00%</u>	<u>75,000.00</u>

City of Ovilla
 Financial Statement
 As of January 31, 2023

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250 - WWW Infrastructure Improvements	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Services	6,291.54	6,250.00	41.54	24,362.71	75,000.00	32.48%	50,637.29
Transfers	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	<u>6,291.54</u>	<u>6,250.00</u>	<u>41.54</u>	<u>24,362.71</u>	<u>75,000.00</u>	<u>32.48%</u>	<u>50,637.29</u>
Expense Summary							
Reserve	0.00	6,250.00	(6,250.00)	0.00	75,000.00	0.00%	75,000.00
Expense Totals	<u>0.00</u>	<u>6,250.00</u>	<u>(6,250.00)</u>	<u>0.00</u>	<u>75,000.00</u>	<u>0.00%</u>	<u>75,000.00</u>

City of Ovilla
 Financial Statement
 As of January 31, 2023

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400 - Debt Service Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Taxes	93,096.04	22,322.00	70,774.04	401,093.98	267,864.00	149.74%	(133,229.98)
Other Revenue	0.00	13,809.92	(13,809.92)	0.00	165,719.00	0.00%	165,719.00
Not Categorized	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Transfers	0.00	8,631.25	(8,631.25)	0.00	103,575.00	0.00%	103,575.00
Revenue Totals	<u>93,096.04</u>	<u>44,763.17</u>	<u>48,332.87</u>	<u>401,093.98</u>	<u>537,158.00</u>	<u>74.67%</u>	<u>136,064.02</u>
Expense Summary							
Long Term Debt	0.00	44,015.66	(44,015.66)	400.00	528,188.00	0.08%	527,788.00
Reserve	0.00	747.50	(747.50)	0.00	8,970.00	0.00%	8,970.00
Expense Totals	<u>0.00</u>	<u>44,763.16</u>	<u>(44,763.16)</u>	<u>400.00</u>	<u>537,158.00</u>	<u>0.07%</u>	<u>536,758.00</u>

City of Ovilla
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500 - Municipal Development District Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Taxes	10,260.59	9,416.67	843.92	44,501.99	113,000.00	39.38%	68,498.01
Other Revenue	0.00	125.00	(125.00)	290.25	1,500.00	19.35%	1,209.75
Transfers	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	<u>10,260.59</u>	<u>9,541.67</u>	<u>718.92</u>	<u>44,792.24</u>	<u>114,500.00</u>	<u>39.12%</u>	<u>69,707.76</u>
Expense Summary							
Insurance	52.84	25.00	27.84	105.68	300.00	35.23%	194.32
Reserve	0.00	2,650.00	(2,650.00)	0.00	31,800.00	0.00%	31,800.00
Special Services	0.00	191.67	(191.67)	0.00	2,300.00	0.00%	2,300.00
Supplies	0.00	8.33	(8.33)	0.00	100.00	0.00%	100.00
Capital Outlay	0.00	6,666.67	(6,666.67)	0.00	80,000.00	0.00%	80,000.00
Expense Totals	<u>52.84</u>	<u>9,541.67</u>	<u>(9,488.83)</u>	<u>105.68</u>	<u>114,500.00</u>	<u>0.09%</u>	<u>114,394.32</u>

City of Ovilla
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600 - 4B Economic Development Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Taxes	20,183.29	16,666.67	3,516.62	82,188.85	200,000.00	41.09%	117,811.15
Other Revenue	0.00	250.00	(250.00)	1,360.65	3,000.00	45.36%	1,639.35
Transfers	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	<u>20,183.29</u>	<u>16,916.67</u>	<u>3,266.62</u>	<u>83,549.50</u>	<u>203,000.00</u>	<u>41.16%</u>	<u>119,450.50</u>
Expense Summary							
Other Expense	0.00	625.01	(625.01)	0.00	7,500.00	0.00%	7,500.00
Transfers	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Grant Expense	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
Insurance	58.43	50.00	8.43	116.86	600.00	19.48%	483.14
Reserve	0.00	5,583.33	(5,583.33)	0.00	67,000.00	0.00%	67,000.00
Special Services	0.00	608.34	(608.34)	0.00	7,300.00	0.00%	7,300.00
Contractual Services	0.00	2,500.00	(2,500.00)	0.00	30,000.00	0.00%	30,000.00
Supplies	0.00	16.67	(16.67)	126.90	200.00	63.45%	73.10
Professional Development	0.00	416.66	(416.66)	0.00	5,000.00	0.00%	5,000.00
Printing Expense	0.00	33.33	(33.33)	0.00	400.00	0.00%	400.00
Repairs - Bldg & Machinery	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Capital Outlay	0.00	6,666.67	(6,666.67)	31,175.25	80,000.00	38.97%	48,824.75
Expense Totals	<u>58.43</u>	<u>16,916.68</u>	<u>(16,858.25)</u>	<u>31,419.01</u>	<u>203,000.00</u>	<u>15.48%</u>	<u>171,580.99</u>

City of Ovilla
 Financial Statement
 As of January 31, 2023

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700 - Park Impact Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Other Revenue	0.00	0.00	0.00	0.06	0.00	0.00%	(0.06)
Services	0.00	1,533.33	(1,533.33)	3,679.72	18,400.00	20.00%	14,720.28
Transfers	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	<u>0.00</u>	<u>1,533.33</u>	<u>(1,533.33)</u>	<u>3,679.78</u>	<u>18,400.00</u>	<u>20.00%</u>	<u>14,720.22</u>
Expense Summary							
Minor Capital Outlay	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Reserve	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Other Expense	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Capital Outlay	0.00	1,533.33	(1,533.33)	0.00	18,400.00	0.00%	18,400.00
Expense Totals	<u>0.00</u>	<u>1,533.33</u>	<u>(1,533.33)</u>	<u>0.00</u>	<u>18,400.00</u>	<u>0.00%</u>	<u>18,400.00</u>

City of Ovilla
 Financial Statement
 As of January 31, 2023

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800 - Water And Utilities Impact Fee Fund	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
Revenue Summary							
Services	0.00	41,262.92	(41,262.92)	49,750.61	495,155.00	10.05%	445,404.39
Other Revenue	0.00	0.00	0.00	29.40	0.00	0.00%	(29.40)
Transfers	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Revenue Totals	<u>0.00</u>	<u>41,262.92</u>	<u>(41,262.92)</u>	<u>49,780.01</u>	<u>495,155.00</u>	<u>10.05%</u>	<u>445,374.99</u>
Expense Summary							
Reserve	0.00	41,262.92	(41,262.92)	0.00	495,155.00	0.00%	495,155.00
Contractual Services	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Special Services	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Other Expense	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Capital Outlay	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Not Categorized	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Expense Totals	<u>0.00</u>	<u>41,262.92</u>	<u>(41,262.92)</u>	<u>0.00</u>	<u>495,155.00</u>	<u>0.00%</u>	<u>495,155.00</u>



Date: March 13, 2023

To: Honorable Mayor and Council Members

Subject: Analysis of Sales Tax Received

From:

Ed Scott – Finance Director

2086 - Ovilla, City of (General Obligation Debt)

[Report - Ovilla, City of \(General Obligation Debt\)](#) / [Sales Tax Data](#)

The charts below contain sales tax revenue allocated each month by the Texas State Comptroller. Please contact and search the [Texas Comptroller's website](#) if you notice an incorrect amount.

For example, the February allocations reflect December sales, collected in January and allocated in February.

*Excludes any sales tax retained by the municipality and not remitted to the Comptroller.

- [View Grid Based on Calendar Year](#)
- [View Grid With All Years](#)

[Download to Excel](#)

Change Fiscal Year
End

09/30/2023

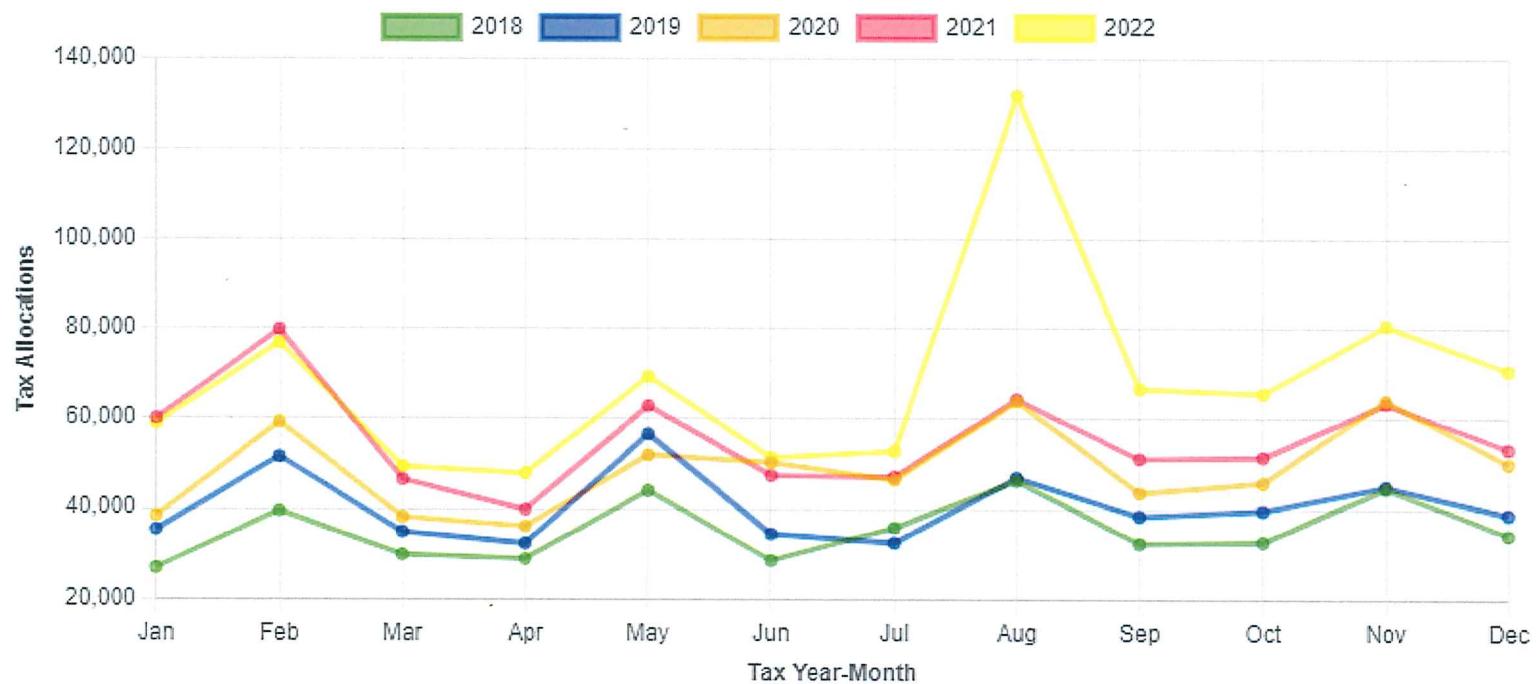


Year	October	November	December	January	February	March	April	May	June	July	August	September	Total
2023	\$65,568	\$80,747	\$70,705	\$70,642	\$92,575	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$380,236
2022	\$51,406	\$63,357	\$53,208	\$58,988	\$76,930	\$49,301	\$47,808	\$69,383	\$51,255	\$52,703	\$131,782	\$66,644	\$772,766
2021	\$45,726	\$64,070	\$49,935	\$60,141	\$79,903	\$46,510	\$39,794	\$62,872	\$47,381	\$47,061	\$64,377	\$51,057	\$658,827
2020	\$39,571	\$45,017	\$38,679	\$38,373	\$59,305	\$38,067	\$36,013	\$51,866	\$50,201	\$46,341	\$63,885	\$43,486	\$550,803
2019	\$32,634	\$44,607	\$34,108	\$35,314	\$51,566	\$34,854	\$32,252	\$56,654	\$34,427	\$32,452	\$46,975	\$38,370	\$474,213
2018	\$28,959	\$36,065	\$23,588	\$26,767	\$39,504	\$29,705	\$28,796	\$44,064	\$28,466	\$35,800	\$46,299	\$32,272	\$400,285
2017	\$24,186	\$35,971	\$23,979	\$26,736	\$40,158	\$25,236	\$24,304	\$34,229	\$25,440	\$28,255	\$38,111	\$43,766	\$370,370
2016	\$25,405	\$34,971	\$21,425	\$26,277	\$37,994	\$22,634	\$22,413	\$33,715	\$24,531	\$22,980	\$33,792	\$23,408	\$329,544
2015	\$17,904	\$29,706	\$19,217	\$19,989	\$32,408	\$21,627	\$19,021	\$37,359	\$24,990	\$21,738	\$31,535	\$21,477	\$296,972
2014	\$21,664	\$33,425	\$23,190	\$21,198	\$38,106	\$22,176	\$22,221	\$42,904	\$21,895	\$20,357	\$29,955	\$18,445	\$315,536
2013	\$20,450	\$30,354	\$20,065	\$23,004	\$36,348	\$21,688	\$18,041	\$35,277	\$20,966	\$24,886	\$31,214	\$22,980	\$305,275
2012	\$19,273	\$34,403	\$17,681	\$17,687	\$37,350	\$16,693	\$15,341	\$36,082	\$21,516	\$20,324	\$27,774	\$20,964	\$285,087
2011	\$13,498	\$29,965	\$11,131	\$12,209	\$25,077	\$15,882	\$11,778	\$30,951	\$13,231	\$14,801	\$27,676	\$17,662	\$111,123
2010	\$11,473	\$27,282	\$9,473	\$11,492	\$25,689	\$12,557	\$11,203	\$31,813	\$15,236	\$14,325	\$26,311	\$14,269	\$211,123

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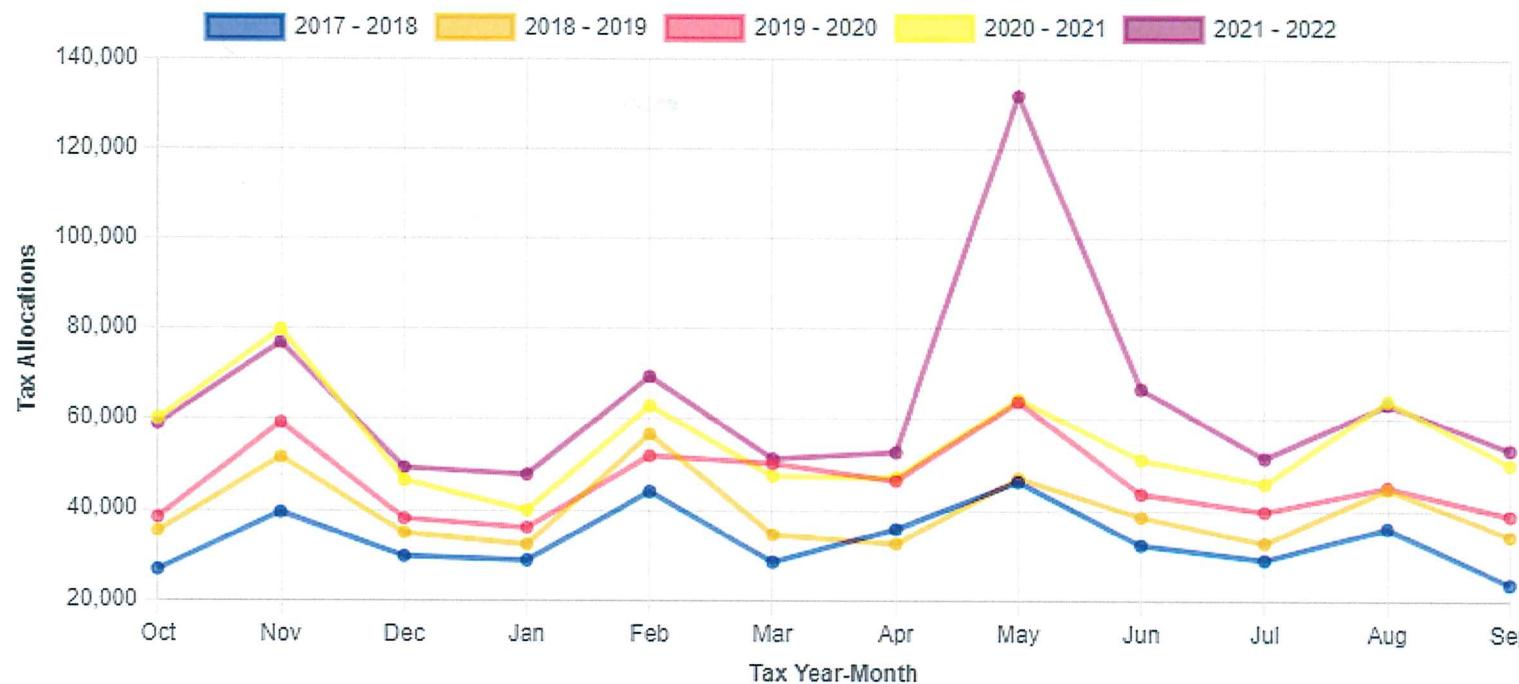
Year	October	November	December	January	February	March	April	May	June	July	August	September	Total
2009	\$12,027	\$27,919	\$11,234	\$10,492	\$23,854	\$11,289	\$12,069	\$24,052	\$11,950	\$10,438	\$23,632	\$13,039	\$191,995
2008	\$5,185	\$14,737	\$6,487	\$3,989	\$13,199	\$13,609	\$6,597	\$14,757	\$10,507	\$12,684	\$24,070	\$11,541	\$137,362
2007	\$5,562	\$14,548	\$3,609	\$3,289	\$11,562	\$4,912	\$4,582	\$14,413	\$5,511	\$6,417	\$11,912	\$5,287	\$91,603
2006	\$3,847	\$13,497	\$9,764	\$3,365	\$11,578	\$3,583	\$3,204	\$12,215	\$2,630	\$3,299	\$13,670	\$4,491	\$85,144
2005	\$2,434	\$11,461	\$3,572	\$2,895	\$10,674	\$2,183	\$2,675	\$9,695	\$2,710	\$2,499	\$10,503	\$3,033	\$64,333
2004	\$2,356	\$10,702	\$2,606	\$2,033	\$8,565	\$3,236	\$1,809	\$9,507	\$24,612	\$2,762	\$9,009	\$3,690	\$80,888

Monthly - Sales Tax Allocations - By Calendar Year



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Monthly - Sales Tax Allocations - By Fiscal Year 10/01 - 09/30



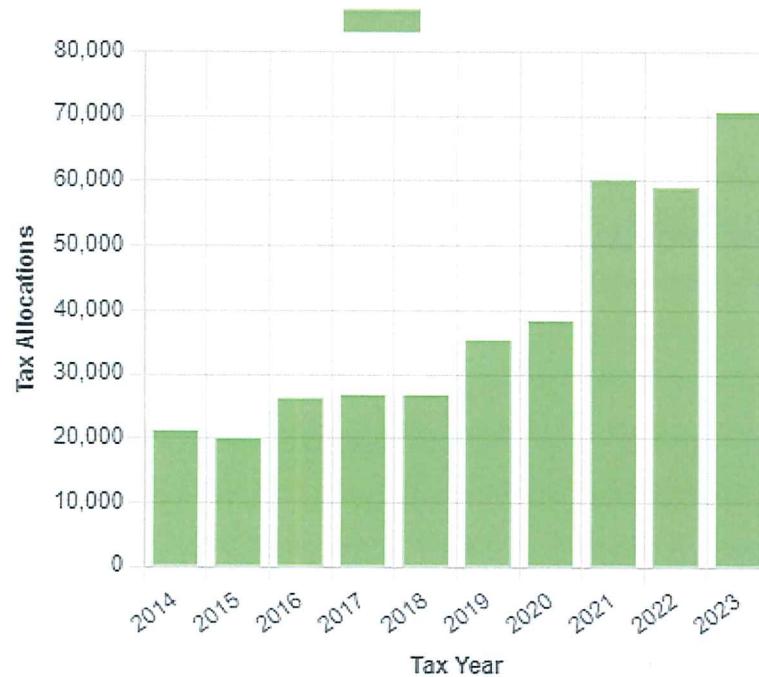
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Yearly - Sales Tax Allocations - Past 20 Years

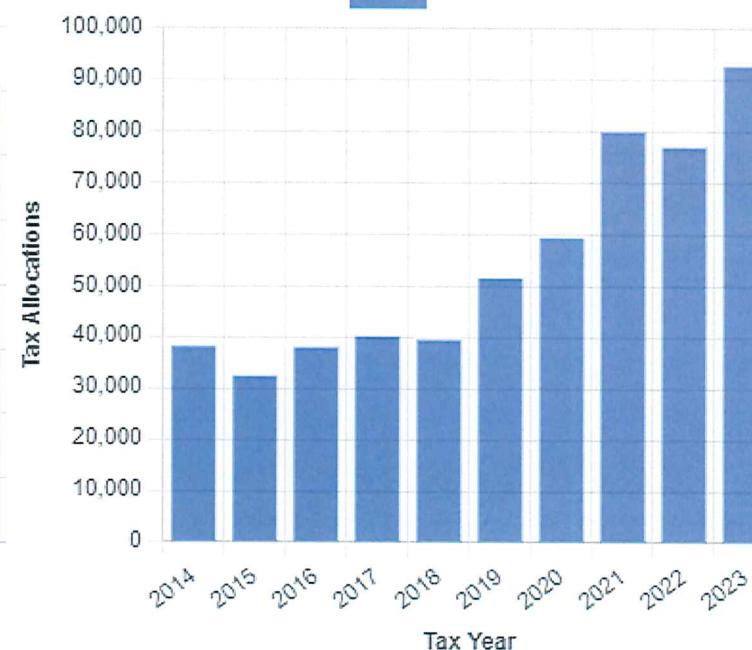


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January - Sales Tax Allocations by Year

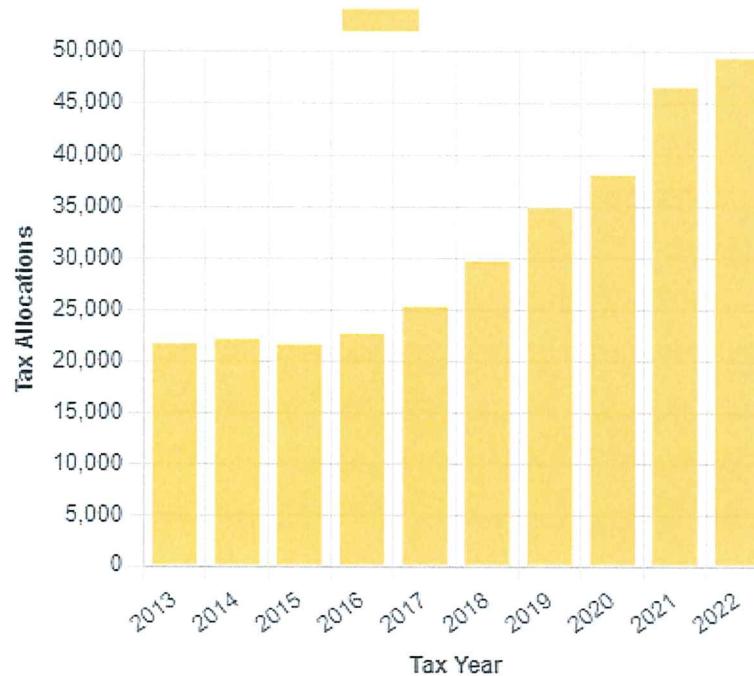


February - Sales Tax Allocations by Year

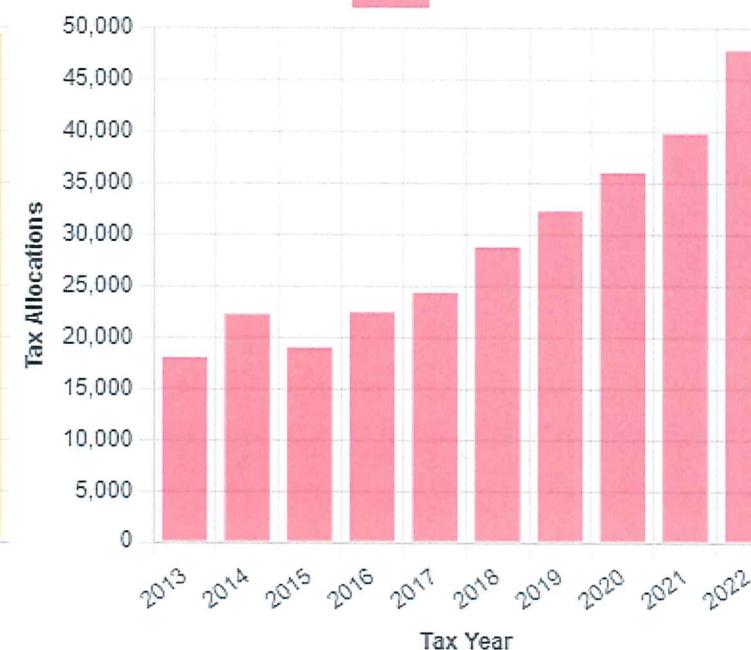


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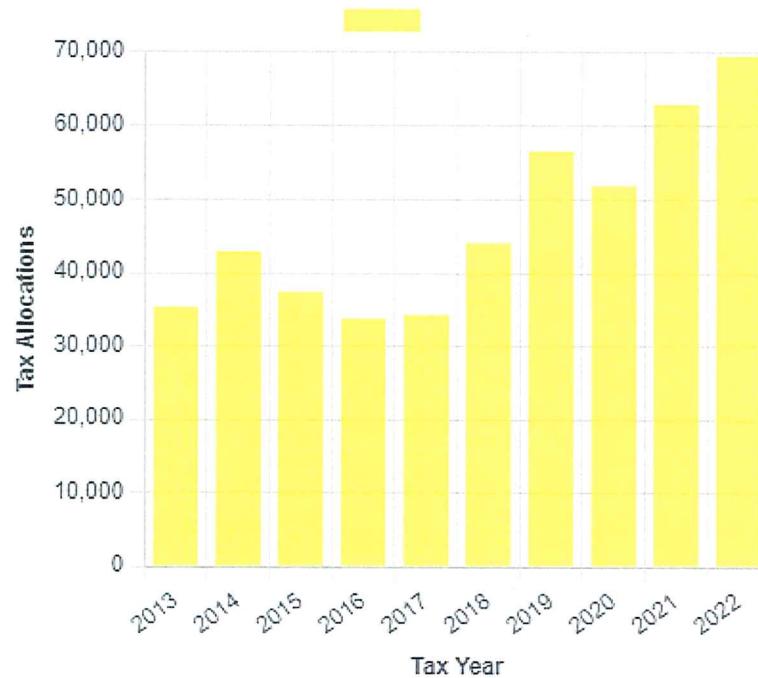
March - Sales Tax Allocations by Year



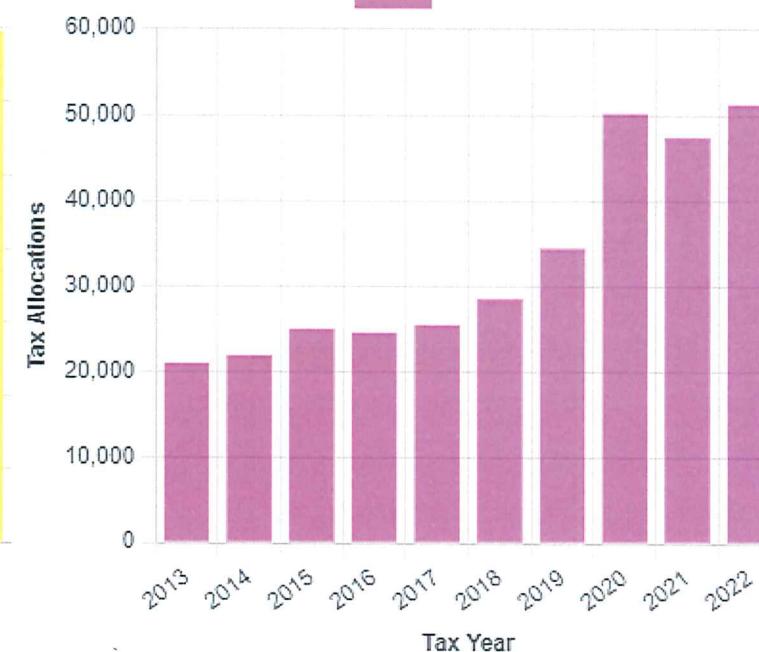
April - Sales Tax Allocations by Year



May - Sales Tax Allocations by Year

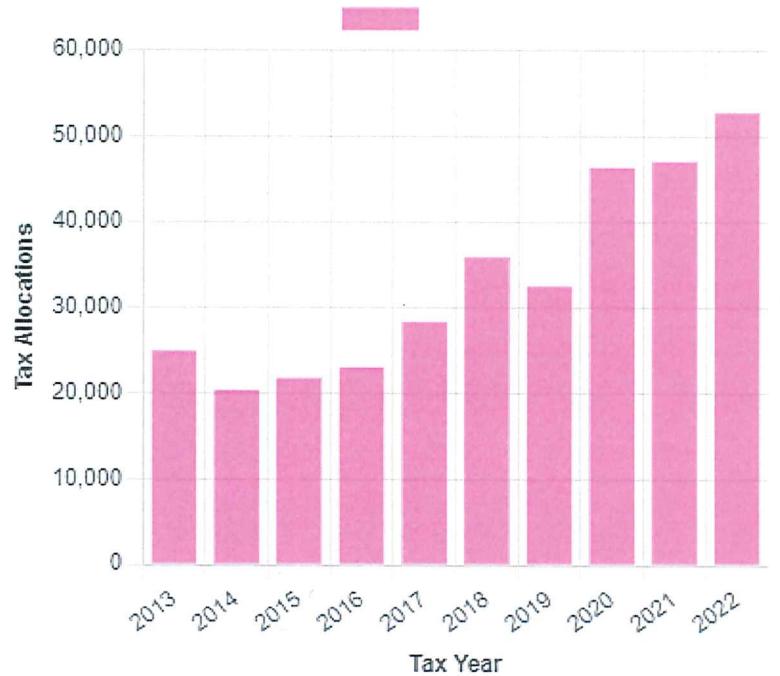


June - Sales Tax Allocations by Year

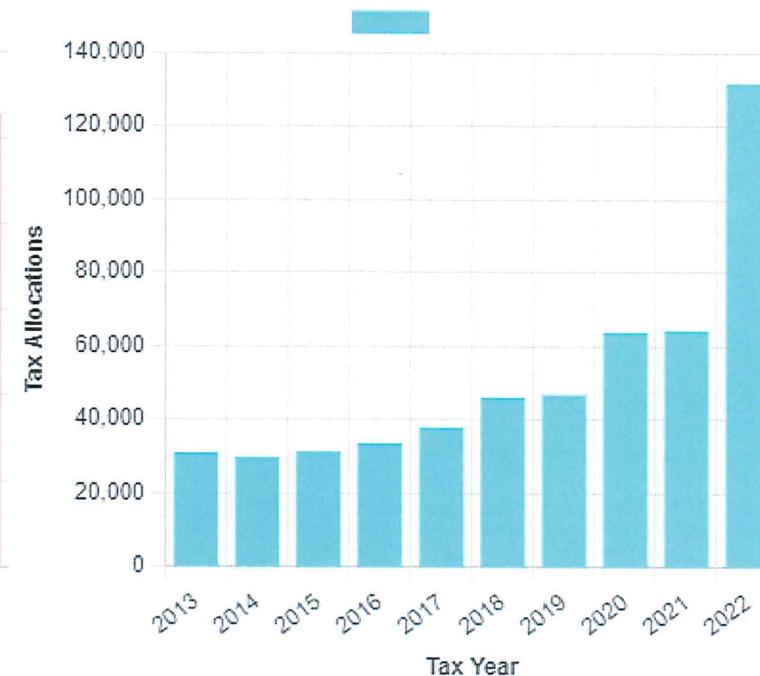


↑ Top

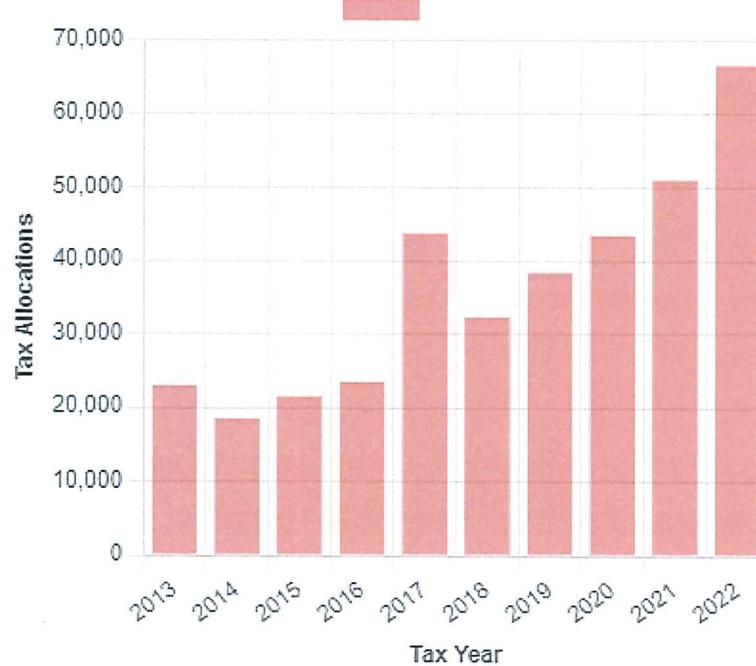
July - Sales Tax Allocations by Year



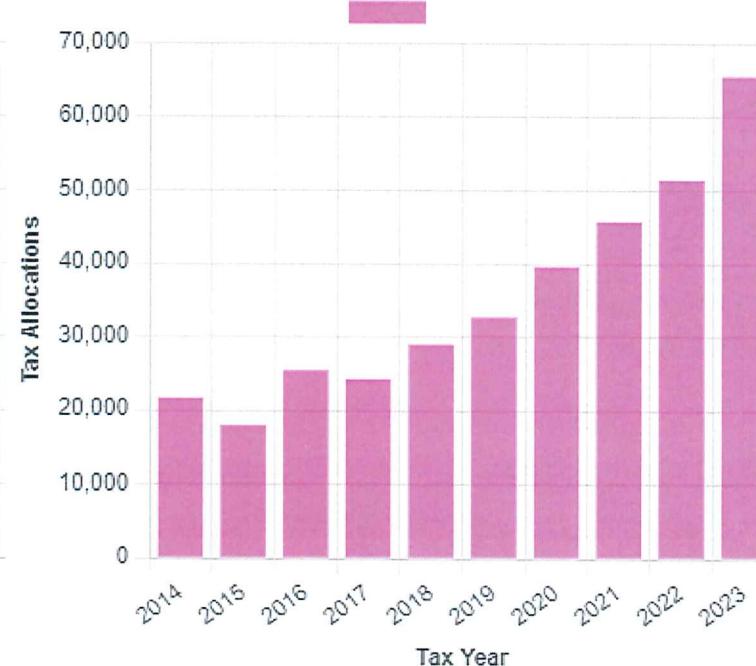
August - Sales Tax Allocations by Year



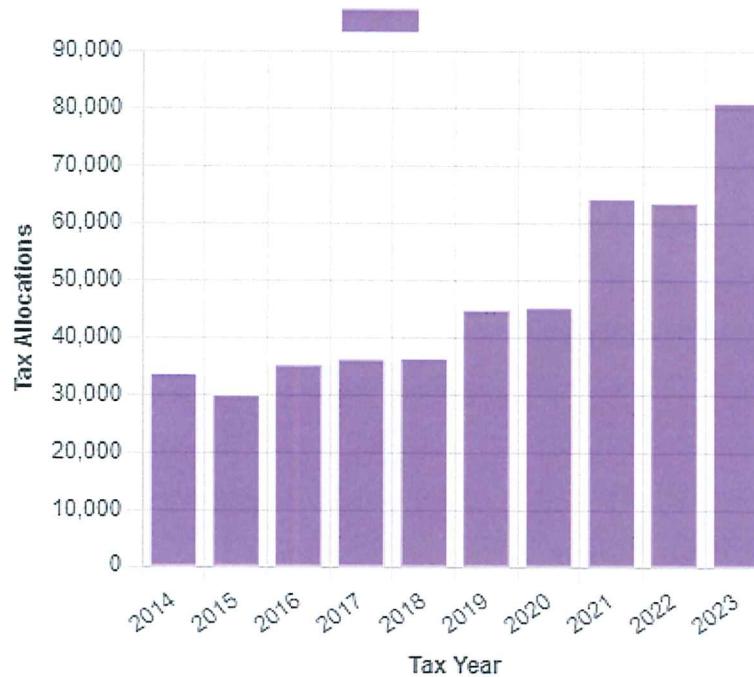
September - Sales Tax Allocations by Year



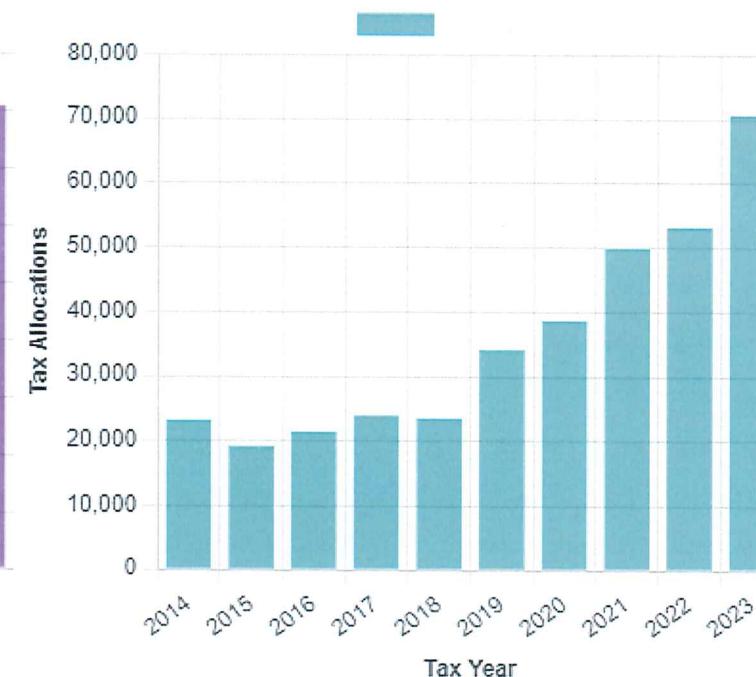
October - Sales Tax Allocations by Year



November - Sales Tax Allocations by Year



December - Sales Tax Allocations by Year



BUILDING PERMITS FEBRUARY 2023

Date Issued	Applicant First Name	Applicant Last Name	Property Address	Permit Number	Proposed Use	Valuation Bldg	Valuation Bldg w Land	Fees Due	Living Sq Ft	Total Sq Ft	Property County
2/10/2023	MATHEW	NOICE	300 OVILLA OAKS DR	2022-0061	ADD ON/REMODEL	5000	0	760	0	0	ELLIS
2/3/2023	ROY	BROWNING	737 WESTMORELAND RD	2022-0481	ACCESSORY BUILDING	12500	0	80	0	0	ELLIS
2/21/2023	BLM FENCE LLC		3730 BRYSON MANOR DR	2023-0014	FENCE	1500	0	50	0	0	ELLIS
2/10/2023	ADAM	GONZALEZ	6971 CEDAR CT	2023-0016	FLATWORK	3200	0	40	0	0	ELLIS
2/15/2023	AGC CUSTOM HOMES		3750 CHERRY LAUREL LN	2023-0023	NEW SINGLE FAMILY RESIDENTIAL	390000	0	8297.94	2789	4112	ELLIS
2/21/2023	CHRISTOPHER	MARTINEZ	607 BUCKBOARD ST	2023-0027	ACCESSORY BUILDING	28000	28000	40	0	1500	ELLIS
2/22/2023	TOMMY	MOCK	7431 BALD CYPRESS DR	2023-0031	FENCE	5000	0	25	0	0	ELLIS
2/22/2023	TOMMY	MOCK	7431 DESERT WILLOW LN	2023-0032	FENCE	5000	0	25	0	0	ELLIS
2/22/2023	TOMMY	MOCK	7420 PISTACHE LN	2023-0033	FENCE	5000	0	25	0	0	ELLIS
2/22/2023	TOMMY	MOCK	7430 PISTACHE LN	2023-0034	FENCE	5000	0	25	0	0	ELLIS
2/22/2023	TOMMY	MOCK	7440 PISTACHE LN	2023-0035	FENCE	5000	0	25	0	0	ELLIS
2/9/2023	LONESTAR BACKYARDS		7450 PISTACHE LN	2023-0036	ACCESSORY BUILDING	8900	0	40	0	0	ELLIS
2/10/2023	AQUATROL IRRIGATION		7431 DESERT WILLOW LN	2023-0037	IRRIGATION	3600	0	25	0	0	ELLIS
2/10/2023	AQUATROL IRRIGATION		7420 PISTACHE LN	2023-0039	IRRIGATION	3600	0	25	0	0	ELLIS
2/15/2023	A OASIS LANDSCAPING		3910 CHERRY LAUREL LN	2023-0040	IRRIGATION	6500	0	25	0	0	ELLIS
2/9/2023	PHILIP	FRASER	3910 MAPLE LN	2023-0041	ACCESSORY BUILDING	4500	4500	40	0	0	ELLIS
2/15/2023	AQUATROL IRRIGATION		7440 PISTACHE LN	2023-0042	IRRIGATION	3600	0	25	0	0	ELLIS
2/15/2023	AQUATROL IRRIGATION		7431 BALD CYPRESS DR	2023-0043	IRRIGATION	3600	0	25	0	0	ELLIS
2/15/2023	AQUATROL IRRIGATION		7430 PISTACHE LN	2023-0044	IRRIGATION	3600	0	25	0	0	ELLIS
2/16/2023	GREG	CICHON	7031 JUDY DR	2023-0045	SWIMMING POOL	70000	70000	481.19	0	0	ELLIS
2/14/2023	DIAMOND H SERVICES		PENROSE DR & PINE VALLEY DR	2023-0046	UG FIBER	0	0	0	0	0	ELLIS
2/15/2023	DELRIDGE	WILLIAMS	361 PENROSE DR	2023-0047	FLATWORK	10000	10000	80	0	0	ELLIS
2/15/2023	MICHAEL	JOHNSON	330 CHEYENNE MOUNTAIN DR	2023-0048	IRRIGATION	1100	0	25	0	0	ELLIS
2/22/2023	MELBA	MATTOX	104 RIDGE WAY GAP	2023-0049	ACCESSORY BUILDING	6500	6500	40	0	0	ELLIS
2/15/2023	MICHAEL	JOHNSON	340 CHEYENNE MOUNTAIN DR	2023-0051	IRRIGATION	1100	1	25	0	0	ELLIS
2/15/2023	JUSTIN	BINDER	7440 DESERT WILLOW LN	2023-0052	FENCE	2000	2000	25	0	0	ELLIS
2/15/2023	MICHAEL	JOHNSON	351 CHEYENNE MOUNTAIN DR	2023-0053	IRRIGATION	1100	1100	25	0	0	ELLIS
2/15/2023	MICHAEL	JOHNSON	431 CHEYENNE MOUNTAIN DR	2023-0054	IRRIGATION	1100	1100	25	0	0	ELLIS
2/15/2023	RAYMOND	WIGGINS	101 SLIPPERY ROCK CT	2023-0056	SPRINKLER SYSTEM	3600	0	25	0	0	ELLIS
2/15/2023	SCOTT	MILLER	330 CHEYENNE MOUNTAIN DR	2023-0057	FENCE	1400	0	50	0	0	ELLIS
2/15/2023	CHAVEZ REMODELING		202 BROOKWOOD CT	2023-0058	ROOF	9600	0	100	0	0	ELLIS
2/16/2023	DIAL ONE JOHNSON PLUMBING		215 WILLOW CREEK LN	2023-0059	MECHANICAL	18267.04	0	354.84	2842	2842	ELLIS
2/16/2023	LUMIO HX		512 FOREST EDGE LN	2023-0060	SOLAR PANELS	44051.93	0	350.83	0	0	ELLIS
2/22/2023	COLE	BUTLER	103 WESTLAWN DR	2023-0061	FENCE	9000	0	25	0	0	ELLIS
2/22/2023	AQUATROL IRRIGATION		7440 DESERT WILLOW LN	2023-0063	IRRIGATION	0	0	25	0	0	ELLIS
2/21/2023	BLAKE	BIDDICK	319 SHADOWWOOD TRL	2023-0064	ROOF	16775	167750	50	3100	3100	ELLIS
2/27/2023	EMERALD IRRIGATION LLC		201 LARIAT TRL	2023-0065	IRRIGATION	3000	0	25	0	0	ELLIS
2/22/2023	OCTAVIO	SANCHEZ	102 WILLOW CREEK LN	2023-0067	PLUMBING	3800	0	106.92	0	0	ELLIS
2/24/2023	ACE FENCE - DFW		351 CHEYENNE MOUNTAIN DR	2023-0068	FENCE	1800	0	50	0	0	ELLIS
2/23/2023	FRANKIE	LOPEZ	503 SAVANNAH DR	2023-0069	ROOF	10000	10000	50	0	0	ELLIS
2/24/2023	PHILIP	FRASER	3910 MAPLE LN	2023-0071	FENCE	500	500	25	0	0	ELLIS
2/28/2023	LUIS	HERRERA	613 GEORGETOWN RD	2023-0072	FENCE	8900	0	50	0	0	ELLIS
2/24/2023	ACE FENCE - DFW		290 PENROSE DR	2023-0073	FENCE	600	0	25	0	0	ELLIS
2/24/2023	ACE FENCE - DFW		320 PENROSE DR	2023-0074	FENCE	1900	0	25	0	0	ELLIS
2/24/2023	ACE FENCE - DFW		301 BROADMOOR LN	2023-0075	FENCE	2700	0	25	0	0	ELLIS
2/24/2023	BARRY	MANERS	519 WESTMORELAND RD	2023-0077	FLATWORK	20000	0	40	0	0	ELLIS
2/23/2023	COZY D HEATING & A/C LLC		105 COCKRELL HILL RD	2023-0078	MECHANICAL	0	0	0	0	0	ELLIS
2/24/2023	MICHAEL	JOHNSON	320 PENROSE DR	2023-0081	IRRIGATION	1100	1100	25	0	0	ELLIS
2/24/2023	MICHAEL	JOHNSON	290 PENROSE DR	2023-0082	IRRIGATION	1100	1100	25	0	0	ELLIS
2/24/2023	MICHAEL	JOHNSON	301 BROADMOOR LN	2023-0083	IRRIGATION	1100	1100	25	0	0	ELLIS

Ovilla Municipal Court Report

FY-2022- 2023	City		Total Revenue	Amount Kept by City	Amount sent to State	Warrants Issued	Warrants Cleared	Uncontested Disposition	Defensive Driving	Deferred Disposition	Compliance Dismissals	Trial
	Total Traffic Cases Filed	Ordinance Filed										
October	97	6	\$24,989.20	\$15,889.60	\$9,099.60	0	15	40	21	46	0	0
November	86	0	\$21,658.20	\$13,796.21	\$7,861.99	42	3	29	14	30	0	0
December	79	1	\$20,124.79	\$12,755.56	\$7,369.23	42	6	32	10	23	0	0
January	80	0	\$20,659.00	\$13,678.11	\$6,980.89	32	9	28	14	26	1	0
February	55	1	\$17,682.10	\$11,248.28	\$6,433.82	38	16	36	18	27	1	0
March												
April												
May												
June												
July												
August												
September												
Totals	397	8	\$105,113.29	\$67,367.76	\$37,745.53	154	49	165	77	152	2	0

2021-2022 FY

February	52	0	\$10,913.50	\$6,584.30	\$4,329.20	33
FY Totals	321	0	\$62,808.43	\$40,379.29	\$22,429.14	149

Staffing

Full Time Court Clerk	1
Full Time Deputy Court Clerk	2
Judge	1
Prosecutor	1
Alternate Judge	1

MONTHLY REPORT A CONCERNS

Department Assigned	Concern Address	Concern Description	Date Entered	Date Closed
Animal Services	106 SUBURBAN DR	BARKING DOG/UNREGISTERED DOG	2/2/2023	
Animal Services	1006 JOHNSON LN	Officer Ortegon called , 2 dead goats dumped on roadside	2/13/2023	2/11/2023
Animal Services	3313 OVILLA RD	SKUNK- BETWEEN 3313-3315 OVILLA RD	2/13/2023	2/13/2023
Code Enforcement	300 OVILLA OAKS DR	ADD-ON/REMODEL ENCLOSED CARPORT W/WINDOWS	2/2/2023	2/10/2023
Code Enforcement	906 COCKRELL HILL RD	FENCE BUILT WITH POLES AND RAILS ON THE OUTSIDE	2/8/2023	
Code Enforcement	613 GEORGETOWN RD	FENCE CONSTRUCTED WITHOUT PERMIT	2/8/2023	2/28/2023
Code Enforcement	202 BROOKWOOD CT	ROOF CONSTRUCTION WITHOUT PERMIT OR CONTRACTOR REGISTRATION	2/8/2023	2/17/2023
Code Enforcement	749 COCKRELL HILL RD	UNPERMITTED SIGN	2/16/2023	
Code Enforcement	419 SHADOWWOOD TRL	had questions concerning dirt work on property, no concrete to be poured only base in backyard for trailer, no permit required.	2/17/2023	2/17/2023
Code Enforcement	613 GEORGETOWN RD	FENCE CONSTRUCTED NO PERMIT	2/17/2023	2/28/2023
Code Enforcement	101 SUBURBAN DR	ACCESSORY BUILDING CONSTRUCTED WITHOUT PERMIT, FENCE CONSTRUCTED WITHOUT PERMIT, LIVESTOCK - 3 ON 1 ACRE, HEALTH AND SAFETY ODOR VIOLATION	2/23/2023	
Code Enforcement	610 MEADOW LARK DR	ACCESSORY BUILDING - CONSTRUCTION WITHOUT PERMIT	2/24/2023	
Code Enforcement	211 SPLIT ROCK TER	CONSTRUCTION OF ACCESSORY BUILDING WITHOUT PERMIT	2/24/2023	
Code Enforcement	203 WINDING WAY CT	TRAILER PARKING IN YARD	2/28/2023	
Code Enforcement	106 CLAREMONT DR	TRAILER PARKING IN DRIVEWAY LONGER THAN 48 HOURS	2/28/2023	
Code Enforcement	303 SHADOWWOOD TRL	ROOF CONSTRUCTION WITHOUT PERMIT	2/28/2023	
Facilities	105 COCKRELL HILL RD	ADD: FEBRUARY MTGS: 2/12/24 CITY COUNCIL MTG 6:30PM 2/20/23 CITY OFFICES CLOSED	2/6/2023	
Facilities	105 COCKRELL HILL RD	NEED LIGHTS REPLACED IN CITY MANAGER'S OFFICE	2/8/2023	
Facilities	105 COCKRELL HILL RD	NEED SEVERAL LOCKS RE-KEYED. PLEASE SEE CATHY FOR DETAILS	2/8/2023	
Street Department	105 COCKRELL HILL RD	Prep for winter storm prepare for shift work.	2/1/2023	2/2/2023
Street Department	OVILLA OAKS DR	664 and Main Street Ovilla Oaks Drive entrance	2/1/2023	
Street Department	105 COCKRELL HILL RD	MOVE FILE CABINET ACROSS THE HALL	2/7/2023	
Street Department	105 COCKRELL HILL RD	MOVE DRAFTING DESK OUT OF FRONT OFFICE TO PUBLIC WORKS BUILDING	2/8/2023	2/10/2023
Street Department	117 WATER ST	Cut down and haul off Hackberry behind 117 Water St. Tree located in city easement.	2/9/2023	2/9/2023
Street Department	715 JOHNSON LN	Tree has fallen blocking roadway need to pick up and haul off	2/9/2023	2/9/2023

Street Department	1941 DUNCANVILLE RD	Haul off fallen tree 1941 Duncanville Rd	2/16/2023	2/16/2023
Street Department	133 WATER ST	Cut down dead tree and haul located in the drainage ditch between 133 & 121 Water St	2/16/2023	
Street Department	105 COCKRELL HILL RD	Saw cut crumbled section of road for excavation for asphalt overlay Cockrell Hill Rd. South of Ashburn Glen entrance near S curve.	2/16/2023	2/23/2023
Street Department	105 COCKRELL HILL RD	Pick up 8 tons of hot mix asphalt	2/23/2023	2/23/2023
Water/Wastewater	105 NOB HILL LN	water & sewer locates on both sides of the road Atmos will be performing an emergency repair.	2/6/2023	2/7/2023
Water/Wastewater	128 LARIAT TRL	Please meet with Curo Environmental at 12:45 (128 Lariat TRL) to collect quarterly TTHM samples.	2/6/2023	2/6/2023
Water/Wastewater	750 COCKRELL HILL RD	CUSTOMER STATED THERE IS WATER BY THE METER.	2/6/2023	2/7/2023
Water/Wastewater	924 RED OAK CREEK DR	LEAVE DOOR TAG TO SET UP SERVICE/DISCONNECT METER TO PREVENT USAGE (IF THEY CAN) UNTIL NEW APP IS REC'D.	2/6/2023	2/6/2023
Water/Wastewater	110 MEADOW GLEN LN	Please pull in new service line it is leaking under the roadway.	2/7/2023	2/21/2023
Water/Wastewater	905 OVILLA OAKS DR	Please check meter for leak on customer side homeowner may have a leak on their side as well.	2/7/2023	2/9/2023
Water/Wastewater	321 WILLOW CREEK LN	replaced gasket that was leaking on customer side.	2/7/2023	2/7/2023
Water/Wastewater	608 FOREST EDGE LN	Please check the meter to see if there's possibly a leak.	2/8/2023	2/9/2023
Water/Wastewater	423 JOHNSON LN	ADD FEB 17 SPAGHETTI DINNER 6PM SERVICE LEAGUE/GRACE CHURCH	2/10/2023	2/10/2023
Water/Wastewater	308 COCKRELL HILL RD	**Daily site checks of Overhead Water Tower, Pumpstation and Liftstation. Check for any pump failures, power failures or any other issues that may interrupt service to the system. Also check fencing, gates, signage, and locks that secure all locations. Employee- Dustin Cleveland Time- 2hrs	2/10/2023	2/10/2023
Water/Wastewater	1908 DUNCANVILLE RD	**Perform Daily (NAP) Nitrification Action Plan at all state approved sampling locations and log all readings to the state approved reporting forms. •Ground Storage Tank- Outside sampling location (Upstream) •Pump Room Sample Port (Downstream) •114 Silverwood (Average Age) •607 Cardinal (High Age Water) •304 Ovilla Oaks (High Age Water) Employee- Dustin Cleveland Time- 2hrs	2/10/2023	
Water/Wastewater	109 MEADOW GLEN LN	CUSTOMER CALLED AND STATED THEIR YARD IS WET IN THE FRONT. PLEASE CHECK FOR POSSIBLE LEAK	2/13/2023	2/14/2023

Water/Wastewater	1908 DUNCANVILLE RD	**Daily site checks of Overhead Water Tower, Pumpstation and Liftstation. Check for any pump failures, power failures or any other issues that may interrupt service to the system. Also check fencing, gates, signage, and locks that secure all locations. Employee- Dustin Cleveland Time- 2hrs	2/13/2023	2/13/2023
Water/Wastewater	1908 DUNCANVILLE RD	**Perform Daily (NAP) Nitrification Action Plan at all state approved sampling locations and log all readings to the state approved reporting forms. •Ground Storage Tank- Outside sampling location (Upstream) •Pump Room Sample Port (Downstream) •114 Silverwood (Average Age) •607 Cardinal (High Age Water) •304 Ovilla Oaks (High Age Water) Employee- Dustin Cleveland Time- 2hrs	2/13/2023	2/13/2023
Water/Wastewater	128 LARIAT TRL	Met with Curro Environmental and collected quarterly water samples	2/13/2023	2/13/2023
Water/Wastewater	803 E MAIN ST	Cleared sewer main back up from manhole at the vertical church to the manhole across Ovilla road. Stoppage seemed to be under Ovilla Road and I believe it was due to grease and towels.	2/13/2023	2/13/2023
Water/Wastewater	1908 DUNCANVILLE RD	**Daily site checks of Overhead Water Tower, Pumpstation and Liftstation. Check for any pump failures, power failures or any other issues that may interrupt service to the system. Also check fencing, gates, signage, and locks that secure all locations. Employee- Dustin Cleveland Time- 2hrs	2/14/2023	2/14/2023
Water/Wastewater	1908 DUNCANVILLE RD	**Perform Daily (NAP) Nitrification Action Plan at all state approved sampling locations and log all readings to the state approved reporting forms. •Ground Storage Tank- Outside sampling location (Upstream) •Pump Room Sample Port (Downstream) •114 Silverwood (Average Age) •607 Cardinal (High Age Water) •304 Ovilla Oaks (High Age Water) Employee- Dustin Cleveland Time- 2hrs	2/14/2023	2/14/2023
Water/Wastewater	1908 DUNCANVILLE RD	Please dig trench for the piping at the chemical buildings.	2/14/2023	2/14/2023
Water/Wastewater	105 COCKRELL HILL RD	welded D-Rings for the streets dept on their service truck.	2/14/2023	2/14/2023

Water/Wastewater	505 EDGEWOOD LN	cut out and counter sink endpoint into meter lid.	2/15/2023	2/15/2023
Water/Wastewater	116 SUBURBAN DR	PLEASE LEAVE A DOOR TAG FOR CUSTOMER TO START SERVICE. METER SHOWS USAGE BUT VACANT	2/16/2023	2/16/2023
Water/Wastewater	1908 DUNCANVILLE RD	**Daily site checks of Overhead Water Tower, Pumpstation and Liftstation. Check for any pump failures, power failures or any other issues that may interrupt service to the system. Also check fencing, gates, signage, and locks that secure all locations. Employee- Dustin Cleveland Time- 2hrs	2/16/2023	2/15/2023
Water/Wastewater	1908 DUNCANVILLE RD	**Daily site checks of Overhead Water Tower, Pumpstation and Liftstation. Check for any pump failures, power failures or any other issues that may interrupt service to the system. Also check fencing, gates, signage, and locks that secure all locations. Employee- Dustin Cleveland Time- 2hrs	2/16/2023	2/16/2023
Water/Wastewater	105 COCKRELL HILL RD	**Perform Daily (NAP) Nitrification Action Plan at all state approved sampling locations and log all readings to the state approved reporting forms. •Ground Storage Tank- Outside sampling location (Upstream) •Pump Room Sample Port (Downstream) •114 Silverwood (Average Age) •607 Cardinal (High Age Water) •304 Ovilla Oaks (High Age Water) Employee- Dustin Cleveland Time- 2hrs	2/16/2023	2/15/2023
Water/Wastewater	105 COCKRELL HILL RD	**Perform Daily (NAP) Nitrification Action Plan at all state approved sampling locations and log all readings to the state approved reporting forms. •Ground Storage Tank- Outside sampling location (Upstream) •Pump Room Sample Port (Downstream) •114 Silverwood (Average Age) •607 Cardinal (High Age Water) •304 Ovilla Oaks (High Age Water) Employee- Dustin Cleveland Time- 2hrs	2/16/2023	2/16/2023
Water/Wastewater	1908 DUNCANVILLE RD	please finish trench for chemical feed line	2/16/2023	2/15/2023
Water/Wastewater	105 COCKRELL HILL RD	please push read in meter from set	2/16/2023	2/15/2023
Water/Wastewater	634 WILLIAM DR	Please seed right of way that was dug up by circle H and eroding due to not having grass	2/16/2023	2/16/2023

Water/Wastewater	105 COCKRELL HILL RD	I am needing the EDC packets dropped off today to each of the members. The packets are in manilla folders, ready to go, in my office. I appreciate you guys!	2/17/2023	
Water/Wastewater	109 MEADOW GLEN LN	Please put down St .Augustine grass and fill in the low spots from the water service pull that was performed on 2/21/23	2/22/2023	
Water/Wastewater	110 MEADOW GLEN LN	Pulled in a 1` service due too old copper service line having a 1/8` hole under the roadway. Daniel , Dustin, Mario	2/22/2023	2/22/2023
Water/Wastewater	1908 DUNCANVILLE RD	**Daily site checks of Overhead Water Tower, Pumpstation and Liftstation. Check for any pump failures, power failures or any other issues that may interrupt service to the system. Also check fencing, gates, signage, and locks that secure all locations. Employee- Dustin Cleveland Time- 2hrs	2/22/2023	2/22/2023
Water/Wastewater	1908 DUNCANVILLE RD	**Perform Daily (NAP) Nitrification Action Plan at all state approved sampling locations and log all readings to the state approved reporting forms. •Ground Storage Tank- Outside sampling location (Upstream) •Pump Room Sample Port (Downstream) •114 Silverwood (Average Age) •607 Cardinal (High Age Water) •304 Ovilla Oaks (High Age Water) Employee- Dustin Cleveland Time- 2hrs	2/22/2023	2/22/2023
Water/Wastewater	105 COCKRELL HILL RD	samples and took them to the TRA lab	2/22/2023	2/22/2023
Water/Wastewater	105 COCKRELL HILL RD	Daniel and Dustin helped the streets dept with a asphalt repair in the 500blk of Cockrell Hill.	2/23/2023	2/23/2023
Water/Wastewater	1908 DUNCANVILLE RD	Tower, Pumpstation and Liftstation.	2/23/2023	2/23/2023
Water/Wastewater	1908 DUNCANVILLE RD	**Perform Daily (NAP) Nitrification Action Plan at all state approved sampling locations and log all readings to the state approved reporting forms. •Ground Storage Tank- Outside sampling location (Upstream) •Pump Room Sample Port (Downstream) •114 Silverwood (Average Age) •607 Cardinal (High Age Water) •304 Ovilla Oaks (High Age Water) Employee- Dustin Cleveland Time- 2hrs	2/23/2023	2/23/2023
Water/Wastewater	141 WATER ST	NEED TO REPLACE HOME OWNERS SIDE FOR THE HOUSE METER & REPAIR PLASTIC COUPLER.	2/27/2023	



March 13, 2023
City Manager & City Secretary Monthly Report-February 2023

Good evening Honorable Mayor and Council,

Please see the following update on the City Manager and City Secretary's activities for the month of February 2023.

City Manager

- Completed all software training.
- Met with TxDOT about FM 664 project.
- Updated and discussed \$4 million loan application with the SIB office. It will be included for consideration on their April agenda.
- Met with the city engineer regarding current and future projects in Ovilla.
- Completed thorough review of budgeted revenues and expenditures.
- Completed review of current fees

City Secretary

- Contacted all seven appointed members of the re-established Board of Adjustment to send state-mandated training for open meetings and public information.
- Published and Posted Requests for Qualifications for Grant Administration and Engineering of the ARP Grant.
- Candidate Filing Period Closed 2.17.23
- Write-In Candidate Filing Period Closed 2.21.23
- Certification of Unopposed Candidates sent to governing body on 2.22.23
- Received Certified Municipal Clerk Designation from the International Institute of Municipal Clerks
- EDC Meeting Held on 2.21.23
- Employee Manual review started

Respectfully submitted,
David Henley
Bobbie Jo Taylor

03.13.2023

Executive Session

To
Honorable Mayor and Council

From
Staff

CC
Applicable Departments

ES ITEM 1. DISCUSSION – Closed Session – Called pursuant to:

Section 551.071 (2) of the Texas Government Code: Consultation with Attorney: To seek advice from the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

Section 551.074 (1) of the Texas Government Code: Personnel Matters: To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Deputy City Secretary
City Manager

City of Ovilla

Tel 972-617-7262

105 S. Cockrell Hill Road
Ovilla, Texas 75154

www.cityofovilla.org

