

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, April 10, 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, April 10, 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 PL2 Oberg*
- U.S. Pledge of Allegiance and TX Pledge *led by Mayor Pro Tem Hunt*

II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS, PROCLAMATIONS

City Manager Update:

- City of Ovilla Trash-Off Annual Clean Up Day April 22 and Green Event April 29
- Digital sign
- SIB Loan Application
- ARP Funds Request to Ellis County
- May 6, 2023 Elections

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 \$5,000
C2. Minutes of the Regular Council Meeting March 13, 2023
C3. Minutes of the Board of Adjustment Meeting January 9, 2023

V. EXECUTIVE SESSION

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

A. Convene into Executive Session.

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

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*

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.

City Attorney

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

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

VII. REGULAR AGENDA

- ITEM 1.** **DISCUSSION** – Receive an update and hold a discussion with Red Oak Independent School District regarding the proposed middle school to be located on Westmoreland Road in the City of Ovilla.
- ITEM 2.** **DISCUSSION/ACTION** – Consideration of and action on accepting the resignation of City Attorney Ron MacFarlane.
- ITEM 3.** **DISCUSSION/ACTION** – Consideration of and action on the appointment of a City Attorney.
- ITEM 4.** **DISCUSSION/ACTION** – Consideration of and action on setting the official date for “Heritage Day” as September 23rd, 2023.
- ITEM 5.** **DISCUSSION/ACTION** – Consideration of and action on setting a time and date to Canvass the May 6, 2023, City of Ovilla Election.
- ITEM 6.** **DISCUSSION/ACTION** – Consideration of and action on appointing a committee to review and interview (if needed) and make a recommendation to the City Council for annual appointments to serve on City Boards and/or Commissions.
- ITEM 7.** **DISCUSSION** – Discussion of Ordinance No. 2023-04 relating to Park Facility Use Fees as requested by Place 1 Kimberly Case.
- ITEM 8.** **DISCUSSION/ACTION** – Consideration of and action on giving the City Manager the authority to execute documents to purchase a 2023 GMC Sierra 3500HD Truck with a dump body for the Parks Department.
- ITEM 9.** **DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

VIII. 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
 - City Secretary City Secretary B. Taylor

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

City of OVILLE City Council

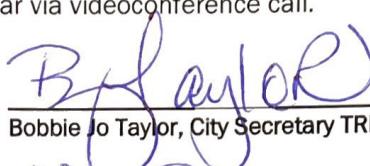
Kimberly Case, Place One
Dean Oberg, Place Two

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

David Griffin, Place Three
Brad Piland, Place Five

X. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF April 10, 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 6th day of April 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.


Bobbie Jo Taylor, City Secretary TRMC, CMC

DATE OF POSTING: 4-6-23 TIME: 5:00 am/pm
DATE TAKEN DOWN: _____ TIME: _____ am/pm



This facility is ADA compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call 972-617-7262 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. PLEASE SILENCE ALL 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.

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.

04-10-2023

Consent Items C1-C3

To
**Honorable Mayor
and Council**

- C1.** Financial Transactions over \$5,000
- C2.** Minutes of the Regular Council Meeting March 13, 2023
- C3.** Minutes of the Board of Adjustment Meeting January 9, 2023

From
Staff

BACKGROUND AND JUSTIFICATION:

CC
**Applicable
Departments**

C1: Financial Transactions over \$5000

STAFF RECOMMENDATION: Staff recommends approval

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

STAFF RECOMMENDATION: Staff recommends approval.

C3: Minutes of the Board of Adjustment Meeting January 9, 2023

STAFF RECOMMENDATION: Staff recommends approval.

City of Ovilla

Tel 972-617-7262

105 S. Cockrell Hill Road
Ovilla, Texas 75154

www.cityofovilla.org





Date: April 10, 2023

To: Honorable Mayor and Council Members

**Subject: Transactions over \$5,000 From
October 2022 thru
February 2023**

From:

Ed Scott – Finance Director

City of Ovilla
 Transaction Detail Report
 10/1/2022 - 2/28/2023

4/4/2023 11:26 AM

100 - General Fund								
Account 100-2311000					Post Date	Tran Date	Source	Line Description
Vendor	Invoice #	Check #	Debit	Credit	Balance			
T. M. R. S.	PY10142022		5,672.76	0.00	5,672.76			
T. M. R. S.	PY10282022		5,672.37	0.00	11,345.13			
T. M. R. S.	PY11102022		5,773.30	0.00	17,118.43			
T. M. R. S.	PY11232022		5,925.59	0.00	23,044.02			
T. M. R. S.	PY1292022		6,033.59	0.00	29,077.61			
T. M. R. S.	PY12222022		5,720.64	0.00	34,798.25			
T. M. R. S.	PY162023		6,098.43	0.00	40,896.68			
T. M. R. S.	PY1202023		6,304.56	0.00	47,201.24			
T. M. R. S.	PY232023		6,626.71	0.00	53,827.95			
T. M. R. S.	PY2172023		11,594.13	0.00	65,422.08			
T. M. R. S.	PY2172023		7,406.65	0.00	72,828.73			
	Total		72,828.73	0.00				

100 - General Fund								
Account 100-2311500					Post Date	Tran Date	Source	Line Description
Vendor	Invoice #	Check #	Debit	Credit	Balance			
Internal Revenue Service	PY10142022		5,899.93	0.00	5,899.93			
Internal Revenue Service	PY10282022		6,028.06	0.00	11,927.99			
Internal Revenue Service	PY11102022		5,954.56	0.00	17,882.55			
Internal Revenue Service	PY11232022		6,202.38	0.00	24,084.93			
Internal Revenue Service	PY1292022		6,824.87	0.00	30,909.80			
Internal Revenue Service	PY12222022		6,114.15	0.00	37,023.95			
Internal Revenue Service	PY162023		5,879.61	0.00	42,903.56			
Internal Revenue Service	PY1202023		6,238.43	0.00	49,141.99			
Internal Revenue Service	PY232023		6,116.39	0.00	55,258.38			
Internal Revenue Service	PY2172023		19,464.27	0.00	74,722.65			
	Total		74,722.65	0.00				

100 - General Fund								
Account 100-2312150					Post Date	Tran Date	Source	Line Description
Vendor	Invoice #	Check #	Debit	Credit	Balance			
United Health Care	PY10142022		12,386.42	0.00	12,386.42			
United Health Care	PY11102022		12,386.42	0.00	24,772.84			
United Health Care	PY1292022		11,742.97	0.00	36,515.81			
United Health Care	PY162023		11,260.38	0.00	47,776.19			
United Health Care	PY232023		12,547.28	0.00	60,323.47			
	Total		60,323.47	0.00				

100 - General Fund								
Account 100-24506					Post Date	Tran Date	Source	Line Description
Vendor	Invoice #	Check #	Debit	Credit	Balance			
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			
Ellis Central Appraisals District	2023-28-01	053544	6,100.84	0.00	6,100.84			
	Total		6,100.84	0.00				

100 - General Fund								
Account 100-10-55240					Post Date	Tran Date	Source	Line Description
Vendor	Invoice #	Check #	Debit	Credit	Balance			
ClearGov Inc.	2022-12305	053411	16,500.00	0.00	16,500.00			
	Total		16,500.00	0.00				

100 - General Fund								
Account 100-16-52160					Post Date	Tran Date	Source	Line Description
Vendor	Invoice #	Check #	Debit	Credit	Balance			
TEXAS MUNICIPAL LEAGUE IRP	5016 10/01/22	053453	13,943.73	0.00	13,943.73			
TML Intergovernmental Risk Pool	010123	053748	13,943.73	0.00	27,887.46			
TEXAS MUNICIPAL LEAGUE IRP	020123	053846	11,097.14	0.00	38,984.60			
	Total		38,984.60	0.00				

100 - General Fund								
Account 100-16-52240					Post Date	Tran Date	Source	Line Description
Vendor	Invoice #	Check #	Debit	Credit	Balance			
FORVIS, LLP	BK01721771	053816	9,000.00	0.00	9,000.00			
	Total		9,000.00	0.00				

100 - General Fund								
Account 100-16-52380					Post Date	Tran Date	Source	Line Description
Vendor	Invoice #	Check #	Debit	Credit	Balance			
RADIO SERVICES AGREEMENT FY 22-City of Midlothian	RSA 2023-16	053813	17,506.00	0.00	17,506.00			
	23							

100 - General Fund								Total	17,506.00	0.00
Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance	
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		
100 - General Fund										
Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance	
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		
100 - General Fund										
Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance	
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-1051-01-057053600		52,718.56	0.00	52,718.56	
					Total		52,718.56	0.00		
100 - General Fund										
Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance	
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		
100 - General Fund										
Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance	
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		
100 - General Fund										
Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance	
10/27/2022	10/27/2022	AP Invoice	TESRS- REVOCATION OF PARTICIPATION IN TESRS	TEXAS EMERGENCY SERVICES RETIREMENT	102622	053497	7,500.00	0.00	7,500.00	
					Total		7,500.00	0.00		
100 - General Fund										
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		25,887.50	0.00		
100 - General Fund										
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		8,424.00	0.00		
100 - General Fund										
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		7,500.00	0.00		
100 - General Fund										
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	
2/17/2023	2/17/2023	AP Invoice	TRASH/RECYCLING FEE	Community Waste Disposal	1377216	053832	31,247.83	0.00	115,801.57	
					Total		115,801.57	0.00		
200 - Water And Utilities Fund										
Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance	
2/23/2023	2/23/2023	AP Invoice	Federal Withholding 2/11/2023	Internal Revenue Service	PY2172023		5,380.49	0.00	5,380.49	
					Total		5,380.49	0.00		
200 - Water And Utilities Fund										
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 PUMP 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		11,148.00	0.00		
200 - Water And Utilities Fund										
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		5,082.00	0.00		

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	169,995.52		0.00		

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	10,673.86		0.00		

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
2/17/2023	2/17/2023	AP Invoice	OPERATION, MAINTENANCE, & DEBT SERVICE	Trinity River Authority of Texas	BH 1711	053848	38,960.00	0.00	192,836.00
				Total	192,836.00		0.00		

200 - Water And Utilities Fund**Account 200-85-52240**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
2/9/2023	2/9/2023	AP Invoice	YEAR END AUDIT	FORVIS, LLP	BK01721771	053816	9,000.00	0.00	9,000.00
				Total	9,000.00		0.00		

200 - Water And Utilities Fund**Account 200-85-52260**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
2/9/2023	2/9/2023	AP Invoice	ENGINEER FEES	Birkhoff, Hendricks and Carter, LLP	18797	053811	7,636.00	0.00	7,636.00
				Total	7,636.00		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, March 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
David Griffin	Council Member, Place 3
Doug Hunt	Mayor Pro Tem, Place 4
Brad Piland	Council Member, Place 5

Mayor Dormier noted that the above members of the council were in attendance thus constituting a quorum with Place 2 Dean Oberg noted as absent. The city manager, acting city secretary, department directors, and various staff were also present.

CALL TO ORDER:

Place 1 Case led the invocation and Mayor Dormier led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

ANNOUNCEMENTS, PROCLAMATIONS, PRESENTATIONS, COMMENTS:

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

CITIZEN COMMENTS:

None

CONSENT AGENDA:

- 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

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

Seconded by PL1 Case.

No oppositions, no abstentions.

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

REGULAR AGENDA:

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

1

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

ITEM 1. DISCUSSION/ACTION – Consideration of and action on 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 ending September 30, 2022, prepared and presented by Forvis, LLP.

Forvis, LLP presented the council with the annual financial audit report for the year ending September 30, 2022. Representatives advised that the City of Ovilla has an unmodified clean opinion of the audited financials.

The council discussed the audit report including topics related to unassigned fund balances, TMRS, budget expenditures, revenues, and mid-year budget amendments with Forvis, LLP.

PL 1 Case motioned to approve 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 ending September 30, 2022, prepared and presented by Forvis, LLP.

Mayor Pro Tem Hunt seconded the motion.

No oppositions, no abstentions.

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

ITEM 2. DISCUSSION/ACTION – Consideration of and action on Resolution No. R2023-03, 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.

PL3 Griffin motioned to approve Resolution No. R2023-03, 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.

PL5 Piland 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 Resolution No. R2023-04, a Resolution of the City Council of the City of Ovilla, Texas adopting the 2022 Ellis County Hazard Mitigation Plan.

Fire Chief Brandon Kennedy explained to the council that this Resolution approves the final version of the Hazard Mitigation Plan which was reviewed by the council last fall. Chief Kennedy advised the plan to be reviewed every five (5) years.

Place 5 Piland motioned to approve Resolution No. R2023-04, a Resolution of the City Council of the City of Ovilla, Texas adopting the 2022 Ellis County Hazard Mitigation Plan.

Place 1 Case seconded the motion.

No oppositions, no abstentions.

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

ITEM 4. DISCUSSION/ACTION – Consideration of and action on Ordinance No. 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.

Mayor Pro Tem Hunt motioned to approve Ordinance No. 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.

PL3 Griffin seconded the motion.

No oppositions, no abstentions.

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

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.

PL1 Case motioned to approve 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.

PL5 Piland seconded the motion.

No oppositions, no abstentions.

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

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.

Mayor Dormier explained that this Resolution will give the city more standing to oppose Municipal Utility Districts at the Public Utility Commission if the district did not follow the regulations that the city preferred.

PL3 Griffin motioned to approve 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.

PL1 Case seconded the motion.

No oppositions, no abstentions.

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

ITEM 7. DISCUSSION/ACTION – Consideration of and action on Resolution No. 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.

Mayor Dormier explained the steps the city had taken to secure a provider to administer the American Rescue Plan Act including going out for publication and reviewing each proposal as a committee.

Mayor Pro Tem Hunt motioned to approve Resolution No. 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.

PL1 Case seconded the motion.

No oppositions, no abstentions.

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

ITEM 8. DISCUSSION/ACTION – Consideration of and action on Resolution No., 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.

Mayor Dormier explained that the city carried out the same steps to secure an engineering service provider, however, only one proposal was returned.

PL1 Case motioned to approve Resolution No., 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.

PL1 Case seconded the motion.

No oppositions, no abstentions.

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

ITEM 9. DISCUSSION/ACTION – Consideration of and action on Resolution No. R2023-08, a Resolution approving the filing of the Fire Department SAFER Grant and authorizing the City Manager to execute the application documents.

Fire Chief Kennedy discussed Resolution No. R2023-08 with the council. The Resolution would allow the City Manager to execute the application documents for a grant which would pay the base salary and benefits of three (3) full-time firefighters for three (3) years. Chief Kennedy explained that after three (3) years it would be the City of Ovilla's responsibility to begin paying the salary and benefits for the positions.

The council discussed with Chief Kennedy the benefits of the program as well as the concerns of the council. Chief Kennedy explained that approval of the resolution would symbolize that the city would accept the grant if awarded. Chief Kennedy did state that not accepting the grant once awarded would not be favorable to the city for future grant projects.

Mayor Pro Tem Hunt motioned to deny Resolution No. R2023-08, a Resolution approving the filing of the Fire Department SAFER Grant and authorizing the City Manager to execute the application documents.

PL3 Griffin seconded the motion.

PL 1 Case and PL 5 Piland opposed the motion, no abstentions.

VOTE: The motion to deny failed: 2:2

PL1 Case motioned to approve Resolution No. R2023-08, a Resolution approving the filing of the Fire Department SAFER Grant and authorizing the City Manager to execute the application documents.

PL5 Piland seconded the motion.

PL3 Griffin and Mayor Pro Tem Hunt opposed the motion, no abstentions.

VOTE: The motion to approve carried with Mayor Dormier voting to approve. Motion carried: 3-2

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

PL1 Case motioned to approve removing Pamela Woodall as a signatory on the City of Ovilla's bank accounts.

Mayor Pro Tem Hunt seconded the motion.

No oppositions, no abstentions.

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

ITEM 11. 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
 - 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).

A. Convene into Executive Session: 7:33 pm

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: 9:25 pm

None

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

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

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

None

ADJOURNMENT:

Mayor Pro Tem Hunt made a motion to adjourn.

PL1 Case seconded the motion.

There being no further business, Mayor Dormier adjourned the meeting at 9:27 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: April 10, 2023

CITY OF OVILLA MINUTES
Monday January 9, 2023
Board of Adjustment Meeting

Mayor Richard Dormier called a Special Meeting of the Ovilla Board of Adjustment to order at **6:00 p.m.** and roll was called with the following BOA members announcing their presence, thus constituting a quorum:

Richard Dormier	Mayor
Kimberly Case	PL1 Council Member
Dean Oberg	PL2 Council Member
David Griffin	PL3 Council Member
Doug Hunt	Mayor Pro Tem
Brad Piland	PL5 Council Member

Six board members were present constituting a quorum. Code Officer Mike Dooly, City Manager, and City Secretary were in attendance.

The Pledge of Allegiance was led at this time.

It was announced that PL3 Griffin would serve as Chair for this meeting, and Mayor Richard Dormier would serve as Vice Chair.

CONSENT ITEMS

None

Individual Consideration
Public Hearing

Item 1. **BOA 23.01 – Public Hearing and Discussion** of an appeal to the Ovilla Code of Ordinances, Chapter 14, Zoning, 30.3 ACCESSORY AND RESIDENTIAL ACCESSORY BUILDINGS; PLACEMENT filed by Fortino Pineda for a residential variance for an accessory building with the main opening/doors facing the front of the property located at the residence of 109 Elmwood Dr, Ovilla, TX 75154.

Chair Griffin read aloud the captioned request and opened the Public Hearing at 6:05 p.m. (Testimony that followed was under proper oath, City Representative)

Code Enforcement Officer Mike Dooly opened with the explanation that the applicant wants to put the main opening/doors facing the front of the property. If the property is not used for agricultural purposes, the doors are to face at a 90-degree or 180-degree angle from the front of the main building. Dooly concluded that Mr. Pineda's use is intended for personal storage, therefore not in compliance with city ordinance.

(Testimony that followed was under proper oath, Applicant)

Mr. Pineda explained that the property is not large enough to be able to turn in or out of the doors if the doors are placed on the side or the back of the building. Mr. Pineda requested the doors be located at the front of the building.

(Chair Griffin asked if there were any speaking in support)

Richard Dormier, Mayor
Kimberly Case, PL1
Dean Oberg, PL2

Doug Hunt, Mayor Pro Tem
David Griffin, PL3
Brad Piland, PL5

CITY OF OVILLA MINUTES
Monday January 9, 2023
Board of Adjustment Meeting

None

(Chair Griffin asked that those speaking in opposition of the request)

Dani Muckleroy was against the building based on the building materials to be used. She had no objection to the location of the doors.

(Rebuttal or Final Comments)

Dalia Lopez, who spoke for the applicant, had a rebuttal expressing that they were trying to keep their building within the standard of other buildings already in existence in Ovilla.

The Public Hearing was closed at 6:16 p.m.

DISCUSSION/ACTION – Consideration of requested **Variance** filed by Fortino Pineda.

The Findings-of-Fact were read aloud. After further discussion, the Board reviewed the criterion and completed the *Findings-of-Fact* form resulting in a **positive** outcome.

PL4 Hunt moved that the BOA APPROVE the request for Fortino Pineda on a Variance as requested on his property at 109 Elmwood Dr, as presented.

PL2 Oberg seconded the motion.

VOTE: The motion to APPROVE carried 5-1 with Mayor Dormier opposing the motion.

ITEM 2. DISCUSSION/ACTION – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

None

Adjournment There being no further business, Chair Griffin adjourned the meeting at 6:23 p.m.

Chair David Griffin

ATTEST:

Bobbie Jo Taylor, City Secretary
Attachment(s): Findings of Fact (1)

Approved on April 10, 2023

*Richard Dormier, Mayor
Kimberly Case, PL1
Dean Oberg, PL2*

*Doug Hunt, Mayor Pro Tem
David Griffin, PL3
Brad Piland, PL5*



City of OVILLA Board of Adjustment Findings of Fact for VARIANCE

Applicant: FORTINO PINEDA
Address: 109 ELMWOOD DR.

Case Number: BOA 23.01

Upon giving public notice and conducting a public hearing on this **VARIANCE** request in accordance with, Chapter 14, Zoning, 30.3 ACCESSORY AND RESIDENTIAL ACCESSORY BUILDINGS; PLACEMENT of the Ovilla Code of Ordinances, the Board of Adjustment adopts these specific, written findings as follows:

	YES	NO
1. That special circumstances or conditions exist which are peculiar to the property, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.	✓	
2. That literal interpretation of the Ordinance will deprive the applicant of rights commonly enjoyed by other properties in the same district under the Ordinance.	✓	
3. That the special conditions and circumstances do not result from the action of the applicant.	✓	
4. The Board of Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure; and	✓	
5. The BOA shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.	✓	

BOA Members present, and upon a record vote of:

	FOR	AGAINST	ABSTAIN
RICHARD DORMIER, MAYOR		✗	
KIMBERLY CASE, PL1	✓		
DEAN OBERG, PL2	✓		
DAVID GRIFFIN, PL3	✓		
DOUG HUNT, PL4	✓		
BRAD PILAND, PL5	✓		

TOTALS:

5 FOR
1 AGAINST
ABSTAIN

The variance is hereby: ✓ granted denied

David R. Griffin
Presiding Officer of BOA

Date 1/9/2023

B. Laylor
Board Secretary

04.10.2023

Executive Session

To
Honorable Mayor and Council

From
Staff

CC
Applicable Departments

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

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.

City Attorney

City of Ovilla

Tel 972-617-7262

105 S. Cockrell Hill Road
Ovilla, Texas 75154

www.cityofovilla.org



AGENDA ITEM REPORT

Item 1

Meeting Date: April 10, 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 – Receive an update and hold a discussion with Red Oak Independent School District regarding the proposed middle school to be located on Westmoreland Road in the City of Ovilla.

Attachments:

None

Discussion / Justification:

Background: Mayor Dormier request that a discussion item be added to the agenda in order to receive an update and discuss with ROISD the proposed middle school that will be located on Westmoreland Rd.

Recommendation / Staff Comments:

None

Sample Motion(s):

Discussion Only

AGENDA ITEM REPORT Item 2

Meeting Date: April 10, 2023

Discussion Action

Submitted By: Staff

Reviewed By: City Manager

City Secretary

City Attorney

Finance Director

Other:

Department: Administration

Budgeted Expense: YES NO N/A

AGENDA ITEM:

ITEM 2. DISCUSSION/ACTION – Consideration of and action on accepting the resignation of City Attorney Ron MacFarlane.

Attachments:

1. Ron MacFarlane Withdrawal and Resignation E-mail

Discussion / Justification:

Background: As you have all been informed, City Attorney Ron MacFarlane voluntarily resigned, effective March 17, 2023.

Recommendation / Staff Comments:

Staff Recommends: Accepting the resignation of City Attorney Ron MacFarlane.

Sample Motion(s):

I move to approve/deny to accept the resignation of Ron MacFarlane.

From: [Ron MacFarlane](#)
To: [David Henley](#)
Subject: Withdrawal/Resignation
Date: Friday, March 17, 2023 4:08:18 PM

AGENDA ITEM REPORT Item 3

Meeting Date: April 10, 2023

Discussion Action

Submitted By: Staff

Reviewed By: City Manager

City Secretary

City Attorney

Finance Director

Other:

Department: Administration

Budgeted Expense: YES NO N/A

AGENDA ITEM:

ITEM 3. DISCUSSION/ACTION – Consideration of and action on the appointment of a City Attorney.

Attachments:

1. Nichols, Jackson, Dillard, Hager & Smith, L.L.P Qualifications Submission
2. Brown & Hofmeister, L.L.P. Qualifications Submission
3. Messer, Fort & McDonald Qualifications Submission

Discussion / Justification:

Background: The city requested qualifications from three of the most respected municipal law firms in the area. All three have submitted their qualifications for consideration.

Nichols, Jackson – Has 13 attorneys and 11 staff members. They are located in Dallas. Their proposal designates Junior Partner Victoria Thomas and Equity Partner Joseph Gorfida to serve as our city attorneys. Both Ms. Thomas and Mr. Gorfida represent numerous municipalities as city attorney including Glenn Heights, Seagoville, Everman, Rice, Forest Hill, Desoto, Hutchins, Lucas, Midlothian, Sachse and other entities. Both have vast experience in municipal law. Their rate is \$200 per hour and they bill in increments of a 0.25 hour. The rate applies to work performed by all attorneys in the firm. They do not bill for work performed by paralegal professionals. They also do not charge for subscription legal research databases and software systems. Currently our City Prosecutor Kaleb Smith is an attorney with Nichols, Jackson.

Brown & Hofmeister – Has seven (7) principal attorneys. They are located in Richardson. Their proposal designates Associate Attorney Amanda Davis to serve as our city attorney. There is no indication that she has ever served as a primary city attorney for a municipality. She graduated from law school in December 2014 and has worked for Brown and Hofmeister since February 2022. Their rate is \$195 per hour for principal attorneys and \$165 per hour per associate attorneys. They propose a \$600 retainer for one attorney to attend council meetings. They bill in one-tenth (1/10th) of an hour increments. Additional costs can be found in their submission.

Messer, Fort & McDonald – Has 26 attorneys and 10 paralegals. They have locations in Frisco, Austin, and Abilene. Their proposal designates Partner Andy Messer to serve as city attorney. Mr. Messer has over 37 years' experience focused exclusively in municipal law. According to the submission, he serves as city attorney for Heath, Murphy, and Lakewood Village. In addition, a directory search showed he was the city attorney for twelve (12) total cities. Their rates are \$220.00 per hour for attorneys,

\$125.00 per hour for law clerks, and \$90.00 per hour for paralegals. They bill in one-tenth (1/10th) of an hour increments. They also bill for expenses, such as postage, copies, filing fees and research databases, at actual costs.

Recommendation / Staff Comments:

Staff Recommends: Staff believes the proposed city attorney(s) from Nichols, Jackson and Messer, Fort & McDonald have the required experience and knowledge needed to best serve Ovilla. Both firms and the proposed attorneys have excellent reputations and proven track records of providing quality counsel to municipalities. I contacted several cities who currently use both firms and they have spoken highly of both firms. With respect to Messer, Fort & McDonald cities have said they like that they have specialty attorneys for different issues, but advised they often get senior or associate attorney's instead of Mr. Messer. Staff believes either firm would be a great fit for Ovilla. Staff would recommend the city council appoint the law firm they believe is best suited for the City of Ovilla's needs.

Sample Motion(s):

I move to appoint _____ to serve as City Attorney.
Insert Name of Firm

From: [David Hall](#)
To: [David Henley](#)
Subject: RE: City Attorney
Date: Tuesday, April 4, 2023 7:36:46 PM
Attachments: [image002.png](#)
[image003.png](#)

Good evening Mr. Henley,

First, let me congratulate you on your appointment!

Second, I would recommend Ms. Thomas and Mr. Gorfida to any organization. In my opinion, Ms. Thomas' work ethic, legal acumen, and dedication to her clients is unmatched.

Although I have worked most closely with Ms. Thomas, I have worked with Mr. Gorfida before and have nothing but the highest regard for him and the rest of the firm.

Please let me know if I can be of further assistance.

Regards,



David Hall, JD
City Manager
1938 S. Hampton Rd. Bldng. C
Glenn Heights, TX 75154
O. 972.223.1690 Ext 140 C. 469.816.8029
Website: www.glenheightstx.gov

Glenn Heights Action Center [>>>>Click Here To Report An Issue<<<<](#)

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Please note that any correspondence, such as e-mail or letters, sent to City staff or City officials may become a public record and made available for Public/media review.

From: David Henley <dhenley@cityofovilla.org>
Sent: Monday, April 3, 2023 6:06 PM
To: David Hall <david.hall@glenheightstx.gov>
Subject: City Attorney

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Hall,

My name is David Henley and I am the new city manager in Ovilla. I have seen you on a

recent conference call but unfortunately, I haven't had the pleasure of meeting you in person yet.

The City of Ovilla is currently reviewing proposals for city attorney services and we are considering Nichols, Jackson. Their proposal designates Ms. Victoria W. Thomas and Joseph J. Gorfida to serve as our city attorneys.

I know Ms. Thomas serves as your city attorney, so I wanted to get your opinion on the quality of services provided by the firm and Ms. Thomas.

Any information would greatly be appreciated!

If I can ever be of service to you, please let me know.

Respectfully,

David D. Henley
City Manager
City of Ovilla
105 Cockrell Hill
Ovilla, Texas 75154
(972) 617-7262 – Office
(972) 515-3221 – Fax



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Brown & Hofmeister, L.L.P.

Attorneys and Counselors
740 East Campbell Road, Suite 800
Richardson, Texas 75081
(214) 747-6100
www.bhlaw.net



Statement of Qualifications for City Attorney Services

City of Ovilla, Texas

APRIL 2, 2023

SUMMARY OF PROPOSAL

Brown & Hofmeister, L.L.P., is pleased to submit this proposal to the City of Ovilla, and we value the opportunity to continue to provide professional legal services to you by our team of skilled attorneys. You will find that Brown & Hofmeister offers tremendous experience in the normal day-to-day operations of towns and cities in North Texas, as well as for special circumstances requiring varied legal expertise. We are confident that we will earn your trust and build a strong working relationship.

This proposal includes the following sections:

- Requested Submission Content:
 1. Firm or individual name, including the address of all firm offices, identifying in which office the work will be performed.
 2. Attach a list of Principals in the firm. Include a biographical sketch of each including education, years of experience, years of municipal law experience, and any areas of specialty within the field of municipal law.
 3. Provide the name and complete resume of the prospective assigned attorney who will have primary responsibility for the City of Ovilla legal matters.
 4. Provide a list of attorneys who will provide services to the City. Include a description of these attorneys' education, years of legal experience, years of municipal legal experience and any areas of specialty within the field of municipal law.
 5. Provide a complete list of all current municipal clients.
 6. If your firm has represented a city in the last five years that you no longer serve as City Attorney, please provide the following information:
 - A. Name of the city
 - B. Explanation regarding why you no longer represent that city.
 7. Proposed hourly rates for each attorney assigned to the City of Ovilla or any alternative fee structure you propose as well as billing increments, billing period, and travel rates.

- Conclusion
- Attorney Profiles

REQUESTED SUBMISSION CONTENT

1. Firm or individual name, including the address of all firm offices, identifying in which office the work will be performed.

Brown & Hofmeister has one office, which is centrally located for clients and employees. The Firm's address and contact phone numbers are:

Brown & Hofmeister, L.L.P.
740 E. Campbell Road, Suite 800
Richardson, Texas 75081
214-747-6100 Main
214-747-6111 Fax

2. Attach a list of Principals in the firm. Include a biographical sketch of each including education, years of experience, years of municipal law experience, and any areas of specialty within the field of municipal law.

There are seven equity partners who are principals at Brown & Hofmeister, L.L.P. Three of these partners are the founding partners of the Firm, which was formed in 2001. These attorneys have worked together in various roles over the last twenty-five years. The principals in the Firm are:

Robert F. Brown
Mark S. Houser
Edwin P. Voss, Jr.
Terrence S. Welch
Alan D. Lathrom
Jeff L. Moore
David T. Ritter

A biographical sketch of each Principal is included in the Attorney's Profile section of this proposal.

3. Provide the name of the Principal who will have primary responsibility for the City of Ovilla's dealing with the firm and a complete resume.

Amanda K. Davis, an associate of the Firm, will serve as the City Attorney. Amanda specializes in municipal law.

Amanda's resume, as requested:

Amanda K. Davis

BROWN & HOFMEISTER, L.L.P.
740 East Campbell Road, Suite 800
Richardson, Texas 75081
Telephone: 214/747-6100
Facsimile: 214/747-6111
E-Mail: adavis@bhlaw.net

PROFESSIONAL EXPERIENCE

BROWN & HOFMEISTER, LLP | Richardson, Texas

Associate Attorney
Present

February 2022 to

- Advise municipal staff on legal matters related to open records, competitive bidding, budget, record retention and other legal matters.
- Responsible for the timely processing of Public Information Act requests, including the drafting of written arguments for submission to the Office of the Attorney General.
- Process subpoenas, including the preparation and filing of related motions.
- Serve as the prosecutor in various municipal courts.
- Prepare and conduct periodic legal trainings.
- Render oral and written legal opinions.

MESSER, FORT, MCDONALD, PLLC | Frisco, Texas

Associate Attorney
February 2022

July 2019 to

- Serve as outside counsel and/or Assistant City Attorney for various political subdivisions and related entities, including numerous cities, economic development corporations, and school districts.
- Advise elected and appointed officials, other city officials, and designated staff on legal matters related to open meetings, open records, elections, ethics, personnel issues – including performance evaluations and discipline, competitive bidding, contracts, ordinances, land use, taxes, finance and other legal matters.
- Attend meetings of the City Council, Planning and Zoning Commission, Board of Adjustment, Economic Development Corporation, and other advisory boards, to render legal advice on matters included on the agenda and provide parliamentary guidance.
- Draft, review and revise legal documents including, without excluding others, public meeting agendas, regulations, ordinances and resolutions, contracts, open records

requests, and real property transactions, such as construction contracts, sale or purchase of real property, easements and other documents related thereto.

- Stay apprised of proposed and enacted legislation, analyzing its potential impact on the entities served.
- Interpret and ensure compliance with federal, state, local law and administrative regulations.
- Prepare and conduct periodic legal trainings.
- Research, interpret, and apply laws, court decisions, and other legal authority in the preparation of opinions and memorandums.

LEWISVILLE INDEPENDENT SCHOOL DISTRICT | Lewisville, Texas

*Assistant General Counsel
July 2019*

September 2018 to

- Draft and review contracts for the district, working primarily with the Procurement and Contracts Department, which includes a high volume of District construction projects and vendor agreements.

- Counsel administrators and monitor compliance regarding employee matters such as grievances, personnel and discipline issues, investigations, leave, EEOC matters, and state and federal employment laws; Texas open government laws; governmental immunity and liability issues; risk management topics; competitive procurement laws and contract matters; and various student issues, including the Family Educational Rights and Privacy Act of 1974 (FERPA).
- Conduct investigations into employee misconduct and other matters.
- Responsible for drafting and reviewing EEOC position statements and preparing sensitive employee correspondence, such as termination letters, certain grievance responses, and discipline letters.
- Prepare and conduct periodic legal trainings for management; coordinate and oversee litigation and other legal matters with outside counsel and/or legal consultants.
- Responsible for the timely processing of Public Information Act requests, including drafting and submitting any written arguments to the Office of the Attorney General related to disclosure of records.

DALLAS COUNTY SCHOOLS / DISSOLUTION COMMITTEE | Dallas, Texas

*General Counsel
August 2018*

March 2017 to

*Associate General Counsel
March 2017*

June 2015 to

- In-house legal counsel for the county school district with over 2,000 employees.
- Counsel and advise administrators regarding employee matters such as grievances, personnel and discipline issues, investigations, leave, EEOC matters, and state and

federal employment laws; Texas open government laws; governmental immunity and liability issues; risk management topics; competitive procurement laws and contract matters; and various transportation and student issues.

- Responsible for drafting and updating the employee handbook, transportation procedures, and various policies on an on-going basis; draft and review vendor contracts for entity; EEOC position statements; and prepare sensitive employee correspondence, such as termination letters, certain grievance responses, and discipline letters.
- Prepare and conduct periodic legal trainings for management; coordinate and oversee litigation and other legal matters with outside counsel and/or legal consultants.
- Serve as the Public Information Officer, responsible for the timely processing of all Public Information Act requests, including drafting and submitting any written arguments to the Office of the Attorney General related to disclosure of records; processed over 1,200 requests from June 2015 through August 2018.

EDUCATION

TEXAS A&M UNIVERSITY SCHOOL OF LAW | Ft. Worth, Texas

Juris Doctor

December 2014

- GPA: 3.27 (Top 20%)
- Texas A&M Journal of Property Law, Articles Editor
- Phi Delta Phi, Honors Society

SOUTHERN METHODIST UNIVERSITY |Dallas, Texas

Bachelor of Humanities/Minor: Political Science

December 2008

- GPA: 3.14
- University Hearing Board Member

PROFESSIONAL ASSOCIATIONS

Admitted to the State Bar of Texas

April 2015

State Bar of Texas Government and School Law Sections

Dallas Volunteer Attorney Program

4. Provide a list of attorneys who will provide services to the City. Include a description of the education, years of legal experience, years of municipal legal experience and any areas of specialty within the field of municipal law.

In addition to Amanda as the named City Attorney, the Firm will have the following attorneys available, as needed, to offer additional support when requested or needed and to help provide the highest level of legal services.

The office address for each attorney is the same, as follows:

740 E. Campbell Road, Suite 800
Richardson, Texas 75081

(1) Attorneys available on a regular or “back-up” basis:

Jeremy R. Page – 214-747-6116 (direct office)

(2) Attorneys available on occasion when a need arises for expertise in a specialized area of practice:

Robert Brown – 214-747-6130 (direct office)
Mark Houser – 214-747-6120 (direct office)
Alan Lathrom – 214-747-6108 (direct office)
Jeff Moore – 214-747-6109 (direct office)
David Ritter – 214-747-6112 (direct office)
Ed Voss – 214-747-6135 (direct office)
Terry Welch – 214-747-6104 (direct office)

A biographical sketch of each attorney is included in the Attorney’s Profile section of this proposal.

5. Provide a complete list of all current municipal clients.

Brown & Hofmeister has always had a strong foundation in local government law. The majority of our work is done on behalf of public entities, and our experience is evident in our client roster. Our attorneys currently serve as city attorney, general counsel, or special counsel for the following governmental entities:

City of Arlington

Contact: Teris Solis, City Attorney

Telephone: 817-459-6878

Email: Teris.Solis@arlingtontx.gov

Outside Counsel for impact fee, ordinance updates and litigation since 2002

Town of Bartonville

Contact: Thad Chambers, Town Administrator
Telephone: 817-693-5280
Email: TChambers@townofbartonville.com
City Attorney since 2015

City of Canton

Contact: Lonny Cluck
Telephone: 903-567-1841
Email: lcluck@cantontex.com
City Attorney since 2016

City of Carrollton

Contact: Meredith Ladd, City Attorney
Telephone: 972-466-3025
Email: Meredith.Ladd@cityofcarrollton.com
Outside Counsel since 2014

City of Cockrell Hill

Contact: Luis Carrera, Mayor
Telephone: 972-466-3025
Email: mayor@cockrell-hill.tx.us
City Attorney since 1993

Town of Corral City

Contact: Ms. Jamie Harris, Mayor
Telephone: 940-648-3831
Email: jamiesharris@msn.com
Town Attorney since 2008

City of Crandall

Contact: Jana Shelton, City Manager
Telephone: 972-427-3771 ext. 114
Email: jshelton@crandalltexas.com
City Attorney (2000 – 11; 2016 – present)

City of Dallas

Contact: Larry E. Casto, City Attorney
Telephone: 214-670-3150
Email: larry.castro@dallascityhall.com
Outside Counsel since 2002

City of Farmersville

Contact: Ben White, City Manager
Telephone: 972-782-6151
Email: b.white@farmersvilletx.com
City Attorney since 2005

City of Joshua

Contact: Joe Hollarn, Mayor
Telephone: 817-556-3123
Email: mayor@cityofjoshuatx.us
City Attorney since 2012

City of Kemp

Contact: Laura H. Peace, Mayor
Telephone: 903-498-3191
Email: lhpcjpo@yahoo.com
City Attorney since 2003

City of Krugerville

Contact: Sandy Frantz, City Administrator
Telephone: 940-365-5833
Email: sandy@krugerville.org
City Attorney since 2004

Town of Little Elm

Contact: Matt Mueller, Town Manager
Telephone: 214-975-0405
Email: mmueller@littleelm.org
Town Attorney since 2006

City of McKinney

Contact: Steve Tilton, Assistant City Manager
Telephone: 972-547-7500
Email: stilton@mckinneytexas.org
City Attorney since 1985

City of Mesquite

Contact: Cindy H. Steiner, Assistant City Attorney
Telephone: 972-216-6272
Email: csteiner@cityofmesquite.com
Outside Counsel for land use and condemnation since 1992

City of Midlothian

Contact: Chris Dick, City Manager
Telephone: 972-775-3481
Email: Chris.Dick@Midlothian.tx.us

City of Oak Point

Contact: Luke Olson, City Manager
Telephone: 972-294-2312
Email: lolson@oakpointtexas.com
Outside Counsel since 2009

City of Oak Ridge

Contact: Al Rudin, Mayor

Telephone: 972-551-0343

Email: rudins@embarqmail.com

Town of Prosper

Contact: Bob Scott, Executive Director of Administrative Services

Telephone: 972-346-2640

Email: bscott@prospertx.gov

Town Attorney since 2013

City of Richland Hills

Contact: Eric Strong, City Manager

Telephone: 817-616-3806

Email: estrong@richlandhills.com

Outside Counsel since 2016

City of Roanoke

Contact: Cody Petree, City Manager

Telephone: 817-491-2411

Email: cpetree@roanoketexas.com

City Attorney since 2004

City of Royse City

Contact: Jason Day, City Attorney

Telephone: 972-636-2250

Email: jason.day@roysecity.com

Outside Counsel as Annexation Consultant since 2010

City of Runaway Bay

Contact: Herman White, Mayor

Telephone: 940-575-4745

Email: hwhite@runawaybaytexas.com

City Attorney since 2002

City of Southmayd

Contact: Tom Byler, Mayor

Telephone: 903-818-7736

Email: mayor@southmaydtx.com

City Attorney since 2007

Town of Sunnyvale

Contact: Sean Fox, Town Manager
Telephone: 972-226-7177
Email: Sean.fox@townofsunnyvale.org
Outside Counsel for litigation since 1987

City of The Colony

Contact: Troy C. Powell, City Manager
Telephone: 972-625-1756
Email: cm@thecolonytx.gov
City Attorney since 2010

City of Whitewright

Contact: Beth Woodson, City Secretary
Telephone: 903-364-2219
Email:
Outside Counsel since 2011

In addition to providing services to the public sector, several of the attorneys at Brown & Hofmeister also have extensive, long-term experience working with economic development corporations throughout Texas and are available to provide assistance with these matters if requested. A list of our economic development corporation clients may be provided upon request from the City.

6. If your firm has represented a city in the last five years, which you no longer serve as City Attorney, please provide the name of city, name of city manager and contact information and explanation regarding why you no longer represent that city.

Brown & Hofmeister, LLP terminated its services with the City of Hawk Cove in 2022 for nonpayment of their legal invoices. The representative below may be contacted for further information:

Contact: Rhonda McKeehan, Chief of Police
Telephone: 903-447-5330
Email: thecityofhawkcove@gmail.com

FEES

We provide the highest possible quality legal services at the best possible price. The cost for our legal services is based on hourly rates, along with a fixed cost component. We are sensitive to budgetary constraints, and will address cost-effective alternatives for delivering legal services as needed.

1. Retainer plus hourly fees:

The attorney hourly rate is \$195.00 for partners and \$165.00 for associates and this rate will be effective for one year from the effective date of this agreement. These rates apply to all routine and non-routine services. It is our understanding that the City of Ovilla currently retains its own prosecutor, therefore municipal court representation will not be included as part of our services provided.

We propose a \$600.00 retainer for one attorney to attend one City Council meeting each month regardless of the length of the meeting and including travel time. The attendance of one attorney at meetings of other City Council meetings or Board and Commission meetings will be billed at an hourly rate.

Billing will accrue in one tenth (1/10th) of an hour increments. All out-of-pocket expenses (such as long distance telephone charges, copying charges, travel expenses, messenger expenses and the like) incurred by us in connection with our representation of you will be billed to you as a separate item on your monthly statement without any added handling fees or service charges benefitting the Firm. We have enclosed a schedule that indicates the rate at which most of these items will be charged.

2. Hourly billing:

The attorney hourly rate is \$195.00 for partners and \$165.00 for associates and this rate will be effective for one year from the effective date of this agreement. These rates apply to all routine and non-routine services including attendance at all meetings of the City Council, Planning and Zoning Commission, Zoning Board of Adjustments, and any other Boards and Commissions. It is our understanding that the City of Ovilla currently retains its own prosecutor, therefore municipal court representation will not be included as part of our services provided.

Billing will accrue in one tenth (1/10th) of an hour increments. All out-of-pocket expenses (such as long distance telephone charges, copying charges, travel expenses, messenger expenses and the like) incurred by us in connection with our representation of you will be billed to you as a separate item on your monthly statement without any added handling fees or service charges benefitting the Firm. We have enclosed a schedule that indicates the rate at which most of these items will be charged.

3. Cost Schedule:

BROWN & HOFMEISTER, L.L.P.
CLIENT COSTS ADVANCED SCHEDULE

The Firm incurs expenses on behalf of clients only when required by the legal needs of the clients. Some cases or matters require extensive use of copy facilities, and other cases may not be so paper-intensive. Standard services such as secretarial and word processing time, file setup and file storage are not charged; however, other expenses such as long distance fees, copies, delivery fees and fax charges are billed to the client requiring those services. An explanation of the billing structure is as follows:

Delivery Services

Outside delivery services are used only when firm runners are not available and an urgent delivery is required. Outside delivery fees are charged to the client at the rate charged to the Firm. Overnight delivery services also are charged at the rate charged to the Firm with no markup.

Postage

Our postal equipment calculates exact U.S. postage for all sizes and weights of posted material. The rate charged for postage is the same as the amount affixed to the material that is mailed. We will not charge clients for standard postage; however, the cost of certified mail or other additional mail services will be charged to the client with no markup.

Copies

Our standard rate for copies made by firm personnel is \$.15 per copy. This charge covers paper, equipment costs and other supplies. If savings can be realized within the required time frame by sending copy jobs to subcontractors, the firm uses only qualified legal services copiers and the cost charged to the client is the same as the amount billed to the Firm with no markup.

Computerized Research

If a case requires the use of computerized legal research, trained and skilled legal researchers are used to minimize on-line data charges. The cost charged to the client for computerized legal research is the same as the amount billed to the Firm.

Fax

Fax copies will be charged at the rate of \$.25 per outgoing page. There is no charge for incoming faxes.

Travel

Attorney time spent traveling on behalf of a client will be billed to the client. Hotel, meal, local transportation and similar expenses are charged based on receipts and travel expense forms submitted by the attorney. Documentation is available to the client if requested.

Other Expenses

Expenses incurred to outside providers in connection with the client's legal services should be paid by the client directly to the outside provider unless specifically arranged in advance. If the Firm agrees to pay outside providers, the cost charged to the client is the same as the amount billed to the Firm. Examples of such charges include: court reporter fees, filing fees, newspaper charges for publication notices, expert witness fees, consultants and other similar expenses. Such expenses will not be incurred without approval from the client.

CONCLUSION

Brown & Hofmeister takes pride in its history of public service and welcomes the opportunity to answer any questions regarding the Firm's experience and qualifications. Brown & Hofmeister looks forward to the opportunity of serving as City Attorney for the City of Ovilla.

Brown & Hofmeister, L.L.P.

Attorneys and Counselors
740 East Campbell Road, Suite 800
Richardson, Texas 75081
(214) 747-6100
www.bhlaw.net

ATTORNEY PROFILES

Robert F. Brown Partner

LENGTH OF PRACTICE
36 years



PRIMARY AREA OF PRACTICE

Mr. Brown specializes in litigation and appellate practice with an emphasis in municipal law, including constitutional law, civil rights, and zoning and land use matters. Mr. Brown has argued three cases before the Texas Supreme Court on behalf of Texas cities. In addition to his litigation practice, Mr. Brown acts as city attorney for a number of municipalities in the North Texas area.

LICENSES & BAR ADMISSIONS

State Bar of Texas, 1986
United States District Courts for the Northern and Eastern Districts of Texas
United States Court of Appeals for the Fifth Circuit
United States Supreme Court

PROFESSIONAL AFFILIATIONS

American Bar Association, Member
Federal Bar Association, Member
National Order of Barristers, Member
Texas City Attorneys Association, Member

EDUCATION

Texas Tech University School of Law
Doctor of Jurisprudence, 1986

Texas A & M University
Bachelor of Business Administration, 1983

Amanda K. Davis Associate

LENGTH OF PRACTICE

8 years



PRIMARY AREA OF PRACTICE

Ms. Davis is an associate with Brown & Hofmeister, L.L.P. and has experience in both private and public practice representing Texas governmental entities. Prior to joining Brown & Hofmeister, L.L.P., Amanda worked with numerous governmental entities in Texas for more than twenty years.

Amanda has advised clients regarding human resource matters; risk management and liability issues. Her general municipal law experience includes assisting with the Open Meetings Act and Public Information Act, municipal court prosecution, and preparing and revising contracts, easements, ordinances, and resolutions.

LICENSES & BAR ADMISSIONS

State Bar of Texas, 2015

EDUCATION

Texas Tech University School of Law
Doctor of Jurisprudence, 2014

Southern Methodist University
B.H., Political Science, 2008

Mark S. Houser Partner

LENGTH OF PRACTICE
37 years

PRIMARY AREA OF PRACTICE



Mr. Houser has developed a state and federal litigation practice with an emphasis in state and local governmental law, including the areas of municipal, zoning and land use, economic development, real estate, and commercial lending.

LICENSES & BAR ADMISSIONS

State Bar of Colorado
State Bar of Texas, 1985
United States District Courts for the Northern and Eastern Districts of Texas
United States Court of Appeals for the Fifth Circuit
United States Supreme Court

PROFESSIONAL AFFILIATIONS

American Bar Association, Member
Collin County Bar Association, Member

EDUCATION

University of Kansas
Doctor of Jurisprudence, 1983

University of Kansas
Bachelor of Arts, 1980

Alan D. Lathrom Partner

LENGTH OF PRACTICE
32 years



PRIMARY AREA OF PRACTICE

Mr. Lathrom joined the Firm after a career in both public and private practice, including seven years as an assistant city attorney at the City of Arlington. Mr. Lathrom's practice has an emphasis on state and federal litigation, state and local governmental law, governmental contracts, land use, and municipal zoning law.

LICENSES & BAR ADMISSIONS

State Bar of Georgia
State Bar of Texas, 1990
Supreme Court of the State of Georgia
Court of Appeals of the State of Georgia
United States District Court for the Northern District of Georgia
United States District Courts for the Northern and Eastern Districts of Texas

PROFESSIONAL AFFILIATIONS

International Municipal Lawyers Association, Member
Texas City Attorneys Association, Member

EDUCATION

Southern Methodist University
Doctor of Jurisprudence, 1989

University of Texas at Dallas
Bachelor of Arts, 1985

Jeffrey L. Moore Partner

LENGTH OF PRACTICE
31 years

PRIMARY AREA OF PRACTICE



Mr. Moore has an emphasis in local governmental law, including the areas of general representation, economic development, open meetings, open records, and municipal court prosecution. Prior to joining Brown & Hofmeister, Mr. Moore served as an Assistant Attorney General with the Texas Attorney General's office as Chief of the Municipal Affairs Section. Mr. Moore assists the Texas Economic Development Council, Texas Attorney General's office, and the State Comptroller's office with the Type A and Type B Sales Tax Training Seminars required by the Texas Legislature.

LICENSES & BAR ADMISSIONS

State Bar of Texas, 1991
United States District Courts for the Northern and Eastern Districts of Texas

PROFESSIONAL AFFILIATIONS

Texas City Attorneys Association

EDUCATION

Texas Tech University School of Law
Doctor of Jurisprudence, 1991

The University of Texas at Austin
Bachelor of Arts, 1987

Jeremy R. Page Associate

LENGTH OF PRACTICE
6 years



PRIMARY AREA OF PRACTICE

Jeremy Page is an associate with Brown & Hofmeister, L.L.P. and has experience in public practice representing Texas governmental entities. Prior to joining Brown & Hofmeister, L.L.P., Jeremy worked for another municipal law firm representing municipalities throughout North Texas.

Jeremy has advised clients regarding municipal ordinances and government contracts. His general municipal law experience includes assisting with the Public Information Act, municipal court prosecution, and drafting pleadings and motions.

LICENSES & BAR ADMISSIONS

State Bar of Texas, 2016

EDUCATION

The University of California at Los Angeles School of Law
Doctor of Jurisprudence, 2016

The University of Arkansas
Bachelor of Science
Honors: Phi Beta Kappa, *magna cum laude*, 2013

David T. Ritter Partner

LENGTH OF PRACTICE
22 years



PRIMARY AREA OF PRACTICE

Mr. Ritter has experience in both private practice and in-house representation, including two years as an assistant city attorney for the City of Plano. He has been working with cities and other political subdivisions in North Texas for nearly ten years. Mr. Ritter's experience includes drafting and negotiating contracts for various city departments, municipal court prosecution, and conducting specific training for city board members. He has also litigated matters to conclusion in state and federal courts, including eminent domain, land use, exaction, police and fire employment, and Texas Tort Act Claims cases.

LICENSES & BAR ADMISSIONS

State Bar of Texas, 2000
United States District Courts for the Northern and Eastern Districts of Texas

PROFESSIONAL AFFILIATIONS

Texas City Attorneys Association, Member

EDUCATION

Southern Methodist University
Doctor of Jurisprudence, 1999

Austin College
Bachelor of Arts, 1996

Edwin P. Voss, Jr. Partner

LENGTH OF PRACTICE
40 years

PRIMARY AREA OF PRACTICE



Mr. Voss entered private practice after over ten years experience as an assistant city attorney for the City of Dallas. His prior experience included practice with a major defense contractor and other governmental work. His primary areas include litigation and appellate practice involving civil rights, constitutional law, municipal land use, zoning and ordinance defense, housing discrimination, employment law, and personal injury and construction contracts. His practice includes handling litigation from the pretrial and trial stages through interlocutory and final appeals, at all levels, as well as a steady municipal practice.

LICENSES & BAR ADMISSIONS

Board Certified, Civil Appellate Law, Texas Board of Legal Specialization
State Bar of Texas
United States Court of Appeals for the Fifth Circuit
United States District Courts for the Northern and Eastern Districts of Texas
United States Supreme Court

PROFESSIONAL AFFILIATIONS

State Bar of Texas, 1982, Member
American Bar Association, Member
Fifth Circuit Bar Association, Member
Texas City Attorneys Association, Member
DRI (Defense Research Institute), Member

EDUCATION

Baylor University School of Law
Doctor of Jurisprudence, 1982

Baylor University
Bachelor of Arts, 1980

Terrence S. Welch Partner

LENGTH OF PRACTICE

43 years

PRIMARY AREA OF PRACTICE



Mr. Welch has four decades of municipal law experience and is a frequent speaker on issues facing public and business entities in Texas. His focus includes civil rights, constitutional law, employment discrimination, gas drilling, personnel matters, and land use.

LICENSES & BAR ADMISSIONS

State Bar of Texas, 1979

United States District Courts for the Northern and Eastern Districts of Texas

United States Court of Appeals for the Fifth Circuit

United States Supreme Court

PROFESSIONAL AFFILIATIONS

American Bar Association, Section Chair, State and Local Government Law Section (2004-05)

International Municipal Lawyers Association (IMLA), Member

Texas City Attorneys Association, Member

EDUCATION

The University of Texas at Austin

Lyndon Baines Johnson School of Public Affairs

Master of Public Affairs, 1981

University of Houston College of Law

Doctor of Jurisprudence, 1979

University of Illinois at Urbana-Champaign

Bachelor of Arts, 1976



March 31, 2023

Via email and personal delivery

David D. Henley, City Manager
City of Ovilla
105 Cockrell Hill
Ovilla, Texas 75154

Re: Request for Qualifications for City Attorney Services

Dear Mr. Henley:

I am pleased to submit the qualifications of our firm in response to the Request for Qualifications 2023-02. Messer Fort & McDonald is a premier and full-service municipal law firm in the state with a reputation for excellence in all areas of municipal practice. We practice *exclusively* municipal law. The firm has 26 attorneys and 10 paralegals (including prior city secretaries, city planners, and court clerks). Collectively, our lawyers have 400+ years of municipal law experience.

The Firm has attorneys who specialize in different areas of municipal law such as land use (including annexation, zoning and platting), economic development (including public-private partnerships and financial incentives), employment, election law, eminent domain, open government, and litigation.

We seek to build trust with our city clients—many of whom we have represented for 20+ years. We believe we have the breadth and depth of experience to represent Ovilla well. We would be grateful for the opportunity to discuss our qualifications in greater detail.

With kind regards,

A handwritten signature in blue ink that reads "Wm. Andrew Messer".

Wm. Andrew Messer
Partner



STATEMENT OF QUALIFICATIONS



Messer, Fort & McDonald, PLLC

6371 Preston Road
Suite 200
Frisco, Texas 75034
(972) 668-6400

STATEMENT OF QUALIFICATIONS

- 1. Firm or individual name including the address of all firm offices, identifying in which office the work will be performed.** The North Texas office located on Preston Road in Frisco will be the primary office serving Ovilla.

Messer, Fort & McDonald (Offices and Locations)		
North Texas Location	Austin Location	Abilene Location
6371 Preston Road Suite 200 Frisco, Texas 75034 Phone: 972-668-6400	4201 W. Parmer Lane Bldg. C Ste. 150 Austin, Texas 78727 Phone: 512-600-2305	2500 S. Willis Suite 400 Abilene, Texas 79605 Phone: 325-701-7960

- 2. A list of the principles in the firm. Include a biographical sketch of each including education, years of experience, years of municipal law experience, and any areas of specialty within the field of municipal law.** The Firm's equity partners at the North Texas office are listed below:
 - Andy Messer – Equity Partner, North Texas Office
 - Baylor University – B.B.A. 1983, J.D. 1985
 - 37 years of experience focused exclusively in municipal law
 - Served as an Assistant City Attorney in Dallas and Wichita Falls. Currently serves as City Attorney for several municipalities including Heath, Murphy, and Lakewood Village.
 - Approved by the TML Risk Pool and specializes in municipal defense litigation including police, employment, land use, constitutional and tort claims. Licensed to appear before the Texas Supreme Court, United States Supreme Court, United States Fifth Circuit Court of Appeals, United States District Courts – Northern, Eastern and Western Districts of Texas.
 - Julie Fort – Equity Partner, North Texas Office
 - University of North Texas –B.A. (cum laude) 1991
 - Southern Methodist University – J.D. 1995
 - 27 years of experience focused exclusively in municipal law
 - Specializes in special district formation (TIRZ, PID, etc.), open government, economic development and land use regulation. Currently serves as the City Attorney or Special Counsel to multiple governmental entities including the cities of Gunter, Celina, Denison, Midlothian EDC, The Woodlands, and Irving.
 - Brenda McDonald – Equity Partner, North Texas Office
 - Texas A&M University – B.S. 1981, MUP (Master of Urban Planning) 1983
 - University of Missouri – Kansas City School of Law – J.D. 1986
 - 39 years of experience
 - 20+ years of general municipal law practice (primarily as in-house counsel) – Deputy City Attorney for the City of Irving, Director of Real Estate and Development for the City of Irving, First Assistant City Attorney for the City of Carrollton, Assistant City

Attorney for the City of El Paso. Currently serves as the City Attorney for the towns of Argyle and Sunnyvale and the cities of Ennis, Whitney, and Pilot Point.

- 13+ years of private practice representing clients in land use, real estate, economic development, public/private partnerships and general corporate matters
- Has worked with EB-5 Regional Centers and financing consultants to utilize EB-5 financing on both private and city sponsored projects.

d. Patricia Adams – Equity Partner, North Texas Office

- Texas Wesleyan University – B.S. (summa cum laude) 1986
- Texas Tech University School of Law – J.D. 1992
- 30 years of municipal experience – Previous Town Attorney for Town of Trophy Club Texas, Senior Assistant City Attorney for the City of Plano, Assistant City Attorney for the cities of Arlington and Garland.
- Currently serves as City Attorney for the cities of Commerce, Corinth, Decatur, Hackberry and Kaufman, serves as Prosecutor for the cities of Highland Village and Ovilla, and is also the Presiding Judge for the Little Elm Municipal Court of Record.
- Specializes in advising City Councils, Planning & Zoning Commissions, staff and other city boards on legal matters related to land use and development, public works bond and insurance claims and other contractual matters.

3. **Provide the name and complete resume of the assigned Attorney who will have primary responsibility for the City of Ovilla's legal matters.** The following organization chart and resume contain responsive information.



City Attorney's Office
Organizational Chart

City Attorney



KEVIN
curley
Head Litigation
Attorney



MELISSA
cranford
Head Employment
Attorney



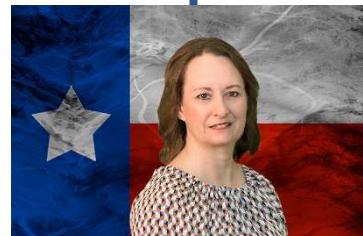
Associate Attorney



PATRICIA
adams
Prosecutor



MARIE
johnson
Head Open Records
Attorney



Melody Herndon
Paralegal

Wm. Andrew Messer



Andy Messer has 37 years of experience in governmental law, defense litigation and appeals, representing various entities on claims of civil rights, discrimination, land use, annexation, zoning, platting, planned developments, employment, police liability, retaliatory discharge, competitive bidding, city ordinance defense, condemnation and tort claims of personal injury and wrongful death. He currently serves as city attorney for numerous North Texas cities. He is on the approved panel counsel list for the TML Risk Pool to represent local governments in significant litigation and appeals. He regularly speaks across the state on municipal and litigation issues.

Selected Accomplishments

- Best Lawyers in America, Municipal Law and Municipal Litigation, 2007-2022
- Served as director and on the faculty of the State Bar Suing and Defending Governmental Entities conference
- Served on the faculty of the University of Texas Land Use Law conference
- Recipient of award from CLEAT for service to police affairs

Representative Experience

- Messer, Fort & McDonald (formerly Messer Rockefeller & Fort)
 - City Attorney for numerous cities. Represent multiple cities in all areas of municipal practice and attend City Council and Planning & Zoning Commission meetings as City Attorney. Emphasis areas include public/private partnerships, economic development incentive agreements, land use matters, complex development agreements, ordinance drafting, annexation, charter review, and general governance issues.
- Fletcher & Springer – Head Municipal Law Section, Dallas Office: Litigation and appeals.
- Wichita Falls: Municipal law, litigation and appeals.
- City of Dallas: Municipal law, litigation and appeals.

Publications and Presentations

- 2018 TMLIRP Attorney Workshop – “Waiving Immunity from Suit by Removing a Case to Federal Court,” August 24, 2018
- TPS Board of Trustees Summer Board Retreat – “Open Carry Laws,” June 17, 2016
- U.T. Law School, Land Use Planning Conference – “Building Codes in the ETJ,” April 28, 2016
- Open Government and Enforcement Conference, Sherman, TX – “The Latest in Public Information Requests and Emails,” November 7, 2014
- Texas Code Enforcement, Irving Code Summit, – “Sex Offender Residency Restriction Ordinances- For the Protection of Children,” April 12, 2013
- Texas PRIMA Conference – “Sexual Predator Buffer Zones; Duarte vs. City of Lewisville – The First Case in Texas, Louisiana & Mississippi,” November 12, 2013
- Texas PRIMA Conference – “9-1-1 Emergency Response Liability,” November 13, 2012
- U.T. Law School, Land Use Planning Conference – “Platting,” March 21, 2012

- Dallas Bar Association Government Law Section, – “Contract Claims: Fight the Good Fight (Because we’re losing the battle),” April 5, 2011; State PRIMA Conference, Galveston, Texas, November 17, 2011
- Suing and Defending Governmental Entities Seminar – “Dealing with the National Media - We’re not in Texas anymore,” July 15-16, 2010
- Texas Annexation Battles, Suing and Defending Governmental Entities Seminar, July 17, 2009
- Texas Municipal League Annual Conference – “Employment Tips for City Attorneys,” November 8, 2007
- Law Enforcement Consultant, Law Enforcement Television, 2003; Faculty for The Center for American and International Law, Institute for Law Enforcement Administration, 40th Management College, March 1, 2004; Supervisors College, April 14, 2005, January 29, 2007, Tulsa, Oklahoma, February 20, 2007
- Texas City Attorneys’ Association, South Padre Island – “E-Discovery: The Nightmare Begins,” June 15, 2007; Suing and Defending Governmental Entities Seminar, San Antonio, July 13, 2007; Texas Municipal League Annual Attorney Workshop, Austin, August 17, 2007
- Suing and Defending Governmental Entities, State Bar of Texas (San Antonio) – “Joint Enterprise Liability, Double Your Pleasure, Double Your Fun,” July 17, 2003; Texas Municipal League Attorney Workshop, August 22, 2003
- Texas Municipal League Annual Conference, Austin – “Practical Litigation Tips for City Attorneys,” October 26, 2006
- State Bar of Texas Course Director – Suing & Defending Governmental Entities, July 25-26, 2002 (Galveston), September 5-6, 2002 (Dallas), October 10-11, 2002 (Austin)
- 50 Texas Police Journal 15 – “First Things First - Pleas to the Jurisdiction,” (2002)
- Texas Municipal League Employment Law Seminar – “Whistleblowers,” February 20, 2002
- Suing and Defending Governmental Entities, State Bar of Texas – “Pleas to the Jurisdiction,” July 13, 2000; Texas Municipal League Attorney Workshop, September 8, 2000; Suing and Defending Governmental Entities, State Bar of Texas, July 29, 2005
- Texas Public Risk Managers Association, Mesquite – “Personal Liability and Official Immunity,” August 18, 2000; Texas Association of School Business Officials, Austin, March 1, 2001
- Gallagher Bassett Insurance Services, Dallas – “The Texas Tort Claims Act: from A to Z,” April 28, 2000; St. Paul Insurance, San Antonio, September 14, 2000; Federal Bar Association, Dallas, September 15, 2000; Hammerman & Gainer 34th Annual Insurance Claims Seminar, Las Colinas, January 18, 2001; Texas Association of School Boards Annual Conference, Austin, April 23 - 24, 2001
- Federal Bar Association, Dallas – “The Secrets to an Open Government: The Open Records and Open Meetings Acts,” September 10, 1999
- Reliance Insurance, Dallas – “The A-B-C’s of School Law,” June 10, 1999
- Texas Public Risk Managers Association, Grapevine – “Defending Federal Tort Claims,” March 12, 1999
- Texas City Attorney’s Association, Semi-Annual Conference, South Padre Island – “Interlocutory Appeals in State and Federal Court,” June 12-13, 1998
- 36 Municipal Attorney 6 (1995); republished, 44 Texas Police Journal 14 – “When Plaintiffs Sue for Excessive Force - How to Get Out of Court Quickly,” 1996

Representative Cases

- *City of Heath vs. Williamson*, 2021 WL 1731796 (Tex. App. — Dallas 2021)
- *Dallas County Hospital District v. Bravo*, 2021 WL 822916 (Tex. App. — Dallas 2021)
- *London v. Rick Van Park, LLC*, 2021 WL 1884650 (Tex. App. — Dallas 2021)
- *Brown v. Coulston*, 2020 WL 10224613 (5th Cir. 2020)
- *State v. City of Double Horn*, 2019 WL 5582237 (Tex. App. — Austin 2020)
- *City of Teague vs. City of Fairfield et al*, 2019 WL 5068753 (Tex. App. — Waco 2019)
- *City of Justin vs. Town of Northlake*, 2018 WL 4259853 (Tex. App. — Texarkana 2018)
- *Roa vs. City of Denison*, 2018 WL 2229373 (5th Cir. 2018)
- *Mote vs. Walthall*, 2017 WL 515411 (E.D. Tex. 2017)
- *City of Pilot Point, Texas v. Eland Farms, LP*, 2016 WL 354103 (Tex. App.—Fort Worth 2016)
- *LGD Properties, Inc. vs. Seis Lagos Utility District*, 2016 WL 3689435 (5th Cir. 2016)
- *Arch Resorts, LLC. v. City of McKinney*, 2016 WL 3196767 (Tex. App.—Dallas 2016)
- *Nieman v. City of Dallas*, 2015 WL 6667761 (N.D. Tex. 2015)
- *Pena v. Givens*, 2015 WL 7234253 (5th Cir. 2015)
- *Bizios v. Town of Lakewood Village*, 453 S.W.3d 598 (Tex. App. — Fort Worth 2014) (pet. pending)
- *Christopher L. Gay and Steven L. Carroll vs. The City of Wichita Falls*, -S.W.3d-, 2014 WL 3939141 (Tex. App. — El Paso 2014)
- *Aurelio Duarte, Wynjean Duarte, S.D. A Minor, by and Through Wynjean Duarte, Acting as her Next Friend, Brandi Duarte, vs. City of Lewisville, Texas*, --F.3d--, 2014 WL 3605855 (5th Cir. 2014)
- *The City of Athens v. Athens Municipal Water Authority*, 2014 WL 5279174 (Tex. App. -Tyler 2014)
- *Cantrell v. City of Murphy, et al*, 666 F.3d 911(5th Cir. 2012), 133 S.Ct. 119 (2012)
- *DSW Masters Holding Corp. et al v. Detective Tyree, et al*, 2012 WL 466455 (Tex. App. — Fort Worth 2012, no pet.)
- *City of Hugo Oklahoma v. Buchanan, et al.*, 132 S.Ct. 1744 (2012)
- *City of Denton v. Rachel Paper*, 376 S.W.3d 762 (Tex. 2012)
- *Somchai Saramanee and Andrew Terrell Boggess v. Town of Northlake*, 2011 WL 944908 (Tex. App.-Fort Worth 2011)
- *Michael LeBlanc v. City of Haltom City, et al.*, 2011 WL 2222175 (N.D. Tex. 2011)
- *Diaz v. Ellis County*, 2010 WL 4243622 (Tex. App. — Waco 2010, no pet.)
- *City of Celina v. City of Pilot Point*, 2009 WL 2750978 (Tex. App. — Fort Worth 2009, pet. denied)
- *City of Mesquite v. PKG Contracting*, 263 S.W.3d 444 (Tex. App. — Dallas 2009, pet. denied)
- *Winegarner v. City of Coppell*, 2007 WL 1040877 (N.D. Tex. 2007)
- *Kuhl v. City of Frisco*, 2007 WL 1051760 (E.D. Tex. 2007)
- *Cunningham v. Chapel Hill ISD*, 438 F. Supp. 2d 718 (E.D. Tex. 2006)
- *City of Irving v. Inform Construction*, 143 S.W.3d 371 (Tex. App. — Dallas 2004), *rev'd in part*, 201 S.W.3d 693 (Tex. 2006)
- *DeSoto Wildwood Development Inc. v. City of Lewisville*, 184 S.W.3d 814 (Tex. App. — Fort Worth 2005, no pet. h.)
- *Davis v. City of Grapevine*, 188 S.W.3d 748 (Tex. App. — Fort Worth 2005, pet. denied)
- *City of Allen v. Ahmed*, 2005 WL 3436690 (Tex. App. — Dallas 2005)

- *Richard Allen v. City of Mesquite and Mesquite Board of Adjustment*, 2004 WL 612798 (Tex. App. – Texarkana 2004)
- *Satterfield & Pontikes Construction, Inc. v. Irving ISD*, 123 S.W.3rd. 63 (Tex. App. - Dallas 2003)
- *Little v. Fulps*, 2002 WL 31831367 (Tex. App - Dallas 2002)
- *In re Keith Jobe*, 42 S.W. 3d 174 (Tex. App. – Amarillo 2000)
- *City of Cleburne v. Donna and Edwin Trussell*, 10 S.W.3d 407, No. 10-99-287-CV (Tex. App. – Waco 1999)
- *Julian Perez et al. v. George Murff II and City of Wichita Falls*, 972 S.W.2d 78 (Tex. App.– Texarkana 1998, writ denied)
- *Robinett v. Carlisle*, 928 S.W.2d 623 (Tex. App.– Fort Worth 1996, writ denied), *cert. denied*, 118 S. Ct. 7 (1997)
- *City of Wichita Falls v. Sherry Norman and Freddie Norman*, 963 S.W.2d 211 (Tex. App.– Fort Worth 1997, writ denied w.o.j.)
- *Larry Lawrence v. City of Wichita Falls and Wichita County Water Improvement District No. 1*, 906 S.W.2d 113 (Tex. App.– Fort Worth 1995, writ denied)
- *Lee Price Fernon v. Robin Smajstrala et al.*, No. 97-1395 (5th Cir. 1998)
- *Walter Bensch v. Penelope Mattos, et al.*, 149 F.3d 1179, Nos. 97-10691 and 97-11222, (5th Cir. 1998), *cert. denied*, 119 S. Ct. 547 (1998)
- *Allen Killingsworth v. Eric Lynn Chatman*, No. 97-10407 (5th Cir. 1997)
- *City of Wichita Falls v. Marilyn Gamble*, No. 96051, Texas Workers Compensation Commission Opinion No. 212 (May 1, 1996)
- *Freddie Castillo v. City of Wichita Falls, Chief Curtis Harrellson, and Officer Larry Robinett*, No. 2-95-262-CV (Tex. App. -Fort Worth, 1996)
- *William Steve McGrew v. Wichita Falls Police Department et al.*, No. 96-10033 (5th Cir. 1996)

Education

Baylor University School of Law, J.D. 1985

Baylor University, B.B.A. 1985

4. **Provide a list of attorneys who will provide services to the City. Include a description of their education, years of legal experience, years of municipal legal experience and any areas of specialty within the field of municipal law.** These following attorneys may provide services, depending on the subject matter of the service.

Kevin Curley – Partner, North Texas Office

- 17 years of municipal experience
- Dallas Baptist University, B.S. (summa cum laude) 2002
- Texas Tech University School of Law, J.D. (magna cum laude) 2005
- Represents cities in all areas of municipal litigation with experience in civil rights defense.

Approved Counsel for TMLIRP.

Melissa Cranford – Partner, North Texas Office

- 23 years of municipal experience
- Abilene Christian University, BA Mass Communication, May 1994
- Texas Tech University School of Law, JD, May 1999

- Veteran labor and employment lawyer who provides experienced defense to management in employment disputes, including wage and hour, discrimination and retaliation claims. Employs a collaborative approach with employers in proceedings involving the EEOC, DOL, TWC and other regulatory agencies. Experienced counselor and negotiator in labor disputes and executive contracts.

Regina Edwards – Senior Attorney, North Texas Office

- Over 30 years of municipal experience
- Baylor University, B.B.A. – full academic scholarships
- Baylor University School of Law, J.D. – full academic scholarships
- Skilled in all areas of local government law with emphasis on zoning and development, economic development, eminent domain, real estate, contracts, historic preservation including downtown revitalization, and strategic advice to councils, boards and staff.
- 26+ year member of Rotary International and is currently serving as District Governor Nominee and International Service Chair of District 5810 (which includes 64 clubs in North Texas)

Patricia Adams – Equity Partner, North Texas Office

- 30 years of municipal experience
- Texas Wesleyan University – B.S. (summa cum laude) 1986
- Texas Tech University School of Law – J.D. 1992
- Currently serves as City Attorney for the cities of Commerce, Corinth, Decatur, Hackberry and Kaufman, serves as Prosecutor for the cities of Highland Village and Gainesville, and is also the Presiding Judge for the Little Elm Municipal Court of Record.
- Specializes in advising City Councils, Planning & Zoning Commissions, staff and other city boards on legal matters related to land use and development, public works bond and insurance claims and other contractual matters.

Marie Johnson – Associate Attorney, North Texas Office

- 6 years of municipal experience
- B.A., Political Science, The University of Texas at Dallas, 2009
- J.D., SMU Dedman School of Law, 2013
- Represents and advises cities in all manner of employment matters including policy guidance and employee disciplinary matters and disputes.
- Provides expertise and experience in managing requests under the Texas Public Information Act and seeking Attorney General opinions on behalf of clients.

5. **Provide a complete list of all current municipal clients, including email and phone contact information. Please identify five clients which you think are most comparable to the City of Ovilla.** The firm has over 80 municipal clients in Texas. The below client list is for our North Texas office, which would serve Ovilla. The five city clients most comparable to Ovilla are Denison, Commerce, Decatur, Ennis, and Kaufman. References and clients for our Austin office and Abilene office are available upon request.

FIRM CLIENT LIST – NORTH TEXAS OFFICE

Town of Argyle

Bryan Livingston, Mayor
(940) 464-7273
blivingston@argyletx.com

City of Aubrey

Charles Kreidler, City Manager
(940) 440-9343
kreidler@aubretytx.gov

City of Balch Springs

Suzy Cluse, City Manager
(972) 286-4477
scluse@cityofbalchsprings.com

City of Blue Ridge

Edie Sims, City Secretary
(972) 752-5791
esims@blueridgecity.com

City of Caddo Mills

Matt McMahan, City Manager
(903) 527-3116
Mattmcmahan11@outlook.com

City of Cedar Hill

(Land Use Attorney)
Stephen Mason, Mayor
(972) 291-5100
stephen.mason@cedarhilltx.com

Clarksville

Ann Rushing, Mayor
citymayor@suddenlinkmail.com

Clear Creek Watershed Authority

Phil Hancock, Board President
ccwa-tx@att.net

City of Collinsville

Jeff Ashabanner, City Administrator/Police
Chief
(903) 429-6225
policechief@collinsvilletexas.org

City of Combine

Robin Price, City Secretary
(972) 476-1532
city@combinetx.com

City of Commerce

Howdy Lisenbee, City Manager
(903) 886-1130
Howdy.lisenbee@commercetx.org

City of Corinth

Scott Campbell, City Manager
(940) 498-3240
Scott.Campbell@cityofcorinth.com

City of Crandall

Jerry Dean, City Manager
(972) 427-3771
jdean@crandalltexas.com

City of Cumby

Betty Jo Hardman, City Secretary
(903) 994-2272
secretary@cityofcumby.com

Dallas Police & Fire Pension System

(Special Counsel)
Josh Mond, General Counsel
(214) 638-3863
joshuam@dpfp.org

City of Dallas Board of Adjustments

David A. Neumann, Chairman
(214) 232-9934
dave@jasperneumannconsulting.com

City of Decatur

Nate Mara, City Manager
(940) 393-0201
nmara@decaturtx.org

City of Denison

Janet Gott, Mayor
(903) 465-2720 Ext. 2440
jgott@cityofdenison.com

City of Denton (Special Counsel)
Mack Reinwand, City Attorney
(940) 349-8376
mack.reinwand@cityofdenton.com

City of Detroit
Tami Nix, City Secretary
(903) 245-5483
cityofdetroit75436@gmail.com

City of Ennis
Marty Nelson, City Manager
(972) 875-1234
mnelson@ennistx.gov

Frisco Housing Authority
Sue Kaeufer, Executive Director
(972) 377-3031
sue@friscoha.org

City of Grand Prairie (Special Counsel)
Megan Mahan, Assistant City Manager
(972) 237-8026
mmahan@gptx.org

City of Greenville (Special Counsel)
Daniel Ray, City Attorney
(903) 454-0044
daniel@scottraylaw.com

City of Gunter
Mark Millar, Mayor
(903) 433-5185
mayor@ci.gunter.tx.us

City of Hackberry
Brenda Lewallen, City Administrator
(972) 292-3223
cityadmin@cityofhackberry.net

City of Heath
Aretha Adams, City Manager
(972) 961-4898
aadams@heathtx.com

City of Irving (Special Counsel)
Kuruvilla Oommen, City Attorney
(972) 721-2541
koommen@cityofirving.com

City of Italy
Amber Cunningham, City Secretary
(972) 483-7329 X 103
acunningham@italycityhall.org

City of Kaufman
Mike Holder, City Manager
(972) 932-2216
mholder@kaufman.org

City of Kerrville (Special Counsel)
Michael Hayes, City Attorney
(830) 258-1115
Mike.hayes@kerrvilletx.gov

Town of Lakewood Village
Mark E. Vargus, Ph.D., Mayor
(972) 294-5555
mark@lakewoodvillagetx.us

City of Lavon
Kim Dobbs, City Administrator
(972) 843-4220
kim.dobbs@cityoflavon.org

City of Leonard
Michael Pye, Mayor
(903) 587-3334

City of Lone Oak
Patsy Patten, City Secretary
(903) 662-5116 ext. 203
lotx.citysecretary@gmail.com

City of Lowry Crossing
Janis Cable, City Secretary
(972) 542-8678
jcable@lowrycrossingtexas.org

City of Mesquite (Special Counsel)
David Paschall, Deputy City Attorney
(972) 216-6374
dpaschall@cityofmesquite.com

Midlothian EDC
Kyle Kinateder, President/CEO
(972) 427-3085
kyle@midlothian-tx.org

Mineral Wells
Dean Sullivan, City Manager
(940) 328-7703
citymanager@mineralwellstx.gov

City of Murphy
Mike Castro, City Manager
(972) 468-4007
mcastro@murphytx.org

City of Newark
Crystal Cardwell, Mayor
(817) 489-2201
ccardwell@newarktexas.com

City of New Fairview
John Cabrales
(817) 638-5366

City of Oak Leaf
Tom Leverenz, Mayor
(817) 271-9276
tleverenz@oakleaftx.org

City of Oak Ridge
Al Rudin, Mayor
(972) 551-0343

City of Pilot Point
Britt Lusk, City Manager
(940) 686-2165
blusk@cityofpilotpoint.org

City of Plano (Special Counsel)
Victoria Huynh, Deputy City Attorney
(972) 941-7313
victoria@plano.gov

Town of Providence Village
Connie Hansen, Town Secretary
(940) 365-9333
chansen@pv-tx.com

City of Saint Jo
Teresa Fangman, City Secretary
(940) 995-2337
sjcityhall@ntin.net

Seis Lagos Utility District
Brian Holmes, Board President
(214) 418-6993
brian.holmes@slud.us

City of Streetman
Johnny Robinson, Mayor
(903) 599-2567

Town of Sunnyvale
Saji George, Mayor
(972) 226-7177
mayor.george@townofsunnyvale.org

City of Terrell (Land Use Counsel)
Mike Sims, Interim City Manager
(214) 397-8196
mikesims@cityofterrell.org

City of Valley View
Lynn Morgan, City Secretary
(940) 726-3740
clerk@cityofvv.com

City of Waco (Special Counsel)
Jennifer Richie, City Attorney
(254) 750-5688
JenniferR@wacotx.gov

City of Wolfe City (Special Counsel)
Daniel Ray, City Attorney
(903) 454-0044
daniel@scottraylaw.com

**The Woodlands Township
(Interim General Counsel)**
Monique Sharp, President & General Manager
(281) 210-3800
MSharp@thewoodlandstownship-tx.gov

6. If your firm has represented a City in the last five (5) years that you no longer serve as City Attorney, please provide the following:

a. Name of City	b. Name of City Manager (or appropriate reference) and contact information.	c. Explanation regarding why you no longer represent that City.
Addison	Wes Pierson City Manager (former) 972-292-5105	The town's local politics are severely fractured and one councilmember over a 3-year period tried to replace Brenda McDonald as city attorney, and eventually was successful.
Fate	Leigh Corson Human Resources Director 972-771-4601	We represented the city for many years as it grew tremendously. It was one of the fastest growing cities in the state. Last year, the city implemented an in-house city attorney system rather than utilizing private legal services.
Bee Cave	Clint Garza City Manager 512-767-6600 -Or- Carolyn Murphy Former Mayor 512-497-9369	We represented the city for 19 years. The population went from just under 700 to 8000 in 2019. We drafted the city's charter, and the city became home rule. We drafted and negotiated the terms of the Galleria development whereby the city received many public benefits, including a city hall and a central park. In 2018 and 2019, the city council became fragmented, and the Bee Cave Mayor of 19 years moved out of the city. A couple of new councilmembers were concerned with our friendship with the former Mayor (who still lived in the community but outside the city limits) and the council (then composed mostly of new residents) decided to hire a new city attorney firm.

7. Proposed hourly rates for each attorney assigned to the City of Ovilla or any alternative fee structure you propose as well as billing increments, billing period, and travel rates.:

MFM proposed schedule of hourly rates is below. The Firm bills time in tenths of an hour and sends invoices monthly. MFM will bill expenses, such as postage, copies, filing fees and research databases, at actual costs with detail to be agreed to in an engagement agreement. Travel time is negotiable. Other details regarding fees shall be included in the engagement agreement.

\$220.00 per hour for attorneys
\$125.00 per hour for law clerks
\$ 90.00 per hour for paralegals

8. The firm's experience in each of the following areas and the strategy for managing those areas. This information was not requested but may be beneficial.

- a. Business contracts and agreements.** MFM has extensive experience reviewing and drafting a wide variety of contracts, agreements and interlocal agreements. We are fully versed in the contractual provisions that are unique to cities and have a breadth and depth of experience to ensure that final documents protect the City's interests and minimize liability. For some of our clients, we have drafted over 100 contracts. For some of our clients, we have drafted and negotiated contract documents for the construction of a new city hall, police department and fire department complexes.
- b. Bidding and procurement.** The Firm regularly advises municipalities on compliance with procurement requirements and statutes. We also have expertise in alternative procurement and delivery systems, such as design-build contracts, when projects have specialized time, flexibility, or innovation requirements.
- c. Ordinances and resolutions.** Ordinance and resolution drafting is a daily part of municipal practice. Each principal attorney has over 25 years of municipal law experience with a heavy emphasis in document drafting. We also believe that you don't need to "reinvent the wheel" for every issue and the Firm has a library of forms to expedite preparation of many municipal documents. The Firm drafted one of the region's first e-cigarette ordinances, has significant experience drafting zoning and subdivision ordinances, right-of-way management ordinances, and ordinances to eliminate substandard housing properties. The Firm regularly drafts regulations governing the sale of alcoholic beverages after successful local option election initiatives.
- d. Real estate matters, including platting, deeds, and easements.** The Firm has extensive real estate transaction experience including the acquisition, sale, lease and financing of real estate interests (negotiation, title review, document drafting – deeds, easements, licenses, leases, deed restrictions). Julie Fort has assisted Celina in drafting multiple downtown patio and alley agreements for downtown redevelopment. The Firm regularly addresses complex and multi-party real estate issues for our client cities such as the negotiation of long-term ground leases, the negotiation and drafting of a donation deed for a new city hall, the acquisition of property for a public safety facility, and title review and title objections for the purchase of right-of-way on property with complicated lien issues.
- e. Substandard buildings.** The Firm regularly advises municipalities on code enforcement, seeking repair and/ or demolition of substandard structures. We are currently involved in multiple enforcement actions for demolition of these structures through injunctive relief by seeking legal action when municipal citations prove fruitless. Andy Messer has successfully prosecuted and defended multiple cities in substandard structure cases including appeals from a zoning board of adjustment, requiring property owner compliance with city codes (moving swimming pools, reduction of roofs, demolition of multiple residential structures, and a motel).

- f. **Subdivision regulations.** The Firm recently assisted several municipalities in the complete update and rewrites of their subdivision regulations. MFM attorneys are regularly involved in advising clients on the application of subdivision regulations through the platting process and the use of development agreements to achieve construction of public infrastructure.
- g. **Zoning matters.** Messer, Fort & McDonald is a leading land use and development firm in the state. Julie Fort is recognized by her peers as a pre-eminent land use attorney in Texas and is frequently asked to help train other municipal attorneys across the state in zoning matters. For example, she has served on the planning committee, and been a regular speaker, for the annual UT Land Use Law conference and Texas City Attorney Association conferences. Julie serves as land use counsel in cities where the Firm is not the city attorney due to her expertise. In 2016, Julie Fort successfully negotiated the closing of a sexually oriented business in Denison which was located in a zoning district which did not allow such use. Brenda McDonald's Bachelor of Science in Landscape Architecture and Master of Urban Planning degree combined with 33 years of practice in land use and municipal law in both the public and private sectors fully equip her to work with city staff, private developers, architects and engineers to address zoning or development-related issues. She co-authored the leading practice manual for land use professionals in Texas, *Texas Municipal Zoning Law 3rd ed.* published by Lexis Publishing Company. Andy Messer was successful in defending a federal lawsuit denying a sexually oriented business from locating in Murphy. We then prepared an amended, comprehensive sexually oriented business ordinance citing all the latest studies as evidence concerning the adverse secondary effects of sexually oriented businesses on a community. No sexually oriented businesses have located in Murphy to date. We are of, and well versed in, the complexities in this area of law.
- h. **Annexation and Extraterritorial Jurisdiction Issues.** MRF has developed a streamlined annexation process that has resulted in the annexation of more than 400 parcels of land by a single municipality. For some cities, the Firm annexed most tracts of land in the ETJ, giving complete zoning control to the cities. The Firm has a deep well of knowledge of the law pertaining to regulatory authority in the ETJ, having argued this issue before the Texas Supreme Court. The Firm is well versed in the recent legislative changes to annexation laws and has created a library of voluntary annexation agreements and boundary or multi-jurisdictional agreements between neighboring governmental entities.
- i. **Election procedures and law.** The Firm has regularly assists its cities and city secretaries with election issues and ballot language. As an examples of the Firm's knowledge of election and required legal procedures, MRF assisted Fate in conducting a special election with 22 ballot propositions including creation of a municipal management district, 2 propositions regarding the sale of alcoholic beverages and 90 proposed amendments to the City's Charter. All propositions passed. The Firm regularly assists cities and provides guidance in the charter review process.
- j. **Eminent domain.** Messer, Fort & McDonald routinely handles eminent domain matters. Because of its expertise in this area, MFM has been retained by cities as special counsel to

conduct a number of eminent domain acquisitions including the supervision of the preparation of appraisals, special commissioners' hearings, and trial on appeal.

- k. **Open meetings and open records.** All of the Firm's attorneys are fully trained and regularly engaged in addressing open meetings and public information issues. Attorney Marie Johnson heads up the Open Meetings and Open Records practice group and specializes in drafting requests for an Attorney General opinion when a client seeks to withhold information from disclosure. In addition, the Firm's open government training materials have been approved by the Attorney General's office to satisfy the training requirements for public officials mandated in Chapters 551 and 552 of the Texas Government Code. The Firm routinely provides open government training to all the Boards and Commissions of the cities we represent.
- l. **State law as it pertains to municipalities.** Each of the Firm's principal and senior attorneys has significant experience in analyzing and applying Texas law to municipal issues. As a result of this experience and our reputation for excellence as practitioners, MFM attorneys regularly speak across the state and provide training on Texas municipal law to appointed and elected officials, fellow city attorney professionals and municipal staff members. Andy Messer, Julie Fort and Brenda McDonald have spoken at the UT Land Use Law Seminar about multiple land use topics.
- m. **Personnel matters, including non-civil service, police, and fire.** All of the Firm's principal attorneys provide daily legal counsel on personnel matters, including the drafting and enforcement of personnel policies and the administration of employee disciplinary actions. Melissa Cranford, Partner, and Roberta ("Robin") Cross, Senior Attorney, practice exclusively employment law for the firm. With more than 20 years' experience, Melissa's practice focuses on all aspects of labor and employment law including termination, advanced leave, wage and hour, discrimination, and harassment claims. She uses a collaborative approach to help public employers in day-to-day and high-profile employment matters. Her practice focus includes providing guidance on sensitive First Amendment concerns relative to social media, as well as issues unique to public safety and first responder employees. In addition to policy review and training, Melissa conducts investigations, negotiates resolution to employment conflicts and represents public employers through contested arbitration and administrative hearings. Melissa is a frequent speaker regarding labor and employment topics. Robin Cross, Senior Attorney, is board certified in labor and employment law and brings years of governmental experience to assist public employers with complex personnel decisions. She was recognized as an IMLA Fellow in 2013 and in 2018. She has also worked as in-house counsel for a statewide police labor union and as a trial attorney for the EEOC. Andy Messer has served as an Administrative Law Judge for the City of Dallas in hearing and deciding appeals of disciplined or terminated employees. We have handled personnel investigations of sexual harassment against a city manager, termination of city managers, police and fire chiefs, city secretaries and other city personnel. Most of these issues were under strained and political circumstances. Most of the police officers were represented by counsel from the Texas Municipal Police Association or CLEAT.

- n. **Zoning and development processes.** See g. above.
- o. **Economic development incentives, including Chapter 380 provisions.** The Firm has significant experience representing cities in negotiating, drafting and executing economic development incentive agreements under Chapter 380 of the Texas Local Government Code. Julie Fort is a co-author of the *Texas Municipal League Economic Development Handbook*. Examples of the Firm's experience include creation of the framework for Frisco Square, a 125 acre mixed-use development that now houses the Frisco City Hall, creation of numerous public improvement districts and tax increment reinvestment zones, negotiation of incentive agreements that include appropriate "claw back" provisions to recoup the public investment if the developer fails to perform, complex development agreements that provide for the construction of off-site public infrastructure, and long term leases of public land by private entities. The Firm recently negotiated an incentive agreement on behalf of the Midlothian EDC to secure the city's first flagship hotel.
- p. **Economic development corporations.** See o. above. Additionally, the Firm represents many EDC's without being the city attorney.
- q. **Tax Increments Reinvestment Zones.** See o. above and s. below.
- r. **Police and Public Safety specialty law.** Andy Messer has been chosen by the State Bar of Texas as Director to lead its annual 2-day *Suing & Defending Governmental Entities* course and has spoken at the conference approximately 10 years. Andy Messer is the Firm's specialist in defending cities and police officers in lawsuits claiming improper action. While serving as an assistant city attorney for the City of Wichita Falls, Andy received an award from CLEAT (the Combined Law Enforcement Associations of Texas) for dedicated service to their police officers. The award was given in part because he had successfully defended the president of the local chapter in an excessive force and illegal arrest trial in federal court. The firm has reviewed and revised several use of force policies for police departments. The firm regularly defends police departments and police officers in litigation. We have a long history of success in this area of law.
- s. **Special Districts (e.g. MDD; PID; MUD; ESD; etc.).** The Firm has extensive experience with special districts. Julie Fort has been instrumental in assisting Celina in most of its residential and commercial development, including the creation of over 20 PIDs, some with TIRZ's. In 2007, Julie Fort guided the Town of Prosper in creating a Municipal Drainage Utility System, as allowed by Chapter 552 of the Local Government Code and adopting monthly drainage utility fees to be collected from utility customers. The Firm is presently working with one city to create an MDD and working with another city to convert the Type A economic development corporation into an MDD. The Firm in any given week is in the process of negotiating at least 20 development projects for its clients. All of the Firm's equity partners are accustomed to these special districts and negotiation with sophisticated developers. The following is a partial list of projects where the Firm has served as a legal advisor to the city:
 - o Numerous PID districts in the City of Celina;

- Expansion of TIRZ No. 1, Frisco, Texas to provide for Dr. Pepper Ballpark (Frisco Roughriders Baseball) and Toyota Stadium (FC Dallas);
- Bayside at Waterman's PID, Galveston, Texas;
- TIRZ No. 1, Gateway Village, Denison, Texas;
- Creeks of Legacy PID with TIRZ No. 2, Celina, Texas;
- Wells South PID with TIRZ No. 3, Celina Texas;
- Celina Downtown TIRZ No. 11;
- Creation of TIRZ No. 1 in Marble Falls to facilitate development in downtown Marble Falls;
- Creation of TIRZ No. 2 with an associated 380 Agreement in Marble Falls to facilitate development of a 1000-acre tract for mixed use and residential development; and
- Creation of the Galleria development in the City of Bee Cave.

t. **Charter and charter amendments** The Firm regularly assists its cities and city secretaries with election issues and ballot language. As an example of the Firm's knowledge of elections and the required legal procedures, Andy Messer assisted the City of Aubrey with development and enactment of their charter and home rule election as well as a charter amendment election. He is starting the same process for Caddo Mills currently. MFM assisted the City of Fate in conducting a special election with 22 ballot propositions including creation of a municipal management district, 2 propositions regarding the sale of alcoholic beverages and 19 proposed amendments to the City's Charter, including a change from 2-year city council terms to 3-year terms. The Firm routinely consults with cities, large and small, regarding amendments and adoption of new home rule charters and advises various cities, in addition to our city attorney cities, regarding their charter review processes. The Firm regularly assists cities with regular elections as well as sales tax and other special elections.

9. **Any other items, which the firm deems necessary. Each submittal should also provide a summary detailing the experience and understanding of the role of providing consulting legal services including how the City Attorney balances the relationship between the Mayor and Council as well as the City Manager and staff.** When a city council and its municipal staff are working together, the role of the city attorney is fairly straight forward. When those relationships are fractured, the city attorney's role becomes even more critical. While we always strive to mediate a functional relationship between individual members of the council and staff, at the end of the day, the city attorney serves no individual person but rather has the ethical responsibility to serve the city as an entity. This may sound simple in theory but in reality takes years of experience to fully navigate—the kind of experience possessed by each of the firm's principal attorneys individually and utilized even more effectively for our clients by working together.

The attorneys at Messer, Fort & McDonald understand the critical need for clear, consistent communication with our clients at both the City Council and staff levels. While clear communication may, at times, be time consuming, it is generally a good predictor of the success of any relationship. We strive to keep communication lines open and make ourselves available to our clients "whenever and wherever."



PROPOSAL FOR LEGAL SERVICES



April 3, 2023

Mayor Richard Dormier and
City Councilmembers
City of Ovilla
105 S. Cockrell Hill
Ovilla, Texas 75154



RE: Proposal for Provision of City Attorney Services for the City of Ovilla, Texas

Dear Mayor Dormier and Councilmembers:

We are pleased to submit this proposal to provide City Attorney services for the City of Ovilla.

Our proposal designates me, Victoria W. Thomas and Joseph J. Gorfida, to serve as your city attorneys. Our associates, John Oliver and Kaleb Russell Smith, will also be specifically assigned to support your needs.

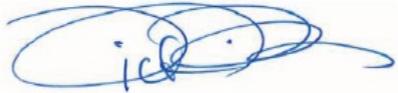
Nichols | Jackson is an established law firm specializing in municipal law. We trace our origins back for more than a century and for over three generations, the firm has focused its practice on the legal representation of cities, towns, economic development corporations, appraisal districts, and political subdivisions exclusively. We do not represent private interests.

The firm is presently staffed with 13 attorneys supported by 11 staff personnel. The firm's four equity partners are Robert Hager, Pete Smith, David Berman, and Joe Gorfida. The junior partners are Kevin Laughlin, Braden Metcalf, and Victoria Thomas. The remaining attorneys are either of counsel or associates.

Nichols | Jackson, will provide the requested legal services at its local government rate, which is presently \$200.00 per hour. The Firm bills in increments of a 0.25 hour. This rate applies to work performed by all attorneys in the Firm. We do not bill for work performed for the City by our paralegal professionals. Additionally, unlike most other law firms, we do not charge for or pass on our costs for our subscription legal research databases and software systems when those services are used for the City. The City will be provided with a monthly itemized invoice for legal services which will include the date, description of the activity or transaction, the name or initials of the person performing the service, the time used for that service, the amount charged, client cost and a total of the fees and costs due for the monthly period. The Firm charges for the cost of copies and for outgoing facsimile transmissions, courier service, and for travel expenses. If travel by automobile is required during the representation of the City, the City will be billed for mileage at the then current IRS mileage reimbursement rate. If at any time the City has any questions regarding the charges shown on the monthly invoice, the Firm will immediately investigate and, if necessary, modify or eliminate such charges or provide a credit in the next billing.

We are dedicated and devoted to our cities. We have the experience needed to understand the issues faced by local governments and possess the motivation necessary to achieve their goals. We truly look forward to the opportunity to serve as the City Attorney for the City of Ovilla, Texas.

Best regards,



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NICHOLS | JACKSON QUICK FACTS

OUR HISTORY: Nichols, Jackson, Dillard, Hager & Smith, LLP was established in 1895 and is one of Texas' oldest law firms. For more than 65 years the Firm has been devoted exclusively to public and municipal clients serving as legal counsel to municipalities, economic development corporations, and a range of governmental entities including regional transit authorities, and appraisal districts.

OUR EXPERTISE: For almost three quarters of a century, the Firm's practice has focused exclusively on representation of municipalities, economic development corporations, and other governmental entities. As such, the Firm has developed expertise in all areas impacting cities and related governmental entities.

OUR EXPERIENCE: Nichols | Jackson prides itself on its base of knowledge, gained through years of experience serving municipalities, and on the fact that it constantly stays abreast and keeps its clients abreast of changes in state and federal acts and statutes affecting the governmental clients the Firm serves. From prosecuting municipal court cases to handling employment matters to advising and drafting contracts for multi-million-dollar public works or economic development projects, the Firm's experience and expertise is unmatched.

OUR LOCATION: Nichols | Jackson is located on the 18th floor of Ross Tower in the heart of the Downtown Dallas Arts District.

OUR PHILOSOPHY: As governmental attorneys, we are honored to be entrusted with the role of assisting our clients in service of the public. We see our mission as one of providing quality and unbiased legal services to our clients so that they may govern with the highest level of integrity and thus serve their communities effectively.

a. MUNICIPAL COURT

One area of municipal law that touches the lives of a large number of citizens on an individualized basis is municipal court prosecution. **NICHOLS | JACKSON** understands the importance of the city's courts as it presently provides municipal court prosecution services to 18 municipal courts. The Firm's prosecutors are experienced attorneys who remain sensitive to the needs of the community and their vital role in local law enforcement. Our prosecutors focus additionally on maintaining an

extremely high level of efficiency for the court's docket without compromising effectiveness. The Firm provides prosecutors for most of its city clients and employs a group of attorneys assigned to specific courts that have specialized expertise in the area. Our attorneys recognize the importance of developing an effective working relationship with the court's judges and court personnel, as well as providing coordination between the court and the City's police department. We are able to do more than simply handle pretrial and trial dockets; we provide guidance on best practices and effective procedures.

b. CITY ADMINISTRATION

Communication is the lynchpin of any effective partnership. At **NICHOLS|JACKSON**, we take pride in our commitment to the clients we are privileged to serve. We pride ourselves on our responsiveness and accessibility to our clients. The Firm's attorneys are available to the Council, City Manager, and City staff at all times, 24 hours a day, seven days a week. When legal questions and issues can arise, our attorneys are able to quickly provide answers and legal opinions as needed to address those issues.

c. LITIGATION

As a regular practice, **NICHOLS|JACKSON** provides copies of all litigation-related correspondence and court documents to the City. However, this can sometimes result in a snowstorm of paper which, candidly, only the attorneys themselves are interested in reading. It is often much more informative and helpful for the City to receive periodic reports and briefings summarizing the activity on litigation or other legal matters and the Firm will provide those at whatever level of detail and frequency, oral or written, that the City Council and/or the City Manager request. The Firm's attorneys also regularly provide written reports, briefings, and presentations to the Council and the City Manager on legal matters that arise.

d. AVAILABILITY

The Firm's attorneys are available to the Council, City Manager, and City staff at all times, 24 hours a day, seven days a week. The Firm's attorneys will generally provide an initial response before the close of the same business day, unless received late in the day, in which case there will be a response not later than the next business day. Because the Firm's attorneys carry cell phones with text message capabilities that are linked to the Firm's e-mail server, it is not unusual for the client to receive an almost immediate acknowledgement and/or response from the Firm's attorneys to a client e-mail even when attorneys are away from the office, including evenings and weekends. Because the Firm uses a team approach in representing its clients, when the primary attorney is working and unable to provide an

immediate response, the inquiry is directed to one or more other attorneys in the Firm with experience in the area about which the inquiry is made. Additionally, to ensure that our clients across Texas receive the highest level of service regardless of location, our offices are equipped with the latest information technology resources, including live streaming meeting services, multi-user VOIP remote teleconference services, secure cloud-based document sharing, and advanced document management software that allows the Firm's attorneys and clients to simultaneously view and edit documents over the internet.

e. **COST**

The Firm provides a monthly detailed statement of services rendered which provides a detailed description of each task performed, the date of service, the person performing the service, and the amount of time spent on that service. Regardless of the attorney's years of experience, all **Nichols|Jackson** attorneys' time is billed at the same low hourly rate. Additionally, the Firm frequently utilizes its team of experienced paralegals and, unlike most other law firms, does not bill for paralegal time. Again, unlike other law firms, **Nichols|Jackson** does not bill its clients for Westlaw or other related software databases used in provision of legal services.

f. **PREPAREDNESS**

Our attorneys devote significant time and energy participating and serving in various municipal and legal associations and organizations which enable us to stay at the cutting edge of developments in the law affecting our municipal and governmental clients. We routinely issue memoranda and/or provide briefings summarizing pertinent developments in the law or issues of concern.

All **Nichols|Jackson** lawyers attend yearly continuing legal education on topics relevant to their particular areas of governmental law focus. Additionally, our lawyers are members who attend and frequently speak at annual conferences for the Texas Municipal League, International Municipal Lawyers Association, North Central Texas Council of Governments, The Texas City Attorneys Association, and Texas Municipal Courts Education Center, to name a few. The Firm also provides training for city officials, boards, commissions, and departments on request.

Statement of Qualifications

TEXAS' PREMIER MUNICIPAL LAW FIRM

Our firm has been devoted exclusively to public and municipal law for more than 65 years. We began as R.E.L. Saner in 1895 and evolved over the course of a century into **Nichols, Jackson, Dillard, Hager & Smith, LLP** in 1994. We specialize in full-service representation of municipalities with 13 full-time attorneys and an expertly staffed legal support team consisting of 11 members. All of our staff is well versed in the unique legal challenges faced by cities.

At **Nichols|Jackson** our mission is to provide quality, unbiased legal services to our clients so that they may govern with the highest level of integrity and serve the community effectively.

Experience

After more than a century representing public sector clients, **Nichols|Jackson** has achieved an unsurpassed breadth and depth of experience in municipal law. We are well equipped to provide quality representation on the myriad of issues that confront municipalities on a daily basis. Our firm has a long-standing relationship with the Texas Municipal League Intergovernmental Risk Pool (TMLIRP), and our attorneys have handled all types of litigation from high profile constitutional and civil rights issues to matters that cities face on a regular basis, including employment issues, torts, contract disputes and land use violations.

Reputation

We hold ourselves to the highest standard of excellence and integrity, and we are proud of the long-term relationships we have built with our municipal clients. The attorneys at **Nichols|Jackson** understand that the city attorney must remain politically neutral, even in the face of conflict and disagreement. We are proud to say our clients retain us year after year, decade after decade, because of our professional and unbiased commitment to public service.

Community

Our roots in the community provide us with valuable insight into the concerns facing North Texas municipalities. In addition to attending a wide range of civic events sponsored by our North Texas clients, our attorneys frequently travel across Texas presenting lectures on legal issues facing municipalities, including seminars sponsored by the North Central Texas Council of Governments (NCTCOG), the Texas Municipal League (TML), the Texas City Attorneys Association (TCAA), the Texas Municipal Courts Education Center (TMCEC), and many others.

Value

We provide genuine value to our clients through our highly efficient and cost-effective approach to the practice of law. We understand and are sensitive to the budgetary constraints of our clients. We provide simple, transparent, and affordable fee structures that allow clients to anticipate and plan for the expense of both general legal matters and litigation.

Core Practice Overview

The following sections provide an overview of **Nichols | Jackson**'s core areas of municipal expertise:

PUBLIC CONTRACTS AND PROCUREMENT

Our attorneys negotiate, review, and draft all types of agreements daily (including professional services, public works construction, interlocal and purchasing agreements) and know the terms that are needed to protect the City's interests. We are familiar with contractual affairs with both private entities and interlocal agreements with numerous local, county and state governmental units and agencies. **Nichols | Jackson** has extensive knowledge of funding, purchasing, and grant administration regulations for the State of Texas and applicable federal agencies. The Firm routinely answers questions and provides guidance and assistance to municipal clients regarding procurement, competitive bidding, alternative procurement procedures, professional services procurement, public works and capital improvement design and construction projects, cooperative purchasing through one or more other governmental agencies, and submission of applications for grants and funding to the state and/or federal agencies. While the Firm typically does not act as bond counsel, we are familiar with bond and debt issuance matters and coordinate with area financial advisors and bond counsel to successfully facilitate the closing on the sale of general obligation and revenue bonds, certificates of obligation, and other related debt issues.

CODES, ORDINANCES AND RESOLUTIONS

We draft, prepare, and review ordinances and resolutions on a regular basis. In preparation for Council meetings and meetings of various boards and commissions, we review and assist in the drafting of agendas and all ordinances and resolutions therein. We do this with great attention to detail to ensure that the ordinance or resolution is in proper form, meets substantive legal requirements, and fits within an adopted code or system of ordinances. We know when an ordinance as opposed to a resolution is needed, when an ordinance should and should not amend an existing code, and whether an ordinance is even necessary. More importantly, we draft language that meets our clients' objectives while remaining within the bounds of state and federal constitutional, statutory, and case law. Moreover, we maintain an extensive database of municipal codes, ordinances, and resolutions, many of which have been tested and successfully challenged in both state and federal court.

RECORD-KEEPING, PUBLIC INFORMATION ACT, AND ELECTIONS

In keeping with our comprehensive services, we have vast experience in providing qualified legal services regarding record maintenance and processing Public Information Act requests. We have strong relationships with the state librarian's office and Open Records Division of the state Attorney General's Office, which helps us provide current and accurate compliance with public information. Also, we have mastered issues involving election law requirements for all of our municipal clients.

EMPLOYMENT MATTERS

Employment law matters present significant liability risks. Complicated federal and state law can expose the City to excessive verdicts and monetary awards. The Firm's attorneys are intimately familiar with the unique aspects of municipal law, including complex issues such as:

- Employment and Disciplinary Practices
- Policy and Procedure Manuals
- Hiring and Termination Practices
- Whistleblower Act
- Employee Benefits
- Drug Testing
- Americans with Disabilities Act (ADA)
- Civil Rights
- Family and Medical Leave Act (FMLA)
- Veteran's Re-employment Rights
- Civil Service Systems
- Equal Employment Opportunity Commission (EEOC)
- Fair Labor Standards Act (FLSA)
- Annexation and Boundaries

ECONOMIC DEVELOPMENT

Our attorneys are unmatched in the area of economic development. The promotion of economic development or redevelopment is paramount to the prosperity of a city. Regardless of size and geographical location, the proper use of economic development tools can stimulate growth, stabilize or increase the tax base, generate employment, and control development. We are extremely knowledgeable in all aspects of tax abatement, tax increment financing, Freeport exemptions, foreign trade zones, hotel occupancy taxes, Type A and Type B economic development corporations and sales taxes, economic development grants and incentives under Chapter 380 of the Local Government Code, public improvement districts, tax increment reinvestment zones, local government corporations, and municipal management districts. Our leadership in the area of economic development is recognized statewide, as evidenced by the frequency with which our attorneys are called upon to speak at events and seminars on the topic.

EMINENT DOMAIN

One of a municipality's most important powers is the ability to acquire real property interests through eminent domain. We have vast experience in acquiring real property for all types of municipal projects such as utilities, roadways, parks, and other government facilities. We currently have eminent domain matters pending for the Cities of Sachse, Hutchins, DeSoto and Seagoville, and recently successfully concluded matters for the Cities of Allen, Richardson, and Duncanville. We are well versed in the requirements under the Texas Property Code and Local Government Code as well as in the state and federal constitutional limitations on use of this authority. From negotiations with the property owners to special commissioners' hearings to the courthouse, we will provide experienced and measured advice and representation to meet the needs of the City, all the while respecting the property owner's rights.

LITIGATION

We represent clients at all levels of state and federal litigation, from the commencement of suit through appeal at the highest levels, including the Texas and United States Supreme Courts. Our Firm has a rich tradition of providing municipal defendants and plaintiffs alike with successful and

valuable legal representation. Our litigation and appellate work includes land use, contract disputes, constitutional challenges to ordinances, defense of claims of deprivation of constitutional rights, employment disputes, claims arising under the Texas Tort Claims Act, civil rights, Civil Service Act disputes and construction law. For years, one of the firm's partners, Peter G. Smith, has served as a highly respected member and approved defense counsel for the Texas Municipal League Intergovernmental Risk Pool (TMLIRP).

It should come as no surprise, given its more than half century of experience in representing municipalities that **Nichols | Jackson** has been at the forefront of litigation shaping municipal law in the State of Texas. The Firm represented the City of Richardson in the seminal 2018 case of *City of Richardson v. Oncor Electric Delivery Company* where the Texas Supreme Court, ruling in the City's favor, held that Oncor's franchise contract with the City, not a pro forma tariff, controlled and dictated that Oncor, not the City, would be required to pay the cost of relocation of Oncor's facilities in the public rights of way when relocation was necessary to accommodate a public improvement project. Similarly, the Firm represented the City of DeSoto in *City of DeSoto v. White*, a complex employment law case in which the Texas Supreme Court ruled in DeSoto's favor in 2009. In 2012, the Firm represented the Dallas Central Appraisal District ("DCAD") in *Dallas Central Appraisal District v. Southwest Airlines Co.*, where millions in ad valorem taxes were at stake and the Dallas Court of Appeals rejected Southwest Airlines claim seeking a refund of those taxes on a claim by Southwest that it made a clerical error. In 2013 the Firm won a major victory for Texas cities in the *Bartonville Water Supply Corporation v. Town of Bartonville* case involving the City's zoning and building codes.

LAND USE AND DEVELOPMENT

The character of a city is often dictated by the land use and development regulations that its elected officials choose to adopt, implement, and enforce. Sometimes, trying to maintain a community's character, or even to revitalize and change a community's character for the better, requires striking a balance between what is desirable in the form of regulation and what is economically feasible for private sector developers. Our team has mastered working with city planning professionals in preparing subdivision and zoning ordinances that conform to a city's adopted master plan. We routinely work with city support staff and council in negotiating with landowners and developers to create planned development district ordinances that allow the city and developer to strike the aforementioned balance.

BUILDING STANDARDS AND SUBSTANDARD PROPERTY ENFORCEMENT

We have extensive experience in addressing substandard and blighted properties through a variety of enforcement methods, including both the Building Standards Commission process and through civil litigation enforcement under Chapter 54 of the Local Government Code. The Firm's attorneys have been successful in condemning several substandard properties and redeveloping the properties to promote safer, cleaner communities, which increases the City's property tax base.

REAL ESTATE

Our clients often require the purchase or sale of various interests in real estate to further a current or future public project, whether it is the construction of a new water or wastewater line, the redevelopment of a blighted area of the city, or development of a new city park. Our attorneys have a deep understanding of real estate transactions and can assist cities through the entire process to closing.

RISK MANAGEMENT

Our team of attorneys are routinely involved in risk management and insurance coverage matters for cities. We have vast knowledge in tort claims and risk management and routinely review claims submitted by clients. We have the experience necessary to review and investigate all manner of claims and present the City with an honest assessment of the City's risks and possible solutions.

MUNICIPAL PROSECUTION

A substantial majority of cities we represent operate and maintain a municipal court system. When requested, we assign prosecutorial functions to our experienced team of prosecutors, many of whom have prior experience as assistant district attorneys and in-house city attorneys. Our prosecutors are capable of expediting a court's docket in order to maintain an extremely high level of efficiency without compromising effectiveness. Our prosecutors are sensitive to the needs of the community as well as their vital role in local law enforcement. In addition, several of our attorneys routinely speak at seminars for the Texas Municipal Courts Education Center.

TRAINING AND SEMINARS

It is important for the City Council and staff to stay abreast of changes in state and federal law that may affect their duties and the City's operation. We dedicate a great deal of time speaking at seminars and regularly provide in-service training for our clients on the following topics:

- Economic Development
- Employment Law
- Land Use and Zoning
- Law Enforcement
- Legislative Updates
- Open Government
- Parliamentary Procedure
- Substandard Properties

Firm Resources

Conveniently located within the LEED-certified Ross Tower in the heart of the Downtown Dallas Arts District, our firm enjoys panoramic views over several notable Arts District landmarks such as the Dallas Museum of Art, Nasher Sculpture Center and Klyde Warren Park. With access to both the free McKinney Avenue Trolley and the DART Light Rail's Red, Blue, Green and Orange Lines, we provide convenient, quick, and easy access both for our clients and our staff.

Nichols | Jackson also has full access to the leading resources available for municipal law firms. The Firm's 13 municipal lawyers are complemented in their provision of services by a highly trained staff consisting of 7 legal assistants and paralegals, a legal librarian/ receptionist, firm accountant, office manager and IT manager. Our firm maintains full service contracts with the world's most comprehensive legal research providers, including Westlaw, Lexis Nexis, and Thompson Educational Publishing. With over 100 years in the public sector, we have also developed an excellent working relationship with a wide variety of state and community government officials such as the Comptroller and the Texas Attorney General's Office.

At **Nichols | Jackson**, our philosophy is to provide our cities unlimited access to large law firm resources and full-service expertise while serving the City with the same communal feel and convenience of in-house counsel. Our firm has 13 full-time attorneys and a professionally staffed legal support team that possess a deep understanding of the operational needs of cities which ensures that our municipal clients will receive accurate, meaningful, and reliable advice on-demand.

We further recognize that, at times, the City may wish to pursue a course of action that is politically divisive. Because of the firm's extensive experience in municipal law, our attorneys are able to confidently provide professional and unbiased advice to the City, while avoiding the political and legal pitfalls that attorneys and firms with less experience may not know how to avoid.



Method of Service

At **Nichols|Jackson**, we hold ourselves to the highest standard of excellence and integrity and we are proud of the long-term relationships we have built with our municipal clients. Our attorneys understand that the city attorney must remain politically neutral, even in the face of conflict and disagreement. With our focus exclusively on representing public sector clients, we have developed a highly specialized approach to public service that sets us apart from other law firms.

EFFECTIVE COMMUNICATION

Our attorneys are dedicated to providing exceptional quality to our clients and a big part of that is effective communication. At the outset we work directly with City Council and Staff to establish and maintain communication processes tailored to meet the specific needs of the City. Our attorneys will communicate directly with the City on any issue and will typically follow up with written confirmation to ensure that the staff is properly advised. We also ensure that the other members of our Firm stay abreast of the City's sensitive projects, potential issues that may arise, and other pending legal concerns so every attorney in our Firm can provide accurate and appropriate advice to assist with the City.

UNLIMITED ACCESS

We recognize the unique, and often time-sensitive issues that can arise at a moment's notice. Our attorneys and staff pride themselves on being accessible and responsive at all times for all of the City's legal needs. The City's attorneys are available by email, phone, and text message 24 hours a day, 7 days a week. Urgent requests will always be expedited to ensure the City meets any deadlines. Our firm also maintains the necessary resources to provide written opinions, contracts, ordinances, or other documents via any method desired by the City, including via cloud-based sharing services (e.g., Dropbox), email, regular mail or by courier, as required.

MEETING ATTENDANCE

The attorneys at **Nichols|Jackson** are responsive, committed, and accessible at all times for the City's legal needs. We serve at the pleasure of the City, and our team of dedicated attorneys are always available at the City's request to attend any regular or special meeting of the City Council and the City's board and commissions.

ON-SITE OFFICE HOURS

At **Nichols|Jackson**, we are constantly developing new ways to make our services even more cost-effective for our clients. We have found through experience that we can rapidly and efficiently handle many routine legal related tasks by offering on-site office hours for our cities. The vast majority of our cities presently utilize our on-site services to address a wide array of legal matters within the various city departments. At the City's request, our attorneys will set regularly scheduled times to be on-site to provide Staff direct, in-person access to the City Attorney.

The City of Ovilla Attorney Team: Qualifications and Training

The attorneys at **Nichols | Jackson** are dedicated to being responsive, committed, and accessible at all times for their clients. We therefore assign a primary and one or more secondary attorneys to work directly with the City. Because we want to ensure each client utilizes our full range of services, the City's secondary attorneys are designated based upon their relevant areas of practice to meet the unique needs of the City. We propose to assign the following team of attorneys for the City of Ovilla:

Attorney	Primary Practice Areas
Victoria W. Thomas (Primary)	Economic Development, General Litigation, Planning/Zoning, Government Procurement Law, Municipal Law
Joseph J. Gorfida	Municipal Law, Economic Development, Planning/Zoning, Government Procurement Law, Employment Law
John D. Oliver	Municipal Law, Eminent Domain, Open Government and Public Information Law
Kaleb Russell Smith	Municipal Law, Contracts, Economic Development, Open Government and Public Information

Full professional biographies of the foregoing team are presented in **Appendix A**. Professional biographies of the Firm's entire team of attorneys are available on our website: www.njdhs.com.

Transition Coordination

Over the years we have transitioned in to replace many other attorneys and firms, and have developed a highly effective process that we adapt for each city's transition. Due to the relatively small community of municipal law firms in Texas, we are often familiar with the individual attorney or firm on the other side of the transition and are able to quickly begin the transition. Through careful planning and open professional communication, we are confident of a smooth transition for all parties involved.

Professional References: Municipal and Governmental Clients

NICHOLS JACKSON is honored to serve as city attorney, general counsel, special counsel, or litigation counsel for over 35 municipalities and a combined total of over 60 governmental clients including cities and towns, local government corporations, police departments, economic development corporations, regional transportation authorities, and appraisal districts. While, of course, some of these clients are relatively new, the firm is proud of the fact that it maintains enduring and long-term relationships with its clients. Our municipal clients include general law cities with as few as 250 residents to large home-rule cities with populations in excess of 100,000. A list of the firm's current municipal and governmental client references is presented in **Appendix B**. We believe these references clearly establish **Nichols|Jackson's** ability to provide exceptional legal services to clients whose needs are similar to those of the City of Ovilla and we welcome your communication directly with those clients.

Conflict of Interest Statement

We do not presently foresee a conflict of interest. In our experience, conflicts of interest can almost always be avoided when a client is well advised by experienced legal counsel. Should a conflict ever arise, our attorneys are well versed in the rules governing conflict resolution, and both clients will be immediately advised on the proper course of action to address and resolve the conflict.

We are also unique in that our Firm is devoted exclusively to public clients, and we do not represent private clients such as real estate development companies that may conflict with our municipal practice. By submission of this proposal, **Nichols|Jackson** certifies that to the best of our knowledge or belief, no elected or appointed official of the City of Ovilla is financially interested, directly or indirectly, in our Firm or in the purchase of services as described in the Statement of Qualifications. Further, our Firm has not filed any litigation in the past five years in which the City of Ovilla or one of its employees, officers, or officials was named as a defendant and has also not filed any litigation in the past five years in which a municipality was a defendant.

APPENDIX A: ATTORNEY BIOGRAPHIES

(Full biographies of the firm's entire team are available on our website: www.njdhs.com)

ATTORNEY BIOGRAPHY

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DALLAS, TEXAS 75201
MAIN: (214) 965-9900 | FAX: (214) 965-0010



PRACTICE AREAS:

LOCAL GOVERNMENT LITIGATION
EMINENT DOMAIN
GOVERNMENT OPERATIONS
PLANNING & ZONING/LAND USE
ECONOMIC DEVELOPMENT
PUBLIC CONTRACTS AND PROCUREMENT

EDUCATION:

MILLSAPS COLLEGE (B.S.), WITH HONORS, 1983
MISSISSIPPI COLLEGE SCHOOL OF LAW (J.D.),
WITH HONORS, 1988

BAR ADMISSIONS:

TEXAS, 2007
MISSISSIPPI, 1988
U.S. COURT OF APPEALS FOR THE FIFTH CIRCUIT, 1989
U.S. DISTRICT COURT, EASTERN DISTRICT OF TEXAS, 2010
U.S. DISTRICT COURT, NORTHERN DISTRICT OF TEXAS, 2006
U.S. DISTRICT COURT, SOUTHERN DIST. OF MISSISSIPPI, 1989
U.S. DISTRICT COURT, NORTHERN DIST. OF MISSISSIPPI, 1990

BIOGRAPHICAL INFORMATION:

CITY ATTORNEY FOR THE CITIES OF GLENN HEIGHTS, SEAGOVILLE, EVERMAN, RICE, AND FOREST HILL; ASSISTANT CITY ATTORNEY FOR THE CITY OF COPPELL; AND SPECIAL COUNSEL FOR CITIES OF HONDO AND SANGER.

GENERAL COUNSEL FOR SEAGOVILLE ECONOMIC DEVELOPMENT CORPORATION, EVERMAN ECONOMIC DEVELOPMENT CORPORATION, AND FOREST HILL COMMUNITY DEVELOPMENT CORPORATION

ASST. GENERAL COUNSEL FOR DENTON COUNTY TRANSPORTATION AUTHORITY AND DESOTO PLANNING & ZONING COMMISSION

OVER 30 YEARS' EXPERIENCE REPRESENTING GOVERNMENTAL ENTITIES IN COMPLEX LITIGATION MATTERS IN BOTH STATE AND FEDERAL COURT AT THE TRIAL AND APPELLATE LEVEL.

SUPERVISING ATTORNEY FOR FIRM'S LITIGATION AND APPELLATE DIVISION

LITIGATION COUNSEL FOR THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL (TMLIRP)

MEMBER DALLAS BAR ASSOCIATION

MEMBER TEXAS CITY ATTORNEYS ASSOCIATION

MEMBER INTERNATIONAL MUNICIPAL LAWYERS ASSOCIATION

ATTORNEY BIOGRAPHY

JOSEPH J. GORFIDA, JR.

PARTNER

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PRACTICE AREAS

MUNICIPAL LAW
EMPLOYMENT LAW
ECONOMIC DEVELOPMENT
LAND USE AND ZONING
FIRE, EMS, AND LAW ENFORCEMENT
TRANSPORTATION AUTHORITIES
AD VALOREM TAXATION

EDUCATION

UNIVERSITY OF SOUTH CAROLINA
(B.S.), 1992
UNIVERSITY OF TULSA COLLEGE OF LAW
(J.D.), 1998

BAR ADMISSIONS

TEXAS, 1999
U.S. DISTRICT COURT, NORTHERN DISTRICT OF TEXAS, 2008
U.S. COURT OF APPEALS, FIFTH CIRCUIT, 2008

BIOGRAPHICAL INFORMATION

CURRENTLY SERVES AS CITY ATTORNEY FOR THE CITIES OF DESOTO, HUTCHINS, LUCAS, MIDLOTHIAN AND SACHSE
CURRENTLY SERVES AS SECONDARY CITY ATTORNEY FOR THE CITIES OF ALLEN, FARMERS BRANCH AND RICHARDSON
CURRENTLY SERVES AS GENERAL COUNSEL FOR THE DENTON COUNTY TRANSPORTATION AUTHORITY
FREQUENT SPEAKER ON A VARIETY OF SUBJECT MATTERS AFFECTING MUNICIPALITIES, INCLUDING STATE AND FEDERAL EMPLOYMENT LAW, EEOC CLAIMS, TEXAS WORKFORCE COMMISSION MATTERS, LAW ENFORCEMENT, OPEN MEETINGS AND PUBLIC INFORMATION ACT, LAND USE AND ZONING MATTERS
INSTRUCTOR FOR THE CLERKS, JUDGES AND PROSECUTORS WITH TEXAS MUNICIPAL COURT EDUCATION CENTER (TMCEC)
FORMER MUNICIPAL JUDGE FOR THE CITIES OF PLANO AND LUCAS
FORMER ASSISTANT CITY ATTORNEY FOR THE CITY OF PLANO
MEMBER TEXAS CITY ATTORNEY'S ASSOCIATION
FORMER CO-CHAIR UT LAW LAND USE CONFERENCE 2018-2022

ATTORNEY BIOGRAPHY

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PRACTICE AREAS:

MUNICIPAL LAW
EMINENT DOMAIN
PREMISES LIABILITY
OPEN GOVERNMENT AND PUBLIC INFORMATION LAW

EDUCATION:

SOUTHERN METHODIST UNIVERSITY DEDMAN SCHOOL
OF LAW, J.D., *CUM LAUDE*, 2018
BUTLER UNIVERSITY, B.A., HISTORY, 2014

BAR ADMISSIONS:

STATE BAR OF TEXAS, 2018
U.S. DISTRICT COURT, EASTERN DISTRICT OF TEXAS
U.S. DISTRICT COURT, NORTHERN DISTRICT OF TEXAS

BIOGRAPHICAL INFORMATION:

CURRENTLY SERVES AS CITY PROSECUTOR FOR THE CITIES
OF CEDAR HILL, LAKE DALLAS, AND HUTCHINS.
CURRENTLY SERVES THE FIRM'S CLIENTS WITH MUNICIPAL
PROSECUTIONS, EMINENT DOMAIN, OPEN GOVERNMENT
AND PUBLIC INFORMATION LAW, AND ADVISING ON A
VARIETY OF LEGAL ISSUES

LITIGATION COUNSEL FOR THE TEXAS MUNICIPAL
LEAGUE INTERGOVERNMENTAL RISK POOL (TMLIRP)

MEMBER TEXAS CITY ATTORNEY'S ASSOCIATION

ATTORNEY BIOGRAPHY

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PRACTICE AREAS:

MUNICIPAL LAW
CONTRACT DRAFTING AND NEGOTIATION
ECONOMIC DEVELOPMENT
EMPLOYMENT LAW
CRIMINAL LAW

EDUCATION:

UNIVERSITY OF OKLAHOMA COLLEGE OF LAW, J.D., 2019
TEXAS CHRISTIAN UNIVERSITY, B.B.A, FINANCE REAL ESTATE,
2013

BAR ADMISSIONS:

STATE BAR OF TEXAS, 2019
U.S. DISTRICT COURT, NORTHERN DISTRICT OF TEXAS, 2021
U.S. DISTRICT COURT, EASTER DISTRICT OF TEXAS, 2021

BIOGRAPHICAL INFORMATION:

CURRENTLY SERVES AS CITY PROSECUTOR FOR THE
CITIES OF RICHARDSON, FARMERS BRANCH, AND
OVILLA

CURRENTLY SERVES THE FIRM'S CLIENTS WITH
CONTRACT DRAFTING AND NEGOTIATIONS,
EMPLOYMENT MATTERS, MUNICIPAL PROSECUTIONS,
AND ADVISING ON A VARIETY OF LEGAL ISSUES

MEMBER, TEXAS CITY ATTORNEY'S ASSOCIATION

MUNICIPAL CLIENT LIST WITH REFERENCES

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Ken Fulk, Mayor
Eric Ellwanger, City Manager
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Barry Sullivan, City Manager
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Town of Hebron
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Kelly Clem, Mayor
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City of Hideaway
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Kaufman County Appraisal District

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City of Lake Dallas

212 Main Street
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Mike Wilson, Interim City Manager

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City of Lucas

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City of Midlothian

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Chris Dick, City Manager

City Attorney

Midlothian Development Authority

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Chris Dick, Chairman
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General Counsel

Morris County Appraisal District
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Summer Golden, RPA, RTA, CCA, CTA, Chief Appraiser
General Counsel

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Carrollton, Texas 75007
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Terry Goswick, Executive Director
General Counsel

Parker County Appraisal District
Rick Armstrong, Chief Appraiser
1108 Santa Fe Drive
Weatherford, Texas 76086
(817) 596-0077
General Counsel

Pilot Point Municipal Development District
102 East Main Street
Pilot Point, Texas 76258
(940) 342-5023
Denise Morris, Director
General Counsel

City of Post Oak Bend
1175 CR 278
Kaufman, TX 75142
972-932-6015
Hank Warden, Mayor
City Attorney

City of Red Oak
200 Lakeview Parkway
Red Oak, Texas 75154
(972) 617-3638
Mark Stanfill, Mayor
Todd Fuller, City Manager
tfuller@redoaktx.org
City Attorney

Red Oak Economic Development Corp.
Red Oak Industrial Development Corp.
200 Lakeview Parkway
Red Oak, TX 75154
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Lee McCleary, Director
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General Counsel

City of Rice
305 North Dallas Street
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Tonya Roberts, City Administrator
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City Attorney

City of Richardson
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Paul Voelker, Mayor
Don Magner, City Manager
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City Attorney

City of Rowlett
4000 Main Street
Rowlett, Texas 75088
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Tammy Dana-Bashian, Mayor
Brian Funderburk, City Manager
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City Attorney

City of Sachse
3815 Sachse Road, Building B
Sachse, Texas 75048
(972) 495-1212
Jeff Bickerstaff, Mayor
Gina Nash, City Manager
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City Attorney

Town of Saint Paul
2505 Butscher's Block
Saint Paul, TX 75098
972-442-7212
David Gensler, Mayor
Bob London, Town Secretary
Town Attorney

City of Seagoville
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Seagoville, Texas 75159
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Dennis K. Childress, Mayor
Patrick Stallings, City Manager
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City Attorney

Seagoville Economic Development Corp.

105 N. Kaufman Street

Seagoville, Texas 75159

(972) 287-9944

Patrick Stallings, Executive Director

Don Cole, Administrative Assistant

General Counsel

City of Talty

9550 Helms Trail

Suite 500

Forney, TX 75126

(972) 522-9592

James Stroman, City Administrator

City Attorney

Tarrant Appraisal District

2500 Handley-Ederville Road

Fort Worth, Texas 76118

(817) 284-0024

Jeffrey D. Law, Chief Appraiser

General Counsel

City of University Park

3800 University Boulevard

Dallas, Texas 75205

(214) 363-1644

Olin Burnett Lane, Jr., Mayor

Robbie Corder, City Manager

rcorder@uptexas.org

City Attorney

Upshur County Appraisal District

105 Diamond Loch Road

Gilmer, Texas 75644

(903) 843-3041

Amanda Thibodeaux, RPA, CCA, Chief Appraiser

General Counsel

City of Watauga

7105 Whitley Road

Watauga, Texas 76148

(817) 514-5800

City Attorney

Williamson Central Appraisal District

510 West 9th Street

Georgetown, Texas 78626

(512) 930-3787

Alvin Langford, Chief Appraiser

General Counsel

AGENDA ITEM REPORT Item 4

Meeting Date: April 10, 2022

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 setting the official date for “Heritage Day” as September 23rd, 2023.

Discussion / Justification:

Background: It has been custom that the Annual Heritage Day Celebration is held on the fourth Saturday of September. That date is September 23 of this year.

Place 4 Hunt has proven to be instrumental in acquiring sponsorships and piloting the organization of committee meetings. The Police Secretary Jessica Price will be responsible for booth assignments, letters to vendors, and helping with the website setup. Public Works crews are vital participants with the initial outside construction of the stage, marking booth areas, yard maintenance, complete set up of the entire area (bleachers, tables, decorations), and total disassembly.

Miscellaneous duties:

1. Scheduling committee meetings and organizing events (parade, judging, school bands, etc.)
2. MC
3. Working the entrance
4. Monitor bounce house safety (kid-zone)
5. Entertainment
6. Set up tables and help with decorations
7. Creation of flyer and new theme
8. Parade route monitors
9. Signs – creation of and placement throughout Ovilla

Sample Motion(s):

I move that Heritage Day be set for September 23, 2023, with Doug Hunt serving as the coordinator, and that the Heritage Day Committee be comprised of members of the City Staff including members of the Public Works Department, Police Department, Fire Department, Administration, and Mayor Dormier.

Ovilla City Council

AGENDA ITEM REPORT Item 5

Meeting Date: April 10, 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 setting a time and date to Canvass the May 6, 2023, City of Ovilla Election.

Attachments:

None

Discussion / Justification:

Background: The period for official canvass will be May 9 through May 17. Canvass can only occur after Ellis County has completed the counting of any provisional ballots, and there are no deficiencies to be cured. The Mayor, Place 2, Place 4, and the Judge will also be sworn in at this time.

Recommendation / Staff Comments:

Staff Recommends: Tuesday, May 16th at 5:30 pm.

Sample Motion(s):

I move to set the official canvass of the May 6, 2023, election for May _____ at _____ pm.

AGENDA ITEM REPORT

Item 6

Meeting Date: April 10, 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 appointing a committee to review and interview (if needed) and make a recommendation to the City Council for annual appointments to serve on City Boards and/or Commissions.

Attachments:

None

Discussion / Justification:

Annually the Council appoints a committee to make recommendations to the Council for appointments to all City Boards. Once the committee has been appointed, they will contact the applicants to hold interviews (if needed) prior to bringing them back to the City Council in June for Official Appointment.

Recommendation / Staff Comments:

Staff Recommendation: Appointment of Mayor Dormier, City Manager Henley, and City Secretary Taylor.

Sample Motion(s):

I move to appoint Mayor Dormier, David Henley, and Bobbie Jo Taylor to a committee to review applications and make a recommendation to the council for board appointments.

AGENDA ITEM REPORT Item 7

Meeting Date: April 10, 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 – Discussion of Ordinance No. 2023-04 relating to Park Facility Use Fees as requested by Place 1 Kimberly Case.

Attachments:

1. Ordinance No. 2023-04

Discussion / Justification:

Place 1 Case contacted City Hall requesting that the deposit for the ball fields be discussed more thoroughly. Currently, as approved by Council Action, on January 30, 2023, the deposit is \$50.00 per day per ball field. The deposit only applies to the ball field. There is no damage deposit for the pavilion or the gazebo.

Recommendation / Staff Comments:

Staff Recommendation: None

Sample Motion(s):

Discussion Only

ORDINANCE NO. 2023-04

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, REPEALING AND REPLACING APPENDIX "A", ARTICLE A2.000, SECTION A2.009, OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA; PROVIDING PARK FACILITY USE FEES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE OVILLA CODE OF ORDINANCES; PROVIDING FOR IMMEDIATE EFFECT; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City of Ovilla currently provides facilities within its public parks for the use of the citizens of Ovilla including, but not necessarily limited to, sports fields, pavilions, and gazebos; and

WHEREAS, the City of Ovilla incurs significant costs and expenses relating to the maintenance, repair, and operation of the aforesaid facilities; and

WHEREAS, the City of Ovilla previously adopted Ordinance No. 2019-08, establishing a use fee for the gazebo at Heritage Park, such ordinance being codified in Appendix A, Article A2.000, Section A2.009, of the Code of Ordinances of the City of Ovilla; and

WHEREAS, the City finds and determines that it is necessary and in the best interests of the health, safety, and welfare of the citizens of the City of Ovilla to establish facility use fees for all current and future sports fields, pavilions, gazebos, and related facilities within the City's parks.

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

SECTION 1. REPEAL AND REPLACEMENT OF APPENDIX A, ARTICLE A2.000, SECTION A2.009, OF THE OVILLA CODE OF ORDINANCES

Appendix A, Article A2.000, Section A2.009, of the Ovilla Code of Ordinances is hereby repealed and replaced with the following:

Sec. A2.009 Park facility use fees

- (a) Sports fields use and reservation, per field: \$50.00 per hour / \$300.00 per day.
- (b) Tournament event use fee (3 day maximum): \$1,000.00.
- (c) Electricity usage fee, (during dark hours*): \$25.00 per hour, per field.
- (d) Drag and line field (upon special request): \$40.00 per field.

ORDINANCE NO. 2023-04

(e) Pavilion use fee: \$50.00 (additional \$25.00 for use of fans/electricity).

(f) Gazebo: \$50.00 (additional \$25.00 for use of electricity).

(g) Damage Deposit: \$50.00 per field/per day.

* "Dark hours" means 30 minutes after civil twilight in the morning to 30 minutes before civil twilight in the evening, and at any other times the weather or other natural conditions prevent adequate sunlight.

SECTION 2. SAVINGS CLAUSE

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

SECTION 3. SEVERANCE CLAUSE

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

SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES

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

SECTION 5. EFFECTIVE DATE

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

SECTION 6. PUBLICATION

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

PASSED, APPROVED and ADOPTED by the City Council of Ovilla, Texas, on this the 30th day of January, 2023.

Richard Dormier, Mayor

ATTEST:

B. Lay/DR
ORDINANCE NO. 2023-04
Page 2 of 3



ORDINANCE NO. 2023-04

Bobbie Jo Taylor, City Secretary

APPROVED AS TO FORM:



Ron G. MacFarlane, Jr., City Attorney

AGENDA ITEM REPORT Item 8

Meeting Date: April 10, 2023

Discussion Action

Submitted By: Staff

Reviewed By: City Manager

City Secretary

City Attorney

Finance Director

Other:

Department: Administration

Budgeted Expense: YES NO N/A

AGENDA ITEM:

ITEM 8. DISCUSSION/ACTION – Consideration of and action on giving the City Manager the authority to execute documents to purchase a 2023 GMC Sierra 3500HD Truck with a dump body for the Parks Department.

Attachments:

1. Purchase Order Paperwork
2. Final Purchase Documents
3. Current Public Works Vehicles and Equipment List

Discussion / Justification:

In Fiscal Year 2021-2022, \$50,000 was budgeted to purchase a truck with a dump body for the Parks Department. In May 2022, staff did an internal budget adjustment to remove \$5,000 from the “Buildings” line item and add that \$5,000 for the purchase of the truck, making the purchase amount up to \$55,000. On 06/24/2022 the city submitted a purchase order for the truck for \$53,437.41. The city did not purchase or receive the truck in last year’s budget and the expense was **not** carried over to this year’s budget. The truck is now ready for delivery and the final purchase documents have been sent to the city for execution. As stated, the city sent a purchase order for the truck back in 2022, but never signed a contract, buyer’s order, or any other binding documents. In the final purchase documents, the spare tire has been removed, which lowered the price of the truck to \$52,857.41. In last year’s budget, the amended \$55,000, that was not spent for the truck, was reallocated for numerous other expenses/overages in the parks department budget. Since the truck expenditure was not budgeted in this year’s budget, if approved, the expenditure would reduce the fund balance by \$52,857.41. Staff talked to a TML attorney and asked if there would be any legal repercussions if the council decided to cancel the order. He advised it is the signed paperwork that matters and since we have not signed a buyer’s agreement and other binding documents, we could cancel the order. He advised we might lose any deposits, but we did not make a deposit with the order. He advised being that it is was a special order, they may send a legal letter, but since we didn’t enter into any agreement and our purchase order did not provide language that guarantees final approval, he believes the city is not bound to purchase the truck.

Recommendation / Staff Comments:

Staff Recommends: Staff would recommend to deny giving the city manager the authority to execute purchase documents for the truck at this time and give the city manager authority to cancel the order. Public Works currently has three different dump trucks that could be utilized for hauling and dumping dirt and materials. Purchasing this particular truck, a 3500HD, dually truck, with a double cab for \$52,857.41 for the Parks Department seems excessive, considering their needs. In addition, since this is an unbudgeted item this year, the purchase would further reduce our fund balance, which is a major concern.

Sample Motion(s):

I move to approve/deny giving the city manager the authority to execute purchase documents for a 2023 GMC Sierra 3500HD Truck for the Parks Department.

**City Of Ovilla PW
Vehicle/Equipment Mileage**

**April
2023**

	Description	Mileage			Hours		
		Begin	End	Accrued	Begin	End	Accrued
1	2022 Ford F750 Dump – Street Dept		2,959				
2	CF Moto Utility Vehicle – Parks Dept		8				
3	2021 GMC Sierra 2500 – Streets Dept		12,409				
4	2017 F250 4x4 – Streets Dept		45,174				
5	2015 2500 HD Silverado – Water Dept		74,183				
6	2011 3500HD Silverado – Water Dept		68,481				
7	2008 2500HD Silverado – Parks Dept		98,870				
8	2008 1500 Silverado – Street Dept		126,179				
9	2013 Ford F150 – Construction MG		123,967				
10	2001 C6500 Dump Truck – Street Dept		20,105				
11	1999 Intern Patch Truck – Out of Service		312,235				
12	1998 Ford Dump Truck – Water Dept		59,662				
13	New Holland Skid LS60 – Parks					Out Serv	
14	1999 Kubota Tractor – Street Dept					1108.9	
15	1992 Ford Tractor – Street Dept					1101.9	
16	310K John Deere Backhoe – Water Dept					2802.3	
17	Ingersoll Mobile Air Compress – Water					1330.5	
18	Jet Machine – Water Dept					531.1	
19	Vac Machine 2017 – Water Dept					234.0	
20	Bomag 900-50 packer – Street Dept					213.6	
21	2016 Exmark – Parks Dept					628.6	
22	2013 Exmark – Street Dept					667.3	
23	2004 Exmark – Street Dept					1099.4	
24	2022 Hustler Mower – Parks Dept					45.9	
25	John Deere- Field Drag – Parks Dept					174.2	
26	JCB Backhoe-Street Dept – Out of serv					113.7	
27	Kubota Mini Excavator – Water Dept					510.5	
28	Crafco Crack Sealer – Street Dept					326	
29	EDCO Concrete Saw – Street Dept					17.9	
30	Sweeper – Street Dept – Out of Service					619.6	
31	2022 Bobcat Skid Loader – Streets Dept					231.2	

PURCHASE ORDER

CITY OF OVILLA
105 S. Cockrell Hill Road
Ovilla, TX 75154
972-617-7262



P.O. Date	06/24/2022	P.O. Number	60-02-2022	Date Required	
Department	PARKS	Requisition No.		Account	100-60-57450

Vendor Name	GUNN AUTO GROUP		Phone Number		
Street Address	1644 IH35		Fax Number		
City	SELMA	State	AZ	Zip Code	78154
E-mail address			Web site		

Shipping Information to City of Ovilla unless otherwise noted

Contact Name	AINSLEY JARVIS		Phone Number	972-561-8109	
Street Address	105 COCKRELL HILL RD.		Fax Number		
City	OVILLA	State	TX	Zip Code	75154

Quantity Ordered	Quantity Received	Part Number and Description	Unit Price	Total Cost
1		2023 GMC SIERRA DOUBLE CAB 3500HD DUALLY		
		C/W U-8 WARREN 56" CA DUMP BODY & FULL TARP	\$53,437.41	\$53,437.41
		BUY BOARD CONTRACT # 601-19		

TERMS: Delivery is F.O.B. Destination, Net 30, unless otherwise noted. All purchases are tax exempt.

TOTAL \$53,437.41

Department Head:

Date: 6-14-22

Finance Director

Date:

City Manager:

Date: 6-24-22

Approvals are required prior to purchase of budgeted items. Purchases of less than \$3,000.00 require a check request form and department head (DH) approval. Purchases of \$3,000.00 to \$25,000.00 require a purchase order with three (3) quotes attached, DH approval, accountant approval, and CA approval. Purchases of \$3,000.00 to \$25,000 also require two quotes from a HUB – use HUB form, (ORD2014-033). Purchases of \$25,001.00 to less than \$50,000.00 require purchase order with three (3) written quotes, DH approval, accountant approval, CA approval and City Council review before purchase. City Council has discretion to bid purchases of \$25,000.00. (ORD 2014-011) Purchases of \$50,000.00 or more require Formal Bidding Process; sealed bids, purchase orders and/or contract, with DH approval, accountant approval, CA approval, City Council approval.



GUNN Acura
11911 IH 10 West
San Antonio, TX 78239
Phone: (210) 696-2232

GUNN BUICK GMC
16440 IH 35 North
Selma, TX 78154
Phone: (210) 590-5600

GUNN CHEVROLET
16550 IH 35 North
Selma, TX 78154
Phone: (210) 599-5000

GUNN Honda
14810 IH 10 West
San Antonio, TX 78249
Phone (210) 680-3371

GUNN NISSAN GUNN NISSAN of DENTON
750 NE LOOP 410 5650 S Interstate 35 E
San Antonio, TX 78209 Corinth, TX 76210
Phone: (210) 496-0808 Phone: (940) 270-9000

DEAL WORKSHEET

Deal # _____

BUYER INFORMATION

Date 06/23/2022

Buyer's Name City Of Ovilla

Co-Buyer's Name _____

Business Name City Of Ovilla

Address 105 S Cockrell

City & State Ovilla

Home Phone (972) 617-7262 Zip 75154

Bus. Phone (469) 866-1097

Cell Phone (972) 561-8109

E-Mail ajarvis@cityofovilla.org

Est. Delivery Date _____

Customer # _____

SalesPerson 1 Danny Mireles

SalesPerson 1 ID # 151

SalesPerson 2 _____

SalesPerson 2 ID # _____

TRADE-IN INFORMATION

Yr. _____ Make _____ Model _____ Miles _____

Lic # _____ Vin # _____

Lienholder _____

Acct # _____ Payoff _____ Good Until _____

Lienholder Address _____

City & State _____

Phone # _____ Quoted by _____

TRADE-IN INFORMATION

Yr. _____ Make _____ Model _____ Miles _____

Lic # _____ Vin # _____

Lienholder _____

Acct # _____ Payoff _____ Good Until _____

Lienholder Address _____

City & State _____

Phone # _____ Quoted by _____

Stock #	order unit	Vin #	
Year	2023	Make	GMC
Model	Sierra 3500HD	Model Trim	Pro
Miles		Color	White
M.S.R.P.	\$48,516.00	Discount	\$11,236.00
		O.S.P.	\$37,280.00

Dealer Installed Accessories *

1. Delivery and Buy Board Fee \$800.00
2. U-8 warren 56" CA Dump Body \$15,342.91
3. _____
4. _____
5. _____
6. _____
7. Buy Board Contract#601-19

Selling Price

Plus Owed Accessories \$37,280.00

Selling Price w/ Accessories \$16,142.91

Sales Services Fee \$53,422.91

Trade-In Appraised Value \$0.00

Factory Rebate(s), if any

Sub-Total

State Motor Vehicle Sales Tax \$0.00

Dealer's Inventory Tax \$0.00

Lic., Title, Insp., R&B, Etag, Ins, Ver., Sys, Fees \$14.50

Balance Due on Trade-In \$0.00

Documentary Fee

\$0.00

Total

Deposit Receipt #

Cash Down Receipt #

\$0.00

Amount to Finance

\$53,437.41

Payment estimates are based on a standard rate presented to all Gunn customers. Specific terms are subject to each individual customer's ability to meet the financial criteria established by third party lenders. Therefore, the terms shown above are not binding and are subject to change based upon individual customer qualifications.

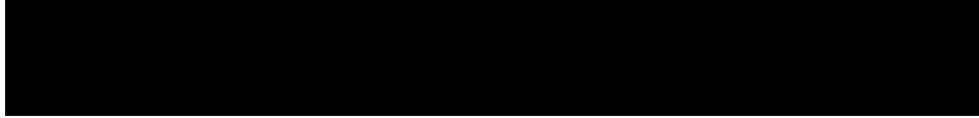
Date 06/23/2022

Buyer's / Co-Buyer's Signature: _____

Accepted _____



Gunn Buick.GMC. Ltd



City of Ovilla

Prepared For: Ainsley Jarvis 2023 3500 Double Cab ZW9 2WD

469-866-1097

ajarvis@cityofovilla.org

[Fleet] 2023 GMC Sierra 3500HD (TC30953) 2WD Double Cab 162" Pro



[Fleet] 2023 GMC Sierra 3500HD (TC30953) 2WD Double Cab 162" Pro (✓ Complete)

Window Sticker

SUMMARY

[Fleet] 2023 GMC Sierra 3500HD (TC30953) 2WD Double Cab 162" Pro

MSRP:\$46,400.00

Interior:Jet Black, Vinyl seat trim

Exterior 1:Summit White

Exterior 2:No color has been selected.

Engine, 6.6L V8 with Direct Injection and Variable Valve Timing, gasoline

Transmission, 6-speed automatic, heavy-duty

OPTIONS

CODE	MODEL	MSRP
TC30953	[Fleet] 2023 GMC Sierra 3500HD (TC30953) 2WD Double Cab 162" Pro	\$46,400.00
OPTIONS		
1SA	Pro Preferred Equipment Group	\$0.00
5N5	Rear Camera Kit	\$73.00
8S3	Backup alarm, 97 decibels	\$138.00
9J4	Bumper, rear, delete	Inc.
AE7	Seats, front 40/20/40 split-bench	\$0.00
AQQ	Remote Keyless Entry	Inc.
DBG	Mirrors, outside power-adjustable vertical trailering with heated upper glass	Inc.
DZW	Dual Rear Wheels	\$0.00
FE9	Emissions, Federal requirements	\$0.00
G9Y	GVWR, 14,000 lbs. (6350 kg) with dual rear wheels	Inc.
GAZ	Summit White	\$0.00
GT4	Rear axle, 3.73 ratio	\$0.00
H2G	Jet Black, Vinyl seat trim	\$0.00
IOR	Audio system, GMC Infotainment System with 7" diagonal color touchscreen, AM/FM stereo	\$0.00
JL1	Trailer brake controller, integrated	\$275.00
K34	Cruise control, steering wheel-mounted	Inc.

This document contains information considered Confidential between GM and its Clients uniquely. The information provided is not intended for public disclosure. Prices, specifications, and availability are subject to change without notice, and do not include certain fees, taxes and charges that may be required by law or vary by manufacturer or region. Performance figures are guidelines only, and actual performance may vary. Photos may not represent actual vehicles or exact configurations. Content based on report preparer's input is subject to the accuracy of the input provided.

Data Version: 16766. Data Updated: Jun 21, 2022 1:00:00 PM PDT.



[Fleet] 2023 GMC Sierra 3500HD (TC30953) 2WD Double Cab 162" Pro (✓ Complete)

L8T	Engine, 6.6L V8 with Direct Injection and Variable Valve Timing, gasoline	\$0.00
MYD	Transmission, 6-speed automatic, heavy-duty	\$0.00
P03	Wheel trim, painted center caps	Inc.
PYW	Wheels, 17" (43.2 cm) painted steel	Inc.
QQO	Tires, LT235/80R17E all-season highway, blackwall	\$0.00
U01	Lamps, Smoked Amber roof marker, (LED)	Inc.
VQ2	Fleet Processing Option	\$0.00
ZLQ	Fleet Convenience Package	\$610.00
ZQO	Tire, spare LT235/80R17E highway	\$380.00
ZW9	Pickup bed, delete	(\$1,155.00)
—	Capped Fuel Fill	Inc.
SUBTOTAL		\$46,721.00
Adjustments Total		\$0.00
Destination Charge		\$1,795.00
TOTAL PRICE		\$48,516.00

FUEL ECONOMY

Est City:N/A

Est Highway:N/A

Est Highway Cruising Range:N/A

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Data Version: 16766. Data Updated: Jun 21, 2022 1:00:00 PM PDT.

SELLER/DEALER: HOUSE F & I

F&I Mgr.

BUYER'S ORDER

Deal #

GC230596

BUYER'S INFORMATION

Date 03/27/2023 Salesperson DANNY MIRELES
 Buyer's Name CITY OF OVILLA
 Address 105 S COCKRELL
 City & State OVILLA TX Zip 75154
 Home Phone (972)617-7262 Bus. Phone (469)866-1097
 Cell Phone (972)561-8109 E-Mail ajarvis@cityofovilla.org
 Est. Delivery Date 03/27/2023 Customer #

VEHICLE INFORMATION

Stock # GC230596 VIN# 1GD58PE79PF221421
 New Used Demo Make GMC Miles 12
 Model SIERRA 3500HD Yr. 2023 Color SUMMIT
 MSRP 48,136.00 Discount 11,436.00 OSP \$6,700.00

Accessories	Included	Accessories	Owed
1	N/A	1	400.00
2	N/A	2	400.00
3	N/A	3	15,342.91
4	N/A	4	N/A
5	N/A	5	N/A
6	N/A	6	N/A
7	N/A	7	36,700.00

SELLING PRICE

Plus Owed Accessories

SELLING PRICE w/ ACCESS.

Sales Service Fee

Trade-In Appraised Value

Factory Rebate(s), if any

SUB-TOTAL

State Motor Vehicle Sales Tax

*Dealer's Inventory Tax

License-Title-Inspection-Road-Bridge-Fees

Balance Due on Trade-In

**Documentary Fee

TOTAL

Deposit Receipt #

Cash Down Receipt #

52,857.41N/A

*The Dealer's Inventory Tax charge is intended to reimburse the dealer for ad valorem taxes on its motor vehicle inventory. The charge, which is paid by the dealer to the county tax assessor-collector, is not a tax imposed on a consumer by the government, and is not required to be charged by the dealer to the consumer.

**A DOCUMENTARY FEE IS NOT AN OFFICIAL FEE. A DOCUMENTARY FEE IS NOT REQUIRED BY LAW, BUT MAY BE CHARGED TO BUYERS FOR HANDLING DOCUMENTS RELATING TO THE SALE. A DOCUMENTARY FEE MAY NOT EXCEED A REASONABLE AMOUNT AGREED TO BY THE PARTIES. THIS NOTICE IS REQUIRED BY LAW.

**UN HONORARIO DE DOCUMENTACIÓN NO ES UN HONORARIO OFICIAL. UN HONORARIO DE DOCUMENTACIÓN NO ES REQUERIDO POR LA LEY, PERO PUEDE SER CARGADA AL COMPRADOR COMO GASTOS DE MANEJO DE DOCUMENTOS RELACIONADOS CON UNA VENTA. UN HONORARIO DE DOCUMENTACIÓN NO PUEDE EXCEDER UNA CANTIDAD RAZONABLE ACORDADA POR LAS PARTES. ESTA NOTIFICACIÓN ES REQUERIDA POR LA LEY.

See Back of Document for further important information.

Buyer's Signature

Co-Buyer's Signature

DISCLAIMER OF WARRANTY

The above-described vehicle sold by Seller is sold as is, without either express or implied warranties of any kind by Seller, including warranties of merchantability or fitness, and Buyer will bear the entire expense of repairing or correcting any defects that presently exist or that may occur in the vehicle, unless a written warranty by, or service contract with, Seller covering the described vehicle is delivered to Buyer in conjunction with or within 90 days following the time of the sale, but such vehicle or any of its component parts may be subject to warranty by the manufacturer thereof.

DRAFTING INSTR. ATT. N/A 03/27/2023
 AMOUNT 52,857.41 LIEN DATE 03/27/2023
 DRAFT ON 03/27/2023 THRU
 ADDRESS N/A
 CITY, STATE & ZIP N/A

Acknowledgement:

Buyer agrees to purchase the vehicle described in this Buyer's Order on the terms set forth herein. This Buyer's Order shall not be binding until signed by Seller. It is expressly agreed to and understood by Buyer and Seller that in the event of a non-credit transaction, Seller retains a security interest in the purchased vehicle until such time as the Buyer has paid the Seller for the vehicle. If a credit purchase, Seller shall not be obligated to sell until approval is given by a financial institution willing to purchase a Retail Installment Contract executed by the Buyer on terms acceptable to the parties hereto. This Buyer's Order does not constitute an agreement or approval for the extension of credit to Buyer.

Date 03/27/2023 Buyer's/Co-Buyer Signature: Accepted

ADDITIONAL TERMS AND CONDITIONS

As used in the Buyer's Order, the term (a) "Seller" shall mean the authorized dealership ("Dealer") to whom this Order is addressed and who shall become a party hereto by its acceptance hereof, (b) "Buyer" shall mean the party executing this Order as such on the face hereof and (c) "Manufacturer" shall mean the company or other entity that manufactured the vehicle or chassis, it being understood by Buyer that reference to the Manufacturer herein is for the purpose of explaining generally certain contractual relationships existing between Seller and Manufacturer, with respect to new motor vehicles.

Manufacturer has reserved the right to change the price to Dealer of new motor vehicles of the series and body type ordered hereunder by Buyer. Dealer reserves the right to change the cash delivery price of such motor vehicle to Buyer accordingly. If such cash delivery price is increased by Dealer, Buyer may, if dissatisfied therewith, cancel this Order, upon prompt written notice to Dealer given prior to the delivery of the motor vehicle ordered hereunder. If in this event, a used motor vehicle has been traded in as part of the consideration for the motor vehicle ordered hereunder, such used motor vehicle shall be returned to Buyer upon payment of a reasonable charge for storage and repairs (if any) or, if such used motor vehicle has been previously sold by Dealer, the amount received therefore, less a selling commission of 15% and any expense incurred in storing, insuring, conditioning or advertising said used motor vehicle for sale.

If the used motor vehicle which has been traded in as a part of the consideration for the motor vehicle ordered hereunder is not to be delivered to Dealer until delivery to Purchaser of such motor vehicle, the used motor vehicle shall be reappraised at that time and such reappraised value shall determine the allowance made for such used motor vehicle. If such reappraised value is lower than the original allowance therefore shown on the front of this Order, Buyer may, if dissatisfied therewith, cancel the Order; provided, however, that such right to cancel is exercised promptly and given prior to the delivery of the motor vehicle ordered hereunder to the Buyer and surrender of the used motor vehicle to Dealer.

Buyer agrees to deliver to Dealer satisfactory evidence of title to any used motor vehicle traded in as a part of the consideration for the motor vehicle ordered hereunder at the time of delivery of such used motor vehicle to Dealer. Buyer warrants any such used motor vehicle to be his property free and clear of all liens and encumbrances and that such used motor vehicle is not rebuilt, reconstructed, or reconditioned unless otherwise noted herein.

Unless this Order shall have been cancelled by Buyer under and in accordance with the provisions stated above, Dealer shall have the right, upon failure or refusal of Buyer to accept delivery of the motor vehicle ordered hereunder and to comply with the terms and conditions of this Order, to retain as liquidated damages any cash deposit made by Buyer, and, in the event a used motor vehicle has been traded in as a part of the consideration for the motor vehicle ordered hereunder, to sell such used motor vehicle and reimburse itself out of the proceeds of such sale for the expenses specified above and for such other expenses and losses as Dealer may incur or suffer as a result of such failure or refusal by Buyer.

Manufacturer has reserved the right to change the design of any new motor vehicle, chassis, accessories or parts thereof at any time without notice and without obligation to make the same or any similar change upon any motor vehicle, chassis, accessories or parts thereof purchased by or shipped to Dealer or being manufactured or sold in accordance with Dealer's orders. Correspondingly, in the event of any such change by Manufacturer, Dealer shall have no obligation to Buyer to make the same or any similar change in any motor vehicle, chassis, accessories or parts.

Dealer shall not be liable for failure to deliver or delay in delivering the motor vehicle covered by this Order where such failure or delay is due, in whole or in part, to any cause beyond the control of Dealer, absent Dealer's gross negligence or willful misconduct.

The selling price of the motor vehicle specified on the face of this Order includes reimbursement for Federal Excise Taxes, but does not include any federal, state or local sales taxes, use taxes or occupational taxes based on sales volume, unless expressly so stated. Buyer assumes and agrees to pay, unless prohibited by law, any such sales, use or occupational taxes imposed on or applicable to the transaction covered by this Order, regardless of which party may have primary tax liability therefore.

The Buyer, before or at the time of delivery of the motor vehicle covered by the Order, will execute such other forms of agreement or documents as may be required by Dealer or by the terms and conditions of payment indicated on the front of this Order.

ARBITRATION: ANY AND ALL CONTROVERSIES OR CLAIMS ARISING OUT OF OR IN ANY WAY RELATED TO THIS ORDER OR THE TRANSACTION, NEGOTIATION, PURCHASE, PAYMENT, TRADE-IN, WARRANTY (EXPRESS OR IMPLIED) REPAIR AND/OR SERVICE OF THE VEHICLE THAT IS THE SUBJECT OF THIS ORDER, WHETHER THOSE CLAIMS ARISE FROM, RELATE TO, OR ARE BASED IN TORT, CONTRACT, STRICT LIABILITY, WARRANTY, DECEPTIVE TRADE PRACTICES, THE BREACH OF ANY STATUTORY, REGULATORY, COMMON LAW, OR OTHER DUTY OR ANY OTHER CAUSE OF ACTION OR THEORY OF LIABILITY WHATSOEVER, SHALL BE RESOLVED EXCLUSIVELY BY FINAL AND BINDING ARBITRATION BY A MUTUALLY AGREED UPON SINGLE ARBITRATOR, APPLYING TEXAS LAW. THE ARBITRATION SHALL BE CONDUCTED IN ACCORDANCE WITH THE COMMERCIAL ARBITRATION RULES OF THE AMERICAN ARBITRATION ASSOCIATION, EXCEPT TO THE EXTENT SAID RULES ARE CONTRARY TO THIS ORDER OR UNLESS THE PARTIES OTHERWISE MUTUALLY AGREE IN WRITING. SHOULD THE PARTIES FAIL TO MUTUALLY AGREE ON AN ARBITRATOR, THE ARBITRATOR SHALL BE APPOINTED AS PROVIDED IN THE COMMERCIAL ARBITRATION RULES OF THE AMERICAN ARBITRATION ASSOCIATION. EACH PARTY SHALL BEAR AN EQUAL SHARE OF THE ARBITRATOR'S AND ADMINISTRATIVE FEES OF THE ARBITRATION. IT IS FURTHER AGREED THAT THE ARBITRATION PROCEEDING SHALL BE CONDUCTED IN THE COUNTY OF TEXAS WHERE THIS GUNN DEALERSHIP IS LOCATED. THE AWARD OF THE ARBITRATOR SHALL BE FINAL AND BINDING, AND JUDGMENT ON THE ARBITRATOR'S AWARD MAY BE ENTERED IN ANY COURT OF COMPETENT JURISDICTION. THE FEDERAL ARBITRATION ACT WILL GOVERN THE INTERPRETATION AND ENFORCEMENT OF THIS ARBITRATION AGREEMENT AND PROCEEDINGS PURSUANT TO THIS ARBITRATION AGREEMENT.

The information you see on the window form for this vehicle is part of this contract. Information on the window form overrides any contrary provisions on the contract of sale. *La información que aparece en la ventanilla de este vehículo forma parte de este contrato. La información contenida en el formulario de la ventanilla anula cualquier previsión que establezca lo contrario y que aparezca en el contrato de venta.*

Buyer's/Co-Buyer Signature

Date

16440 IH 35 North Exit 174B
Selma, TX 78154
(210) 599-5600

WE OWE

NAME	City Of Ovilla	STK. NO.	GC230596	NEW <input checked="" type="checkbox"/>	USED <input type="checkbox"/>
ADDRESS	105 S Cockrell	YEAR	2023	MAKE	GMC
CITY	Ovilla	STATE	TX	ZIP	75154
PHONE				SERIAL NO.	
SALESMAN	Danny Mireles			DEL. DATE	3/27/2023

QTY.	NAME OF ITEM	PART	LABOR
	Nothing Owed		

I hereby accept this WE-OWE with the understanding that it is valid for only (30) THIRTY DAYS FROM DATE OF ISSUANCE, and that I must make an ADVANCE APPOINTMENT WITH THE SERVICE DEPARTMENT before the above work can be performed.

DATE 03/27/2023

(FOR APPOINTMENT CALL SERVICE DEPT.)

CUSTOMER

APPROVED

MGR.

DEAL JACKET

YOU OWE

	TO BE RECEIVED BY DATE		TO BE RECEIVED BY DATE
1) Title to Trade In Vehicle		5) Other	
2) All Monies		6) Other	
3) Valid Insurance Card		7) Other	
4) Other		8) Other	

I here by agree to provide the above listed item(s) to the dealer. I understand that the sales transaction is not complete until I provide such items.

X: _____

DATE: 03/24/2023

APPROVED BY: _____

MGR.

DEAL JACKET



✓ Completely Satisfied

New Vehicle Delivery System

Vehicle Identification Number
[REDACTED]

PDI Date: _____

Delivery Date: 03/27/2023Pre-Delivery Check (Sales consultant performs these checks prior to delivery date.)

I reviewed the completed GM Pre-Delivery Inspection form, verified that the correct Regular Production Accessories (RPAs) are installed, prepared the Dealer Disclosure of Non-GM Products Used form, inspected the body and paint surfaces for fit and appearance, and confirmed that all financial paperwork is in order (e.g., title/registration, financing, service contract). Vehicle has been driven on road test and battery is fully charged.

Completed _____ (Initial)

Consultation at Delivery

Present all glovebox material, including the Owner Manual, Maintenance Schedule, Warranty Information, XM Radio and OnStar literature, if equipped. Emphasize the importance that the customer reviews the material.

- Review Roadside Assistance and Courtesy Transportation procedures.
- Provide state-required Lemon Law information, if applicable.

Explain the importance of regularly scheduled maintenance and the GM Oil Life System (as equipped).

Remind customer that, in order to better serve them, they will be receiving the Purchase and Delivery Satisfaction Survey and, if applicable, the Service Satisfaction Survey from GM.

- Advise the customer of a potential follow-up call to ensure that they are completely satisfied.

Vehicle Presentation with Customer

Review body and paint to make sure they are clean and damage-free.

Review exterior items, including:

- Location of hood latch, prop rod and trunk release, if applicable (Section 5)
- Location and checking procedure for all fluids (oil levels, etc.) (Section 5)
- Fuel filler door and cap operation (Section 5)
- Spare tire removal and jack location (Section 5)
- Remote Keyless Entry and Remote Start operation, if equipped (Section 2)

Review interior to make sure it is clean and damage-free.

Review and demonstrate all vehicle features and controls using the Owner Manual and "Getting to Know Your" vehicle booklet or other supplemental feature information. Customer understanding of the described features is key to their satisfaction with the vehicle.

- Reset Average Fuel Economy on Driver Information Center (DIC), if equipped. (Section 3)
- Help the customer set personalized, programmable and memory functions, including HomeLink, if equipped. (Section 2 & 3)
- Seat, steering wheel, mirror, and power adjustable pedal positioning, if equipped (Section 1 & 2)
- Climate Control system: automatic, dual zone, and recirculation functions; heating/cooling seats, if equipped. (Section 3)
- Audio/infotainment systems: clock, radio, RDS, XM, CD, DVD, MP3 and Navigation functions, as equipped. (Section 3)
- Safety features, safety belts, child restraints and LATCH system. (Section 1)
- Inform customer of OnStar benefits and operation, if equipped. (Section 2)

Offer orientation drive, or recommend that customer drive the vehicle for sufficient familiarization.

Service Introduction and Orientation

Introduce the customer to Service Department personnel and familiarize the customer with the dealership's Service facilities.

- Present dealership service benefits (e.g., hours of operation, shuttles, early bird drop-off, after hours pickup, factory-trained technicians)
- Discuss convenience and competitive pricing for regular maintenance items (e.g., wiper blades, filters, batteries, brakes, tires, etc.)
- Suggest a follow-up visit (e.g., courtesy inspection or New Owner Clinic)
- First follow-up visit scheduled for: _____
(Date)

The above items were inspected, explained, and demonstrated to my complete satisfaction, including the Lemon Law information (USA, if applicable).

03/24/2023

Customer's signature

Date

03/24/2023

Salesperson's signature

Date

GUNN WARRANTY DISCLAIMER AND RELEASE

THE UNDERSIGNED CUSTOMER ACKNOWLEDGES THAT HE/SHE IS PURCHASING A VEHICLE FROM Gunn Buick GMC ("GUNN") THAT HAS CERTAIN ENGINE ENHANCING PRODUCTS, SUSPENSION PRODUCTS, TIRES AND WHEELS, AND/OR OTHER PRODUCTS, PARTS, ASSEMBLIES, COMPONENTS, OR OTHER MATERIALS ("AFTERMARKET PRODUCTS") INSTALLED ON AND/OR SOLD WITH THE VEHICLE, AND THAT THESE AFTERMARKET PRODUCTS ARE NOT APPROVED, ENDORSED, AUTHORIZED, OR CERTIFIED BY THE MANUFACTURER OF YOUR VEHICLE. THERE IS NO AFFILIATION BETWEEN THE MANUFACTURER(S), SUPPLIER(S), OR INSTALLER(S) OF THESE AFTERMARKET PRODUCTS AND THE MANUFACTURER OF YOUR VEHICLE. GUNN DID NOT MANUFACTURE, SUPPLY, OR INSTALL THE AFTERMARKET PRODUCTS ON YOUR VEHICLE.

INSTALLATION AND/OR USE OF AFTERMARKET PRODUCTS ON, FOR, OR ASSOCIATED WITH YOUR VEHICLE MAY LIMIT OR VOID YOUR RIGHTS UNDER ANY APPLICABLE WARRANTY PROVIDED BY THE MANUFACTURER OF YOUR VEHICLE OR UNDER ANY APPLICABLE SERVICE OR MAINTENANCE CONTRACT COVERING YOUR VEHICLE. CONSULT YOUR VEHICLE MANUFACTURER'S WARRANTY BOOKLET FOR DETAILS AS TO WARRANTY COVERAGE AND YOUR SERVICE OR MAINTENANCE CONTRACT FOR DETAILS AS TO COVERAGE THEREUNDER. GUNN EXPRESSLY DISCLAIMS ANY RESPONSIBILITY OR LIABILITY FOR ANY SUCH LIMITATION OR VOIDING OF ANY APPLICABLE WARRANTY OR SERVICE/MAINTENANCE CONTRACT COVERING YOUR VEHICLE.

ANY WARRANTY COVERING AFTERMARKET PRODUCTS INSTALLED ON AND/OR SOLD WITH YOUR VEHICLE OR COVERING THE INSTALLATION OF SAID AFTERMARKET PRODUCTS IS STRICTLY LIMITED TO ANY WARRANTY PROVIDED BY THE MANUFACTURER(S), SUPPLIER(S), AND/OR INSTALLER(S) OF SAID AFTERMARKET PRODUCTS.

GUNN MAKES NO WARRANTIES OR REPRESENTATIONS REGARDING AFTERMARKET PRODUCTS INSTALLED ON AND/OR SOLD WITH YOUR VEHICLE OR THE INSTALLATION OF SAID AFTERMARKET PRODUCTS, AND GUNN EXPRESSLY DISCLAIMS, TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, ALL EXPRESS AND IMPLIED WARRANTIES, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. CUSTOMER OR END-USER, AS APPLICABLE ("PURCHASER"), OF THE VEHICLE ASSUMES FULL AND COMPLETE RESPONSIBILITY FOR SUCH AFTERMARKET PRODUCTS AND INSTALLATION AND HEREBY AGREES TO FOREVER RELEASE, DISCHARGE, AND HOLD HARMLESS, AND COVENANTS NOT TO SUE, GUNN AND/OR ITS OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, REPRESENTATIVES, AND RELATED ENTITIES (COLLECTIVELY, "RELEASED PARTIES") FOR ANY LOSS, DAMAGE, CLAIM, INJURY, OR DEATH BASED ON OR ARISING OUT OF PERSONAL INJURY, DEATH, OR PROPERTY OR OTHER LOSS OR DAMAGE SUSTAINED OR ALLEGED TO HAVE BEEN SUSTAINED IN CONNECTION WITH, ARISING OUT OF, INCIDENTAL TO, OR IN ANY WAY RELATED TO THE AFTERMARKET PRODUCTS INSTALLED ON AND/OR SOLD WITH PURCHASER'S VEHICLE AND/OR THE INSTALLATION OF SAID AFTERMARKET PRODUCTS. NO PRIOR REPRESENTATION BY GUNN IS ENFORCEABLE AGAINST GUNN OR RELEASED PARTIES UNLESS EXPRESSLY INCLUDED IN A WRITTEN AGREEMENT BETWEEN PURCHASER AND GUNN SIGNED AND APPROVED BY PURCHASER AND AN AUTHORIZED REPRESENTATIVE OF GUNN. TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, GUNN EXPRESSLY DISCLAIMS ANY RESPONSIBILITY OR LIABILITY FOR ANY INCIDENTAL AND/OR CONSEQUENTIAL DAMAGES, INCLUDING, BUT NOT LIMITED TO, DAMAGE TO PURCHASER'S VEHICLE, LOSS OF USE OF PURCHASER'S VEHICLE, PROPERTY DAMAGE, TOWING, CAR RENTAL, MILEAGE, INCONVENIENCE, TIME, LIMITED OR VOIDED VEHICLE WARRANTY, SERVICE OR MAINTENANCE CONTRACT OR OTHER COVERAGE, DIMINISHED VALUE OF THE VEHICLE, AND TRAVEL EXPENSES. GUNN'S LIABILITY FOR ANY LOSS, DAMAGE, CLAIM, INJURY, OR DEATH IN CONNECTION WITH, ARISING OUT OF, INCIDENTAL TO, OR IN ANY WAY RELATED TO THE AFTERMARKET PRODUCTS INSTALLED ON AND/OR SOLD WITH PURCHASER'S VEHICLE AND/OR THE INSTALLATION OF SAID AFTERMARKET PRODUCTS SHALL BE STRICTLY LIMITED TO THE PRICE OF THE APPLICABLE AFTERMARKET PRODUCT PAID BY PURCHASER.

DRIVER ADVISORY, PRODUCT USE, AND MAINTENANCE INFORMATION

The installation and/or use of Aftermarket Products on your vehicle may cause and/or increase certain risks and dangers, both on and off road, including but not limited to: (1) different handling characteristics; (2) a higher or lower center of gravity, thereby affecting the way your vehicle reacts to various weather or other driving or road surface conditions compared to other vehicles; (3) an increased risk of vehicle rollover or loss of control; (4) an increased risk of property damage, economic loss, serious injury and/or death; (5) decreased or altered braking capability and stopping distances as well as different overall vehicle performance; and (6) possible inaccuracy of your vehicle's speedometer, or other risks and dangers, caused by the installation and/or use of larger tires.

You should always drive your vehicle safely! Great care should be taken to prevent rollover or loss of control, which can result in serious injury and/or death. Sudden sharp turns and abrupt maneuvers should be avoided! Larger/heavier tires and wheels generally decrease braking performance and capability. When driving your vehicle, you should take this Driver Advisory into consideration. No additions, alterations or fabrications should be made to any Aftermarket Products installed on and/or sold with your vehicle. Again, Gunn expressly disclaims any responsibility or liability for such Aftermarket Products.

It is Purchaser's responsibility to maintain the vehicle in accordance with recommendations of the vehicle's manufacturer and the manufacturer, supplier, and/or installer of Aftermarket Products, including, but not limited to, checking all bolts/nuts for tightness. Wheel alignment, steering system and suspension, and driveline systems, among others, should be periodically inspected by a qualified professional mechanic.

I hereby acknowledge that, prior to my purchase and/or use of Aftermarket Products installed on and/or sold with my vehicle, I have read, understand and agree to the foregoing statements and disclaimers. In addition, I hereby acknowledge that I have received from Gunn the product warranty, if any, for any Aftermarket Products installed on and/or sold with my vehicle.


Customer Signature

City Of Ovilla
Printed Name

Date

Gunn January 2018



GUNN HONDA
14610 IH 10 WEST
SAN ANTONIO, TX 78249
PHONE (210) 680-3371

GUNN NISSAN
750 NE LOOP 410
SAN ANTONIO, TX 78209
PHONE (210) 496-0806

GUNN INFINITI
12150 IH 10 WEST
SAN ANTONIO, TX 78230
PHONE (210) 824-1272

GUNN ACURA
11911 IH 10 WEST
SAN ANTONIO, TX 78249
PHONE (210) 696-2232

GUNN CHEVROLET
16550 IH 35 NORTH
Selma, TX 78154
PHONE (210) 599-5000

GUNN BUICK-GMC
16440 IH 35 North Exit 174B
Selma, TX 78154
PHONE (210) 599-5600

ACKNOWLEDGEMENT OF DISCLOSURE OF DAMAGE

AND / OR REPAIR TO A MOTOR VEHICLE

VIN [REDACTED] STOCK NUMBER [REDACTED]
 YEAR 2023 MAKE GMC MODEL Sierra 3500HD

In connection with the purchase from Gunn _____, of the above referenced vehicle, I, as Buyer, hereby acknowledge that Gunn disclosed to me, before I agreed to purchase said vehicle, that the vehicle may have sustained damage as indicated below, or as shown on the attached Trade Appraisal Form, and/or has received repairs as indicated on the attached Gunn Repair Orders.

New Unit!

I acknowledge and agree that the repairs are to my satisfaction as evidenced by the agreed sales price, and I agree to accept delivery of the above-described motor vehicle as repaired.

I further acknowledge that I have received:

- Copy of the **CARFAX Report** dated _____. (Applicable to Used Vehicles only)
- Copy of the **GUNN Inspection** (if applicable to this vehicle)
- Copies of any Repair Orders for repairs made to the vehicle by Gunn
- Other: _____

OTHER (If applicable):

It has been further disclosed to me that this vehicle is an "AS IS" vehicle and as such is not covered by any warranty.

It has been further disclosed to me that this vehicle has been in Demonstrator service before being placed for sale.

Date: 03/27/2023

Buyer: 

Co-Buyer: _____

Gunn Sales Person: 

Gunn Manager: _____

CUSTOMER ACKNOWLEDGEMENT FORM

(New/Used GM Vehicle Sale & Service/Body Shop Repairs)

Vehicle VIN (17 Digits) _____

Part I - Non-GM Service Contract or Service Agreement

Buyer/Lessee acknowledges that the dealer is selling her/him a Non-GM Service Contract (not specifically branded Chevrolet, Buick, GMC or Cadillac Protection). Buyer/Lessee understands that (i) GM is not responsible for any claims under this non-GM service contract product and has no obligation in connection with the sale or use of this non-GM service contract product, and (ii) a non-GM service contract may or may not be accepted by other GM Dealerships.

Part II - Non-GM Parts/Accessories installed by the Dealer.

Non-GM parts and accessories are not covered under the GM New Vehicle Limited Warranty. They also may damage the vehicle, compromise its compliance with safety standards or void the GM Warranty on the vehicle itself. GM is not responsible for the consequences of installing any non-GM equipment, parts or accessories on the vehicle. A list of non-GM parts is available to you upon request.

Customer Signature Customer Printed Name City Of OvillaDate 03/27/2023

Note: A copy of this signed form must be kept in the Customer New or Used Vehicle Sales Jacket and/or Vehicle Service History File.

FACTS**WHAT DOES GUNN BUICK-GMC, LTD.
DO WITH YOUR PERSONAL INFORMATION?**

Why	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
-----	--

What	<p>The types of personal information we collect and share depend on the product or service you have with us. This information can include:</p> <ul style="list-style-type: none"> ■ Social Security number and Income ■ Account Balances and Payment History ■ Credit History and Credit Scores <p>When you are <i>no longer</i> our customer, we continue to share your information as described in this notice.</p>
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How	All financial companies need to share customer personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customer's personal information; the reasons Gunn Buick-GMC, Ltd. chooses to share; and whether you can limit this sharing.
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REASONS WE CAN SHARE YOUR PERSONAL INFORMATION	DOES GUNN BUICK-GMC, LTD. SHARE?	CAN YOU LIMIT THIS SHARING?
For our everyday business purposes— Such as to process your transactions, maintain your account(s), respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes— to offer our products and services to you	Yes	No
For joint marketing with other financial companies	Yes	No
For our affiliates' everyday business purposes— information about your transactions and experiences	Yes	No
For our affiliates' everyday business purposes— information about your creditworthiness	No	We don't share
For nonaffiliates to market to you	No	We don't share

Call	Call [REDACTED]
------	-----------------

<p>Who is providing this notice?</p> <p>Gunn Buick-GMC, Ltd.</p>	
<p>What information do you collect?</p>	
<p>How does Gunn Buick-GMC, Ltd. protect my personal information?</p>	<p>To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings.</p>
<p>How does Gunn Buick-GMC, Ltd. collect my personal information?</p>	<p>We collect your personal information, for example, when you:</p> <ul style="list-style-type: none"> ■ Apply for financing or Use your credit or debit card ■ Give us your financial info or Show your driver's license ■ Apply for a lease <p>We also collect your personal information from others, such as credit bureaus, affiliates or other companies</p>
<p>Why can't I limit all sharing?</p>	<p>Federal law gives you the right to limit only:</p> <ul style="list-style-type: none"> ■ Sharing for affiliates' everyday business purposes—information about your creditworthiness ■ Affiliates from using your information to market to you ■ Sharing for nonaffiliates to market to you <p>State laws and individual companies may give you additional rights to limit sharing.</p>
<p>Definitions</p>	
<p>Affiliates</p>	<p>Companies related by common ownership or control. They can be financial and nonfinancial companies.</p> <p>■ <i>Our affiliates include companies with the GUNN name.</i></p>
<p>Nonaffiliates</p>	<p>Companies not related by common ownership or control. They can be financial and nonfinancial companies.</p> <p>■ <i>Gunn Buick-GMC, Ltd. does not share with nonaffiliates so they can market to you.</i></p>
<p>Joint Marketing</p>	<p><i>A joint marketing agreement is a formal agreement between nonaffiliated financial companies that together market financial products or services to you. Our joint marketing partners include companies such as banks. We may disclose the following kinds of nonpublic personal information about you pursuant to such joint marketing agreements:</i></p> <ul style="list-style-type: none"> ■ <i>Information we receive from you on applications or other forms, such as your name, address, social security number, and income;</i> ■ <i>Information about your transactions with us, our affiliates or others, such as your account balance, payment history, parties to transactions, and credit card usage;</i> ■ <i>Information we receive from a consumer reporting agency, such as your creditworthiness and credit history</i>

Acknowledgement of Receipt: I hereby acknowledge that I have received a copy of this Privacy Notice from Gunn Buck-GMC, Ltd.

Customer Signature

03/27/2023

Date

City Of Ovilla

Printed Name



FLEET ACKNOWLEDGMENT FORM

Congratulations on your new GMC! As a **2023 GMC owner**, we are pleased to offer you Pro Grade Protection on your new purchase/lease. This program provides peace of mind with the following included benefits:

✓ 5 years/100,000-miles¹ Powertrain Limited Warranty

Bumper-to-Bumper Limited Warranty

Select one of the following options:

✓ 3 years/36,000-miles¹ Bumper-to-Bumper Limited Warranty (included)

5 years/60,000-miles¹ Optional GMC Extended Limited Warranty² (additional fee applies)

✓ 5 years/100,000-miles¹ 24-hour Roadside Assistance³

✓ 5 years/100,000-miles¹ Courtesy Transportation

✓ 10 years of standard connectivity with GMC Connected Access⁴ including select features of the myGMC Mobile App⁵

Enjoy a 1-month trial of GMC Connected Services and 1-month of OnStar® Safety & Security Coverage⁶

INCLUDED MAINTENANCE

Maintenance visits include:

- ACDelco dexos1® full synthetic oil and ACDelco oil filter change
- Tire rotation (ask dealer or see Owner's Manual for details)
- Multi-Point Vehicle Inspection (MPVI)

Select one of the following options:

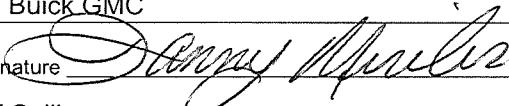
One (1) maintenance visit within 1 year/12,000-miles¹ of ownership⁷ (included)

Optional GMC Extended Factory Maintenance, which consists of three (3) additional maintenance visits, for a total of four (4) visits, within the first two years or 24,000 miles¹ of ownership⁸ (additional fee applies)

Included maintenance services must be performed by a GMC dealership in the GMC Pro Grade Protection Program. Please contact Customer Assistance at 1-800-462-8782 or visit GMC.com for a list of participating dealers.

Delivery Date 3/27/2023 Dealer BAC Code 131082

Dealership Name Gunn Buick GMC

Authorized Dealership Signature 

Customer Name City Of Ovilla

Customer Signature 

For any questions, please contact GMC Customer Assistance | Phone: 1-800-462-8782

¹Whichever comes first. See dealer for details. ² GMC Extended Limited Warranty is not available on vehicles sold in the following states: CA, FL, ME, MN. ³Roadside service provided by Allstate Roadside Services. Limitations apply. ⁴Not transferable. Standard connectivity available to original purchaser for 10 years from vehicle delivery date for model year 2019 or newer GMC vehicles. See onstar.com for details and further plan limitations. Connected Access does not include emergency or security services. Availability and additional services enabled by Connected Access are subject to change. ⁵Available on select Apple and Android devices. Service availability, features and functionality are subject to limitations and vary by vehicle, device and the plan you are enrolled in. Device data connection required. Visit onstar.com for more details. ⁶Model Year 2019 and newer vehicles include: 1 month of OnStar® Safety & Security Plan and 1 month of GMC Connected Services which include navigation services, Remote Access Plan, and 1 month or 3 gigabytes of 4G LTE data (whichever comes first) from vehicle delivery date. Services are subject to user terms and limitations. Visit onstar.com for more details. Data plans offered by AT&T. Availability subject to change. ⁷Service visit must occur within the first 12 months of ownership. Does not include air filters. ⁸Service visits must occur within the first 24 months of ownership. Does not include air filters.

Gunn Buick, GMC LTD**INVOICE****Buy Board Contract # 601-19**16440 IH35N
Selma, Texas 78154DATE: 03/02/23
INVOICE # DG 230596**Bill To: City of Ovilla**ATTN: Ainsley Jarvis
105 S. Cockrell Hill Road
Ovilla, Texas 75154**Ship To: City Of Ovilla**Ainsley Jarvis
105 S. Cockrell Hill road
Ovilla, Texas 75154

O#972-617-7262 C#972-561-8109

Comments or Special Instructions: Attention Danny Mireles

SALESPERSON	P.O. NUMBER	SHIP DATE	SHIP VIA	Buyer	TERMS
Danny Mireles	60-02-2022	3/27/2023	Delivered	Ainsley Jarvis	COD
QUANTITY	DESCRIPTION			UNIT PRICE	AMOUNT
1	2023 GMC Double Cab 3500 Double Cab Dump Body 2WD Stk# GC230596 Vin# [REDACTED] Shipped with no Spare Tire Parks Department Buy Board Fee included in sale price				\$53,437.41
					-\$580.00
				SUBTOTAL	\$52,857.41
				TAX RATE	INC
				SALES TAX	N/A
				TITLE & REG	INC
				TRANSPORT	N/A
				TOTAL	\$52,857.41

Make all checks payable to : **Gunn Buick,GMC.com**

If you have any questions concerning this invoice, Danny Mireles@210-599 5000 ext 2059

THANK YOU FOR YOUR BUSINESS!

BUYER'S TAG RECEIPT - BUYER'S COPY

Tag Number:	2830Y74	Date of Sale:	MAR 27, 2023
		Expiration Date:	MAY 26, 2023

Issue Date:	Mar 27, 2023
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VIN:	[REDACTED]
------	------------

Year:	2023
-------	------

Make:	GMC
-------	-----

Major Color:	WHITE
--------------	-------

Body Style:	PK
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Model:	350
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Minor Color:	
--------------	--

Issuing Dealer:	GUNN BUICK-GMC, LTD
-----------------	---------------------

Dealer Number:	P121830
----------------	---------

Purchaser	
-----------	--

Name 1:	CITY OF OVILLA
Address:	105 S COCKRELL
	OVILLA,
	75154

BUYER is required to keep this receipt in the vehicle until vehicle is registered and metal plates are placed on the vehicle.

BUYER'S COPY

ODOMETER DISCLOSURE STATEMENT

Federal law (and State Law, if applicable) requires that you state the mileage upon transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.

GUNN BUICK GMC

I, _____ state that the odometer now
(TRANSFEROR'S NAME -PRINT)

reads **12** (no tenths) miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described below, unless one of the following statements is checked.

(1) I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage in excess of its mechanical limits.

(2) I hereby certify that the odometer reading is **NOT** the actual mileage.
WARNING - ODOMETER DISCREPANCY.

MAKE **GMC** _____

MODEL **350** BODY TYPE **PK** _____

VEHICLE IDENTIFICATION NUMBER **[REDACTED]** _____

YEAR **2023** _____

TRANSFEROR'S NAME **GUNN BUICK GMC** _____
(PRINTED NAME)

TRANSFEROR'S ADDRESS **16440 IH35N** _____
(STREET)

SELMA **TX** **78154**
(CITY) (STATE) (ZIP CODE)

TRANSFEROR'S NAME **X** _____
(SIGNATURE)

DATE OF STATEMENT **03/27/2023** _____

TRANSFeree'S NAME **CITY OF OVILLA** _____

TRANSFeree'S ADDRESS **105 S COCKRELL** _____
(STREET)

OVILLA **TX** **75154**
(CITY) (STATE) (ZIP CODE)

TRANSFeree'S NAME **X** _____
(SIGNATURE)

CITY OF OVILLA _____
(PRINTED NAME)

Deal # GC230596

Stock # GC230596 Application for Texas Title and/or Registration

<input checked="" type="checkbox"/> Title & Registration <input type="checkbox"/> Title Only <input type="checkbox"/> Registration Purposes Only <input type="checkbox"/> Nontitle Registration For a corrected title or registration, check reason: <input type="checkbox"/> Vehicle Description <input type="checkbox"/> Add/Remove Lien <input type="checkbox"/> Other:					TAX OFFICE USE ONLY		
					County: _____ Doc #: _____ <input type="checkbox"/> SPV <input type="checkbox"/> Appraisal Value \$ _____		
1. Vehicle Identification Number 12345678901234567890		2. Year 2023	3. Make GMC	4. Body Style PK	5. Model 350	6. Major Color WHI	7. Minor Color
8. Texas License Plate No. 12345678	9. Odometer Reading (no tenths) 1234567890	10. This is the Actual Mileage unless the mileage is: <input type="checkbox"/> Not Actual <input type="checkbox"/> Exceeds Mechanical Limits <input type="checkbox"/> Exempt			11. Empty Weight 6400	12. Carrying Capacity (if any) 6000	
13. Applicant Type <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Business <input type="checkbox"/> Government <input type="checkbox"/> Trust <input type="checkbox"/> Non-Profit					14. Applicant Photo ID Number or FEIN/EIN		
15. ID Type <input type="checkbox"/> U.S. Driver License/ID Card (issued by: _____) <input type="checkbox"/> NATO ID <input type="checkbox"/> U.S. Dept. of State ID <input type="checkbox"/> Passport (issued by: _____) <input type="checkbox"/> U.S. Military ID <input type="checkbox"/> U.S. Dept. of Homeland Security ID <input type="checkbox"/> U.S. Citizenship & Immigration Services/DOJ ID <input type="checkbox"/> Other Military Status of Forces Photo ID							
16. Applicant First Name (or Entity Name) CITY OF OVILLA		Middle Name		Last Name		Suffix (if any)	
17. Additional Applicant First Name (if applicable)		Middle Name		Last Name		Suffix (if any)	
18. Applicant Mailing Address 105 S COCKRELL		City OVILLA		State TX		Zip 75154	19. Applicant County of Residence ELLIS
20. Previous Owner Name (or Entity Name) GUNN BUICK GMC		City SELMA		State TX		21. Dealer GDN (if applicable) P121830	22. Unit No. (if applicable)
23. Renewal Recipient First Name (or Entity Name) (if different)		Middle Name		Last Name		Suffix (if any)	
24. Renewal Notice Mailing Address (if different)		City		State		Zip	
25. Applicant Phone Number (optional) (469) 866-1097		26. Email (optional) AJARVIS@CITYOFOVILLA.ORG		27. Registration Renewal eReminder <input type="checkbox"/> Yes (Provide Email in #26)		28. Communication Impediment? <input type="checkbox"/> Yes (Attach Form VTR-216)	
29. Vehicle Location Address (if different)		City		State		Zip	
30. Multiple (Additional) Liens <input type="checkbox"/> Yes (Attach Form VTR-267)		31. Electronic Title Request <input type="checkbox"/> Yes (Cannot check #30)		32. Certified/eTitle Lienholder ID Number (if any)		33. First Lien Date (if any)	
34. First Lienholder Name (if any)		Mailing Address		City		State	
35. Check only if applicable: <input type="checkbox"/> I hold Motor Vehicle Retailer (Rental) Permit No. _____ and will satisfy the minimum tax liability (V.A.T.S., Tax Code §152.046(c)) <input type="checkbox"/> I am a dealer or lessor and qualify to take the Fair Market Value Deduction (V.A.T.S., Tax Code, §152.002(c)). GDN or Lessor Number _____		MOTOR VEHICLE TAX STATEMENT					
36. Trade-In (if any)		Year	Make	Vehicle Identification Number			
						37. Additional Trade-In(s) <input type="checkbox"/> Yes	
38. Check only if applicable: <input checked="" type="checkbox"/> (a) Sales Price (\$ 0.00) rebate has been deducted) \$ 53672.91		SALES AND USE TAX COMPUTATION					
(b) Less Trade-in Amount, described in Box 36 above \$ (0.00)		<input type="checkbox"/> \$90 New Resident Tax – (Previous State) _____					
(c) For Dealers/Lessors/Rental ONLY – Fair Market Value Deduction, described in Box 36 above \$ (0.00)		<input type="checkbox"/> \$5 Even Trade Tax _____					
(d) Taxable Amount (Item a minus Item b or Item c) \$ 53672.91		<input type="checkbox"/> \$10 Gift Tax – Attach Comptroller Form 14-317 _____					
(e) 6.25% Tax on Taxable Amount (Multiply Item d by .0625) \$ 3354.56		<input type="checkbox"/> \$65 Rebuilt Salvage Fee _____					
(f) Late Tax Payment Penalty <input type="checkbox"/> 5% or <input type="checkbox"/> 10% \$ 0.00		<input type="checkbox"/> 2.5% Emissions Fee (Diesel Vehicles 1996 and Older > 14,000 lbs.) _____					
(g) Tax Paid to _____ (STATE) \$		<input type="checkbox"/> 1 % Emissions Fee (Diesel Vehicles 1997 and Newer > 14,000 lbs.) _____					
(h) AMOUNT OF TAX AND PENALTY DUE (Item e plus Item f minus Item g) \$ 3354.56		<input type="checkbox"/> Exemption claimed under the Motor Vehicle Sales and Use Tax Law because: _____					
<input checked="" type="checkbox"/> \$28 or \$33 Application Fee for Texas Title (Contact your county tax assessor-collector for the correct fee.)							
CERTIFICATION – State law makes falsifying information a third degree felony							
I hereby certify all statements in this document are true and correct to the best of my knowledge and belief, and I am eligible for title and/or registration (as applicable) <input type="checkbox"/> (Check only if applicable) I certify I am applying for a corrected title and the original Texas Certificate of Title is lost or destroyed.							
Signature(s) of Seller(s), Donor(s), or Trader(s)		Printed Name(s) (Same as Signature(s))					
		Date _____					
Signature of Applicant/Owner		Printed Name (Same as Signature)					
		Date _____					
Signature(s) of Additional Applicant(s)/Owner(s)		Printed Name(s) (Same as Signature(s))					
		Date _____					

CERTIFICATION – State law makes falsifying information a third degree felony
I hereby certify all statements in this document are true and correct to the best of my knowledge and belief, and I am eligible for title and/or registration (as applicable).
 (Check only if applicable) I certify I am applying for a corrected title and the original Texas Certificate of Title is lost or destroyed.

Texas Certificate of Title is to

03/27/2023

Printed Name(s) (Same as above)

Date

CITY OF OVILLA

03/27/2023

Printed Name (Same as Signature)

Date

Printed Name(s) (Same as Signature(s))

Date



Texas Department
of Motor Vehicles

Application for Standard Texas Exempt License Plates

County Use Only

License No _____
Mo/Yr of Exp _____
Date Issued _____

Instructions

Submit a completed application for vehicles operated or leased by a qualifying governmental entity to your local county tax assessor-collector's office. This application may be used for up to six (6) vehicles. If the vehicle is leased, attach a copy of the lease agreement.

If the entity is a *volunteer fire department* or *emergency ambulance service*, complete one of the applications listed below in lieu of this application:

- Volunteer fire department – *Application for Exempt Registration of Certain Rescue Vehicles* (Form VTR-62-F)
- Emergency ambulance service – *Application for Exempt Registration of an Emergency Medical Services Vehicle* (Form VTR-62-EMS)

NOTE: A federal tax exemption status or the assignment of a Comptroller I.D. number *does not* qualify a vehicle for exempt license plates.

Vehicle Requirements

Exempt vehicles must ensure proper inscription as required by chapter 721.

Exempt Organization Information

Name of Governmental Entity City of Ovilla		Department/Office	
Authorized Agent First Name	Middle Name	Last Name	Suffix
Address 105 S Crockrell		City Ovilla	State Tx
Email		Phone Number	

Exempt Vehicle Information

	Year Model	Vehicle Make	Body Style	Vehicle Identification Number	Empty Weight (lbs.)	COUNTY USE ONLY Plate Issued
1	2023	GMC	PK	[REDACTED]		
2						
3						
4						
5						
6						

Certification - State law makes falsifying information a third degree felony.

I certify I am authorized to sign this application on behalf of a qualifying governmental entity, and the vehicle(s) display the name of the governmental entity on each side of the vehicle as specified above.

3/8/2021

Authorized Agent Signature

Date

AGENDA ITEM REPORT

Item 9

Meeting Date: April 10, 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 9. DISCUSSION/ACTION – Consideration of any items(s) pulled from the Consent Agenda for individual consideration and action.

Attachments:

None

Discussion / Justification:

All consent items were listed on the Consent Agenda 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 / MARCH 2023



J. Bennett, Chief of Police

OVILLA POLICE DEPARTMENT
MONTHLY REPORT / MARCH 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	(GARY)
PATROL OFFICER	(VACANT)
PATROL OFFICER	(VACANT) ON HOLD UNTIL MID-YEAR or LONGER.
ADMINISTRATIVE ASSISTANT	(PRICE)

*New officer (Gary, Matthew) was hired on 03-15-2023 and is currently in field training. Officer Gary is a lateral hire from the Dallas Police Department and is also a Veteran of the United States Air Force.

*We currently have no applicants for our remaining active vacant position.

OVILLA POLICE DEPARTMENT
MONTHLY REPORT / MARCH 2023

1 – Misdemeanor arrest (Violation of Emergency Protection Order)

180 - Total Traffic Stops. (Pretextual and Non-Pretextual)

76 - Total Citations issued.

Roughly 42% of ALL traffic stops received a citation.

Average Response time for MARCH was 3 MINUTES, 53 SECONDS.

Subject: Police Department Monthly Activity Report

Calls For Service	MAR 2023	MAR 2023 YTD	MAR 2022	MAR 2022 YTD
Accident	4	7	8	16
Alarms	14	40	15	47
Arrest	1	8	1	6
Assault/Assault FV	0	5	0	0
Assists	29	79	92	274
Building / House Security Check	328	807	352	1048
Burglary	0	2	0	1
Burglary of Motor Vehicle	0	1	0	3
Criminal Mischief	0	1	3	6
Disturbance	4	28	13	35
Neighborhood Check	867	2318	882	2605
Other Calls for Service	78	192	159	394
Suspicious Person	12	23	6	17
Suspicious Vehicle	12	23	25	51
Theft	1	6	1	8
Traffic Assignment/School Enforcement	77	171	28	61
TOTAL CALLS FOR SERVICE	1427	3711	1585	4572

OVILLA POLICE DEPARTMENT
MONTHLY REPORT / MARCH 2023

MARCH 2023		TO	MARCH 2023	MILEAGE	MAINTENANCE PERFORMED
Police Unit #		Begin	End	Accrued	
116		118240	118240	0	Downed most of month.
117		142313	144139	1826	\$3020.50 + Oil Change + inspect.
216		40963	41155	192	
119		77482	78897	1415	\$931.23 +inspection .
120		72260	76868	4608	Oil Change +2 tires.
220		67292	69095	1803	Oil Change.

END OF REPORT

Ovilla Fire Department

March Monthly Report



Fire Chief Brandon Kennedy

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

Mission Statement

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

Summary of Staffing for the Department

- Currently the Department has 2 Firefighter Paramedic position open.
- Currently the Department has 0 Firefighter Basic position open.
- Currently the Department has 5 Volunteer Firefighter positions open.
 - Going through the interview process with 5 applicants. They have passed the interview panel and are scheduled for their final Chiefs interview this week. These 5 will bring the volunteer positions to fully staffed.
- Current Staffing
 - 2 Chiefs
 - 5 Captains
 - 23 Firefighter Paramedics
 - 6 Firefighter EMT-Basics
 - 7 Volunteer Firefighters
 - Total Staffing of 43 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
 - 2 has EMT – B Certification
 - 1 Volunteers do not have any Certification currently.

Grants Report

- Submitted AFG grant to replace the station SCBA fill station. Waiting to hear if awarded. Projected cost of around 75K – 100K.
- Submitted SAFER Grant to hire 3 fulltime firefighters. Waiting to hear if awarded.

Summary of Events for the Department

- For the month of January, OFD made a total of 78 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 265 calls for service, an average of 88 per month, and are projected to run over 1060 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)
- **30 / 62** Volunteer shifts were covered, and these **30** shifts we had 4 personnel on the Engine.

Monthly Call Summary

INCIDENT COUNT		
INCIDENT TYPE	# INCIDENTS	
EMS	49	
FIRE	29	
TOTAL	78	
CO CHECKS		
746 - Carbon monoxide detector activation, no CO	1	
TOTAL	1	
MUTUAL AID		
Aid Type	Total	
Aid Given	5	
Aid Received	1	
OVERLAPPING CALLS		
# OVERLAPPING	% OVERLAPPING	
0	0	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)		
Station	EMS	FIRE
Station 701	0:06:06	0:05:19
AVERAGE FOR ALL CALLS		0:05:56
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)		
Station	EMS	FIRE
Station 701	0:01:31	0:00:59
AVERAGE FOR ALL CALLS		0:01:25
AGENCY		AVERAGE TIME ON SCENE (MM:SS)
Ovilla Fire Department		19:06

Fleet Report

Ovilla Fire Department Mileage, Fuel and Maintenance Report for March					
Apparatus	Beginning Mileage	Ending Mileage	Mileage for the Month	Fuel Expenses	Maintenance Expenditures
B701	61,334	61,347	13	\$ 46.66	\$ 884.85
	-		0		\$ -
C701	43,219	43,664	445	\$ 50.00	\$ -
C702	16,523	16,878	355	\$ 88.00	\$ -
S701	115,048	115,223	175	\$ 28.30	\$ -
E701	35,059	35,566	507	\$ 663.35	\$ 27,008.37
E702	36,719	36,775	56	\$ 131.24	\$ 907.44
Training E703	-		0		\$ -
R755	23,252	23,262	10	\$ 89.55	\$ -
Station Supplies (Small Equipment Fuel, Propane, Other)					\$ -
Totals for the Month			1,561	\$ 1,097.10	\$ 28,800.66

Maintenance Cost Explanations:

- E701 had to have a complete pump replacement due to a bearing going out.
 - E701 back in service on 2/22/2023
- C701 had to have the A/C compressor replaced

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

SUBJECT: March 2023 Public Works Overview Report

Employee report

One position is still frozen.

Public Works Project Overview

We continue to work the bugs out of the AMI metering system. Staff: Daniel Durham several times per month.

Impact study is almost complete.

EPP has been updated and sent in for acceptance. Staff: Daniel Durham 2.5 hours

Texas Water Development Board has been updated. Continue to get data needed for the Regional Water Planning Survey. Staff: Daniel Durham 4 hours

Waiting on engineering on the creek behind Cumberland Forest and Shiloh bridge.

UCMR 5 samples are complete. Staff: Daniel Durham 1 hour

Working with CWD and preparing for the clean up days on April 22, 2023 and April 29, 2023.

Continued work on the conference room.

Digital marque has been installed and is operational, waiting on the city ribbon on the north side.

Equipment

Still waiting on the parks vehicle that was ordered.

One (1) pump at pump station with seized bearings.

PUBLIC WORKS DIRECTOR REPORT

Water Department

GOV Pilot

Work Orders Completed

Work Orders completed for the month March 2023

- Total Work Orders Entered- 7
- Total Work Orders Completed - 7

Water Wholesale Purchased & Pumped

- Gallons Billed – 7.206.100MGD
- Gallons Unbilled – 17.0k
- Builder Billed – 1.0k
- Maintenance Flushing – 750.000k
- Gallons pumped – 9.120.000MGD

WATER

Water Repairs

1. 902 Cockrell Hill Rd. – water main repaired on 4" due to aging infrastructure.
2. 717 Buckboard St. - repaired old leaking dresser coupling.
3. 912 Cockrell Hill Rd. – 4" water main repaired due to cracked pipe.

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

Nothing to report for March 2023.

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.
 - Flatwork inspection at 7450 Pistache Ln.
- **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.
 - Met with AT&T representative and fiber optics boring contractor.
- **Broadmoor Estates Phase 2**
 - Nothing to report.
- **Hollywood Estates lot 22-24**
 - Will take water samples soon.
 - Two (2) site checks are performed daily to ensure contractors have the proper permits and no violations are found.

42 building permits were reviewed and issued this month, none of which were a new single family residential home.

Assisted Water Department with water leaks in the 900 block of Cockrell Hill Rd. and locating 4" waterline to tie in new water main installed under the creek at Split Rock Ter.

Assisted Streets and Drainage Department with traffic control on Westmoreland Rd.

Assisted code/animal control with permit reviews and inspections.

PUBLIC WORKS DIRECTOR

REPORT

Parks and Facilities Monthly Report

The parks department can spend anywhere 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) Mowing grass in the park once a week.

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.
- 4) Checked restrooms to winterize for cold weather.
- 5) Mowing grass in the park once a week.

The playground is getting more use as the weather is warming up.

ASHBURNE GLEN PARK

- 1) Raked out kiddie cushion around playground equipment.
- 2) Picked up debris and checked garbage cans and empty them as needed.
- 3) Mowing grass in the park once a week.

SILVER SPUR PARK

- 1) Raked kiddie cushion under swings during inspection of playground equipment.
Also picked up any garbage on the premises.
- 2) Mowing grass in the park once a week.

PUBLIC WORKS DIRECTOR REPORT

FOUNDERS PARK

- 1) Check the pavilion area for garbage on the ground and picnic tables and benches for cleanliness usually on a day basis.
- 2) Check and empty garbage cans as needed.
- 3) Stickers made to cover up logos on the fans in pavilion.

Trying to cut all of the grass on city property once weekly.

SMALL BASEBALL FIELD

- 1) Ovilla Christian School girls' softball team has played a few home games on the softball field which is mowed and dragged by the Parks Department. The field is also lined for games to be played.

LARGE BASEBALL FIELD

- 1) Finished working the new dirt and condition on ballfield which has made a significant improvement in the field to dry quicker. This will still require more work which will be done in October 2023.
- 2) Mowed and dragged a couple of times a week (or dry enough to drag)
- 3) Field rentals are not 100% with teams from last year due to the damage deposit policy.

FACILITIES

- 1) Cozy-D has completed installation of the HVAC unit in the conference room.
- 2) The new marque sign is complete with the exception of the topper on the north side saying, "CITY OF OVILLA". The project is scheduled to be completed April 4, 2023.
- 3) The electrical wiring in the conference room has been roughed in.
- 4) The Parks Department's new truck is ready to be delivered as of March 28, 2023.
- 5) All new flags were put up at Heritage Park, Founders Park and in front of City Hall on March 1, 2023.
- 6) The flags were lowered to half-staff in observance of the school shooting in Nashville, TN. They were raised back up at sunset on March 31, 2023.

PUBLIC WORKS DIRECTOR REPORT

Streets/Drainage

Drainage Projects

- N/A

Street Projects

- Roadways were crack sealed and footage of the roads at Georgetown Rd. (1,284'), Buckboard St. (1,146'), Silver Spur Ln. (950'), Holly Ln. (888'), Suburban Dr. (2,556'), Westlawn Dr. (1,413'), and Greenwood Dr. (1,122'). (3 man work crew). Time: 7 days, 7 hours per day.
- Trimmed overhanging limbs off roadway at Johnson Ln., Red Oak Creek north of Westmoreland and north and south Westmoreland Rd. is in progress. (4 man work crew assisted by Water Department) Ellis County Precinct 4 was contracted for their tractor and brush cutter. Time: 11 days, 7 hours per day.
- Roads that were potholed include Cockrell Hill Rd., Johnson Ln., Westmoreland Rd., Red Oak Creek Rd., and Hosford Rd. Five (5) yards of cold mix was used.(3 man work crew). Time: 5 days, 6 hours per day.

Right of Way Mowing

N/A

Community Services

Code Enforcement

- 3 - Illegal Dumping incidents cleared by Code Enforcement
- 1- Trash Removed - Johnson Lane at Joe Wilson Rd.
- 2- Debris/mattresses dumped Malloy and Johnson Lane
- 3- Trash -Ovilla Road

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

PUBLIC WORKS DIRECTOR REPORT

Calls For Service	Mar 23	Mar. 23 YTD
Complaint (Nuis 21 Permit 15 Parking 12)	48	143
Follow up	56	160
Door Notice (Nuisance-13, Permit-4, Parking-9)	26	65
Mail Notice (Parking-2, Nuisance-3, Permit-4)	9	21
Posted Property (Nuisance-1, Grass-21)	44	10
Court (1 Public Nuisance FTA, 1 set for trial)	\$0	\$0
Citizen Contacts	37	109
Permits Reviewed	34	85
Permits Issued	26	73
Inspections	57	91
Nuisance Abated by City 2) Trash	3	108
Nuisance Signs (Garage sale-8, Business-21)	29	99
BOA variance	0	1

Animal Control

2 Racoons showing signs of distress. Johnson Lane at Duncanville Road area were dispatched, neighbors informed and asked to watch for further issues with wildlife.

Animal Transfer – awaiting interlocal agreement with Glen Heights

Calls For Service	Mar.2023	Mar.23 YTD
Complaint (Registrations-15, At Large-11, Bark-1)	27	64
Follow up	35	75
Door Notice (Registrations-11, At large-1)	12	30
Impounded Animal (Dog-2)	6	11
Animal welfare check	19	72
Impound Results (Transport 2)	2	8
Impound fee collected	\$0.00	\$0.00
Court	\$0.00	\$0.00
Citizen Contacts	28	69
Animal registration	6	25
Registration Letter Mailed	17	54
Nuisance letter 1 Barking	1	4
Animals relocated - 2	2	3
Deceased removed	25	60
Oak Leaf - 2 meeting	2	4



Date: April 10, 2023

To: Honorable Mayor and Council Members

**Subject: Financial Statement Summaries for
October 2022 thru February 2023**

This period covers 42% of the FY2023 Budget.

From:

Ed Scott – Finance Director

CITY-WIDE OPERATING FUND TOTALS

For FY2023 Oct. 2022 Thru Feb. 28, 2023



TOTAL REVENUES		FY2022	FY2023	FY2023	FY2023
		Actual	Actual	Adopted & Amended	% of Budget
		To Date	To Date	Budget	Used
100	General Fund	3,114,293	3,304,077	4,725,894	70%
110	Leose	940	-	1,100	0%
120	Street Improvement	43,413	54,319	103,000	53%
130	Court Technology	992	1,582	3,000	53%
140	Court Security	1,167	1,902	3,000	63%
200	Water & Utilities	849,548	759,636	1,806,199	42%
250	WWW Infrasturture Improv.	27,798	30,245	75,000	40%
400	Debt Service Fund	569,954	453,012	537,158	84%
500	Municipal Devel. District	48,615	58,903	114,500	51%
600	4B Economic Devel. Fund	89,699	109,999	203,000	54%
700	Park Impact Fund	28,434	4,014	18,400	22%
800	Water & Utilities Impact Fund	449,348	51,970	495,155	10%
Total		\$ 5,224,201	\$ 4,829,659	\$ 8,085,406	60%

TOTAL EXPENDITURES		FY2022	FY2023	FY2023	FY2023
		Actual	Actual	Adopted & Amended	% of Budget
		To Date	To Date	Budget	Used
100	General Fund	1,790,832	1,665,555	4,725,894	35%
110	Leose	-	-	1,100	0%
120	Street Improvement	-	756	103,000	1%
130	Court Technology	-	-	3,000	0%
140	Court Security	400	260	3,000	9%
200	Water & Utilities	532,972	679,748	1,806,199	38%
250	WWW Infrasturture Improv.	-	-	75,000	0%
400	Debt Service Fund	8,127	19,219	537,158	4%
500	Municipal Devel. District	21,598	106	114,500	0%
600	4B Economic Devel. Fund	7,706	31,419	203,000	15%
700	Park Impact Fund	-	1,514	18,400	8%
800	Water & Utilities Impact Fund	-	-	495,155	0%
Total		\$ 2,361,635	\$ 2,398,576	\$ 8,085,406	30%

City of Ovilla
 Revenue And Expense Report
 As of February 28, 2023

4/4/2023 9:13 AM

100 - General Fund	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
-	421,516.43	3,162,189.81	4,725,894.00	1,563,704.19	33.09%	3,014,884.52	4,633,730.11
Revenue Totals	421,516.43	3,162,189.81	4,725,894.00	1,563,704.19	33.09%	3,014,884.52	4,633,730.11
Expense Summary							
10-Administration	86,773.60	246,803.22	561,925.00	315,121.78	56.08%	203,042.00	583,702.00
16-Non-Departmental	48,148.35	204,247.85	555,731.00	351,483.15	63.25%	172,294.90	334,310.60
20-Police	75,399.81	397,233.07	1,059,570.00	662,336.93	62.51%	396,737.75	983,847.23
25-Municipal Court	7,414.58	38,799.92	102,630.00	63,830.08	62.19%	37,501.41	97,271.36
30-Fire	81,811.15	413,369.91	1,349,763.00	936,393.09	69.37%	404,298.81	1,270,970.57
40-Community Services	21,480.10	106,953.42	297,150.00	190,196.58	64.01%	176,714.28	434,820.35
45-Solid Waste	31,247.83	115,801.57	313,500.00	197,698.43	63.06%	49,487.00	293,393.71
50-Streets	23,602.69	88,451.37	309,100.00	220,648.63	71.38%	91,320.76	302,322.88
60-Parks	10,269.83	53,894.51	176,525.00	122,630.49	69.47%	46,450.70	154,495.47
Expense Totals	386,147.94	1,665,554.84	4,725,894.00	3,060,339.16	64.76%	1,577,847.61	4,455,134.17
Revenues Over(Under) Expenditures	35,368.49	1,496,634.97	0.00	0.00	0.00%	1,437,036.91	178,595.94

City of Ovilla
 Revenue and Expense Report
 As of February 28, 2023

4/4/2023 9:13 AM

110 - LEOSE Department Revenue	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
<hr/>							
Other Revenue							
-4000860 Grant Proceeds	0.00	0.00	1,100.00	1,100.00	100.00%	0.00	939.85
Total Other Revenue	<hr/> 0.00	<hr/> 0.00	<hr/> 1,100.00	<hr/> 1,100.00	<hr/> 100.00%	<hr/> 0.00	<hr/> 939.85
Total	<hr/> 0.00	<hr/> 0.00	<hr/> 1,100.00	<hr/> 1,100.00	<hr/> 100.00%	<hr/> 0.00	<hr/> 939.85
Total Revenue	<hr/> 0.00	<hr/> 0.00	<hr/> 1,100.00	<hr/> 1,100.00	<hr/> 100.00%	<hr/> 0.00	<hr/> 939.85

City of Ovilla
 Revenue And Expense Report
 As of February 28, 2023

4/4/2023 9:13 AM

120 - Street Improvement Fund	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
-	13,225.02	54,319.45	103,000.00	48,680.55	47.26%	43,412.80	105,887.82
Revenue Totals	<u>13,225.02</u>	<u>54,319.45</u>	<u>103,000.00</u>	<u>48,680.55</u>	<u>47.26%</u>	<u>43,412.80</u>	<u>105,887.82</u>
Expense Summary							
55-55	755.56	755.56	103,000.00	102,244.44	99.27%	0.00	204,292.00
Expense Totals	<u>755.56</u>	<u>755.56</u>	<u>103,000.00</u>	<u>102,244.44</u>	<u>99.27%</u>	<u>0.00</u>	<u>204,292.00</u>
Revenues Over(Under) Expenditures	<u>12,469.46</u>	<u>53,563.89</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00%</u>	<u>43,412.80</u>	<u>(98,404.18)</u>

City of Ovilla
 Revenue And Expense Report
 As of February 28, 2023

4/4/2023 9:13 AM

130 - Court Technology	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
-	275.05	1,582.30	3,000.00	1,417.70	47.26%	991.85	3,238.87
Revenue Totals	275.05	1,582.30	3,000.00	1,417.70	47.26%	991.85	3,238.87
Expense Summary							
26-26	0.00	0.00	3,000.00	3,000.00	100.00%	0.00	0.00
Expense Totals	0.00	0.00	3,000.00	3,000.00	100.00%	0.00	0.00
Revenues Over(Under) Expenditures	275.05	1,582.30	0.00	0.00	0.00%	991.85	3,238.87

City of Ovilla
 Revenue And Expense Report
 As of February 28, 2023

4/4/2023 9:13 AM

140 - Court Security	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
-	330.94	1,901.79	3,000.00	1,098.21	36.61%	1,167.13	3,871.65
Revenue Totals	<u>330.94</u>	<u>1,901.79</u>	<u>3,000.00</u>	<u>1,098.21</u>	<u>36.61%</u>	<u>1,167.13</u>	<u>3,871.65</u>
Expense Summary							
27-27	0.00	259.80	3,000.00	2,740.20	91.34%	399.75	879.45
Expense Totals	<u>0.00</u>	<u>259.80</u>	<u>3,000.00</u>	<u>2,740.20</u>	<u>91.34%</u>	<u>399.75</u>	<u>879.45</u>
Revenues Over(Under) Expenditures	<u>330.94</u>	<u>1,641.99</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00%</u>	<u>767.38</u>	<u>2,992.20</u>

City of Ovilla
 Revenue And Expense Report
 As of February 28, 2023

4/4/2023 9:13 AM

200 - Water And Utilities Fund	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
-	149,850.99	901,522.92	1,806,199.00	904,676.08	50.09%	846,156.38	1,864,912.24
Revenue Totals	<u>149,850.99</u>	<u>901,522.92</u>	<u>1,806,199.00</u>	<u>904,676.08</u>	<u>50.09%</u>	<u>846,156.38</u>	<u>1,864,912.24</u>
Expense Summary							
70-Administration	30,832.71	82,025.22	275,825.00	193,799.78	70.26%	62,706.34	183,374.17
75-Water	23,365.63	305,868.07	786,522.00	480,653.93	61.11%	209,472.89	798,727.62
80-Sewer	49,825.06	240,464.56	590,772.00	350,307.44	59.30%	201,856.26	541,227.37
85-Non-Departmental	19,805.34	51,390.23	153,080.00	101,689.77	66.43%	33,649.80	98,642.40
Expense Totals	<u>123,828.74</u>	<u>679,748.08</u>	<u>1,806,199.00</u>	<u>1,126,450.92</u>	<u>62.37%</u>	<u>507,685.29</u>	<u>1,621,971.56</u>
Revenues Over(Under) Expenditures	<u>26,022.25</u>	<u>221,774.84</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00%</u>	<u>338,471.09</u>	<u>242,940.68</u>

City of Ovilla
 Revenue And Expense Report
 As of February 28, 2023

4/4/2023 9:13 AM

250 - WWW Infrastructure Improvements	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
-	5,882.27	30,244.98	75,000.00	44,755.02	59.67%	27,874.49	68,608.55
Revenue Totals	5,882.27	30,244.98	75,000.00	44,755.02	59.67%	27,874.49	68,608.55
Expense Summary							
85-85	0.00	0.00	75,000.00	75,000.00	100.00%	0.00	0.00
Expense Totals	0.00	0.00	75,000.00	75,000.00	100.00%	0.00	0.00
Revenues Over(Under) Expenditures	5,882.27	30,244.98	0.00	0.00	0.00%	27,874.49	68,608.55

City of Ovilla
 Revenue And Expense Report
 As of February 28, 2023

4/4/2023 9:13 AM

400 - Debt Service Fund	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
-	51,918.02	453,012.00	537,158.00	84,146.00	15.67%	569,953.58	702,632.04
Revenue Totals	51,918.02	453,012.00	537,158.00	84,146.00	15.67%	569,953.58	702,632.04
Expense Summary							
15-15	18,819.00	19,219.00	537,158.00	517,939.00	96.42%	8,126.54	519,959.04
Expense Totals	18,819.00	19,219.00	537,158.00	517,939.00	96.42%	8,126.54	519,959.04
Revenues Over(Under) Expenditures	33,099.02	433,793.00	0.00	0.00	0.00%	561,827.04	182,673.00

City of Ovilla
 Revenue And Expense Report
 As of February 28, 2023

4/4/2023 9:13 AM

500 - Municipal Development District Fund	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
-	14,110.93	58,903.17	114,500.00	55,596.83	48.56%	48,614.82	127,318.76
Revenue Totals	14,110.93	58,903.17	114,500.00	55,596.83	48.56%	48,614.82	127,318.76
Expense Summary							
10-Administration	0.00	105.68	114,500.00	114,394.32	99.91%	98.32	2,379.96
Expense Totals	0.00	105.68	114,500.00	114,394.32	99.91%	98.32	2,379.96
Revenues Over(Under) Expenditures	14,110.93	58,797.49	0.00	0.00	0.00%	48,516.50	124,938.80

City of Ovilla
 Revenue And Expense Report
 As of February 28, 2023

4/4/2023 9:13 AM

600 - 4B Economic Development Fund	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
-	26,450.05	109,999.55	203,000.00	93,000.45	45.81%	89,699.45	218,392.72
Revenue Totals	26,450.05	109,999.55	203,000.00	93,000.45	45.81%	89,699.45	218,392.72
Expense Summary							
10-Administration	0.00	31,419.01	203,000.00	171,580.99	84.52%	108.73	16,468.71
Expense Totals	0.00	31,419.01	203,000.00	171,580.99	84.52%	108.73	16,468.71
Revenues Over(Under) Expenditures	26,450.05	78,580.54	0.00	0.00	0.00%	89,590.72	201,924.01

City of Ovilla
 Revenue And Expense Report
 As of February 28, 2023

4/4/2023 9:13 AM

700 - Park Impact Fund	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
-	334.52	4,014.30	18,400.00	14,385.70	78.18%	28,434.20	41,480.49
Revenue Totals	334.52	4,014.30	18,400.00	14,385.70	78.18%	28,434.20	41,480.49
Expense Summary							
60-60	1,513.78	1,513.78	18,400.00	16,886.22	91.77%	0.00	0.00
Expense Totals	1,513.78	1,513.78	18,400.00	16,886.22	91.77%	0.00	0.00
Revenues Over(Under) Expenditures	(1,179.26)	2,500.52	0.00	0.00	0.00%	28,434.20	41,480.49

City of Ovilla
 Revenue And Expense Report
 As of February 28, 2023

4/4/2023 9:13 AM

800 - Water And Utilities Impact Fee Fund	Current Month Expense/Rev	Year To Date Expense/Rev	Current Year Budget	Budget Balance Remaining	% Balance Remaining	Prior Year YTD Balance	Prior Year FY End Bal.
Revenue Summary							
-	2,190.22	51,970.23	495,155.00	443,184.77	89.50%	449,347.52	673,716.75
Revenue Totals	2,190.22	51,970.23	495,155.00	443,184.77	89.50%	449,347.52	673,716.75
Expense Summary							
75-75	0.00	0.00	103,575.00	103,575.00	100.00%	0.00	0.00
85-85	0.00	0.00	391,580.00	391,580.00	100.00%	0.00	0.00
Expense Totals	0.00	0.00	495,155.00	495,155.00	100.00%	0.00	0.00
Revenues Over(Under) Expenditures	2,190.22	51,970.23	0.00	0.00	0.00%	449,347.52	673,716.75



Date: April 10, 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.

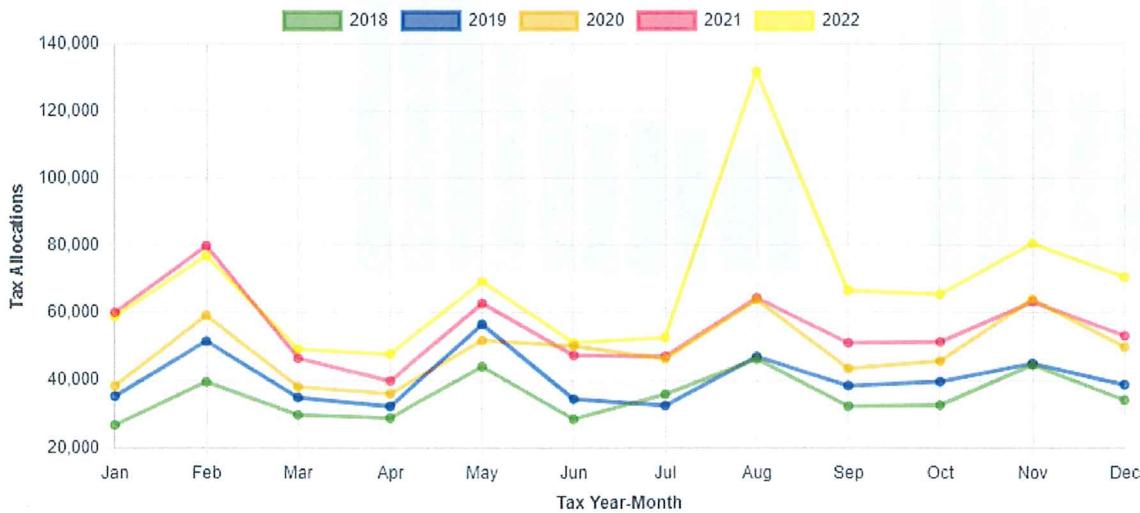
*Excludes any sales tax retained by the municipality and not remitted to the Comptroller.

- [View Grid Based on Fiscal Year](#)
- [View Grid With All Years](#)

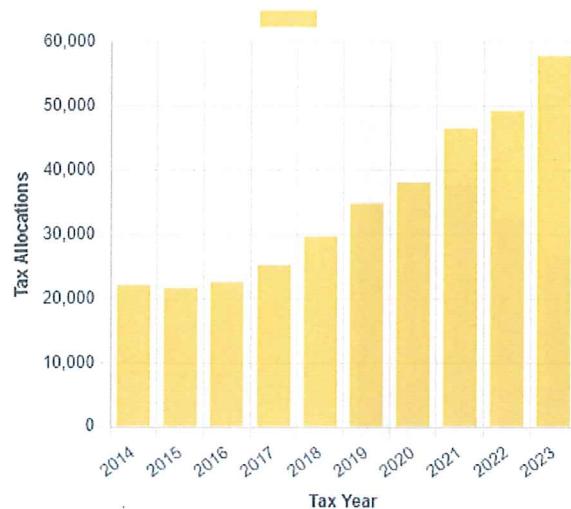
[Download to Excel](#)

Year	January	February	March	April	May	June	July	August	September	October	November	December	Total
2023	\$70,642	\$92,575	\$57,824	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$221,040
2022	\$58,988	\$76,930	\$49,301	\$47,808	\$69,383	\$51,255	\$52,703	\$131,782	\$66,644	\$65,568	\$80,747	\$70,705	\$821,814
2021	\$60,141	\$79,903	\$46,510	\$39,794	\$62,872	\$47,381	\$47,061	\$64,377	\$51,057	\$51,406	\$63,357	\$53,208	\$667,068
2020	\$38,373	\$59,305	\$38,067	\$36,013	\$51,866	\$50,201	\$46,341	\$63,885	\$43,486	\$45,726	\$64,070	\$49,935	\$587,267
2019	\$35,314	\$51,566	\$34,854	\$32,252	\$56,654	\$34,427	\$32,452	\$46,975	\$38,370	\$39,571	\$45,017	\$38,679	\$486,131
2018	\$26,767	\$39,504	\$29,705	\$28,796	\$44,064	\$28,466	\$35,800	\$46,299	\$32,272	\$32,634	\$44,607	\$34,108	\$423,022
2017	\$26,736	\$40,158	\$25,236	\$24,304	\$34,229	\$25,440	\$28,255	\$38,111	\$43,766	\$28,959	\$36,065	\$23,588	\$374,846
2016	\$26,277	\$37,994	\$22,634	\$22,413	\$33,715	\$24,531	\$22,980	\$33,792	\$23,408	\$24,186	\$35,971	\$23,979	\$331,879
2015	\$19,989	\$32,408	\$21,627	\$19,021	\$37,359	\$24,990	\$21,738	\$31,535	\$21,477	\$25,405	\$34,971	\$21,425	\$311,946
2014	\$21,198	\$38,106	\$22,176	\$22,221	\$42,904	\$21,895	\$20,357	\$29,955	\$18,445	\$17,904	\$29,706	\$19,217	\$304,083
2013	\$23,004	\$36,348	\$21,688	\$18,041	\$35,277	\$20,966	\$24,886	\$31,214	\$22,980	\$21,664	\$33,425	\$23,190	\$312,685
2012	\$17,687	\$37,350	\$16,693	\$15,341	\$36,082	\$21,516	\$20,324	\$27,774	\$20,964	\$20,450	\$30,354	\$20,065	\$284,599
2011	\$12,209	\$25,077	\$15,882	\$11,778	\$30,951	\$13,231	\$14,801	\$27,676	\$17,662	\$19,273	\$34,403	\$17,681	\$240,623
2010	\$11,492	\$25,689	\$12,557	\$11,203	\$31,813	\$15,236	\$14,325	\$26,311	\$14,269	\$13,498	\$29,965	\$11,131	\$217,489
2009	\$10,492	\$23,854	\$11,289	\$12,069	\$24,052	\$11,950	\$10,438	\$23,632	\$13,039	\$11,473	\$27,282	\$9,473	\$189,043
2008	\$3,989	\$13,199	\$13,609	\$6,597	\$14,757	\$10,507	\$12,684	\$24,070	\$11,541	\$12,027	\$27,919	\$11,234	\$162,134
2007	\$3,289	\$11,562	\$4,912	\$4,582	\$14,413	\$5,511	\$6,417	\$11,912	\$5,287	\$5,185	\$14,737	\$6,487	\$94,292
2006	\$3,365	\$11,578	\$3,583	\$3,204	\$12,215	\$2,630	\$3,299	\$13,670	\$4,491	\$5,562	\$14,548	\$3,609	\$81,754
2005	\$2,895	\$10,674	\$2,183	\$2,675	\$9,695	\$2,710	\$2,499	\$10,503	\$3,033	\$3,847	\$13,497	\$9,764	\$73,975
2004	\$2,033	\$8,565	\$3,236	\$1,809	\$9,507	\$24,612	\$2,762	\$9,009	\$3,690	\$2,434	\$11,461	\$3,572	\$82,691

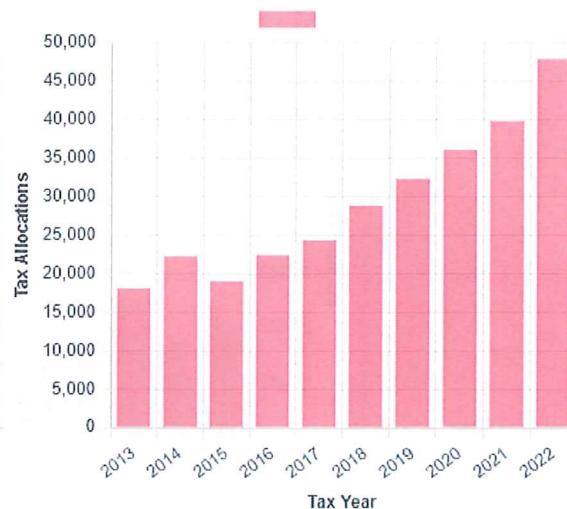
Monthly - Sales Tax Allocations - By Calendar Year



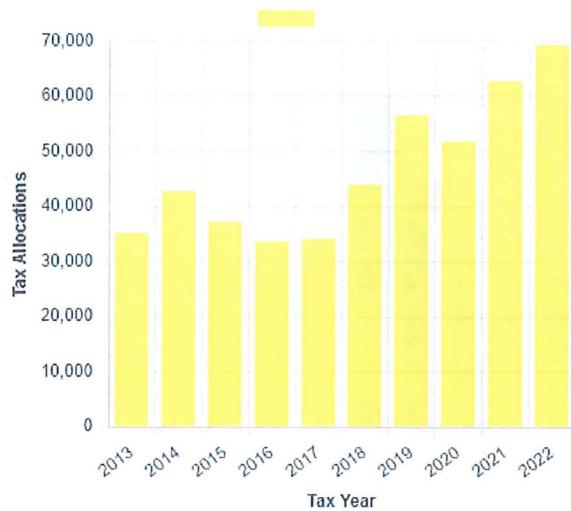
March - Sales Tax Allocations by Year



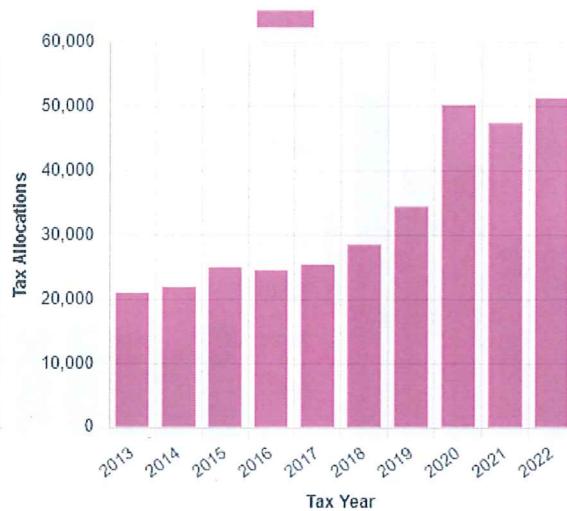
April - Sales Tax Allocations by Year



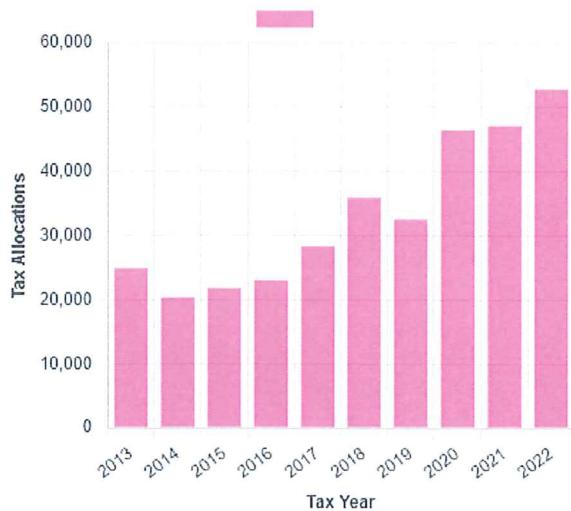
May - Sales Tax Allocations by Year



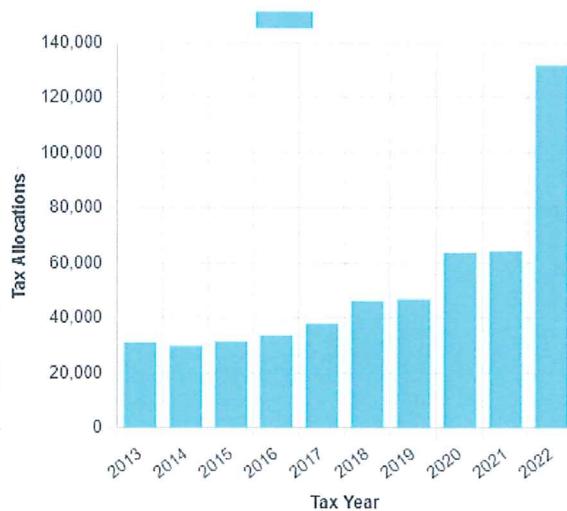
June - Sales Tax Allocations by Year



July - Sales Tax Allocations by Year



August - Sales Tax Allocations by Year



BUILDING PERMITS MARCH 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
3/1/2023	AA FENCE		3910 CHERRY LAUREL LN	2023-0029	FENCE	1500	0	50	0	0	ELLIS
3/10/2023	SERVICE PRO CONSTRUCTION		106 CLAREMONT DR	2023-0050	FIRE RESTORATION	53080.69	0	3410	0	0	ELLIS
3/22/2023	JUSTIN	BRIGHT	381 BROADMOOR LN	2023-0055	SWIMMING POOL	80000	0	519.69	0	0	ELLIS
3/22/2023	JUSTIN	BRIGHT	140 CLAREMONT DR	2023-0062	SWIMMING POOL	70000	0	481.19	0	0	ELLIS
3/6/2023	DELRIDGE	WILLIAMS	361 PENROSE DR	2023-0070	ACCESSORY BUILDING	12000	12000	40	0	0	ELLIS
3/2/2023	OZZIE	MOLINA	224 LARIAT TRL	2023-0076	DUMPSTER	0	0	0	0	0	DALLAS
3/10/2023	EDUARDO	VILLA	101 SUBURBAN DR	2023-0080	FENCE	300	0	50	0	0	ELLIS
3/6/2023	DELRIDGE	WILLIAMS	361 PENROSE DR	2023-0084	FENCE	1500	1500	25	0	0	ELLIS
3/6/2023	AA FENCE		3911 MONTERREY OAK WAY	2023-0086	FENCE	2000	0	25	0	0	ELLIS
3/1/2023	TOMMY COLE SERVICES		105 COCKRELL HILL RD	2023-0087	ELECTRICAL	0	0	0	0	0	ELLIS
3/1/2023	TOMMY COLE SERVICES		105 COCKRELL HILL RD	2023-0088	ELECTRICAL	0	0	0	0	0	ELLIS
3/10/2023	HERNANDEZ IRRIGATION INC		3721 CHERRY LAUREL LN	2023-0089	IRRIGATION	1000	1000	50	0	0	ELLIS
3/3/2023	J HESTER ENTERPRISES		303 SHADOWWOOD TRL	2023-0091	ROOF	12444.07	0	100	0	0	ELLIS
3/3/2023	NATHAN	ORR	303 SHADOWWOOD TRL	2023-0093	MECHANICAL	10059	0	137.39	0	0	ELLIS
3/15/2023	POOL-QUEST		206 WILLIAMSBURG LN	2023-0097	SWIMMING POOL	70000	0	481.19	0	0	ELLIS
3/20/2023	ROBERT	COURTNEY	623 ARIEL ST	2023-0098	FENCE	8700	0	25	0	0	ELLIS
3/8/2023	INFINITY ENERGY		737 WESTMORELAND RD	2023-0099	SOLAR	36000	36000	276.35	0	0	ELLIS
3/9/2023	SCOTT	MILLER	431 CHEYENNE MOUNTAIN DR	2023-0100	FENCE	3300	0	50	0	0	ELLIS
3/17/2023	FRAIJ	WREIKAT	307 WILLOW CREEK LN	2023-0101	SOLAR	0	0	207.49	0	0	ELLIS
3/14/2023	DON & BETHANY	WILCOX	3750 MONTERREY OAK WAY	2023-0102	ACCESSORY BUILDING	10160	0	40	0	0	ELLIS
3/22/2023	BRIGHT POOLS LLC		3931 MONTERREY OAK WAY	2023-0103	SWIMMING POOL	75000	0	500.44	0	0	ELLIS
3/30/2023	RODNEY & RITA	BILLUPS	307 BURTONWOOD CIR	2023-0104	W/ELECTRICITY	8000	0	106.92	0	0	DALLAS
3/10/2023	FIREFIGHTER ROOFING		111 LARIAT TRL	2023-0107	ROOF	13098.2	0	100	0	0	ELLIS
3/16/2023	STEPHANIE	BARRIENTOS	421 CHEYENNE MOUNTAIN DR	2023-0108	SWIMMING POOL	102511.5	0	602.85	0	0	ELLIS
3/15/2023	JACK	ODOM	3251 OVILLA RD	2023-0109	FLATWORK	8000	0	40	0	0	ELLIS
3/14/2023	RELIANT AIR CONDITIONING		1942 DUNCANVILLE RD	2023-0110	MECHANICAL	23800	23800	207.49	0	0	ELLIS
3/22/2023	STEVEN	DAVILA	101 NORTHWOOD ST	2023-0111	ACCESSORY BUILDING	50000	50000	80	1800	1800	ELLIS
3/16/2023	MICHAEL	JOHNSON	410 BROADMOOR LN	2023-0112	IRRIGATION	1100	1100	25	0	0	ELLIS
3/17/2023	SCOTT	MILLER	340 CHEYENNE MOUNTAIN DR	2023-0114	FENCE	1700	0	25	0	0	ELLIS
3/28/2023	MICHAEL	GARY	101 OVILLA CREEK CT	2023-0116	SIGN/ELECTRICAL	1100	0	166.92	0	0	ELLIS
3/29/2023	BCH DEVELOPMENT		3751 CHERRY LAUREL LN	2023-0117	FENCE	7000	0	0	0	0	ELLIS
3/20/2023	CENTENNIAL ROOFING		907A COCKRELL HILL RD # A	2023-0122	ROOF	17000	0	50	0	0	DALLAS
3/30/2023	ROSA	RAMOS	623 MEADOW LARK DR	2023-0123	ACCESSORY BUILDING	7000	0	80	0	0	ELLIS
3/21/2023	SAME DAY WATER HEATERS		520 SAVANNAH DR	2023-0125	PLUMBING	1300	0	106.92	0	0	ELLIS
3/22/2023	CENTENNIAL ROOFING		601 CHRISTA ST	2023-0126	ROOF	0	0	50	0	0	ELLIS
3/24/2023	TUFF SHED		350 CHEYENNE MOUNTAIN DR	2023-0128	ACCESSORY BUILDING	8500	0	40	0	0	ELLIS
3/28/2023	STEVEN	DAVILA	101 NORTHWOOD ST	2023-0131	FLATWORK	5000	5000	80	0	0	ELLIS
3/29/2023	JOHN	PAGIOTAS	3920 MAPLE LN	2023-0132	ACCESSORY BUILDING	4768	4768	40	0	120	ELLIS
3/29/2023	ACE FENCE - DFW		321 PENROSE DR	2023-0133	FENCE	400	0	25	0	0	ELLIS
3/29/2023	ACE FENCE - DFW		410 BROADMOOR LN	2023-0134	FENCE	2800	0	25	0	0	ELLIS
3/31/2023	JASON	MASON	305 COCKRELL HILL RD	2023-0135	FENCE	900	0	25	0	0	ELLIS
3/28/2023	BRYAN	BARNES	112 WESTLAWN DR	2023-0136	PLUMBING	10875	10875	137.39	0	0	ELLIS
3/29/2023	MICHAEL	JOHNSON	321 PENROSE DR	2023-0138	IRRIGATION	1100	1100	25	0	0	ELLIS
3/31/2023	CLIFF	ASSELIN	300 WESTMORELAND RD	2023-0139	FENCE	3500	0	25	0	0	ELLIS
3/31/2023	OBSDIAN SOLAR		621 GREEN MEADOWS LN	2023-0141	SOLAR	32807	0	289.67	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	77	0	\$27,554.73	\$18,878.53	\$8,676.20	15	39	49	11	32	0	0
April												
May												
June												
July												
August												
September												
Totals	474	8	\$132,668.02	\$86,246.29	\$46,421.73	169	88	214	88	184	2	0

2021-2022 FY

March	110	0	\$16,442.17	\$11,145.06	\$5,297.11	26
FY Totals	431	0	\$79,250.60	\$51,524.35	\$27,726.25	175

Staffing

Full Time Court Clerk	1
Full Time Deputy Court Clerk	2
Judge	1
Prosecutor	1
Alternate Judge	1

MONTHLY REPORT A CONCERNS MARCH 2023

Department Assigned	Concern Address	Concern Description	Date Entered	Date Closed
Animal Services	809 COCKRELL HILL RD	property owner called deceased animal in front of property	3/23/2023	3/23/2023
Animal Services	1900 DUNCANVILLE RD	raccoon acting strangely in front of property	3/23/2023	3/23/2023
Animal Services	388 JOHNSON LN	raccoon in yard,acting strangely	3/23/2023	3/23/2023
Code Enforcement	111 LARIAT TRL	ROOF CONSTRUCTION WITHOUT PERMIT	3/6/2023	
Code Enforcement	611 GEORGETOWN RD	Since mid last year, the homeowner has continued to bring more vehicles on to the property, there have been as many as a dozen at one time (these are not visitors). I thought maybe they were repairing cars in the back garage like building. The homeowner cars are parked in the backyard and they are visible from the road. I am asking for help, this house is a complete eye sore for our street. If there are absolutely NO VIOLATIONS here, then let me know and I will take it up with City Council for their feedback. Thanks	3/7/2023	
Code Enforcement	MALLOY RD	The bulk garbage - trash, mattresses, tree limbs have been at the road for nearly a month.	3/7/2023	
Code Enforcement	UNKNOWN	ABANDONMENT/PROPER TREATMENT OF ANIMAL	3/10/2023	
Code Enforcement	712 GEORGETOWN RD	Parked car at front door	3/17/2023	
Code Enforcement	3151 OVILLA RD	PUBLIC NUISANCE OUTSIDE STORAGE AND JUNK VEHICLE	3/24/2023	
Code Enforcement	3151 OVILLA RD	PUBLIC NUISANCE OUTSIDE STORAGE AND JUNK VEHICLE	3/24/2023	
Code Enforcement	616 FOREST EDGE LN	ROOF CONSTRUCTED/REPLACE WITHOUT A PERMIT	3/27/2023	
Code Enforcement	3711 BRYSON MANOR DR	ACCESSORY BUILDING CONSTRUCTED WITHOUT A PERMIT; LOCATION VIOLATION IN FRONT OF REAR PLANE OF HOUSE	3/27/2023	
Drainage	115 SILVERWOOD DR	Correct drainage excavate to grade	3/7/2023	
Drainage	224 LARIAT TRL	Correct drainage excavate to grade	3/7/2023	
Facilities	105 COCKRELL HILL RD	ADD 3/13/23 CITY COUNCIL MEETING 6:30PM	3/10/2023	3/15/2023
Facilities	105 COCKRELL HILL RD	PLEASE REMOVE COUNCIL MEETING FROM MARQUEE. NOTHING NEW TO PUT UP AT THIS TIME	3/15/2023	3/15/2023
Street Department	105 COCKRELL HILL RD	Trim tree limbs and overgrowth off of roadway Johnson Ln, Westmoreland, and Red Oak Creek Rd	3/7/2023	
Street Department	105 COCKRELL HILL RD	Crack seal Sector #1 of list Ovilla Oaks Dr, Valley View, Cedar Ridge, Creek View, Oakridge, Slippery Rock, Ridgeway Gap, Woodridge, Winding Way, East Highland, Slippery Elm, Dusty Oaks and High View	3/7/2023	
Street Department	105 COCKRELL HILL RD	Crack Seal Sector #2 Cockrell Hill Rd, Water St, Westlawn, Silverwood, Greenwood, Willowwood, Shadowwood, Elmwood, Oakwood, Northwood, Lariat and Suburban	3/7/2023	
Street Department	105 COCKRELL HILL RD	Crack seal Sector Georgetown Buckboard, Silver Spur, Holly, Shiloh Rd	3/7/2023	
Street Department	105 COCKRELL HILL RD	Pick up pile of limbs and debris 611 Malloy Rd	3/7/2023	3/7/2023

MONTHLY REPORT A CONCERNS MARCH 2023

Department Assigned	Concern Address	Concern Description	Date Entered	Date Closed
Street Department	JOHNSON LN	Two trees overhanging low over 800 block of Johnson Ln need to be cut down and hauled off	3/15/2023	
Street Department	100 CUMBERLAND DR	Need to haul off fallen tree North of Cumberland Dr. Entrance	3/24/2023	
Street Department	105 COCKRELL HILL RD	Mow and Weedeat right of way around Bryson Manor Subdivision (Shiloh & Bryson)	3/31/2023	
Street Department	105 COCKRELL HILL RD	Mow and Weedeat Right of Way Oakforest & Benttree	3/31/2023	
Street Department	105 COCKRELL HILL RD	Mow and Weedeat wall of Ashburn Glen South of Ashburn Glen Entrance	3/31/2023	
Street Department	105 COCKRELL HILL RD	Pick up fallen tree limb that was push off the road (Westmoreland @ Hosford)	3/31/2023	
Water/Wastewater	902 COCKRELL HILL RD	Repaired busted water main in the creek at this location due to failing aged infrastructure. Had to make the repairs multiple times because fittings blowing off due to the odd angles of the existing pipe. repair took 8hrs to complete. Daniel, Dustin and Mario	3/2/2023	3/1/2023
Water/Wastewater	902 COCKRELL HILL RD	Made repairs to water main that crosses under the creek at this location. infrastructure is extremely old and in terrible shape. Half of the pipe is exposed due to major erosion that has occurred over time and the existing watermain seems to be grey conduit pipe that is not even water pressure rated and cant get any fitting to adapt to its O.D	3/2/2023	2/28/2023
Water/Wastewater	505 OVILLA OAKS DR	CUSTOMER NEEDS ASSISTANCE GETTING INTO HER METER BOX. SHE IS SHOWING USAGE BETWEEN 4AM-6AM & STATES THERE IS NO WATER BEING USED AT THAT TIME.	3/7/2023	3/17/2023
Water/Wastewater	614 MEADOW LARK DR	Please look into this and see what may be leaking. Homeowner says meters leaking	3/8/2023	3/13/2023
Water/Wastewater	101-103 BROOKWOOD CT	CUSTOMER CALLED STATING BILL WAS HIGH. USAGE HAS DECREASED THE LAST TWO MONTHS, EVEN USAGE ON NEXT BILL SHOWS TO BE LOWER. I TOLD HIM BASED ON WHAT SET WAS SHOWING HE HAS A CONSTANT SMALL FLOW SOMEWHERE. HE JUST ASKED IF SOMEONE COULD CHECK IT OUT.	3/14/2023	3/22/2023
Water/Wastewater	606 OAK RIDGE CT	CUSTOMER STATING HIGH BILL STILL-NEXT BILL FOR MARCH WILL BE EVEN MORE THAN FEB. THEY HAD AN ADJUSTMENT FROM REPAIRS MADE FOR TWO LEAKING TOILETS BACK IN 2/20/23 BUT ON SET IT SHOWS THEY ARE RUNNING ABOUT 35 GAL/HR. STATED ITS INCREASED MORE AND MORE SINCE METERS WERE INSTALLED.	3/17/2023	3/21/2023
Water/Wastewater	916 COCKRELL HILL RD	Possible leak on water meter	3/20/2023	3/21/2023



Bobbie Jo Taylor, TRMC, CMC
City Secretary

April 10, 2023

- **Open Records**
 - Numerous simple PIA's complete
 - One (1) letter sent to Attorney General for review
- **American Rescue Plan**
 - Reviewed proposals from Grant Administrators with the scoring committee which consisted of Mayor Dormier, David Henley, Brandon Kennedy, and myself.
 - Worked with Grantworks after council selection to send needed documentation regarding the grant
- **Election**
 - General Election Cancelation Notice sent to the County after Council approval
 - Special Election Ballot language approved
 - Mandatory Office Hours began 3.17.23 (only applies to City Secretary's Office) minimum of three (3) hours each business day.
- **Human Resources**
 - Onboarding Processed of Officer Gary Matthews
 - Beginning review of benefits for 2023/2024. Any benefit changes will be effective October 1, 2023, if changes are made.
- **Other**
 - Medical leave 3.08.23 – 3.20.23

*Bobbie Jo Taylor, TRMC, CMC
City Secretary*