City of OVILLA City Council Agenda

Ralph G. Hall, Place One
Larry Stevenson, Place Two
David Griffin, Place Three

Richard Dormier, Mayor

Doug Hunt, Place Four
Dean Oberg, Place Five
Cyndy Powell, City Administrator

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, February 10, 2014 *7:00 P.M.* *Council Chamber Room*

Pursuant to the provisions of Chapter 551 VTCA Government Code, NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on Monday, February 10, 2014 at 7:00 P.M. in the City Hall Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items.

I. CALL TO ORDER

- Invocation
- Pledge of Allegiance

II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS & REPORTS

- Citizen Comments

The City Council welcomes comments from Citizens. Those wishing to speak must sign in before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers under citizen's comments must observe a three-minute time limit. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.

- Department Activity Reports / Discussion
  - Police Department — Police Chief M. Moon
    - Monthly Report & Introduction of new officers
  - Fire Department — Fire Chief P. Brancato
    - Monthly Report
  - Public Works — Public Works Director B. Piland
    - Monthly Report
  - Administration — City Administrator C. Powell
    - Bi-weekly update activity report
    - Monthly Municipal Court Report — City Secretary P. Woodall
  - Code Enforcement/Animal Control — Code/A/C Officer M. Dooly
    - Monthly Reports

III. CONSENT AGENDA

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

A. Minutes of the January 13, 2014 Special Council Meeting & Workshop (with City Appointed Board and Commission Members)
B. Minutes of the January 13, 2014 Council Meeting
C. Financial Transactions
D. Resolution R2014-003 Naming authorized signatures on the Fire Department – Voluntary Auxiliary Fund Bank Account
E. Resolution R2014-004 Naming authorized signatures on the Police Department Special Fund Bank Account
F. Authorize Mayor to execute a Debt Transparency Pledge to accompany the Platinum Award Application to the TX State Comptroller's office

IV. REGULAR AGENDA

ITEM 1. *DISCUSSION – Receive* presentation on ESD #2's purchase of Lucas CPR Devices.

ITEM 2. *DISCUSSION – Receive* feedback regarding the draft Strategic Guide from the citizens of Ovilla.

ITEM 3. *DISCUSSION/ACTION – Consideration* of and action on Resolution R2014-005 adopting the Citywide Five-Year Strategic Guide.

ITEM 4. *DISCUSSION/ACTION – Consideration* of and action on Resolution R2014-006 authorizing the Mayor to execute an Interlocal Cooperation Agreement for Fire Protection and First Responder Services with Ellis County Emergency Services District #4 as revised.

ITEM 5. *DISCUSSION/ACTION – Consideration* of and action on Resolution R2014-007, authorizing the Mayor to execute an Agreement with Birkhoff, Hendricks and Carter, LLP, Consulting Engineers, for a Storm Water Management Plan Study.

ITEM 6. *DISCUSSION/ACTION – Consideration* of and action on Ordinance 2014-003 of the City of Ovilla amending the Fiscal year 2013-2014 General Fund Budget and annual program of services for an adjustment of $8,000 for an expenditure for the Storm Water Management Plan Study.

ITEM 7. *DISCUSSION/ACTION – Consider* two Council appointments including ex-officio Member Mayor Dormier, establishing a City Council Finance Committee and consider scheduling a date and time of the committee meeting.

ITEM 8. *DISCUSSION/ACTION – Consideration* of and action on Resolution R2014-008 authorizing the City Administrator to execute an optional one-year extension of the depository services contract between the City of Ovilla and Prosperity Bank.

ITEM 9. *DISCUSSION/ACTION – Consideration* of and action on Ordinance 2014-004, in accordance with Chapter 1, Section 1.02.002 of the Ovilla Code of Ordinances, declaring an official city newspaper.

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).

COUNCIL WILL RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED.

V. REQUESTS FOR FUTURE AGENDA ITEMS

VI. ADJOURNMENT

City of OVILLA City Council Agenda

Ralph G. Hall, Place One
Larry Stevenson, Place Two
David Griffin, Place Three

Richard Dormier, Mayor

Doug Hunt, Place Four
Dean Oberg, Place Five
Cyndy Powell, City Administrator

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the February 10, 2014 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 7th day of February 2014 prior to 7:00 p.m., in compliance with Chapter 551, Texas Government Code.

Pamela Woodall, City Secretary

DATE OF POSTING: 2-7-2014 TIME: 11:00 am/pm
DATE TAKEN DOWN: _____ TIME: _____ am/pm

IF YOU OR YOUR REPRESENTATIVE HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENTS AND YOU PLAN TO ATTEND THIS PUBLIC MEETING, PLEASE CALL THE CITY SECRETARY AT 972-617-7262 WITHIN 24 HOURS OF THE MEETING. REASONABLE ACCOMMODATIONS WILL BE MADE TO MEET YOUR NEEDS AT THE MEETING. PLEASE SILENCE ALL PAGERS, CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.

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

To: Mayor Richard Dormier
Ovilla City Council
Cyndy Powell

Subject: Police Department Monthly Activity Report

Calls For Service	JAN 2014	JAN 2014 YTD	JAN 2013	JAN 2013 YTD
Accident	1	1	1	1
Alarms	19	19	19	19
Arrest	3	3	4	4
Assault	0	0	0	0
Assists: Agency/Unit:7 EMS/Fire:5 Motorist:6	18	18	24	24
Building / House Security Check	1299	1299	1454	1454
Burgulary	0	0	0	0
Burgulary of Motor Vehicle	0	0	0	0
Criminal Mischief	1	1	2	2
Disturbance	5	5	3	3
Neighborhood Check	1575	1575	1995	1995
Other Calls for Service	105	105	155	155
Suspicious Person	6	6	6	6
Suspicious Vehicle	11	11	9	9
Theft	2	2	1	1
Traffic Assignment	3	3	36	36
TOTAL CALLS FOR SERVICE	**3048**	**3048**	**3709**	**3709**

Reserve Officer Hours	72.5	72.5	48.5	48.5
Average Response Time (Minutes)	4.2	4.2	4	4
Traffic Stop (Warnings)	29	29	45	45
Traffic Stop (Citations)	18	18	40	40
Total Citations & Warnings Combined	47	47	85	85
PERCENT OF STOPS RECEIVING CITATIONS	**38.3**	**38.3**	**47.1**	**47.1**

OVILLA PD VEHICLE MILEAGE							
May-13				**June-13**			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	68127	69954	**1827**	100	69954	71745	**1791**
101	126330	126331	**1**	101	126331	126362	**31**
102	70380	71575	**1195**	102	71575	72655	**1080**
103	73463	75182	**1719**	103	75182	76778	**1596**
104	45816	46985	**1169**	104	46985	48036	**1051**
105	13823	15558	**1735**	105	15558	17617	**2059**
July-13				**August-13**			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	69954	74411	**4457**	100	74411	75946	**1535**
101	126331	126370	**39**	101	126370	126719	**349**
102	71575	73156	**1581**	102	73156	74041	**885**
103	75182	78862	**3680**	103	78862	80643	**1781**
104	46985	48443	**1458**	104	48443	48571	**128**
105	15558	20120	**4562**	105	20120	22490	**2370**
September-13				**October-13**			
Unit #	Beginning	Ending	Accrued	Unit #		Ending	Accrued
100	75946	77210	**1264**	100	77210	78205.2	**995.2**
101	126719	126743	**24**	101	126743	DOWN	DOWN
102	74041	74855	**814**	102	74855	75838	**983**
103	80643	82646	**2003**	103	82646	83965	**1319**
104	48571	48951	**380**	104	48951	49418	**467**
105	22490	24607	**2117**	105	24607	26926	**2319**
November-13				**December-13**			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	78205.2	79754	**1548.8**	100	79754	81361	**1607**
102	75838	76632	**794**	102	76632	77576	**944**
103	83965	85802.3	**1837.3**	103	85802.3	87001.9	**1199.6**
104	49418	49815	**397**	104	49815	50325	**510**
105	26926	28176	**1250**	105	28176	29856	**1680**
January-14				**February-14**			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	81361	81775	**414**	100			**0**
102	77576	78601	**1025**	102			**0**
103	87001.9	88233	**1231.1**	103			**0**
104	50325	50884	**559**	104			**0**
105	29856	32332	**2476**	105			**0**

Ovilla Fire Department

Calls For Service

				January 2014 Totals			January 2013 Totals
City of Ovilla total calls for service				23			21
	Fire	10			Fire	9	
	EMS	13			EMS	12	
ESD # 2 total calls of service				16			15
	Fire	11			Fire	8	
	EMS	5			EMS	7	
ESD # 4 Total calls of service				3			7
	Fire	3			Fire	0	
	EMS	0			EMS	7	
Mutual Aid Provided							
				14			12
Calls of Service Totals							
				YTD 2014			YTD 2013
				56			55
Fire Department news							
Volunteer firefighter Dalton Baker has completed his probation year							
Dr. Ketan Trivedi is the new Medical Director for the City of Ovilla							
Two new volunteer firefighter have been voted on by the volunteer membership							

Date February 5, 2014

TO: Honorable Mayor and City Council Members

FROM: Brad Piland Public Works Director

TOPIC: Public Works Monthly Report for January 2014

- Cleaned culverts along Red Oak Creek Road
- Sewer Lift Station Repairs- pulled pump 1 at Heritage lift station, removed pump 1 from Cumberland
- Read water meters, serviced disconnects and reconnects
- Repaired fence at Silver Spur Park
- Repaired Cumberland lift station
- Updated marquee as needed
- Daily water maintenance residual and pressure tests
- Tree and grass maintenance at Heritage Park, Silver Spur Park and Baseball fields
- Sewer line and manholes Cumberland Forest
- Winterized city buildings and parks
- Repaired water leaks on Suburban Drive, Split Rock and 101 Bent Tree
- Replaced ammonia feed line at pump station
- Asphalt work done on Thorntree
- Cut and remove trees from roadways

- Jimmy Bryan -
    - Serviced PD Units
    - Serviced PD 102
    - Serviced public works truck

Flushed Hydrants

- Collected water samples for TCEQ reporting
- Water Maintenance – routine flushing of mains and hydrants
- Meter Box repairs and replaced lids as needed

Watered plants at City Hall and park

City of Ovilla
105 South Cockrell Hill Road
Ovilla, Texas 75154
Ph:(972) 617-7262 Fax: (972) 515-3221

City Administrator Activity Report
Cyndy Powell
January 20, 2014 – January 24, 2014

Weekly staff meetings – held Tuesdays at 9:00 a.m.

Employee Policies Handbook – Ms. Lee will review and discuss the remaining sections of the Handbook on January 27, 2014 at a 6:00 p.m. Workshop Meeting.

Cockrell Hill Road Repairs for FY 2014 – Brad informed me that Roger Miller, Dallas County, has been in communication with Ellis County regarding the roadwork on Cockrell Hill. Dallas wants to rebuild from Bear Creek to the county line and is coordinating with Ellis County.

Progressive Solid Waste and Recycling – Staff has confirmed with Progressive Spring Cleanup day for Saturday April 26th and May 3rd as the rain date.

Planning and Zoning Commission – Council will reconsider the proposed parking standards Ordinance at the January 27, 2014 meeting. Tentative date for a Joint Workshop, Council and P&Z Monday, February 03, 2014 at 7:00 p.m. if needed.

Employee Compensation Study – We have received the Survey Navigator salary data from Waters Consulting.

Strategic Guide – The draft Strategic Guide was posted on the City's website. Notification was emailed to boards and commissions and to about 400 Notify Me subscribers (some duplicates). A voice message was sent to the 1,300+ phone numbers in the CTY calling system, and hard copies are available at City Hall. The feedback will be received until January 31, 2014. Feedback is being discussed with Joe Gonzalez at the end of each day and will be complied and shared with Council. I have received eight responses since posting the Strategic Guide and had three citizens provide input prior to posting.

Economic Development Corporation – Next meeting will be February 18, 2014. I am participating in the Best Southwest organization's efforts at expanding their regional marketing and promotional efforts.

Municipal Development District – pending appointments.

Main Street Sewer Project – During the meeting with the Mayor and staff to Friday, January 24th at 3:00 p.m., the property owners (J. Wade, Sims, Crouch) were agreeable to moving forward with the creation of a development agreement for the project.

ESD#4 Board Meeting – The Commissioner's Court appointed two new members to ESD#4 Board, Bob Mahlstedt and Ray Brindle to replace Ernie Martinek and Andy Lancaster. The ESD called a meeting for January 27, 2014, at 7:00 p.m., to organize the Board and hear comments from district residents, Chief Brancato will attend. A regular meeting may be called for February 03, to discuss the pending Agreement with the City of Ovilla.

113 Acres off Shiloh Road – On January 08, 2014 Brad and I met with Lance Rust and property owner Chuck Cole regarding the city's subdivision regulations and design standards. He stressed his meeting is very preliminary and he was seeking information. This is the same 113 acres Bobby Glass decided against developing last summer.

Gold Award for transparency – Sharon is working to create the searchable PDF check registers with help from the auditors to convert the files. I will address any concerns regarding this project and share with Council an updated timeline for submitting for the Gold Award in 2014.

Ovilla Service League Dinner - set for Friday, February 21, 2014. Tickets are $12.00 each for adults, $8.00 for children. Silent Auction items are needed up to $50.00 value and are due by February 10, 2014.

Emergency Management Training for Council and Staff – a training date will be determined for February.

City of Ovilla

FOUNDED IN 1844

Jessica Foresman
Court Clerk

DATE: February 10, 2014

TO: Honorable Mayor Dormier and City Council Members

FROM: Jessica Foresman, Court Clerk

SUBJECT: Monthly Staff Report

Court Report January 2014

Item	Number	Amount
January 2014		
Traffic Cases Filed	19	
State Law Cases Filed	1	
Parking Cases Filed	0	
Penal Code Cases Filed	1	
City Ordinance Cases Filed	3	
Trials	0	
Total Revenue		$5,496.15
Amount kept by City		$3,373.87
Amount remitted to State		$2,122.28
Warrants Issued	10	
Active Warrants	361	$94,057.82
Warrants Cleared	0	
Warrants Cleared from Omni/Collection	0	

January 2014

Code Enforcement Report

Complaints - 62

Follow ups – 74

Door Notices - 27

Mail Notices – 17

Posted Property – 1

Court – Reset for Trial Public Nuisance – Junk Vehicle

Citizen contacts - 88

Permits reviewed –18 Permits issued - 13

Inspections – 23

Nuisance Abated By City -0

Nuisance- Signs –40

Illegal Dumping – Trash – Johnson Lane

January 2014

Animal Control Report

Complaints- 49

Follow ups – 55

Door Notices –19

Impounded Animals – 9 (8 dogs, 1 cat)

Animal Welfares – 22

Impound Animal Results - 5 Transported, 4 Return to owner(s)

Impound Fees Collected - $165.00

Court – 3 Nuisance complaints set for trial

Citizen contacts - 82

Animal Registration Tags Issued – 29 Total $348.00

Registration Reminders Mailed- 18

Nuisance Letters Mailed- 4

Animals Released – 1 Skunk

Deceased/Removed - 37

Oak Leaf –2 (2 Dogs, 1- Removed deceased animal)

Traps Checked Out –4

CITY OF OVILLA

Ovilla City Council

CONSENT ITEMS A-F

Meeting Date: February 10, 2014 | **Department: Administration**

☒**Discussion** ☒**Action** | **Budgeted Expense:** ☐**YES** ☐**NO** ☒**N/A**

Submitted by: Staff | **Amount: N/A**

Attachments:
A. Minutes of the January 13, 2014 Special Council Meeting & Workshop (with City Appointed Board and Commission Members) B. Minutes of the January 13, 2014 Council Meeting C. Financial Transactions D. Resolution 2014-003 Naming authorized signatures on the Fire Department – Voluntary Auxiliary Fund Bank Account E. Resolution 2014-004 Naming authorized signatures on the Police Department Special Fund Bank Account F. Authorize Mayor to execute Debt Transparency pledge to accompany the Platinum Award Application to the State Comptroller's office
Agenda Item / Topic:
Discussion / Justification:
Recommendation / Staff Comments:
Staff recommends approval.
Sample Motion(s):
I move to approve the consent items as presented.

CITY OF OVILLA WORKSHOP MINUTES

Monday, January 13, 2014
Special Council Workshop Meeting
Including Council Appointed Boards of the City of Ovilla
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Workshop Meeting of the Ovilla City Council to order at 6:02 P.M. The following City Council Members were present:

Ralph Hall	Mayor Pro Tem, Place 1
Larry Stevenson	Council Member Place 2
David Griffin	Council Member Place 3
Doug Hunt	Council Member Place 4
Dean Oberg	Council Member Place 5

Mayor Dormier noted present members, thus constituting a quorum. Various department-heads, staff, various Board Members from Council appointed Boards and Ovilla's City Attorney Ron MacFarlane were present.

REGULAR AGENDA

ITEM 1. Receive presentation from the City's legal counsel, Ron MacFarlane, providing training on the Texas Open Meetings Act, Responsibilities of Boards and Commissions, and review of the City's Rules of Procedure governing the boards, commissions, and City Council.

City Attorney Ron MacFarlane discussed the functions and purpose of the Texas Open Meetings Act and explained that volunteer citizens serving on various Boards by Council appointment are given specific responsibilities related to the Board on which they serve. A brief history of the TX Open Meetings Act was shared with discussion regarding posted notices, quorums, walking quorums, conduct during meetings and training. Council and all Boards are subject to the on-line TX Open Meetings Act Training provided by the Attorney General's Office, which is required within 90-days of Council appointment.

Mr. MacFarlane gave an overview and background of the Council's and Boards' roles and responsibilities. Representatives from all Boards were present.

1. The Zoning Board of Adjustment
2. The Planning and Zoning Commission
3. The Economic Development Corporation (4-B)
4. The Ovilla Municipal Development District

Before conclusion, Mr. MacFarlane permitted a question and answer session.
No Action.

ADJOURNMENT

Mayor Dormier adjourned the meeting at 6:49p.m.

ATTEST:

Richard Dormier, Mayor

Pamela Woodall, City Secretary

Approved February 10, 2014

CITY OF OVILLA MINUTES

Monday, January 13, 2014
Regular City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Regular Council Meeting of the Ovilla City Council to order at 7:03 P.M. The following City Council Members were present:

Ralph Hall	Mayor Pro Tem, Place 1
Larry Stevenson	Council Member Place 2
David Griffin	Council Member Place 3
Doug Hunt	Council Member Place 4
Dean Oberg	Council Member Place 5

Mayor Dormier noted and all Councilmen present, thus constituting a quorum. Various department-heads and staff were also present.

PL2 Stevenson gave the Invocation and Mayor Dormier led the recitation of the Pledge of Allegiance.

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

- ***Citizens Comments / Citizens Forum:***
  1. Mr. Parker Pomykal, representative from Progressive Waste Solutions thanked Council for allowing Progressive to serve Ovilla.
  2. Ms Marilyn Langenheder, representative of the Ovilla Service League, announced the Benefit Dinner (benefiting the Fire Department) scheduled for February 21 at the Ovilla Road Baptist Church, 6:00 p.m. Tickets are available from Service League members, at the Ovilla City offices or from Council members.

- **Department Activity Reports / Discussion**
  - Police Department — Police Chief M. Moon
    - Monthly Report
    - Advised Council that he had made contingent offers for three new police officers.
  - Fire Department — Fire Chief P. Brancato
    - Monthly Report
    - PL3 Griffin inquired about honoring Fire Department retirees.
  - Public Works — Public Works Director B. Piland
    - Monthly Report
    - Director Piland stated a "sweep and seal" was planned for areas of Ovilla Oaks.
  - Finance Department — Accountant S. Jungman
    - Monthly financials
  - Administration — City Administrator C. Powell
    - Bi-weekly update activity reports
    - Monthly Municipal Court Report — City Secretary P. Woodall
      - Briefed Council on monthly and annual reports and gave collections, warrants and violation comparisons from the previous year.
  - Code Enforcement/Animal Control — Code/A/C Officer M. Dooly
    - Monthly Reports

CONSENT ITEMS

A. Financial Transactions
B. Minutes of the November 09, 2013 Town Hall Meeting
C. Minutes of the November 12, 2013 Council Meeting
D. Ordinance 2014-001 Order of Election (General Election of May 2014)
E. Resolution No. R-2014-001 Authorizing the Mayor to execute the Third Extension to the Letter of Understanding for Consultation Services with Jacqueline Lee, Consultant with Texas First Group for an amount not to exceed $510.00.
F. Interlocal Cooperation Contract between County of Ellis and City of Ovilla.

PL4 Hunt made the motion that Council approves the consent items as presented, seconded by PL5 Oberg. *Mayor Dormier asked for an announcement of AYE or NAY from Council. Present Council announced AYE in favor. No oppositions, no abstentions.*
VOTE: The motion carried unanimously: 5-0.

I. PUBLIC HEARING

Public Hearing & Discussion – Discuss and consider the proposed change to Chapter 14 of the Ovilla Code of Ordinances:

Case No. PZ14-001: A request by The City of Ovilla: Receive recommendation from the Planning and Zoning Commission to consider and approve proposed Ordinance 2014-002, repealing Chapter 14, Article 4, Sections 33.8 and 33.9 of the Ovilla Code of Ordinances and replacing same with new provisions pertaining to residential off-street parking and residential parking development standards.

Code Enforcement Officer Mike Dooly gave a brief background and reviewed specific modifications to the newly proposed ordinance sharing comparisons with the current ordinance. Planning and Zoning Commission Chair Ms Carol Lynch was present to answer Council questions or explain the Commission's reviews and recommendations of the presented ordinance.

Mayor Dormier open the Public Hearing at 7:53 p.m.
Those present speaking in favor of the ordinance:
1. Gary Jones advised he just needed clarification of large trucks on 5 or more acres and expressed mixed feelings.
2. Mr. Scivally spoke in favor.

Those present speaking against the ordinance:
1. None

Receiving no other public input, Mayor Dormier closed the Public Hearing at 7:56 p.m.

II. REGULAR AGENDA

ITEM 1. ***DISCUSSION/ACTION* – Case No. PZ14-001:** Consider proposed Ordinance 2014-002, repealing Chapter 14, Article 4, Sections 33.8 and 33.9 of the Ovilla Code of Ordinances, and replacing same with new provisions pertaining to residential off-street parking and residential parking development standards; providing for penalties; 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.

Council voiced varied opinions of the ordinance, pertaining to screening and a maximum number of allowed vehicles, including limiting large vehicles on homeowner properties. Improved surfaces were addressed.

Mayor Pro Tem Hall moved move that Council deny the proposed Ordinance 2014-002, Repealing Chapter 14, Article 4, Sections 33.8 and 33.9, Adopting new Residential Parking Regulation and Development Standards as presented, seconded by PL4 Hunt. *Mayor Dormier asked for an announcement of AYE or NAY from Council. Mayor Pro Tem Hall, PL2 Stevenson, PL3 Griffin and PL4 Hunt announced AYE in favor of the denial. PL5 Oberg voted in opposition for approval the ordinance. No abstentions.*
VOTE: The motion carried: 4 in favor to deny approval of Ordinance 2014-002 – 1 to approve the ordinance. Ordinance was denied.

ITEM 2. ***DISCUSSION–*** Receive presentation from Boyd London with First Southwest regarding recent upgrade of the City's bond rating by Standard and Poor's.

Mr. Boyd London, representative from First Southwest briefed the Council of the City's upgraded bond rating report by Standard and Poor's. The City of Ovilla received 'AA' from Standard & Poor's Ratings Services underlying rating (SPUR). The AA rating was raised from an 'A+' rating. The City's AA rating is only two notches from AAA, which is the best achievable.
No Action.

ITEM 3. ***DISCUSSION/ACTION –*** Review and discuss the revised draft of the Strategic Guide and take action as necessary to direct staff.

The City Administrator shared background information on the recent workshop held December 11, 2013, facilitated by Joe Gonzales with The Management Connection. During the workshop, ideas were discussed to enhance the vision and mission statements developed during the strategic planning workshop held with citizens on Saturday, November 09, 2013. Council was provided the revised Draft of the Strategic Guide and considered staff's recommendation to solicit feedback from the citizens. Mayor Pro Tem Hall agreed with the suggestion to solicit feedback from citizens through emails, the city's website including the "Notify Me" and CTY communications (phone messaging system). Staff would receive comments through January 31, compile the feedback, share the feedback with the facilitator, and report those comments back to Council.
No Action.

ITEM 4. ***DISCUSSION/ACTION –*** Consider the appointment of a committee to review current and future personnel needs and take action as necessary.

Mayor Pro Tem Hall asked for the opportunity to discuss the formation of, and appointments to a committee for review of the current and future personnel needs of the City based on the current growth and expected future growth – stating building permits were increasing and the economy was improving. Mayor Pro Tem Hall suggested that in conjunction with the Five-Year Strategic Guide, establish a committee for personnel needs (including department heads' participation) and staffing plans for future growth levels. PL3 Griffin and PL5 verbally concurred. City Administrator added that future staffing would be a component of the Five-Year Strategic Guide.

Mayor Pro Tem Hall moved that Council establish a committee consisting of the Mayor as ex-officio chair, himself (Mayor Pro Tem Hall), and PL5 Oberg, to serve on the committee to establish a five-year staffing plan for all departments, seconded by PL2 Stevenson. *Mayor Dormier asked for an announcement of AYE or NAY from Council. Present Council announced AYE. No oppositions, no abstentions.*
VOTE: The motion carried unanimously: 5-0

ITEM 5. ***DISCUSSION/ACTION*** – Consider the development of a five-year budget to align with the five-year strategic plan and take action as necessary.

Mayor Pro Tem Hall presented a 5-year sample budget from Collin County College and believed a comparable five-year budget plan in conjunction with the City's Five-Year Strategic Guide would benefit Ovilla. The City Administrator agreed to work with the City Accountant to contemplate the development of something similar for Ovilla.
No Action.

REQUESTS FOR FUTURE AGENDA ITEMS

1. Mayor Pro Tem Hall None
2. PL2 Stevenson None
3. PL3 Griffin None
4. PL4 Hunt None
5. PL5 Oberg None

ADJOURNMENT
PL4 Hunt made the motion to adjourn the meeting, seconded by PL3 Griffin. There being no further business, Mayor Dormier adjourned the meeting at 8:57 p.m.

Richard Dormier, Mayor

ATTEST:

Pamela Woodall, City Secretary

Approved February 10, 2014

City of Ovilla

FOUNDED IN 1844

DATE: 02-10-14

TO: Honorable Mayor and Council Members

FROM: Sharon Jungman

SUBJECT: Expenditures in January 2014 over $5,000

City of Ovilla Expenditures in January 2014 Over $5,000

General Fund

Date	Check#	Payee	Description	Amount
1/3/2014	42078	Blue Cross/Blue Shield	Health Insurance	$7,355.47
1/31/2014	42164	Blue Cross/Blue Shield	Health Insurance	$8,496.15
1/17/2014	42120	City of Midlothian	Quarterly Billing For Emergency Transport Services	$15,889.75
1/3/2014	42080	Community Waste Disposal	Garbage Fees for December	$16,936.34
1/17/2014	42123	Direct Energy	Electricity Expense	$6,589.97
1/2/2014	ACH	Quick Books Payroll Service	Payroll	$35,462.12
1/16/2014	ACH	Quick Books Payroll Service	Payroll	$34,244.58
1/30/2014	ACH	Quick Books Payroll Service	Payroll	$36,545.77
1/8/2014	42106	State Comptroller	Quarterly Payment for Criminal Costs & Fees	$7,854.36
1/8/2014	42096	T.M.R.S.	Retirement	$8,895.59
1/3/2014	ACH	US Treasury	Payroll Taxes	$7,274.44
1/17/2014	ACH	US Treasury	Payroll Taxes	$6,961.50
1/27/2014	ACH	US Treasury	Payroll Taxes	$7,068.96
Total General Fund Transactions Paid in January 2014 $5,000 and Over				$199,575.00

Water & Sewer Fund

Date	Check#	Payee	Description	Amount
1/17/2014	15368	City of Dallas	Water Purchase	$18,219.47
1/31/2014	15384	City of Ovilla General Fund	Garbage Transfer for January	$17,587.29
1/17/2014	15371	Yeldell, Wilson & Co.	Audit Expense	$5,780.00
Total Water & Sewer Fund Transactions Paid in January 2014 $5,000 and Over				$41,586.76

RESOLUTION 2014-003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OVILLA AUTHORIZING AND DIRECTING NAMED CITY OFFICIALS TO ACCESS AND MANAGE THE FIRE DEPARTMENT VOLUNTARY AUXILIARY FUND BANK ACCOUNT WHEREVER LOCATED; DESIGNATING AUTHORIZED SIGNATURES ON THE ACCOUNT, REQUIRING TWO SIGNATURES TO DRAW ON THE ACCOUNT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to define the responsibility for the management of the City's Fire Department Voluntary Auxiliary Fund bank account; and

WHEREAS, it is necessary that the City designate those persons authorized to sign and countersign checks, drafts and electronic fund transfers on the Fire Department Voluntary Auxiliary Fund bank account; and

WHEREAS, the City of Ovilla must maintain current signature cards and requires two signatures to draw on the Fire Department Voluntary Auxiliary Fund bank account.

NOW THEREFORE BE IT RESOLOVED BY THE CITY COUNCIL OF THE CITY OF OVILLA AS FOLLOWS:

THAT, the City Administrator, the Fire Chief and City Accountant are authorized to access the Fire Department Voluntary Auxiliary Fund bank account and funds wherever located on this account for the purpose of managing said funds. However, the City Accountant is not authorized to sign checks.

THAT, these listed city officers are authorized signatures on the Fire Department Voluntary Auxiliary Fund bank account:

1. Fire Chief
2. City Administrator
3. City Secretary

This resolution shall be in force and effect immediately following final adoption.

PASSED AND APPROVED, this 10th day of February, 2014.

APPROVED:

_____

Richard Dormier, MAYOR

ATTEST:

_____

Pamela Woodall, CITY SECRETARY

RESOLUTION 2014-004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OVILLA AUTHORIZING AND DIRECTING NAMED CITY OFFICIALS TO ACCESS AND MANAGE THE POLICE DEPARTMENT SPECIAL FUND BANK ACCOUNT WHEREVER LOCATED; DESIGNATING AUTHORIZED SIGNATURES ON THE ACCOUNT, REQUIRING TWO SIGNATURES TO DRAW ON THE ACCOUNT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to define the responsibility for the management of the City's Police Department Special Fund bank account; and

WHEREAS, it is necessary that the City designate those persons authorized to sign and countersign checks, drafts and electronic fund transfers on the Police Department Special Fund bank account; and

WHEREAS, the City of Ovilla must maintain current signature cards and requires two signatures to draw on the Police Department Special Fund bank account.

NOW THEREFORE BE IT RESOLOVED BY THE CITY COUNCIL OF THE CITY OF OVILLA AS FOLLOWS:

THAT, the City Administrator, the Police Chief and City Accountant are authorized to access the Police Department Fund bank account and funds wherever located on this account for the purpose of managing said funds. However, the City Accountant is not authorized to sign checks.

THAT, these listed city officers are authorized signatures on the Police Department Special Fund band account:

1. Police Chief
2. City Administrator
3. City Secretary

This resolution shall be in force and effect immediately following final adoption.

PASSED AND APPROVED, this 10th day of February, 2014.

APPROVED:

_____

Richard Dormier, MAYOR

ATTEST:

_____

Pamela Woodall, CITY SECRETARY

Texas Comptroller
Leadership Circle

Debt Transparency Pledge

In an effort to introduce more transparency into local spending and debt obligations, The City of Ovilla (name of entity) pledges to post details about the entity's bond and debt information on the entity's website no later than one business day after the public notice of the bond election. This information will include details about the bond package(s) up for vote and current outstanding debt obligations including bonds, certificates of obligation and other debt, and the date of the election.

The entity further pledges to notify the Comptroller's office via email to Transparency@cpa.state.tx.us when the bond election information has been posted to the entity's website. The email will include a link to the bond election information.

_____

Signature of chief executive (*e.g., mayor, county judge, superintendent or executive director*)

CITY OF OVILLA

Ovilla City Council

AGENDA ITEM REPORT

Item(s): 1 (City Secretary use only)

Meeting Date: February 10, 2014

Department: Fire Department

☒**Discussion** ☐**Action**

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

Submitted By: Staff

Amount: $N/A

Attachments:
1. None
Agenda Item / Topic:
ITEM 1. *DISCUSSION – Receive* presentation on ESD #2's purchase of Lucas CPR Devices.
Discussion / Justification:
The Ellis County Emergency Services District #2 (ESD #2) purchased four LUCAS CPR devices and has provided one for the City of Ovilla Fire Department's use on the first out engine. Studies have shown nationwide that inadequate chest compressions are performed for multiple reasons in the field. These devices have proven nationally to increase survivability from normal chest compressions. Fire Chief Phillip Brancato will present the device and share with City Council the benefits of having the LUCAS CPR Device.
Recommendation / Staff Comments:
Sample Motion(s):
No Action.

CITY OF OVILLA

Ovilla City Council

AGENDA ITEM REPORT

Item(s): **2** (City Secretary use only)

Meeting Date: February 10, 2014

Department: Administration

☒**Discussion** ☐**Action**

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

Submitted By: Staff

Amount: $N/A

Attachments:

1. Feedback received on the City's Five-year Strategic Guide
2. Emails received providing feedback to the Strategic Guide
3. Letter requesting feedback

Agenda Item / Topic:

ITEM 2. *DISCUSSION* – *Receive* feedback regarding the draft Strategic Guide from the citizens of Ovilla.

Discussion / Justification:

At the January 13, 2014 Regular meeting City Council directed staff to proceed with soliciting feedback from the citizens on the Strategic Guide. The draft Strategic Guide was e-mailed to the citizens who participated in the Saturday strategic planning workshop on November 09, 2013, and posted on the City's website to solicit feedback through e-mails to the City Administrator. Citizens were notified through the phone messaging system and through the e-mail system of the opportunity to provide feedback on the Guide. Staff has compiled the feedback and shared the information with the facilitator. This item provides the citizens of Ovilla the opportunity to provide feedback on the draft Strategic Guide during a Council Meeting.

Recommendation / Staff Comments:

Sample Motion(s):

No Action.

Feedback received on the City's Five-year Strategic Guide

Goal Statement	Comments regarding the Guide	Citizen
Mission	*The mission of the town of Ovilla is to ensure fair, equitable and responsive treatment for all citizens; provide honest, accountable and ethical leadership that reflects the values of its citizens; and ensure fiscal responsibility and effective public safety, security and town services.*	Alan Whittaker
Vision	*Revise Vision to Ovilla: a safe, family oriented community committed to country living and guided development.*	Alan Whittaker
Vision	*One of the things that makes Ovilla so unique is it's quaint hometown feel yet, only 20 minutes or so from all the activities of Dallas. As a community, it provides for a safe environment in which to live and the opportunity to own land.*	Beth Walker
Vision	*Incorporate "will continue" into Vision Statement.*	Gary Jones
Vision	*Thank you for your request for feedback on city leadership's vision for Ovilla.*	John Benoist
Values	*I have little to add to this section as I believe the workshop did a very good job in identifying the town's most important values. You have seen my comments (in his email) about the "small town feel" description which I believe can be problematic and would be better characterized as "country living".*	Alan Whittaker
Values	*Suggests changing value "business friendly" to "greater business friendliness" or something similar.*	Alan Whittaker
Values	*In your guide, the first item under "Values" is "Small Town Feel". This is the thing that I've enjoyed most about living in this community and I believe it has been a major selling point for Ovilla and will continue to be going forward.*	John Benoist
Strengths	*Remove "Quaint feeling" and replace with "Excellent Fire Department"*	Gary Jones
Opportunities	*Correct 1,000 acres of undeveloped land to 2,000 acres.*	Gary Jones, Donna Northum
Opportunities	*Clarify where the figure of 10,000 homes comes from?*	Gary Jones, Donna Northum
Goal I	*Keep the requirement that all homes must be built on no less than one acre of land.*	Beth Walker

Feedback received on the City's Five-year Strategic Guide

Goal Statement	Comments regarding the Guide	Citizen
Goal II	*A park with a walking fitness trail would encourage all age groups to utilize any potential park. The city could also set up a recreation center where it connects with the park and is rented for events in and around the area.*	Beth Walker
Goal II	*Regarding parks, for future housing additions built in Ovilla, community parks should be built by the builder and maintained by the community. The city should not take on ANY responsibility for maintenance for these parks. That's what HOA dues are for. It would be irresponsible for the city to take on such responsibility.*	Shelia Domstead
Goal II	*What does "develop current park" mean?*	Gary Jones
Goal II	*Make the storage area for street repair materials more attractive.*	Richard Lorance
Goal II	*I think that a good city park is a great idea and brings together community. I do not see the purpose in 3,4 or 5 city parks as they mostly require additional maintenance costs and additional staff.*	Henry Staalsen
Goal II	*Consider a tennis court for the parks plan, fund through pledges*	Alan Whitaker**
Goal III	*Pave the roads.*	Henry Staalsen
Goal III	*Thank you for including the City's water pressure issues in your strategic plan. The pressure on Johnson Lane is too low to operate our home effectively and is a constant aggravation. Looking forward to better days!*	Pam Lynch
Goal IV	*One only has to read about Ovilla to learn about it's rich heritage and importance during the days of the cotton gin etc. Ovilla boasted multiple schools and businesses during these times. Building on the history and developing the downtown to include a city center as with areas that are in Lancaster and Desoto.*	Beth Walker
Goal IV	*Ovilla does need new business to move into the area. However, they need to be quality business establishments.*	Beth Walker
Goal IV	*My only real concern is that, as the city considers encouraging a business friendly environment and upcoming capital improvements, I hope that we will not lose sight of maintaining the small town feel. I believe that by encouraging high density or multifamily residential development and inappropriately designed commercial structures, for example, we will tend to negate the foremost item on the list of Ovilla's stated values.*	John Benoist

Feedback received on the City's Five-year Strategic Guide

Goal Statement	Comments regarding the Guide	Citizen
Goal IV	*Improve communication with residents by adding portable informational signs at entry ways to direct them to the web site for information.*	Alan Whitaker
Goal IV	*Brand the City*	Alan Whitaker**
Goal V	*Clarify Goal V - Create strategy to "Showcase" the City during Heritage Day.*	Gary Jones
Goal V	*I believe the map for business development is a great idea. The tax base is healthier if we can attract the "right" type of industry.*	Henry Staalsen
Goal V	*Build on Heritage Day*	Alan Whitaker**
General Comment	*I reviewed the Ovilla Strategic Plan and I feel like a lot was accomplished at the Nov. 2013 workshop. Thank you for having me as a participant. In the future of Ovilla and Red Oak there are many signs of growth including the expansion of Ovilla Road. I am happy to be a resident of a small community such as Ovilla with friendly neighbors, low crime rate and a scenic country environment. My hat is off to the Ovilla citizens and City Council.*	John Sawyers
General Comment	*One comment about the City's water issues - I believe encouraging water conservation by allowing rainwater collection at each business and residence will greatly improve both the supply of city water and its costs.*	David Miracle
General Comment	*I have reviewed the Strategic Guide and like what I see. I do Strategic Planning as an economic development consultant and I believe the City and your consultant are off to a good start.*	David Miracle
General Comment	*No specific comments on the Guide, but supports tying it to the budget. Specific comments to a potential sewer project in downtown.*	JoAnn Graham*
General Comment	*Add subjects: Emergency Plan, Efficient City Government, Clean up Day: Hazard waste Disposal, City Codes, Commercial Growth and Parks and Recreation need more discussion, Needs vs. Wants, Neighborhood Watch Groups.*	Shelia Domstead*

Feedback received on the City's Five-year Strategic Guide

Goal Statement	Comments regarding the Guide	Citizen
Guide	*Thank you for the opportunity to review the online Strategic Guide and the phone message alerting me to the opportunity. Although I have no input regarding the Guide's framework, I found the document a helpful piece of communication that has increased my interest in the subject. Additionally, it drew me to the City of Ovilla website, which I had not previously visited; I found the website easy to navigate and full of useful information.*	Anna Minor
Guide	*Tonight I read over the Strategic Guide. I am pleased to see the City leaders and Staff starting to think about an integrated plan for taking Ovilla forward. I have lived in Ovilla since 1994 and this is the first time I have detected a sense of direction being formulated. This is a good sign. I look forward to seeing more details being added.*	Vince Caruth

** sent letters to Council prior to posting the Guide for feedback, there were no specific ideas to enhance the Guide.*

*** came into City Hall to share feedback*

Comments on Strategic Guide by Gary Jones

On the page entitled "Strategic Guide".

I think vision should be renamed to something like "Ovilla will continue to be a safe, family and business friendly community with a small town feel"

Under Strengths, take out "Quaint feeling" and add "Excellent Fire Department".

Under Opportunities, where did 10,000 homes come from? That would give us 30,000 people and I don't think that's going to happen. Also, 1,000 acres of undeveloped land should be replaced by 2,000 (You show 2,077 in your "Drive Times" chart and we show 2,109 in our Ovilla Fast Facts and EDC brochure.)

High home value – should have "s" at end of value to make it values.

Goal Statement II

What does "Develop Current Park" mean?

Goal Statement V

1. Show Case should be one word (Showcase).
2. Creates Community "Involvement". ?
3. Under Action Steps: Based on the three items shown, this section should be entitled something like "Market the City of Ovilla"(perhaps add a Goal Statement VI). These items don't necessarily have anything to do with Heritage Day. Heritage Day items might include: (1) Should we try to expand the size of Heritage Day area or stay the same? (2) Should we continue to have it in the fall or move to spring? (3) Should we spend more on advertising? (4) Does the City need to make a profit?

Cyndy Powell

From: Pam Lynch
Sent: Thursday, January 16, 2014 7:10 AM
To: Cyndy Powell
Subject: Water Pressure

Thank you for including the City's water pressure issues in your strategic plan. The pressure on Johnson Lane is too low to operate our home effectively and is a constant aggravation. Looking forward to better days!

~ Pam

This email has been scanned by the MxScan Email Security System.

Cyndy Powell

From: John Benoist -
Sent: Thursday, January 16, 2014 10:36 AM
To: Cyndy Powell
Subject: Strategic Guide feedback

Ms. Powell,

Thank you for your request for feedback on city leadership's vision for Ovilla.

In your guide, the first item under "Values" is "Small Town Feel". This is the thing that I've enjoyed most about living in this community and I believe it has been a major selling point for Ovilla and will continue to be going forward.

My only real concern is that, as the city considers encouraging a business friendly environment and upcoming capital improvements, I hope that we will not lose sight of maintaining the small town feel. I believe that by encouraging high density or multifamily residential development and inappropriately designed commercial structures, for example, we will tend to negate the foremost item on the list of Ovilla's stated values.

Thank you!

--
John Benoist

Cyndy Powell

From: Henry Staalsen
Sent: Thursday, January 16, 2014 1:29 PM
To: Cyndy Powell
Subject: stategic guide review

I reviewed the Strategic guide and have the following comments;

1.) I think that a good city park is a great idea and brings together community. I do not see the purpose in 3,4 or 5 city parks as they mostly require additional maintenance costs and additional staff.
2.) I believe the map for business development is a great idea. The tax base is healthier if we can attract the "right" type of industry.
3.) Pave the roads
4.) Pave the roads
5.) Pave the roads
6.) Pave the roads

David Staalsen

Cyndy Powell

From: Vince Caruth <
Sent: Tuesday, January 21, 2014 8:18 PM
To: Cyndy Powell
Subject: Strategic Guide

Tonight I read over the Strategic Guide. I am pleased to see the City leaders and Staff starting to think about an integrated plan for taking Ovilla forward. I have lived in Ovilla since 1994 and this is the first time I have detected a sense of direction being formulated. This is a good sign. I look forward to seeing more details being added.

Thanks,

Vince Caruth

Cyndy Powell

From:	Rchrdlor
Sent:	Friday, January 17, 2014 2:57 PM
To:	Cyndy Powell
Subject:	Re: Ovilla's Strategic Guide
Follow Up Flag:	Follow up
Flag Status:	Completed

Ms. Powell,

Thank you for addressing the Ashburne Association Meeting last night. Also thank the Chief of Police for me.

A suggestion or should I say an opportunity. Knowing you are a short-timer with the City of Ovilla, all the gravel, the street repair materials and the Recyclable containers at the northeast area of City Hall are making it look a lot like the City of Glen Heights. The City of Ovilla can do better... I would suggest that these items be moved to the back of the City Hall and something more attractive be moved to the front. Also, I am sure the current owner of property next to this unsightly display would appreciate this action and it would probably improve the value of their homes. Looking forward to the repaving of Crockell Hill Road, especially the section that goes by City Hall, the Fire Station on down to the bridge. That area is an embarrassment for the City of Ovilla. Keep up the good work. Glad to have you on staff. Thank you again.

Richard W. Lorance

-----Original Message-----
From: Cyndy Powell <CPowell@cityofovilla.org>
To: johnsawyers ; Gjones

Larry Stevenson <place2stevenson@cityofovilla.org>; Alan Whittaker

Dean Oberg <Place5Oberg@cityofovilla.org>;
mark.gibbons
<loreensilva jimmiejwade ; gnsdomstead

Sent: Wed, Jan 15, 2014 5:56 pm
Subject: Ovilla's Strategic Guide

Hello everyone,

Thank you for participating in the November 09, 2013 Strategic Planning Workshop. Please see the attached Strategic Guide and letter requesting your feedback on the document.

Emails have also been sent out through the "Notify Me" notification system so you may receive this information twice if you are a subscriber to Notify Me and attended the Strategic Planning Workshop.

Thank you,

Cyndy Powell
City Administrator
City of Ovilla, Texas
105 South Cockrell Hill Road
Ovilla, Texas 75154
office: 972-617-7262
cell: 469-628-2427

Cyndy Powell

From: David Miracle
Sent: Friday, January 24, 2014 11:46 AM
To: Cyndy Powell
Subject: Strategic Guide

Ms. Powell,
I have reviewed the Strategic Guide and like what I see. I do Strategic Planning as an economic development consultant and I believe the City and your consultant are off to a good start.
One comment about the City's water issues - I believe encouraging water conservation by allowing rainwater collection at each business and residence will greatly improve both the supply of city water and its costs.

With Best Regards,

David D. Miracle

Incentive Negotiation and Economic Development Consultation

Cyndy Powell

From: Anna Minor
Sent: Wednesday, January 29, 2014 9:58 PM
To: Cyndy Powell
Subject: Strategic Guide

Thank you for the opportunity to review the online Strategic Guide and the phone message alerting me to the opportunity. Although I have no input regarding the Guide's framework, I found the document a helpful piece of communication that has increased my interest in the subject. Additionally, it drew me to the City of Ovilla website, which I had not previously visited; I found the website easy to navigate and full of useful information.

Sincerely,
Anna Minor
Ovilla Resident

Cyndy Powell

From: Sheila Domstead
Sent: Wednesday, January 29, 2014 1:16 AM
To: Cyndy Powell
Cc: Mayor Dormier; Ralph G. Hall; Larry Stevenson; David Griffin; Doug Hunt; Dean Oberg; donna
Subject: Strategic Plan

Unbelievable!

Regarding the November workshop...out of the 33 people in attendance, how many were NOT city employees, on the council, etc.? In other words, how many were there due to the last minute notification (I received my phone message on the Thursday before the meeting on Saturday). My guess would be maybe...10.

To say the strategic plan was a result, in part, from feedback received from citizens at the workshop is misleading to put it kindly. The agenda was already planned and the meeting was conducted in such a way to get the desired results wanted by the council. Citizens WERE NOT GIVEN AN OPPORTUNITY TO VOICE THEIR OPINION REGARDING WHAT WE WANT FOR OUR CITY. **We were told**. The five year plan was already decided before the meeting ever started. The agenda was guided by the facilitator and any negativity regarding the plan was discouraged. And as you remember the meeting was cut short by about 3 hours. Feedback was not wanted unless it was in agreeiance with the agenda presented at the meeting. So please don't say the citizens of Ovilla had input with the content of the plan as indicated on the website.

I do not want to actively seek growth. Have a plan, yes...but to aggressively seek growth, absolutely not.

Regarding parks, for future housing additions built in Ovilla, community parks should be built by the builder and maintained by the community. The city should not take on ANY responsibility for maintenance for these parks. That's what HOA dues are for. It would be irresponsible for the city to take on such responsibility.

Unless I overlooked it, I don't recall seeing what the cost will be in the way of a increased taxes for this expansion. I think this information should be available, don't you?

I would like to request an extension of the January 31, deadline and allow the citizens to vote on the "Strategic Plan" in the upcoming election. People need to know what's being decided for us and have an opportunity to voice their decision with a vote. If this is truly a plan with citizen approval there should be no objection.

With the current 5 year plan, Ovilla will no longer be the small, unique town I love.

Sheila Domstead

Cyndy Powell

From: JohDuggins@
Sent: Thursday, January 30, 2014 7:32 PM
To: Cyndy Powell
Cc:
Subject: Strategic Plan

I would like to know how the comments to the plan will be presented to the public before locking in the plan.

Cyndy Powell

From:	James
Sent:	Friday, January 31, 2014 8:11 AM
To:	Cyndy Powell
Cc:	Mayor Dormier; Ralph G. Hall; Larry Stevenson; David Griffin; Doug Hunt; Dean Oberg
Subject:	five year scheme

I'm writing you to offer some opinions and concerns about the "plan" being pushed by the city.
First I might remind you that the city government is supposed to represent the citizens of the city, and it appears this plan is being pushed by the council and from my conversations with citizens I have spoken to, is both over reaching and not needed.
A common feel I have found is that most citizens like the small town feel of Ovilla and don't want to see it changed so drastically. We need to focus on needs and not wants. While it would be nice to add some commercial businesses along Ovilla Road that would help with city revenue, the proposed addition of so many homes and the population explosion it would bring, would only serve to ruin the small town feel that brought most of us to move here.
Among the numerous downsides would be increased crime, traffic, and I'm sure the call for more taxes on many who don't benefit from the expansion as the call for bigger city government continues.
The information provided is much too vague and leaves far too many unanswered questions to consider any serious consideration or movement to implement the plan at any time in near future.
My wife and I attended the "strategic planning conference" in November and came away with concerns, questions, and apprehensions. I felt it was mostly a "dog and pony show". I didn't feel it was open to address citizen questions, opinions, reservations, etc., but planned to reach a pre-determined outcome. I would like to see a breakdown of the attendees as it appeared to me that there were far more "city" representatives and employees than citizens present.
I feel that the deadline imposed for citizen comments is out of line as I have just in the last couple of days have spoken to a number of citizens who are totally unaware of this proposed plan.
I feel compelled to speak to as many as I can to make them aware of this proposal.
It should be put on hold at least until more input from the citizens of Ovilla are heard from and answers and details are made available.
I look forward to your reply.

With concern for our City,
James Northum
Sent from my iPad

Cyndy Powell

From: Sheila Domstead
Sent: Friday, January 31, 2014 10:21 AM
To: Cyndy Powell
Subject: RE: Strategic Plan II

Oh, I see...now it's 2000 acres. What does 10,000 homes at build out mean? This should be explaned. Thirty thousand plus additional people in Ovilla is not what the people moved out here for.

Who was the originator of the "strategic plan"?

From: CPowell@cityofovilla.org
To:
Subject: RE: Strategic Plan II
Date: Fri, 31 Jan 2014 15:56:27 +0000

Good morning Ms. Domstead, thank you for your comments, they will be shared with Council.

The 1,000 acres should read 2,000 acres of undeveloped land. The facilitator recommended the 10,000 homes be revised to include "10,000 homes at build out". There are 31 acres of commercial zoned property that is undeveloped.

Thank you,
Cyndy

From: Sheila Domstead
Sent: Friday, January 31, 2014 9:22 AM
To: Cyndy Powell
Subject: Strategic Plan II

In addition to my last email I would like to note a few more comments for the record. The strategic plan is either incomplete or incorrect on many levels. But for now I would like to address the residential growth.

Let me be clear...**I do not want the city expansion that's being projected in this plan.** This will transform Ovilla into a city I don't recognize. Adding 10,000 homes would take Ovilla from approximately 3,500 in population to over 30,000. In no way can this be done on 1000 acres. This just doesn't pass the smell test in my opinion. What are we not being told?

Because of the projected population growth we would need to build schools, expand roads, and expand city government on every level. Not a plan that works for me.
Red Oak is approximately 10,000 population.
Cedar Hill is approximately 45,000.

For the record, I would like to make my comments public. Please add all comments to the website under the council members comments.

Thank you.

Cyndy Powell

From:	Sheila Domstead
Sent:	Friday, January 31, 2014 9:22 AM
To:	Cyndy Powell
Subject:	Strategic Plan II
Follow Up Flag:	Follow up
Due By:	Friday, January 31, 2014 7:00 PM
Flag Status:	Flagged

In addition to my last email I would like to note a few more comments for the record. The strategic plan is either incomplete or incorrect on many levels. But for now I would like to address the residential growth.

Let me be clear...**I do not want the city expansion that's being projected in this plan.** This will transform Ovilla into a city I don't recognize. Adding 10,000 homes would take Ovilla from approximately 3,500 in population to over 30,000. In no way can this be done on 1000 acres. This just doesn't pass the smell test in my opinion. What are we not being told?

Because of the projected population growth we would need to build schools, expand roads, and expand city government on every level. Not a plan that works for me.
Red Oak is approximately 10,000 population.
Cedar Hill is approximately 45,000.

For the record, I would like to make my comments public. Please add all comments to the website under the council members comments.

Thank you.

Sheila Domstead

Cyndy Powell

From:	Donna
Sent:	Friday, January 31, 2014 12:13 PM
To:	Cyndy Powell
Cc:	Mayor Dormier; Ralph G. Hall; Larry Stevenson; David Griffin; Doug Hunt; Dean Oberg
Subject:	Re: Strategic Guide

Hello Cyndy,

I'm not sure where the 2,000 acres of undeveloped land is coming from. We were told at the Strategic Planning Conference that it was 1,000 acres of undeveloped land. What I was hoping was that the number of homes was incorrect. I'm not sure what is meant by "10,000 homes at build out". Shouldn't the Strategic Guide be updated with this information?

The following are my comments on the Strategic Guide and proposed planning:

After reading over the City's Strategic Guide that was published, frankly I am more confused than I was at the Strategic Planning Conference on November 9, 2013. To me it is very vague and unrealistic for this community.

We have lived in this community for 25 years and during that time have seen very little growth and were not aware we needed any growth. If we must add a neighborhood, then add a small neighbor. I am absolutely opposed to adding 10,000 homes to our small, quaint community with a country atmosphere. I think if you polled the citizens of this community you would hear the same thing from the majority of the people. Most people moved out here to get away from big cities, high population, high traffic and now this is what you want to create? I'm not sure who initiated this idea, who stands to gain from such a population explosion. I can guarantee this is not what most citizens in this community would want. We moved here for the country atmosphere, large lots and quiet neighborhoods and for less city government. Please don't put a park near me. Over time, the lots sizes here have diminished to the size we had sought to get away from. This town is not a little Frisco or Highland Park, which is what we heard certain people with the city government try to compare us to as far as what they want to turn us into. You are going to change this town and not for the better.
When we were notified of the Strategic Planning Conference to be held on November, 2013, I had hoped the city had finally come around to wanting to hear the citizen opinions and what they wanted for their city. Of the citizens we have talked to most if not all are very angry with the city government and feel like there is too much government this town. Instead of adding more rules, regulations, and ordinances without citizen approval, our government needs to take a closer look as to the needs of the citizens and not what the city government wants. Instead of wanting to bring this "close knit" community together our city officials need to interact more with citizens to find out what direction we want for our city.

As far as the Planning Conference, this was a joke and a complete waste of my time. The City Council had already decided what they were going to do. This had already been concluded in previous meetings between TMC and the City Council. This was only an act to look like they obtained citizen input. Of the approximately 33 members who attended, how many were citizens with no tie to the city government? I'm guessing there were only 10-12 citizens at this event that had no ties to the city government. I heard one council member state that he was happy with the turnout. Of course he was, do you really want the people of this town to know about this plan? If you think most citizens would agree to this plan, then do a mass mailing and see what response you get.

One further comment on the event, I felt we were very much controlled and manipulated in the topics we were given and what we said. Anytime we brought up a subject we wanted to discuss we were told that we could discuss that later, but later never came as the meeting was brought to an end 3 hours early. The feeling I had when we left this conference was that we had been "suckered". If there are any more conferences planned, I may attend but will not be a participant, just an observer. I won't be played again.

Of the citizens we have spoken with, no one thinks this is a good idea. Why wasn't more effort put into letting the citizens of this community be aware of what you are planning. If the city could afford to hire TMC to conduct a Needs Assessment, then they could have afforded a mass mailing to the citizens of Ovilla to let them know what was being planned. Not everybody is on your phone call list and therefore you could not reach everyone. Something in writing would have had more impact on the citizens than a phone call.

Does your figure of 10,000 homes mean all newly constructed homes or is that in combination with what we already have? If these are new homes, then you are talking about increasing the population of town from approximately 3500 to well over 30,000. Our roads will not support that much of a population boom. The majority of the traffic in Ovilla and people travelling through use Cockrell Hill Road and the road would need to be widened to support that much traffic and I'm not sure certain areas on that road could be widened. According to the math I use 10,000 homes will not fit on 1,000 acres even with the smallest lot sizes that Ovilla permits, nor will it fit on 2,000 acres. Even if you get that many homes in this area, this would greatly increase city services such as fire, police and other city employees which means our taxes would also greatly increase. Then with additional families with children would mean our school taxes would increase as I'm sure Red Oak School district would need to build more schools. The city's idea of this kind of growth is absolutely ridiculous and probably impossible too. I have to question who came up with this idea of growth for the city and who stands to benefit from it and why all of a sudden it is necessary. We haven't had a need for growth in a long time or ever for that matter.

According to the City's Plan, they want to add a Parks Department with 4 satellite parks and a city center with two parks. I'm not sure what a city center is or what it will be used for. I welcome anybody to try to explain to me why this is necessary, this too would increase our city taxes. Many families have lived here longer than we have, but during our 25 years we never felt the need for city parks. Our homes are on lots larger enough so we could provide recreation for our children and city parks were not needed. We never felt that our city needed to provide recreation for our children. Most school age children are involved in sports or other school activities that frankly I just don't see the need. If developers in the new residential areas want to put in parks, then the developer should be responsible for the construction and the HOA for the maintenance and we would not need a Parks Department.

Everything I see being planned is screaming higher taxes all around. If you go forward with this plan, you will need to revise the strengths of this community in your Strategic Guide as we will no longer have:

1. Small town feel
2. Large lots
3. Quaint feeling
4. Low crime rate

In looking at the Strategic Guide, all I saw was "smoke and mirrors". You want the city council to vote on this plan, yet there are no definitive plans with what you are proposing. The only thing in the

Guide that I would like more discussion on is Ovilla's Emergency Preparedness Plan. I think at this time until we have more positive indicators with our economy we should hold off doing anything that would increase taxes. So many people are losing their homes or on the brink of losing their homes,or having other financial hardships that this is not the time to consider such major expansion. We need to wait to see what happens with our economy and with our federal government, more specifically Obamacare and how that will financially impact everyone. I question what growth the city really wants, sounds a lot like city officials want more city government growth.

I know this is not the response you were looking for, but this is how I feel. I would strongly encourage you to take more effort to let the citizens of Ovilla know what is being proposed for our future.

Sincerely,

Donna Northum

-----Original Message-----
From: Cyndy Powell <CPowell@cityofovilla.org>
To: Donna
Sent: Wed, Jan 29, 2014 6:09 pm
Subject: RE: Strategic Guide

Good afternoon Donna,

The 1,000 acres should read 2,000 acres of undeveloped land. The facilitator recommended the 10,000 homes be revised to include "10,000 homes at build out". There are 31 acres of commercial zoned property that is undeveloped.

Thank you,
Cyndy

From: Donna
Sent: Wednesday, January 29, 2014 2:29 PM
To: Cyndy Powell
Subject: Strategic Guide

Cindy,

I was reading over the Strategic Guide that was attached to the email I received and I would appreciate some clarification.

On the page labeled "Strategic Guide" and under the column "Opportunities" it is stated that we have 1,000 acres of undeveloped land
and at the bottom of the page it listed "10,000 homes". Does this mean the plan is to put 10,000 homes on 1,000 acres of land?
Is this all the property we have in considering residential growth and commercial opportunities?

Cyndy Powell

From:	Beth Walker
Sent:	Friday, January 31, 2014 1:23 PM
To:	Cyndy Powell
Cc:	rdormier@CityofOvilla.org
Subject:	Comments on the Strategic Plan for Ovilla

Comments Regarding The Strategic Plan For Ovilla

One of the things that makes Ovilla so unique is it's quaint hometown feel yet, only 20 minutes or so from all the activities of Dallas. As a community, it provides for a safe environment in which to live and the opportunity to own land. Most communities and/or housing developments are set up on such small lots that one house literally looks into the next requiring that most houses have no windows on one side of the homes.

1. Keep the requirement that all homes must be built on no less than one acre of land. This is a drawing factor to the community. It is what made me want to purchase a home in Ovilla. Dallas and all it's surrounding cities have overbuilt the areas and as such houses are crammed up one against the other and are primarily one development on top of another. One of the problems that come with so many huge developments like those mentioned is that it only takes one or two residents involved in criminal activity that sets up the development and city for crime and decreased property values. One only has to look to what has happened to Desoto in the last 15 years and their huge spike of crime.

2. Ovilla does need new business to move into the area. However, they need to be quality business establishments. The only business that has come into Ovilla since I've been a resident is the Dollar General Store. While we don't need a Wal-Mart we do need businesses that serve the citizens of Ovilla.

A small type grocery store would only serve to enhance the city. As an example, a Paneria or such chain store would be a draw as the closest one is in Cedar Hill. It would be important to consider the growth in Red Oak and not try to duplicate the same business as it would more than likely not be something a company would consider and if they did, would fail due to the customers being split. While chain stores in small communities are much harder sell to Corporations, nothing ventured is nothing gained.

The cities website needs updating to be more dynamic and user friendly.

Connect to the various social media outlets that are now proliferating on the internet. Use these tools to reach out to people beyond Ovilla to encourage them to visit the area and perhaps even move into the area or open a business.

3. Regarding a Master Parks Plan. The dynamics of the city have a unique blend of older residents as well as young families. I'm not exactly sure what land the city currently owns however, a park with a walking fitness trail would encourage all age groups to utilize any potential park. The city could also set us a recreation center where it connects with the park and is rented for events in and around the area. Not only would it generate a source of income for the city but it would also serve multiple purposes for citizens.

4. The Development of Downtown Ovilla. One only has to read about Ovilla to learn about it's rich heritage and importance during the days of the cotton gin etc. Ovilla boasted multiple schools and businesses during these times. Building on the history and developing the downtown to include a city center as with areas that are in Lancaster and Desoto. Just because we are a smaller city does not preclude Ovilla for having an area that is similar.

In my closing remarks, I would urge the city to focus on quality of new business establishments, keeping large lot size requirements for building of new structures, control city growth to avoid increased crime, and perhaps survey the citizens of Ovilla a.s to what specific type of establishments and facilities they would like to see in their city. After all they will be the primary group that determines if any new business succeeds or fails.

Thank you

Beth

Cyndy Powell

From: Alan Whittaker
Sent: Friday, January 31, 2014 4:25 PM
To: Cyndy Powell
Subject: RE: Ovilla's Strategic Guide

Cindy,

First of all, I want to thank you and the council for taking on this strategic planning project and committing your time and effort to ensure its success. Strategic planning is important for any organization that desires to be efficient and effective. A saying among strategists is that, "If you don't know where you are going, any road will take you there; even a bad one." This project indicates a desire for thoughtful, well-considered city planning. It also reflects good leadership by you and the city fathers, and I appreciate the open invitation to contribute.

My comments on the various components of the draft strategic guide should not be taken as criticism of your excellent efforts, but rather just suggestions of things to think about based upon my previous experience (including having written strategic plans in the government) and an understanding of how words can affect people at a psychological level. Some of the comments may seem like minor word-smithing, and to some extent they are, but my intent is to suggest language that captures the intent of the draft Strategic Guide but make it more psychologically appealing. These comments are all suggestions and I will not be in the least offended if none are accepted.

Comments on the Vision Statement

By definition, a vision statement should reflect an organization's vision for what it wants to be in the future. Also note that the current draft vision statement is repeated throughout the draft Strategic Guide which suggests that it also it being presented as the Ovilla city motto (i.e., a sentence, phrase, or word expressing the spirit or purpose of a person, organization, city, etc.,). In particular, if this phrase is used to "brand" Ovilla on its town literature, and perhaps town entry signs, it is too bland. Our "brand" is the first impression of the character of Ovilla for most people unfamiliar with the town and first impressions can be everything if we are trying to gain their interest.

The phrase in the draft Strategic Guide, "Ovilla is a safe, family and business friendly community with a small town feel" is reflective of comments from the community planning meeting about what people current like and value about Ovilla—all of which are positive.

The draft vision reflects a vision for a community that is:

- Safe
- Family friendly
- Business friendly
- Has a small town feel

Although these all are positive values, there are problems with the last two ideas.

I agree that "business friendly" is important to the long term financial security of the town, but Ovilla's reputation for years has been that it has rejected commercial development. Members of the Ovilla EDC may disagree with this assessment, but I raise this issue based upon conversations with residents, area family members, Realtors, former high school classmates, and others that my wife and I talked to when looking for a house to buy in the "south of Dallas" area. Since moving into Ovilla, many citizens I have talked with are proud that the town has been business "unfriendly" because it has rejected the strip malls and "convenience" stores of the surrounding communities and that has helped the town retain its country living ambience. Our reputation in this area is that we are not "business friendly". Perhaps rather than saying "business friendly" we are talking about a desire for "guided development" or "managed development", or "cooperative development", etc.

I also understand the intent behind saying "small town feel", but I don't think we want to say that our vision is to be a "small town". Moreover, Ovilla is not something other than a small town that offers a small town feel, Ovilla ***is*** a small town. "Small town" is a

widely circulated description that can have negative connotations such as being provincial, unsophisticated, and a one-stoplight town (which, interestingly enough, we are!).

As such, we should seriously consider whether we want our brand to be "small town". As I have talked to Ovilla residents and people from the surrounding area they more often speak of the quality of "country living" associated with the town. Ovilla has open spaces, lots of horse properties, low population density, and has the feel of open spaces as you drive around the town. Ovilla is not commercial, not mile upon mile of subdivisions, and not blighted with strip malls. "Small town" can suggest provincial and unsophisticated, and I think "country living" might capture more of our quality of life.

Finally, "family friendly" is okay, but it's a very passive characterization. Consider whether we want to be known for being family "friendly" or family "oriented". Family "friendly" can be interpreted as being friendly to families but not necessarily proactive in supporting and encouraging families. Family "oriented" makes it sound like we are active in trying to do things for families. Helping families is part of our plan. Family "friendly" is more passive.

Consequently, I would modify "Ovilla is a safe, family and business friendly community with a small town feel" to:

Ovilla: a safe, family oriented community committed to country living and guided development

We are "branding" our community, and our brand is what we have decided to focus on to appeal to prospective customers (or, in our case, prospective residents or businesses). Ovilla residents reflect a desire for country living (more than a "small town") and limited commercial development. In addition to being very safe, those seem to be our vision, and as such those are our brand.

Comments on the Mission Statement

A Mission Statement defines the fundamental purpose of an organization or an enterprise, succinctly describing why it exists and what it does to achieve its vision. The draft mission statement, "We will demonstrate leadership and adopt policies that reflect the values of the citizens of the City of Ovilla" is important in terms of the values listed, but by itself it is vague. What kind of leadership? Adopt policies that reflect what kinds of citizen values? Consequently, the mission statement doesn't indicate our values, it requires the reader to go into the values section to find out what they are.

I believe it is important that the mission statement clearly lays out some of the town's core values and also indicates how the town administration intends to perform its mission (i.e., what it does to achieve its vision). The workshop facilitator may have recommended a short, one sentence mission statement, but I think the following points are important to the town's citizens (and, in particular, prospective citizens) in terms of how the town plans to operate in achieving its vision, and should be in Ovilla's mission statement.

- Fair, equitable and responsive dealings with all citizens.
- Honesty, accountability and ethics in government.
- Fiscal responsibility.
- Effective public safety and security.
- Delivery of responsive and effective town services.

Taking the draft mission statement and integrating these points would produce a mission statement something like the following.

The mission of the town of Ovilla is to ensure fair, equitable and responsive treatment for all citizens; provide honest, accountable and ethical leadership that reflects the values of its citizens; and ensure fiscal responsibility and effective public safety, security and town services.

This is a longer mission statement than the draft version, but between it and the vision statement there would be no question in the mind of someone glancing at the Ovilla town website where the town's leadership's commitments lie.

Comments on the Values Section

I have little to add to this section as I believe the workshop did a very good job in identifying the town's most important values. You have seen my comments above about the "small town feel" description which I believe can be problematic and would be better characterized as "country living".

Also, you have my comments about "business friendly" which doesn't seem to be the case historically for the town. I strongly suggest changing this value to "greater business friendliness" or something similar. Given the history and reputation of the town for resisting commercial development, a prospective business person from this area looking at the strategic plan and seeing "business friendly" is likely to reject the characterization as untrue. As such, I believe that we need to characterize our desire to be more friendly to business as a new approach for the town, such as "greater business friendliness", or "more receptive to business", or "more friendly to business", etc. This may seem like a minor point, but we have to recognize that there are existing perspectives and beliefs about Ovilla in the surrounding communities (who will be our competitors for commercial development) and we need to accurately characterize that we have adopted a new approach to working with prospective businesses.

Goal Statements 1-V:

These were well done in the workshop and I have no comments for these areas.

Thanks for the opportunity to comment. Sorry if these comments seem like petty word-smithing but how we brand Ovilla will be important for our future. Happy to discuss further if it will help you, and as I said above I will not be offended in the least if no one likes any of these ideas. The objective is to get people thinking, not ram my vision of reality down their throats.

Sincerely, Alan G. Whittaker

From: CPowell@cityofovilla.org
To: johnsawyers ..; gjones rkingsley. gfavaron darrell.l.jungman ; david place2stevenson@cityofovilla.org; awhittaker Doug Place5Oberg@cityofovilla.org; rpettit mark.gibbons loreensilva jimmiejwade

Subject: Ovilla's Strategic Guide
Date: Wed, 15 Jan 2014 23:55:32 +0000

Hello everyone,

Thank you for participating in the November 09, 2013 Strategic Planning Workshop. Please see the attached Strategic Guide and letter requesting your feedback on the document.

Emails have also been sent out through the "Notify Me" notification system so you may receive this information twice if you are a subscriber to Notify Me and attended the Strategic Planning Workshop.

Thank you,

Cyndy Powell
City Administrator
City of Ovilla, Texas
105 South Cockrell Hill Road
Ovilla, Texas 75154
office: 972-617-7262
cell: 469-628-2427

Ralph Hall, Mayor Pro Tem, Place 1
Larry Stevenson, Councilmember, Place 2
David Griffin, Councilmember, Place 3

City of Ovilla
FOUNDED IN 1844

Richard Dormier, Mayor

Doug Hunt, Councilmember, Place 4
Dean Oberg, Councilmember, Place 5
Cyndy Powell, City Administrator

January 15, 2014

Dear Citizens of Ovilla,

The City Council is seeking feedback on the Strategic Guide. Please review the Strategic Guide and consider the plan's framework approved by City Council. Send your comments to enhance the product to the City Administrator via email so feedback may be compiled and shared with the facilitator and City Council.

As you review the Strategic Guide consider the content came from two sources: the Council's Needs Assessment and the citizens' feedback during the November 09, 2013 strategic planning workshop. The wording in the document is original to the feedback received from both the City Council and the citizens.

The *Vision Statement* serves as a compass, always pointing towards the direction the community desires. The *Mission Statement* serves as a constant reminder of what needs to happen in order to move the City of Ovilla toward the Vision. The "We" in the mission statement is anyone in a leadership position that has the authority to influence and establish policy. The City Council is the primary "We" because they are the only ones that can establish and adopt policy. *Community Values* are the areas that are regarded highly by the City of Ovilla. It is important to remember that no one outside our City can dictate what should be of value to our community.

As you are providing feedback to the Strategic Guide, review the quotes from City Council as to the value of the strategic planning process. The Guide is a valuable tool for City Council and for staff providing guidance to achieve goals and realize the vision for our City.

Thank you for taking the time to review the Strategic Guide. Comments will be received until January 31, 2014. City Council will consider the Strategic Guide at the Regular Meeting on February 24, 2014, 7:00 p.m.

Please submit your feedback to the City Administrator. Hard copies will be available at City Hall as well.

Sincerely,

Cyndy Powell
City Administrator
cpowell@CityofOvilla.org

105 South Cockrell Hill Road ✳ Ovilla, Texas 75154 ✳ Ph: (972) 617-7262 ✳ Fax: (972) 515-3221

CITY OF OVILLA

Ovilla City Council

AGENDA ITEM REPORT

Item(s): **3** (City Secretary use only)

Meeting Date: February 10, 2014

Department: Administration

☒**Discussion** ☒**Action**

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

Submitted By: Staff

Amount: $N/A

Attachments:
1. Resolution R2014-005 2. Five-year Citywide Strategic Guide 2013-2018
Agenda Item / Topic:
ITEM 3. *DISCUSSION/ACTION – Consideration* of and action on Resolution R2014-005 adopting the Five-year Citywide Strategic Guide 2013-2018.
Discussion / Justification:
The Management Connection facilitated the strategic planning sessions involving the Council, community and staff to determine the Vision, Mission, Values, and establish Goals to guide the City's planning and budgeting process. The Five-year Citywide Strategic Guide 2013-2018 identifies a strategic plan consisting of priorities and communicates these priorities to city staff and the public. This item is provided for Council's consideration of the adoption of the Five-year Citywide Strategic Guide 2013-2018.
Recommendation / Staff Comments:
Staff recommends adoption of the Five-year Citywide Strategic Guide 2013-2018.
Sample Motion(s):
I move to APPROVE/DENY Resolution R2014-005 adopting the Five-year Citywide Strategic Guide 2013-2018.

RESOLUTION NO. R2014-005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, ADOPTING THE FIVE-YEAR CITYWIDE STRATEGIC GUIDE 2013-2018.

* * * * *

WHEREAS, a strategic plan consisting of priorities of the City is needed to guide the budget process and ensure that the Council clearly communicates its priorities to city staff and the public; and

WHEREAS, the City contracted with The Management Connection, Inc. to facilitate the strategic planning sessions involving City Council, citizens, boards, commissions, and staff to determine the Vision, Mission, Values, and establish Goals; and

WHEREAS, the Five-year Citywide Strategic Guide 2013-2018 identifies the Vision, Mission, Values, and Goal Statements established through the strategic planning process; and

WHEREAS, the City Council desires to adopt the Five-year Citywide Strategic Guide 2013-2018;

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

Section 1. That the City Council hereby adopts the Five-year Citywide Strategic Guide 2013-2018.

Section 2. A copy of said Five-year Citywide Strategic Guide 2013-2018 is attached hereto as Exhibit "A" and made a part hereof for all purposes.

PASSED, APPROVED, AND RESOLVED this _____ day of _____ 2014.

ATTEST: _____
Pamela Woodall, **CITY SECRETARY**

APPROVED: _____
Richard Dormier, **MAYOR**

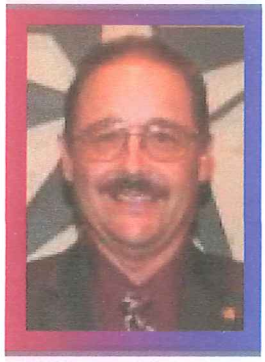
City of Ovilla

FOUNDED IN 1844

OVILLA, TEXAS STRATEGIC GUIDE 2013-2018

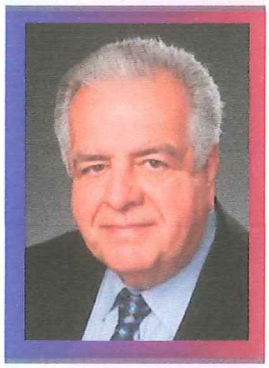
DRAFT

WHY I SUPPORT STRATEGIC THINKING/PLANNING



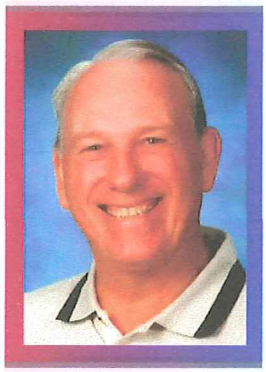
"Ovilla is a wonderful community to be a part of. We believe the strategic plan will provide a roadmap to maintain a safe and friendly environment for our citizens as we continue to grow in the future."

-Mayor Richard Dormier



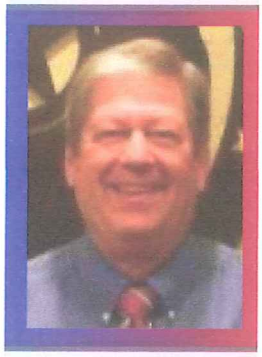
"The strategic plan, developed with citizens' input, provides guidance for the development of the city now and into the future."

-Mayor, Pro Tem. Ralph G. Hall



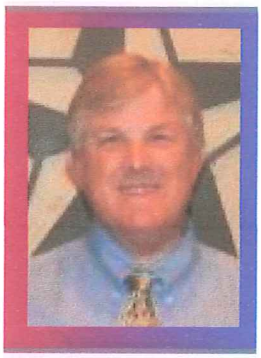
"Our Strategic Plan will help build a strong foundation from which Ovilla can build its future"

-Council Member Larry Stevenson



"A first in history, a viable strategic plan for Ovilla, is synonymous with a strong rudder on a ship; with it the ship successfully reaches the cruise destination, without it, the ship drifts aimlessly in the sea. I trust this strategic plan will be the rudder to guide Ovilla to her citizens' future destination."

-Council Member David Griffin



"The Ovilla strategic plan will move Ovilla forward, inviting business to join its citizens, Council, and staff generating economic development and improving the quality of life and its parks for the community."

-Council Member Doug Hunt

"The strategic plan helps us to manage growth and development in our community."

-Council Member Dean Oberg

EXECUTIVE SUMMARY

***Introduction*:** Communities need strategic planning because of the constant challenges they face throughout time. Strategic planning is the process by which members of the community envision its future and develop the goals and action steps necessary to achieve that future. In other words, strategic planning helps the community to create its own future. To be successful the strategic plan must be the tool by which all decisions can be evaluated.

***History*:** The Management Connection Inc. conducted a Needs Assessment with the Ovilla City Council on October 1st and 2nd of 2013. The council identified the strengths and opportunities and six (6) major areas;

1. Develop Community Vision, Mission, and Values.
2. Enhance the characteristics of our Community.
3. Create a Master Parks Plan that connects the Community.
4. Create a Capital Improvement Plan.
5. Develop Economic Development Plan.
6. Create strategy on how to "Show Case" the City of Ovilla during Heritage Day Festival.

On Saturday, November 9, 2013, the City of Ovilla held a Strategic Planning Conference with approximately 33 members of the community. The event was held at Ovilla's First Baptist Church. The participants were divided into six (6) teams in order to represent each focus area. The teams provided feedback on what they wanted to accomplish within the five (5) year time-frame. The teams provided the framework and content to develop the strategic goals for 2013-2018. Many of the participants commented that they enjoyed the conference because,

a) they were on the same page,
b) it was solutions focused, and
c) they had the opportunity to strengthen relationships.

The Mayor and Council expressed appreciation for everyone's participation.

The City Administrator met one on one with the Mayor and council members to review the draft of the strategic guide. They provided changes to the content. The changes were made on the strategic guide.

On December 11, 2013, TMC facilitated a Vision/ Mission workshop with the Mayor and council. They created and affirmed their Vision/Mission statement.

STRATEGIC GUIDE

VISION:

Ovilla is a safe, family and business friendly community with a small town feel.

MISSION:

We will demonstrate leadership and adopt policies that reflect the values of the citizens of the City of Ovilla.

VALUES:

1. Small Town feel
2. Close Knit Community
3. Integrity
4. Involved community
5. Business friendly

Ovilla is a safe, family and business friendly community with a small town feel.

Strengths	Opportunities
• Small town feel • Large lots • Quaint feeling • Low crime rate • Being close to Dallas/ Fort Worth • Close knit community • Nice People • Family friendly • Solid Financial Base • Manageable debt • High average income • Stable local gov. • High home value • Professional staff • Excellent Fire Dept.	• Residential development • 2,000 acres of undeveloped land • To maintain and increase property values • Commercial and residential opportunities from FM664/Ovilla Rd Development • Downtown development • Improve Park system • 10,000 homes at build out

* *data from the City's 2010 Comprehensive Land Plan*

GOAL STATEMENTS

1. Ensure future planning continues to enhance the characteristics of the City of Ovilla by December 2018.
2. Create a Master Parks Plan that connects the Community by December 2018.
3. Create a Capital Improvement Plan by December 2018.
4. Create an Economic Development Plan by April 2014.
5. "Showcase" the City of Ovilla during Heritage Day Festival by December 2018.

Goal Statement I:

Ensure future planning continues to enhance the characteristics of the City of Ovilla by December 2018.

Value of accomplishing this goal:

- Decisions made will be consistent with Vision, Mission, and Values.
- Provides a clear focus on the characteristics of the community.
- The community identified the characteristics in the strengths and values of this document.

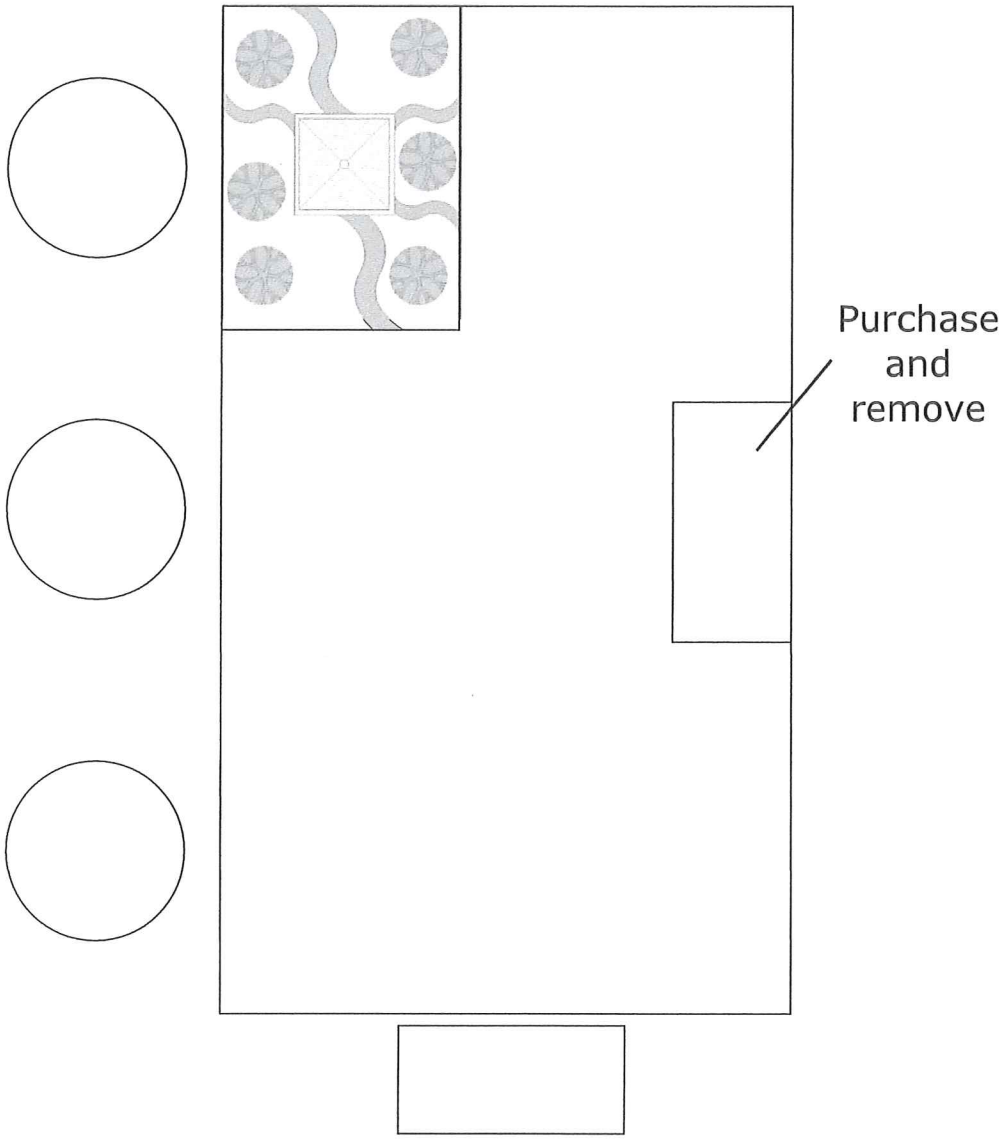
Action Steps	Target Date	Who	Comp Date
1. Invite the community to validate the Vision, Mission, and Values on regular basis decided by the council			
2. Attract high end residential develpment • Minimum 2,400 sq.ft. homes • Maintain our high standards for house and lot minimums			
3. Develop Entry Way Signage			
4. Review ordinances to ensure property values are maintained and/or increased			
5. Create opportunities for Citizen Involvement			
6. Continue to implement strategies that keep our community safe			
7. Educate Community on Ovilla's Emergency Preparedness Plan			

Goal Statement II:

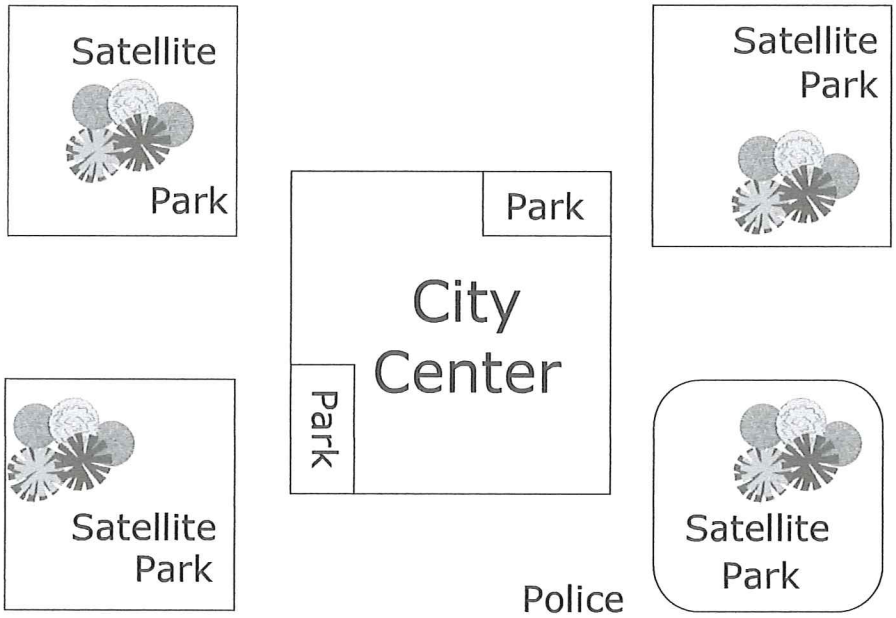
Create a Master Parks Plan that connects the community by December 2018.

Value of accomplishing this goal:

- Attracts families to the community.
- Encourages the citizens to participate in different activities.
- It supports the characteristics of Ovilla.



Action Steps	Target Date	Who	Comp Date
1. Develop Current Park			
2. Create satellite rec. areas around town			
3. Work with ORCS to develop park plan			
4. Establish ordinances that promote park/recreation areas in new developments			
5. Develop City Park Maintenance Plan			
6. Explore developing partnerships with other community entities for parks and recreation opportunities (churches)			



Goal Statement III:

Create Capital Improvement Plan by December 2018.

Value of accomplishing this goal:

- Provides a needs assessment of current status.
- Provides plan to move forward.
- Identifies funding options to be discussed and decided by Community

Action Steps	Target Date	Who	Comp Date
1. Need to identify challenges and potential shortfalls with additional development and current revenue rate			
2. Need to assess potential current and future water problems			
3. Need to assess the level of city services			
4. Develop strategy of how to increase water pressure			
5. Establish fund for major street/water/sewer repairs/capital equipment (such as fire engines)			

Goal Statement IV:

Create a Strategic Plan for Economic Development by April 2014.

Value of accomplishing this goal:

- Diversifies the tax base.
- Identifies economic opportunities.
- Will support the goals of the community.
- Will bring services to the citizens.

Action Steps	Target Date	Who	Comp Date
1. The Economic Development Plan must support Ovilla's Vision, Mission, Values, and Goals			
2. The plan needs to identify businesses that are desired and sustained by the economy			
3. The plan needs to address viable businesses for FM664/Ovilla Rd development			
4. Identify what the City's responsibility will be in supporting the infrastructure when FM664 to Westmoreland is completed			
5. The plan should explore business opportunities for the Downtown Improvement Plan			

Goal Statement V:

Show Case the City of Ovilla during the Heritage Day Festival by December 2018.

Value of accomplishing this goal:

- Creates Community.
- Reinforces the values of the community.
- Gives residents the opportunity to meet each other.

Action Steps	Target Date	Who	Comp Date
1. Create different marketing tools to attract high end residential developers			
2. Create different marketing tools to attract desired businesses			
3. Create large map of Ovilla that identifies properties available for residential/commercial development			

Critical Success Factors for Implementation

Council and Staff need to use the Strategic Guide to evaluate all decisions.

Staff needs to provide quarterly feedback on progress to Council and residents.

Staff needs to tie all agenda items to strategic goals.

Staff needs to identify completion of tasks in order to build confidence in the guide.

Council needs to validate priorities on an annual basis.

Process facilitated
and document designed by

The Management Connection Inc.
PROFESSIONAL FACILITATORS
979.846.4481
www.profacilitator.com

CITY OF OVILLA

Ovilla City Council

AGENDA ITEM REPORT

Item(s): 4 (City Secretary use only)

Meeting Date: February 10, 2014

Department: Fire Department

☒**Discussion** ☒**Action**

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

Submitted By: Staff

Amount: $18,531.00-Revenue

Attachments:

1. Resolution R2014-006
2. Revised Agreement received from ESD#4
3. Excerpt from Minutes of Regular Meeting-October 28, 2013 – Items 7 and 8
4. Excerpt from Minutes of Regular Meeting-December 09, 2013 – Item 8

Agenda Item / Topic:

ITEM 4. *DISCUSSION/ACTION* – ***Consideration*** of and action on Resolution R2014-006 authorizing the Mayor to execute an Interlocal Cooperation Agreement for Fire Protection and First Responder Services with Ellis County Emergency Services District #4 as revised.

Discussion / Justification:

In September 2013, the City began negotiations with Emergency Services District #4 (Board) to finalize the annual agreement to provide fire protection and first responder services to the District. The main issue was the new payment structure based on number of responses to the District and cost per response.

The negotiated Agreement was presented to City Council at the October 28, 2013 Council Meeting whereby Council approved the Agreement accepting the proposed reduced payment in return for the District's commitment to a future tax rate election in May 2014; requiring the lump sum amount of $18,531.00 be paid in three equal installments; and striking the indemnification language since governmental entities cannot indemnify another person or entity and the language was void as a matter of law. The revised Agreement was presented to the Board.

At the October 28, 2013 Council Meeting, Resolution 2013-013 was passed establishing a deadline of September 30, 2014 for the provision of fire services and first responder services by the Ovilla Fire Department to Emergency Services District #4.

The City learned that at the Board's November 04, 2013 meeting the Board rejected striking of the indemnification clause and asked City Council to reconsider reinstating the indemnification clause. At the December 09, 2013, Council meeting the City Council reinstated the indemnification language based on legal counsel's opinion that the language is voidable under Texas law.

The Agreement was considered by the Board at their February 03, 2014 meeting and Section 17 was revised striking the May 2014 date for a future tax rate election and modified to read "The District, *in good faith,* will pursue to hold an election ~~*in May 2014*~~ for the purpose of a tax rate increase to provide additional revenues for the District."

This item provides Council the opportunity to consider ESD#4 Board's modifications to the Agreement and consider Resolution R2014-006 authorizing the Mayor to execute an Interlocal Cooperation Agreement for Fire Protection and First Responder Services with Ellis County Emergency Services District #4 as revised.
Recommendation / Staff Comments:
Sample Motion(s):
I move to APPROVE/DENY Resolution R2014-006 authorizing the Mayor to execute an Interlocal Cooperation Agreement for Fire Protection and First Responder Services with Ellis County Emergency Services District #4 as revised.

RESOLUTION NO. R2014-006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS APPROVING THE TERMS AND CONDITIONS OF THE INTERLOCAL COOPERATION AGREEMENT BY, BETWEEN, AND AMONG ELLIS COUNTY EMERGENCY SERVICES DISTRICT #4 AND THE CITY OF OVILLA FOR FIRE PROTECTION AND EMERGENCY MEDICAL FIRST RESPONDER SERVICES TO THE DISTRICT, WHICH AGREEMENT IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; AUTHORIZING THE MAYOR TO SIGN SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented an Interlocal Cooperation Agreement by, between, and among Ellis County Emergency Service District #4 and the City of Ovilla to provide fire protection and emergency medical first responder services to the District, a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, upon full review and consideration of the Agreement, and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the Mayor should be authorized to execute the Agreement on behalf of the City of Ovilla, Texas.

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

SECTION 1.

That the Interlocal Cooperation Agreement by, between, and among Ellis County Emergency Service District #4 and the City of Ovilla to provide fire protection and emergency medical first responder services to the District, which Agreement is attached hereto as Exhibit "A," having been reviewed by the City Council of the City of Ovilla, Texas, is hereby, in all things approved; and, the Mayor is hereby authorized to execute the Agreement on behalf of the City of Ovilla, Ellis County, Texas.

SECTION 2.

That this Resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, this 10th day of February, 2014.

APPROVED:

_____

Richard Dormier, Mayor

ATTEST:

_____

Pamela Woodall, City Secretary

INTERLOCAL COOPERATION AGREEMENT
FIRE PROTECTION AND FIRST RESPONDER SERVICES

THIS AGREEMENT is made and entered into this 28th day of October, 2013, by and between Ellis County Emergency Services District #4, a political subdivision of the State of Texas, hereinafter referred to as "District" and the City of Ovilla, a municipal corporation located in Ellis County, Texas, hereinafter referred to as "City.";

WHEREAS, District is a duly organized political subdivision of the State of Texas engaged in the administration of the Ellis County Emergency Services district #4 and the provision of emergency services for the benefits of the residents of the District; and

WHEREAS, City is a municipal corporation, duly organized and operating under the laws of the State of Texas and is engaged in the provision of fire protection services and emergency medical first responder services for the benefit of the City of Ovilla; and

WHEREAS, city is the owner and operator of certain fire protection vehicles and other equipment designed for the extinguishing of fire and prevention of damage to property and injury to persons from fire and has in its employment and/or service trained personnel whose duties are related to the use of such vehicles and equipment as well as the provision of emergency medical services in the capacity of a first responder; and

WHEREAS, District and City mutually desire to be subject to and contract pursuant to provisions of the Government Code, Chapter 791, the Interlocal Cooperation Act, and Chapter 352 of the Local Government Code,

NOW, THEREFORE, District and City, for the mutual promises, covenants, agreements and consideration stated herein, agree as follows:

SECTION 1
TERM

The term of this Agreement shall be for the period of Oct. 1, 2013 to and through Sept. 30, 2014.

SECTION 2
SERVICES PROVIDED

The services to be rendered in accordance with this Agreement by City are the fire protection and emergency medical first responder services normally rendered by City to citizens of Oak Leaf and to the areas determined by agreement with the Ovilla Fire Chief as stated in Exhibit A of this agreement.

SECTION 3
RESPONSE AREA AND DISPATCH PROCEDURES

The Fire Chief for the City of Ovilla will establish response criteria, response area, and dispatch procedures for all calls within the boundaries of the District as stated in Exhibit A of this agreement. Boundaries of ESD #4 may be identified by the ROISD boundaries. The cities of Oak Leaf and Pecan Hill are included in the boundaries of ESD #4. The city of Red Oak, Ovilla and Glenn Heights do not fall within the boundaries of the ESD #4.

SECTION 4
9-1-1 COORDINATOR

The Ellis County 9-1-1 Coordinator will be the 9-1-1 Coordinator for ESD #4.

SECTION 5
COMPENSATION

The fiscal year shall be the first day of October to the last day of September. The Fire Chief shall submit an annual budget request to the ESD Board for approval prior to the start of the fiscal year. Typically the Fire Chief will complete this process during the preparation of the city budget process.

The District agrees to pay the City ~~from the budgeted available funds based on annual run averages divided into the budgeted available funds. This would result in an average run cost of $213.00 and would currently provide the City with~~ $18,531.00~~, of the projected revenue~~. Payments will be made in three (3) equal payments throughout the fiscal year. These payments will be made in January, May and September of the contract year. Payment is to be delivered to the ~~Fire Chief~~ City, 105 S. Cockrell Hill Rd. The District will be solely liable for these payments from its revenues and the title to capital equipment purchase shall be vested in the City.

RDD 10/31/13 DN 2/3/14

DN RDD 10/31/13

SECTION 6
DISTRICT'S OFFICE

The District will designate 547 N. Methodist, Central Fire Station, as the District's office as required by Section 775.036 (f) of the Texas Health and Safety Code. The District will also have use of a computer workstation in the Fire Station, computer server hard drive space for District's accounting software and documents, and area for a District filing cabinet. The Fire Chief will determine access to the Fire Station and use of a computer workstation by District Emergency Commissioners. The District may use the Fire Station training room for District meetings, or other events as agreed upon in advance by the Fire Chief.

SECTION 7
MONTHLY REPORTS

The City will provide the District monthly fire department fire and EMS response reports to responses in the District. The reports should include response times, incident types, and department activity in the District. The District will use these reports for District Fire/EMS service plan upgrades to meet State and National standards.

SECTION 8
TERMINATION

This Agreement may be terminated at any time, by either party giving sixty (60) days advance written notice to the other party. In the event of such termination by either party, City shall be compensated pro rata for all services performed to termination date, together with reimbursable expenses then due and as authorized by this Agreement.

SECTION 9
ENTIRE AGREEMENT

This Agreement represents the entire and integrated Agreement between District and City and supersedes all prior negotiations, representations, and/or Agreements, either written or oral. Except as otherwise specifically provided, any change in the terms of this contract shall be made by an amendment in writing and signed by both District and City.

SECTION 10
GOVERNMENTAL IMMUNITY

The fact that District and City accept certain responsibilities relating to the rendition of fire protection services and emergency medical services (first responder) under this Agreement as a part of their responsibility for providing protection for the public health, makes it imperative that the performance of these vital services be recognized as a governmental function and that the doctrine of governmental immunity shall be and it is hereby invoked to the extent possible under the law. Neither District nor City waives nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to it against claims arising from the exercise of government powers and functions.

SECTION 11
INDEPENDENT CONTRACTOR

It is understood and agreed that the services of the City are furnished by Ovilla as an independent contractor and City shall exercise independent discretion and judgment to determine the method, manner and means of performance of its contractual obligations. City agrees to hold the District harmless and indemnify it against any other claims that may be asserted by any third party occurring in connection with the services to be performed by the City under this agreement.

SECTION 12
LEGAL AUTHORITY

The City represents that it possesses the practical ability and legal authority to enter into this contract, receive and manage the funds authorized by this contract, and to perform the services the City is obligated to perform hereunder.

The person signing this contract on behalf of the City warrants that he has been duly authorized by the City to execute this agreement on behalf of the City and to bind the City to all terms herein set forth.

The person signing this contract on behalf of the District warrants that he has been duly authorized by the District to execute this agreement on behalf of the District and to bind the District to all terms herein set forth.

SECTION 13
SEVERABILITY

In the event that any portion of this Agreement shall be found to be contrary to law, it is the intent of the parties hereto that the remaining portions shall remain valid and in full force and effect to the extent possible.

SECTION 14
EXHIBITS

The exhibits identified below are a part of this agreement:

1. Exhibit A (Response Procedures).
2. Exhibit B (District Map).

SECTION 15
ASSIGNMENT

This Agreement may not be assigned by any party hereto without the prior written consent of the other party. No assignment, delegation of duties or subcontract under this Agreement shall be effective without the prior written consent of the other party hereto

SECTION 16
GOVERING LAW

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

SECTION 17
MISCELLANEOUS

The District IN GOOD FAITH will pursue to hold an election ~~In May 2014~~ for the purpose of a tax rate increase to provide additional revenues for the District. DN 2/5/14

SECTION 18
NOTICE TO PARTIES

Any notice to be given hereunder by either party to the other shall be in writing and may be affected by personal delivery in writing or by certified mail, return receipt requested.

Notice to District:

Attn: Ernest Martinek- ESD #4 Pres.
P.O. Box 2763
Red Oak, Texas 75154

Notice to City:

Attn: Fire Chief Phillip Brancato
Ovilla Fire Department
105 S. Cockrel,l Hill Rd,
Ovilla, Texas 75154

Signed this _____ day of _____, 2013.

ELLIS COUNTY EMERGENCY SERVICES DISTRICT #4

By: Dick Maxwell 2/5/14

Its: PRESIDENT

CITY OF OVILLA, TEXAS

CITY OF OVILLA

By: _____

Mayor

Attest:

_____

City Secretary

EXHIBIT A

Agreement of response area, response criteria, and dispatch procedures between Red Oak Fire Rescue (ROFR) and Ovilla Fire Department (OFD):

A. All of the ESD has been divided into response areas known as Box Numbers. These Box Numbers stipulate which Station has the shortest run time to this area within the Box. Red Oak Box Numbers are 8000 and 9000 series. Ovilla Fire Department Box Numbers are 7000 series.
B. ROFR response to ESD
   1. ROFR will provide a first responder company from the closest station to all EMS calls throughout the ESD.
   2. If no ROFR first responder is available, ROFR will notify ETEMS and make notification. ETEMS shall indicate if mutual aid is requested.
   3. If ROFR is unable to respond first responder service, ROFR will request first responder service from OFD.
   4. ROFR will respond to all Structure Fire calls throughout the ESD.
   5. ROFR will respond to all other calls in the ESD with the exception of those occurring in the 7000 series of Box Numbers.
   6. ROFR will respond to any other call in the 7000 series of Box Numbers if OFD is unavailable, or anytime requested by OFD.
C. OFD Response to ESD
   1. OFD will provide first EMS to calls occurring in the 7000 series of Box Numbers.
   2. OFD will respond to all calls occurring within the 7000 series of Box Numbers.
   3. OFD will respond to any other fire or EMS call in the ESD if ROFR is unavailable, or anytime requested by ROFR.
D. Simultaneous Response and Special Circumstances
   1. On all calls where both departments are dispatched simultaneously, the first arriving department shall advise the other department whether to continue to the scene, stage at the intermediate location, or return to their station.
   2. Special circumstances such as drought, severe weather, or equipment out-of-service may necessitate a response identical to Structure Fires on other types of incidents. The Chiefs of the ROFD and the OFD will mutually determine the types of calls and the time period of this variance.
E. Dispatch Procedures
   1. The Northern Ellis Emergency Dispatch (NEED) Center (Dispatch) has been provided with a map that outlines the response areas (Box Numbers) as defined in this agreement.
   2. If Dispatch fails to tone-out either ROFD or OFD as specified above, the department not dispatched will immediately request the Dispatcher to transmit the proper tone-out and will initiate the correct response to the call.

EXHIBIT B
DISTRICT MAP

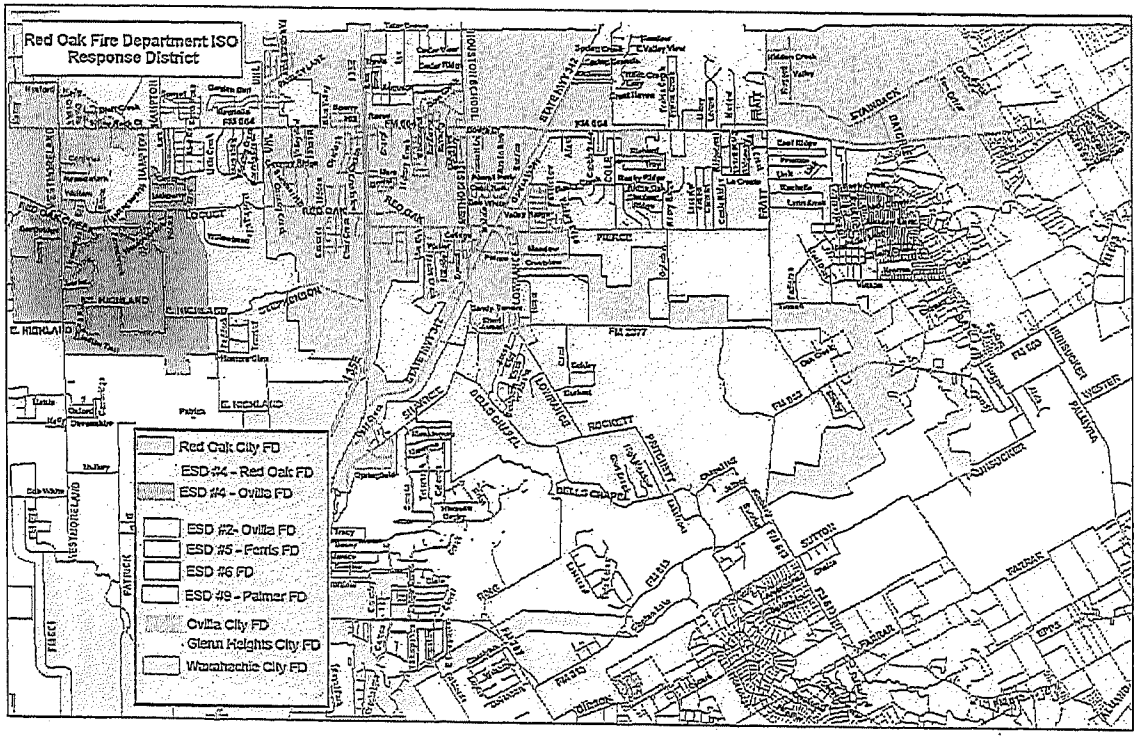


Exhibit B

TM 56672

EXCERPT from October 28, 2014 Approved Council Meeting Minutes:

ITEM 7. ***DISCUSSION/ACTION – Consider approval*** to authorize the Mayor to execute an Interlocal Cooperation Agreement for Fire Protection and First Responder Services with Ellis County Emergency Services District #4.

Fire Chief Brancato and the City Administrator met with the ESD Board to negotiate the FY2013-2014 agreement and agreed to accept their offer of $18,531 for services for this year if they agreed to commit to an election in May 2014 to increase the tax rate. City Administrator Ms Powell made several suggestions for revisions to the agreement:

1. Not agree to funding based on average runs, but to the lump sum of $18,531
2. Strike last sentence of page 4, Section 11-requiring the City to indemnify and hold harmless the district
3. Page 5, Section 17 – acknowledge that the Board is committed to an election in May 2014

It was inquired how (or if) a denial of this contract would affect the City's ISO rating. PL3 Griffin stated that he had learned from a former council member that Ovilla may be in jeopardy of losing their ISO rating based on various grounds: Ovilla sold certain truck(s) that may be vital to the rating and that having only a part-time fire marshal and/or a part-time fire chief (as opposed to full-time) posed detrimental to the rating also. PL3 Griffin asked Chief Brancato to share factual information regarding Ovilla's ISO. Chief Brancato stated that staffing was in better shape now than ever. Ovilla's part-time fire marshal was certified which Ovilla did not have in the past, therefore, would increase credits. A full-time fire chief is not considered during the collective point system of ISO. Ovilla did sell a rehab vehicle that was declared as a back-up truck but because of current staffing, (and staffs' certifications) Ovilla could potentially acquire more credits than before.

Mr. Craig Wilson, Mayor of Oak Leaf signed up to speak and was invited to address Council. Mr. Wilson admitted that there was a tax rate inequity and asked that Council continue to serve ESD #4, and that he would do anything possible to assist in an election for a tax rate increase.

PL3 Griffin moved that Council approves the Mayor to execute an Interlocal Agreement for Fire Protection and First Responder Services with Ellis County Emergency Services District #4 with the noted revisions, seconded by PL2 Stevenson. *Mayor Dormier asked for an announcement of AYE or NAY from Council. Present Council announced AYE in favor. No oppositions, no abstentions.*
VOTE: The motion carried unanimously: 4-0.

ITEM 8. ***DISCUSSION/ACTION – Consider approval*** of a Resolution 2013-013 of the City Council of the City of Ovilla, TX, establishing a deadline of September 30, 2014 for the provision of Fire Services and First Responder Services by the Ovilla Fire Department to Emergency Services District #4. The Resolution is to support the ESD's initiative to obtain an increase in funding for the services provided by Ovilla (and Red Oak's) Fire Departments.

PL2 Stevenson made the motion that Council approves Resolution 2013-013, establishing a deadline of September 30, 2014 providing Fire Protection Services and First Responder Services by the Ovilla fire Department to Emergency Services District #4, seconded by PL3 Griffin. *Mayor Dormier asked for an announcement of AYE or NAY from Council. Present Council announced AYE in favor. No oppositions, no abstentions.*
VOTE: The motion carried unanimously: 4-0.

EXCERPT from the December 09, 2013 Approved Council Meeting Minutes:

EXECUTIVE SESSION

Mayor Dormier moved the order of the agenda to address Item 8, Executive Session, at 7:36 p.m.
The City Council will meet in a closed session pursuant to Section 551.071 of the Texas Government Code to consult with, and seek advice from, the City Attorney on a matter in which the duty of the City Attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of the Texas Open Meetings Act regarding the Ellis County Emergency Services District #4.

ITEM 8. ***DISCUSSION/ACTION*** – Consideration of and action on the Interlocal Agreement for Fire Protection and First Responder Services with Ellis County Emergency Services District #4.

Mayor Dormier and Council reconvened into Open Session at 7:47 p.m.
PL3 Griffin made the motion that language "indemnify" be reinstated in Section 11 of the contract, move to approve and allow the Mayor to execute the Interlocal Agreement for Fire Protection and First Responder Services with Ellis Council Emergency Services District #4, seconded by PL2 Stevenson. *Mayor Dormier asked for an announcement of AYE or NAY from Council. Present Council announced AYE in favor. No oppositions, no abstentions.*
VOTE: The motion carried unanimously: 5-0

CITY OF OVILLA

Ovilla City Council

AGENDA ITEM REPORT

Item(s): **5** (City Secretary use only)

Meeting Date: February 10, 2014

Department: Public Works Department

☒**Discussion** ☒**Action**

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

Submitted By: Staff

Amount: $8,000.00

Attachments:

1. Resolution R2014-007
2. Engineering Services Agreement - Birkhoff, Hendricks and Carter, L.L.P.

Agenda Item / Topic:

ITEM 5. *DISCUSSION/ACTION – Consideration* of and action on Resolution R2014-007, authorizing the Mayor to execute an Agreement with Birkhoff, Hendricks and Carter, LLP, Consulting Engineers, for a Storm Water Management Plan Study.

Discussion / Justification:

The Texas Commission on Environmental Quality (TCEQ) issued the Texas Pollutants Discharge Elimination System (TPDES) General Permit No. TXR040000 for discharges from small municipal separate storm sewer systems (MS4s) on August 16, 2013 requiring amendment and reissuance of a General Storm Water Permit for Phase II MS4s.

The Permit took effect December 13, 2013 and requires previously permitted MS4s, such as the City of Ovilla, to revise their Storm Water Management Plan (SWMP). The SWMP is a five-year plan of best management practices (BMP) to address storm water management.

The engineering firm Birkhoff, Hendricks and Carter, LLP, prepared the City's prior BMPs in the SWMP and has provided the enclosed professional engineering services proposed Agreement to complete the 2014 Storm Water Management Plan Study in an amount not to exceed $8,000.00. The plan requires the Notice of Intent to be completed by June 11, 2014.

This item was not budgeted for fiscal year 2013-2014 and therefore the subsequent item will provide for consideration of a Budget Amendment.

Recommendation / Staff Comments:

Staff recommends approval of Resolution R2014-007 authorizing the Mayor to execute an Agreement with Birkhoff, Hendricks and Carter, LLP, Consulting Engineers, for a Storm Water Management Plan Study. Upon completion of the 2014 Storm Water Management Plan, the firm will present the document to the City Council for consideration and adoption.

Sample Motion(s):

I move that Council APPROVE/DENY Resolution R2014-007, authorizing the Mayor to execute an Agreement with Birkhoff, Hendricks and Carter, LLP, for a Storm Water Management Plan Study as presented.

RESOLUTION NO. R2014-007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS APPROVING THE TERMS AND CONDITIONS OF THE ENGINEERING SERVICES AGREEMENT TO PREPARE A REVISED STORM WATER MANAGEMENT PLAN BY, BETWEEN, AND AMONG BIRKHOFF, HENDRICKS AND CARTER, L.L.P. AND THE CITY OF OVILLA, WHICH AGREEMENT IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; AUTHORIZING THE MAYOR TO SIGN SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented an Engineering Services Agreement by, between, and among Birkhoff, Hendricks and Carter, L.L.P. and the City of Ovilla to prepare a revised Storm Water Management Plan, a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, upon full review and consideration of the Agreement, and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the Mayor should be authorized to execute the Agreement on behalf of the City of Ovilla, Texas.

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

SECTION 1.

That the Engineering Services Agreement by, between, and among Birkhoff, Hendricks and Carter, L.L.P. and the City of Ovilla to prepare a revised Storm Water Management Plan, which Agreement is attached hereto as Exhibit "A," having been reviewed by the City Council of the City of Ovilla, Texas, is hereby, in all things approved; and, the Mayor is hereby authorized to execute the Agreement on behalf of the City of Ovilla, Ellis County, Texas.

SECTION 2.

That this Resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, this 10th day of February, 2014.

APPROVED:

_____

Richard Dormier, Mayor

ATTEST:

_____

Pamela Woodall, City Secretary

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600 Dallas, Texas 75243 Fax (214) 461-8390 Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.
JOSEPH T. GRAJEWSKI, III, P.E.
DEREK B. CHANEY, P.E.

January 30, 2014

Mr. Brad Piland
Director of Public Works
105 S. Cockrell Hill
Ovilla, Texas 75154

Re: Engineering Proposal

Dear Mr. Piland:

As you requested, we are pleased to submit our professional services agreement for the 2014 Storm Water Management Plan Study. Enclosed is our proposal for the professional engineering services on this study which is a maximum overall fee not to exceed $8,000.00.

We are enclosing two executed copies of our proposed agreement of professional engineering services for this study, for your review. If this agreement meets with your approval, please have it signed and return one fully executed original to our office. We look forward to working with you and your staff on this study and are available to discuss this proposal further at your convenience

Sincerely yours,

Andrew Mata Jr., P.E

ENGINEERING SERVICES AGREEMENT

THIS AGREEMENT is made and entered into by and between the **City of Ovilla, Texas**, hereinafter referred to as "City", and **Birkhoff, Hendricks & Carter, L.L.P.**, hereinafter referred to as "Engineer", to be effective from and after the date as provided herein.

W I T N E S S E T H:

WHEREAS, the City desires to engage the services of the Engineer to prepare a revised **Storm Water Management Plan** in accordance with the TCEQ 2013 Requirements for the City of Ovilla, Texas, hereinafter referred to as the "Project"; and

WHEREAS, the Engineer desires to render such engineering services for the City under the terms and conditions provided herein.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the covenants contained herein, and for the mutual benefits to be obtained hereby, the parties hereto agree as follows:

I. Employment of the Engineer

The City hereby agrees to retain the Engineer to perform professional engineering services in connection with the Project; Engineer agrees to perform such services in accordance with the terms and conditions of this Agreement.

II. Scope of Services

The parties agree that Engineer shall perform such services as are set forth and described in Exhibit "A", which is attached hereto and thereby made a part of this Agreement. The parties understand and agree that deviations or modifications, in the form of written changes may be authorized from time to time by the City.

III. Schedule of Work

The Engineer agrees to commence services immediately upon execution of this Agreement, and to proceed diligently with said service to completion as described in the Completion Schedule attached hereto as Exhibit "B" and thereby made a part of this Agreement.

IV. Compensation and Method of Payment

The parties agree that Engineer shall be compensated for all services provided pursuant to this Agreement in the amount and manner described and set forth in the Rate Schedule attached hereto as Exhibit "C" and thereby made a part of this Agreement. Engineer further agrees that it will prepare and present such monthly progress reports and itemized statements as are described in said Exhibit "C". City agrees to pay invoices upon receipt.

V. Information to be Provided by the City

The City agrees to furnish annual reports and Stormwater Plan submitted to the State in previous years, if available.

VI. Insurance

Engineer agrees to procure and maintain for the duration of the contract Professional Liability Insurance ($1,000,000), Worker's Compensation, General Liability and Automobile Insurance.

VII. Assignment and Subletting

The Engineer agrees that neither this Agreement nor the services to be performed hereunder will be assigned or sublet without the prior written consent of the City. The Engineer further agrees that the assignment or subletting of any portion or feature of the work or materials required in the performance of this Agreement shall not relieve the Engineer from its full obligations to the City as provided by this Agreement.

VIII. Audits and Records

The Engineer agrees that at any time during normal business hours and as often as City may deem necessary, Engineer shall make available to representatives of the City for examination all of its records with respect to all matters covered by this Agreement, and will permit such representatives of the City to audit, examine, and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment and other data relating to all matters covered by this Agreement, all for a period of one year from the date of final settlement of this Agreement or for such other or longer period, if any, as may be required by applicable statute or other lawful requirement.

IX. Contract Termination

The parties agree that City or the Engineer shall have the right to terminate this Agreement without cause upon thirty (30) days written notice to the other. In the event of such termination without cause, Engineer shall deliver to City all finished or unfinished documents, data, studies, surveys, drawings, maps, models, reports photographs or other items prepared by Engineer in connection with this Agreement. Engineer shall be entitled to compensation for any and all services completed to the satisfaction of City in accordance with the provisions of this Agreement prior to termination.

X. Engineer's Opinion of Cost

The parties recognize and agree that any and all opinions of cost prepared by Engineer in connection with the Project represent the best judgment of Engineer as a design professional familiar with the construction industry, but that the Engineer does not guarantee that any bids solicited or received in connection with the Project will not vary from the opinion by the Engineer.

XI. Ownership of Documents

Original drawings, specifications and reports are the property of the Engineer; however, the Project is the property of the City. City shall be furnished with such reproductions of drawings, specifications and reports. Upon completion of the services or any earlier termination of this Agreement under Article X, Engineer will revise drawings to reflect changes made during construction as reported by the City and the contractor, and he will furnish the City with one (1) complete set of reproducible and electronic (PDF format) file copy in one (1) compact disc CD. Additional prints shall be furnished at cost, as an additional service, at any other time requested by City.

XII. Complete Contract

This Agreement, including the exhibits hereto numbered "A" through "C" constitutes the entire agreement by and between the parties regarding the subject matter hereof.

XIII. Mailing of Notices

Unless instructed otherwise in writing, Engineer agrees that all notices or communications to City permitted or required under this Agreement shall be addressed to City at the following address:

Mr. Brad Piland
Director of Public Works
City of Ovilla
105 S. Cockrell Hill Rd.
Ovilla, Texas 75154

City agrees that all notices or communications to Engineer permitted or required under this Agreement shall be addressed to Engineer at the following address:

Andrew Mata Jr., P.E.
Birkhoff, Hendricks & Carter, L.L.P.
11910 Greenville Ave., Suite 600
Dallas, Texas 75243
Phone: (214) 361-7900
Fax: (214) 461-8390
amata@bhcllp.com

All notices or communications required to be given in writing by one party or the other shall be considered as having been given to the addressee on the date such notice or communication is posted by the sending party.

XIV. Contract Amendments

This Agreement may be amended only by the mutual agreement of the parties expressed in writing.

XV. Effective Date

This Agreement shall be effective from and after execution by both parties hereto.

WITNESS OUR HANDS AND SEALS on the date indicated below.

CITY OF OVILLA, TEXAS

By: _____
Richard Dormier, Mayor

Date: _____

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

By: _____
Andrew Mata Jr., P.E., Partner

Date: _____

ATTEST

By: _____

EXHIBIT "A"

SCOPE OF SERVICES

1. Meet with City to discuss previous plan and annual reports. Discuss completed and incomplete implementations from previous plan.

2. Prepare a revised 5-Year Storm Water Management Plan in accordance with TCEQ 2013 requirements.

3. Submit five (5) preliminary copies to staff for review

4. Submit fifteen (15) final copies to the City for implementation.

5. Prepare TCEQ Notice of Intent due on June 11, 2014.

6. Update the Annual Storm Water Management Plan Budget for a 5-year period.

7. Meet with City staff to discuss revised Storm Water Management Plan.

8. Make presentation to City Council for adoption of a Storm Water Management Plan.

9. All meetings, scheduling and publishing of public notices shall be completed by the City.

EXHIBIT "B"

COMPLETION SCHEDULE

Notice to Proceed	February 11, 2014
Begin Storm Water Management Plan Analysis	February 11, 2014
Complete Preliminary Storm Water Management Plan	February 28, 2014
Meet with City to discuss Preliminary Plan	March 7, 2014
Complete Final Storm Water Management Plan	March 28, 2014
Begin 5-Year Budget	March 31, 2014
Complete Preliminary 5-Year Budget	April 18, 2014
Meet with City to Discuss 5-Year Budget	April 25, 2014
Complete Budget	May 9, 2014

EXHIBIT "C"

RATE SCHEDULE

Payment for engineering services shall be based on the following fee schedule. Mileage at 0.50¢ per mile. The maximum overall fee shall not to exceed **$8,000.00**. The City shall be invoiced monthly based on percent complete, with payment due upon receipt.

FEE SCHEDULE

Classification/Task	Straight Time (Rate)
Partner-in-Charge	$240.00
Project Manager	$195.00
Design Engineer	$148.00
Engineer in Training	$119.00
AutoCAD III	$132.00
AutoCAD II	$118.00
AutoCAD I	$98.00
Word Processor	$109.00
Clerical	$101.00
Survey Crew	$160.00
Plotting Services	$5.00 /plot
Mileage	0.50 ¢/mile
Delivery Service	$50.00
Reproduction (Invoice times 1.15)	

CITY OF OVILLA

Ovilla City Council

AGENDA ITEM REPORT

Item(s): **6** (City Secretary use only)

Meeting Date: February 10, 2014

Department: Public Works Department

☒**Discussion** ☒**Action**

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

Submitted By: Staff

Amount: $8,000.00

Attachments:

1. Ordinance 2014-003
2. Completed Budget Revision Form

Agenda Item / Topic:

ITEM 6. *DISCUSSION/ACTION – Consideration* of and action on Ordinance 2014-003 of the City of Ovilla amending the Fiscal year 2013-2014 General Fund Budget and annual program of services for an adjustment of $8,000 for an expenditure for the Storm Water Management Plan Study.

Discussion / Justification:

The City of Ovilla, an MS4 (small municipal separate storm sewer system) is required to complete a 2014 Storm Water Management Plan Study as described in Item 5. Approval of the previous item authorizing the Agreement with Birkhoff, Hendricks and Carter, LLP, Consulting Engineers, for a Storm Water Management Plan Study in an amount not to exceed $8,000 requires a budget amendment.

Recommendation / Staff Comments:

Staff recommends approval of Ordinance 2014-003 for a FY 2013-14 Budget Amendment to allow for professional engineering services for a 2014 Storm Water Management Plan Study.

Sample Motion(s):

I move that Council APPROVE/DENY Ordinance 2014-003 Amending the Fiscal Year 2013-14 General Fund Budget and Annual Program of Services for the City of Ovilla to allow for an adjustment of $8,000 for expenditures for professional engineering services for a 2014 Storm Water Management Plan Study in accordance with the TCEQ 2013 requirements.

ORDINANCE 2014-003

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING THE FISCAL YEAR 2013-14 GENERAL FUND BUDGET AND ANNUAL PROGRAM OF SERVICES FOR THE CITY OF OVILLA TO ALLOW FOR AN ADJUSTMENT OF $8,000 FOR EXPENDITURES FOR PROFESSIONAL ENGINEERING SERVICES FOR A 2014 STORM WATER MANAGEMENT PLAN STUDY PROVIDING FOR PUBLICATION OF THIS ORDINANCE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance No.2013-023, the City Council of the City of Ovilla, Texas approved the Fiscal Year 2013-14 Operating Budget and Annual Program of Services (the Budget);

WHEREAS, the City Council approved the use of contingency reserve funds from the General Fund identified in the FY 2013-14 Budget, to be included in the General Fund Budget line item designated as Engineering Fees in the 2013-14 Operating Budget and that a use of said funds will be used to off-set the **$8,000** in increased expenditures for professional services for the Storm Water Management Plan Study.

WHEREAS, the City Council finds that this budget amendment also serves an important municipal purpose, consistent with §102.010 of the Texas Local Government Code;

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

SECTION ONE

The FY2013-14 General Fund Budget findings set forth in the above preamble to this ordinance are true and correct, and hereby adopted.

SECTION TWO

The amounts listed on the attached Budget Revision Requests are hereby appropriated out of their respective and designated funds.

SECTION THREE

The General Fund 2013-14 Budget is hereby amended by the City Council to allow a budget adjustment of **$8,000** to compensate for the expenditure for professional contractual services with Birkhoff, Hendricks & Carter, LLP, Professional Engineers for the 2014 Storm Water Management Plan Study in accordance with the TCEQ 2013 requirements.

PASSED AND APPROVED ON THIS 10th DAY OF February 2014.

_____
Richard Dormier, MAYOR

ATTEST:

_____
Pamela Woodall, CITY SECRETARY

City of Ovilla
Budget Revision Request

Date: 2-5-14

Name: Brad Piland

Department: Streets

Acct. Description.: Engineering Fees

Account # 5102260

Current Budget: 1,000.00

Amount: 8,000.00

New Budget Total: 9,000.00

Acct. Description. Reserve for Contingency

Account # 5109001

Current Budget: 24,450.00

Amount: -8,000.00

New Budget Total: 16,000.00

Explanation:

Prepare a revised Storm Water Management Plan in accordance with the TCEQ 2013 requirements.

Department Head Signature: Brad Piland

City Administrator Only

Comments:

Approved Not Approved

Cynthia Romer

City Administrator

Date: 2-5-2014

CITY OF OVILLA

Ovilla City Council

AGENDA ITEM REPORT

Item(s): 7 (City Secretary use only)

Meeting Date: February 10, 2014

Department: Administration

☒**Discussion** ☒**Action**

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

Submitted By: Staff

Amount: $undetermined

Attachments:

1. Trinity River Authority Letter – January 31, 2014

Agenda Item / Topic:

ITEM 7. *DISCUSSION/ACTION – Consider* two Council appointments including ex-officio Member Mayor Dormier, establishing a City Council Finance Committee and consider scheduling a date and time of the committee meeting.

Discussion / Justification:

The Trinity River Authority of Texas (TRA) is contracted by the City to process wastewater for those residents on sanitary sewer through the Red Oak Creek Regional Wastewater System (ROC). TRA formally notified the City on January 31, 2014 of irregularities in the wastewater flow meter data versus the amount of wastewater TRA bills the City.

The Committee will review the data from TRA and the City's data and make a recommendation to Council at a future meeting.

TRA representatives are available to present to the Committee on Tuesday, February 18, 2014 at 7:00 p.m., Thursday, February 20, 2014 at 6:00 p.m., or Monday, February 24, 2014 at 6:00 p.m. prior to the Regular Meeting of the City Council.

Recommendation / Staff Comments:

Sample Motion(s):

I move to APPROVE/DENY the establishment of a City Council Finance Committee and appoint Council Members _____ and _____ be appointed to the committee along with ex-officio Mayor Dormier.

AND –

I move to schedule a date and time of the committee meeting to: ___date___ at __time__ am/pm in the City Hall Conference Room.

Trinity River Authority of Texas

Northern Region Office

3826.635.060

January 31, 2014

Ms. Cyndy Powell
City Administrator
City of Ovilla
105 South Cockrell Hill Road
Ovilla, Texas 75154

Re: Trinity River Authority
Red Oak Creek Regional Wastewater System
City of Ovilla Wastewater Flows

Dear Cyndy:

Thank you again for the opportunity to meet with you and Brad Pilad concerning the wastewater flows for the City of Ovilla. As we discussed, the Authority began with the installation of meter telemetry software (Telelog) that allows our Collection System staff to obtain real time meter data for the Authority's wastewater meters. Following the successful installation and use in the Central Regional Wastewater System, the Authority pursued installation of Telelog in the Red Oak Creek Wastewater System (RCRWS).

In July 2013, installation of the Telog system at Meter Station Cedar Hill 1 (MSCH1) and Meter Station Ovilla 1 (MSOV1) was initiated. Recorders and modems were installed at these meter stations. Ovilla wastewater flows are calculated based on the flow data from MSOV1 (downstream) reduced by the flows in MSCH1 (upstream). During the calibration and QA/QC procedures, Authority staff noticed the wastewater flows being recorded for MSOV1 appeared to be substantially higher than anticipated, based on the amount of wastewater which was being billed to the City of Ovilla. We provided you with a graphic of the metering arrangements in our January 29, 2014 meeting.

Staff conducted additional calibration testing at both MSCH1 and MSOV1 and found the meters to be functioning appropriately. Temporary meters were also placed directly downstream of these two metering stations to gather independent data. In addition, the Authority requested, and received from the City of Ovilla, water consumption records for those Ovilla customers who are served by sanitary sewer that flows to RCRWS. In comparing flows registered by the temporary meters to their respective upstream metering stations, MSCH1 and MSOV1 were again found to be functioning appropriately. Staff also compared the water consumption records to the wastewater flow data and found that the relationship between the two verified the flows from Ovilla to ROCRWS appeared correct.

In our meeting we supplied you with the monthly flows for all contracting parties in ROCRWS for FY 2013.

P.O. Box 240
Arlington, Texas 76004-0240
(817) 493-5100

The Authority is currently conducting year end auditing of our wastewater flows and billings. As a result, the budgeted flows and revenues for Ovilla are insufficient to meet the actual flows and revenue requirements for FY 2013, which begins December 1, 2012 and concludes November 30, 2013. Our findings are summarized as follows:

- For FY 2013 (12/01/12 – 11/30/13) Average daily flow provided by Ovilla for the budget was estimated to be 0.025 million gallons per day (MGD). Ovilla's share of the ROCRWS budget was 0.758% or $40,480.

- Actual flows for Ovilla during that time period are 0.118 MGD. Actual flows to ROCRWS totaled 2.847 MGD. Therefore Ovilla's share of the ROCRWS revenue requirements for FY 2013 is 4.145% or $212,587.37. This amount is reduced by payments of $40,480 for an end of year balance due of $176,623.37.

- For Fiscal 2014, which began on December 1, 2013, the revenue requirements budgeted for Ovilla's contribution to ROCRWS is $47,047 ($3,921 monthly). To date, Ovilla has been billed for three months of the revenue requirement totaling $11,763.

- For FY 2014, the ROCRWS revenue requirement from all contracting parties is $6,134,202.00. Based on the actual FY2013 flows, at 0.118 MGD, the estimated revenue requirements for Ovilla would be 3.520% of the system. This totals $215,941.48. The outstanding amount to be owed by Ovilla for FY 2014 would be $204,178.48 ($251,941.48 - $11,763). Should Ovilla elect to pay this balance over the remainder of FY 2014 in nine equal payments, the monthly revenue requirement of the Authority would be $22,686.50.

- We would be happy to discuss the option of waiting for the mid-year reallocation period or end of year settle up for payment adjustments, if desired.

Again, we appreciate your taking time to meet with us to discuss this situation. Should you require any additional information, please let me know.

Sincerely,

Fiona Allen

FIONA M. ALLEN, P.E.
Regional Manager
Northern Region

FMA/cea

c: J. Kevin Ward, General Manager
Julia J. Hunt, P.E., Asst. Regional Manager/Operations
John N. Durbin, Collection Systems Manager

CITY OF OVILLA

Ovilla City Council

AGENDA ITEM REPORT

Item(s): **8** (City Secretary use only)

Meeting Date: February 10, 2014 | **Department: Administration**

☒**Discussion** ☒**Action** | **Budgeted Expense:** ☐**YES** ☐**NO** ☒**N/A**

Submitted By: Staff | **Amount: $N/A**

Attachments:

1. Resolution R2014-008
2. Copy of the original Bank Agreement letter & a copy of the original Bank Resolution
3. Excerpt from contract referencing term
4. Prosperity Bank document extending the depository contract

Agenda Item / Topic:

ITEM 8. *DISCUSSION/ACTION – Consideration* of and action on Resolution R2014-008 authorizing the City Administrator to execute an optional one-year extension of the depository service contract between the City of Ovilla and Prosperity Bank.

Discussion / Justification:

The City's depository service agreement with Prosperity Bank began June 2010 for a period not to exceed 5-years. Following an initial contract term (3-years), the agreement provided for two optional, one-year renewals, awarded one-year at a time. This one-year renewal to expire in May 2015 represents the final of two optional extensions. The agreement is automatically extended upon mutual agreement of the bank and the City. Prosperity Bank confirms their intent and agreement to renew the existing contract for one more year.

The City will give notice to banks, credit unions and savings associations requesting submission of applications for the performance of depository services in the following fiscal year for a new depository service contract as authorized by Chapter 105 of the TX Local Government Code.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

I move that Council APPROVE/DENY RESOLUTION R2014-008 authorizing the City Administrator to execute a one-year extension of the depository service contract between the City of Ovilla and Prosperity Bank as presented.

RESOLUTION NO. R2014-008

* * * *

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE A ONE-YEAR EXTENSION OF THE DEPOSITORY SERVICE CONTRACT BETWEEN THE CITY OF OVILLA AND PROSPERITY BANK.

WHEREAS, the City of Ovilla awarded Prosperity Bank a Depository Service Contract in June 2010, as authorized by Chapter 105 of the Texas Local Government Code; and

WHEREAS, the initial term of the Contract expired on May 31, 2013 and the Contract allows for two one-year extensions under the same contract terms and conditions, with mutual agreement of both parties; and

WHEREAS, the City and Prosperity Bank mutually agreed to a one-year extension on February 25, 2013, continuing depository services through May 31, 2014, and has a one-year optional extension remaining; and

WHEREAS, this meeting is open to the public as required by law, and public notice of the time, place, and purpose of this meeting was given as required by the Texas Open Meetings Act, Chapter 551, Government Code.

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

SECTION 1. That the City Council authorizes the second and final extension of the Depository Service Contract currently in effect with Prosperity Bank for another year; through May 31, 2015.

SECTION 2. That this resolution shall take effect from and after its passage, and it is so resolved.

Passed, Approved and Adopted by the City Council of the City of Ovilla, Texas, this **10th** day of **February 2014**.

APPROVED:

_____

Richard Dormier, MAYOR

ATTEST:

_____

Pamela Woodall, CITY SECRETARY

PROSPERITY BANK®

April 6, 2010

Ms. Pamela Higgins
City Secretary
City of Ovilla
105 S. Cockrell Hill Rd,
Ovilla, Texas 75154

Re: Depository Bid for June 1, 2010 – May 31, 2013

Dear Ms. Higgins

The City of Ovilla Depository Bid has been completed and enclosed for your review.

We have enjoyed a long term relationship with the City of Ovilla and look forward to continuing that relationship should we be awarded the Bid. I hope that you'll take a moment to review the financial reports to feel confident that your current bank and hopefully your continued depository bank is very strong, well capitalized, liquid, and has been ranked by Forbes Magazine as #4 strongest bank in the nation. That says a lot about our conservative banking approach and strong asset quality, especially in such a volatile economic climate.

We've also grown in the number of locations throughout Texas. This spells "convenience banking" to you and your staff. Our 168 full-service banking centers include market areas ranging from South Texas, the Houston Metropolitan Area, Central Texas, Dallas/Fort Worth, to East Texas, with Total Deposits of $8.9 billion.

Our mission is still to provide the best possible customer service, convenience and quality innovative bank products for our customers and we feel our bid reflects that. The Bank's bid rates have been disclosed in Attachment #2 along with employee benefits in Attachment #11. In addition, we continue to waive analysis fees on all City accounts along with other service fees as disclosed in the Bid.

We hope to continue our long standing relationship with the City. If you should have any questions or need any additional information, please do not hesitate to call me at (972) 617-1509.

Sincerely,

Jo Ann Brewer
Banking Center President

Red Oak Banking Center • 500 North I-35 Service Road • P.O. Box 909 Red Oak, Texas 75154 • 972-617-7377 • Fax: 972-617-2002

Member FDIC website: www.prosperitybanktx.com email: redoak@prosperitybanktx.com

RESOLUTION OF BOARD OF DIRECTORS

The Board of Directors of Prosperity Bank at a meeting duly called on January 19, 2010 adopted the following Resolution:

"Be it resolved, by the Board of Directors of this Bank: The Board of Directors hereby approves and accepts any and all public fund depository contracts approved and accepted by management.

Be it further resolved, by the Board of Directors, The Senior Chairman, Chairman, Vice Chairman, President, Vice President, Chief Financial Officer, and Cashier ("Officers") of this Bank are hereby authorized and directed as follows:

- Prepare and present fully, in the manner and form as required by the Political Subdivision of the State of Texas including but not limited to Cities, Counties, and School Districts, and all political subdivisions thereof, an application on behalf of this Bank to become a Depository. Upon acceptance by the Political Subdivision of the State of Texas, the application becomes a binding agreement.

- Deliver and pledge to the Political Subdivision of the State of Texas securities belonging to the Bank to guarantee and secure payment by the Bank of said deposits as required by law."

The above resolution has not been rescinded or modified and has been duly entered in the minutes book of Prosperity Bank.

Date: 4-26-10

PROSPERITY BANK

By: denise Urbanovsky
denise Urbanovsky, Secretary

On this 26th day of April, 2010, management hereby approves and accepts the depository contract of City of Ovilla and will deliver and pledge securities belonging to the Bank to guarantee and secure payment by the Bank of said deposits as required by law. Upon acceptance by the Political Subdivision of the State of Texas, the application becomes a binding agreement.

PROSPERITY BANK

By: [illegible]
Banking Center President

INTRODUCTION

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

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

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

The new agreement period will be for a period of June 1, 2010 through May 31, 2013, with a provision for two one-year continuations under the same terms and conditions of the contract, subject to the mutual agreement of both parties. The agreement will also provide for an extension period not to exceed ninety (90) days for the transition to a new bank at the end of the term, if necessary.

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

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

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

Ovilla City Council Approval Extending Depository Contract for Funds of the City of Ovilla

Be it resolved by the City of Ovilla that:

Prosperity Bank, Depository, located in Red Oak, State of Texas, being a bank, and the City of Ovilla agree to extend for an additional 1 year term from June 1, 2014 through May 31, 2015, with the existing terms and conditions for banking services and rates previously agreed to in the Depository Contract in effect from June 1, 2010 through May 31, 2013.

AGREED and ACCEPTED on behalf of City of Ovilla

this _____ day of February, 2014.

_____

Signature of City Administrator of the City of Ovilla

AGREED and ACCEPTED on behalf of Depository this 6th day or February, 2014.

Prosperity Bank, Depository

By: Jo Ann Brewer

Print Name: Jo Ann Brewer

Title: Banking Center President

ACKNOWLEDGMENT

Sate of Texas
Ellis County

Before me, the undersigned authority in and for said county and state, on this day personally appeared Jo Ann Brewer, Banking Center President known to me to be the person whose name is subscribed to the foregoing instrument on behalf of said depository, and acknowledge to me that (s)he executed the same as the act and deed of said depository, for the purpose therein expressed and in the capacity therein stated.

Given under my hand and seal of office this the 6th day of February, 2014.

(Seal)
CAROLYN C. DAVIS
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires 09-29-2016

Carolyn C. Davis

Signature of Notary
Notary Public in and for Ellis County, Texas.

CITY OF OVILLA

Ovilla City Council

AGENDA ITEM REPORT

Item(s): 9 (City Secretary use only)

Meeting Date: February 10, 2014 **Department: Administration**

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

Submitted by: Staff **Amount: $ N/A**

Attachments:
1. Ordinance 2014-004 2. Excerpt from LGC 52.004
Agenda Item / Topic:
ITEM 9. *DISCUSSION/ACTION* – Consideration of and action on Ordinance 2014-004, in accordance with Chapter 1, Section 1.02.002 of the Ovilla Code of Ordinances, declaring an official city newspaper.
Discussion / Justification:
In accordance with the Local Government Code 52.004, the City declares an official newspaper of wide circulation within the County for required publications. The Waxahachie Daily Light has maintained consistent, reliable and professional working relations with Ovilla, as well as a representative present at many meetings.
Recommendation / Staff Comments:
Staff recommends adoption of the ordinance.
Sample Motion(s):
I move that Council APPROVES/DENIES the adoption of Ordinance 2014-004, declaring the Waxahachie Daily Light as the City's official newspaper for the calendar year, effective this date.

ORDINANCE 2014-004

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS AMENDING CHAPTER 1, SECTION 1.02.002 OF THE CODE OF ORDINANCES DECLARING AN OFFICIAL CITY NEWSPAPER AND DECLARING AN EFFECTIVE DATE.

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

WHEREAS, section 52.004 Texas Local Government Code requires the governing body of a municipality to determine, by ordinance or resolution, which public newspaper shall be the municipality's official newspaper.

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

SECTION ONE

That Chapter 1, Section 1.02.002 of the Code of Ordinances, City of Ovilla, Texas is hereby amended to read as follows:

The **WAXAHACHIE DAILY LIGHT**, a daily newspaper, is hereby declared the official newspaper of the City of Ovilla, for required publications by the City.

SECTION TWO

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED on the 10th day of February 2014.

APPROVED:

_____

Richard Dormier, MAYOR

ATTEST:

_____

Pamela Woodall, CITY SECRETARY

Excerpt from LGC, Section 52:

Sec. 52.004. OFFICIAL NEWSPAPER.

(a) As soon as practicable after the beginning of each municipal year, the governing body of the municipality shall contract, as determined by ordinance or resolution, with a public newspaper of the municipality to be the municipality's official newspaper until another newspaper is selected.

(b) The governing body shall publish in the municipality's official newspaper each ordinance, notice, or other matter required by law or ordinance to be published.