

# CITY OF OVILLA MINUTES

*Monday, April 29, 2015*

*Special City Council Meeting*

*105 S. Cockrell Hill Road, Ovilla, TX 75154*

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Mayor Dormier called the Special Council Meeting of the Ovilla City Council to order at 5:16 P.M. The following City Council Members were present:

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

Absent: Rachel Huber Council Member, Place 1

Mayor Dormier announced present Council members, thus constituting a quorum. The Interim City Administrator MS Lee and City Secretary were also present.

## **EXECUTIVE SESSION**

***Mayor read the caption and announced Council would meet in closed session at 5:21 p.m.***

*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).*

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

**ITEM 1. DISCUSSION/ACTION** - Deliberate the appointment, employment, and evaluation of applicants for the position of City Administrator.

***Mayor Dormier, Council and MS Lee adjourned the Executive Session at 6:44 p.m.***

***Council took an eight minute break and reconvened into Regular Session at 6:52 p.m.***

Mayor announced that no action was taken in Executive Session. Any action taken would be reported in open session.

***No Action.***

## **ADDENDUM TO AGENDA**

### **Regular Agenda:**

**The following items were added to the previously posted agenda for the Special City Council Meeting on Wednesday, April 29, 2015:**

**ITEM 2. DISCUSSION/ACTION - Consideration** of and action on the proposed Development Agreement for the development of real property known as Bryson Manor Subdivision, by and between the City of Ovilla and Shaw Development, LLC, and authorizing the Mayor to execute same upon approval by City Council.

Interim City Administrator MS Lee advised that Ovilla's legal counsel prepared the Development Agreement and it had been reviewed by staff and Shaw Development representatives. Adding that the Agreement was consistent with City Code requirements and protects the interests of the City as related to public improvements, general development requirements, dedications, exactions, and waiver of claims. Both the

City's legal counsel, Ron MacFarlane and attorney representing Shaw Development, Mr. James Moon, were present and shared comments. It was explained to Council that the intricacies of the funding of the rough proportionality and how the revenue will be paid in phases and the allocation of those funds may result in a shortfall of approximately \$200,000. Estimated cost of the rough proportionality was \$615,000. The Development Agreement stipulates that upon acceptance by the City of the Bryson Manor Drive Improvements, the Developer will be credited toward the Rough Proportionality payments, in an amount not to exceed \$165,000. In connection with infrastructure improvements constructed and installed by the Developer of any public street, roadway, wastewater or drainage improvement, the Developer is entitled to credits for inspection fees charged by the City, in accordance with the percentages stipulated in the Development Agreement. Additionally, the development of 185 lots and fair pricing on construction bid may help with any potential shortfall.

Mayor Pro Tem Griffin moved that Council approve the Development Agreement for the development of real property known as Bryson Manor Subdivision, by and between the City of Ovilla and Shaw Development, LLC, and authorize the Mayor to execute same upon approval by City Council, seconded by PL2 Stevenson. *No opposition, no abstentions.*

**VOTE: Motion carried unanimously 4-0.**

**ITEM 3. DISCUSSION/ACTION – Consideration** of and action on Bryson Manor Final Plat.

PL4 Hunt moved to approve the Bryson Manor Final Plat as presented, seconded by PL5 Oberg. *No opposition, no abstentions.*

**VOTE: Motion carried unanimously 4-0.**

**ADJOURNMENT**

There being no further business, Mayor Dormier adjourned the meeting at 7:23 p.m.

ATTEST:

  
Pamela Woodall, City Secretary



  
Richard Dormier, Mayor

**Approved May 11, 2015**

*Executive Session sealed and filed separately.*