

# City of *OVILLA* City Council

Rachel Huber, Place One  
Larry Stevenson, Place Two  
David Griffin, Place Three

Richard Dormier, Mayor

Doug Hunt, Place Four, Mayor Pro Tem  
Dean Oberg, Place Five  
Dennis Burn, City Manager

NOTICE OF CITY COUNCIL BRIEFING SESSION  
105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, December 14, 2015

6:00 P.M.

Council Chamber Room

## AGENDA

### I. CALL TO ORDER

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

**De conformidad con lo establecido en el artículo 30.06 del Código Penal (entrar sin autorización en una propiedad por parte de un titular de un permiso para portar armas ocultas) una persona con licencia bajo el subcapítulo h, capítulo 411 del código de gobierno (ley de portación oculta de armas), no puede entrar en esta propiedad portando una arma oculta.**

### II. CONDUCT A BRIEFING SESSION to review and discuss agenda items for the 6:30 p.m. regular meeting.

### III. CONDUCT A BRIEFING SESSION to review and discuss future agenda items.

- a. Consideration of and action on Ordinance 2016-XXX, revising Chapter 3, Article 3.05 FENCES and Chapter 14, Zoning Ordinance of the Ovilla Code of Ordinances. (This item is on the Regular Agenda for staff direction)
- b. Consideration of and action on Ordinance 2016-XXX to repeal of Chapter 8, Article 8.02 of the Ovilla Code of Ordinances and adopt a new Chapter 8, Article 8.02 related to nuisances and direct staff as necessary. (This item is on the Regular Agenda for staff direction)
- c. Consideration of an action on Ordinance 2016-XXX Chapter 3, Article 3.06 Division 1, Section 3.06.003(F), providing restrictions on the placement of signs; providing for exceptions to the restrictions on placement of signs and direct staff as necessary. (This item is on the Regular Agenda for staff direction)
- d. Calling the General Election.

### IV. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the December 14, 2015 Briefing Session 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.com](http://www.cityofovilla.com) on the 11<sup>th</sup> day of December 2015 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



*Pamela Woodall*

Pamela Woodall, City Secretary

DATE OF POSTING: 12-11-15 TIME: 9:30  am/pm  
DATE TAKEN DOWN: \_\_\_\_\_ TIME: \_\_\_\_\_  am/pm

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

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105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, December 14, 2015

6:30 P.M.

Council Chamber Room

## AGENDA

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on Monday, December 14, 2015 at 6:30 P.M. in the Ovilla Municipal Building, Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items:

### I. CALL TO ORDER

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

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- Invocation
- Pledge of Allegiance

### II. COMMENTS, PRESENTATIONS & REPORTS

- Introduction of new Police Officer Denney
  - Connor was a Detention Officer for the Ellis County Sheriff's Office for 8 months prior to his coming to the Ovilla Police Department. He was certified at the Navarro College Waxahachie Police Academy in 2014. He is an active duty USMC Reserve of the rank of Lance Corporal. He is stationed at NASJRB Ft. Worth. Connor is married to Brooke. He resides in Waxahachie.
- Recognition of Public Works Department for waterline installation
  - The Ovilla Public Works Department installed a 12" waterline on Water Street from the existing stub-out at the elevated water storage tank west of Cindy Jones Park to a connection point in Heritage Park. The installation included approximately 1,800 linear feet of C900 PVC water main, fittings, valves and fire hydrants. All existing water services for the residences were transferred from the existing 1" water main to the new 12" water main. This project provides improved water pressure and flow to the residences along Water Street and also tied in an existing 4" water main in Heritage Park thus improving pressure and flow to those living to the east and south of Ovilla.
  - All work was performed by employees of the Public Works Department using City equipment and a rental trackhoe. This work effort saved the City approximately \$55,000.00 in that a private contractor would have cost the City that much more.
  - The employees and citizens of Ovilla are proud of this accomplishment lead by the Public Works Director Brad Piland.

#### ▪ 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
  - Monthly Report

Police Chief B. Windham



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- ITEM 8. **DISCUSSION/ACTION** – Review and deliberate a proposed Ordinance to repeal Chapter 8, Article 8.02 of the Ovilla Code of Ordinances and adopt a new Chapter 8, Article 8.02 related to nuisances and direct staff as necessary.
- ITEM 9. **DISCUSSION/ACTION** – Review and deliberate a proposed ordinance amending Chapter 3, Article 3.06 Division 1, Section 3.06.003(f), providing restrictions on the placement of signs; providing for exceptions to the restrictions on placement of signs and direct staff as necessary.

## 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).

- ITEM 10. **DISCUSSION/ACTION** – Deliberate the appointment, employment, evaluation, reassignment and/or duties of the City Manager.

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

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

## VI. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the December 14, 2015 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](http://www.cityofovilla.org), on the 11<sup>th</sup> day of December 2015 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



\_\_\_\_\_  
Pamela Woodall, City Secretary

DATE OF POSTING: 12-11-15 TIME: 9:30  am/pm  
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OVILLA POLICE DEPARTMENT  
 105 S Cockrell Hill Rd  
 Ovilla, TX 75154  
 (972) 617-7262

To: Mayor Richard Dormier  
 Ovilla City Council  
 Dennis Burn City Manager

Subject: Police Department Monthly Activity Report

	November 2015	November 2015 YTD	November 2014	November 2014 YTD
Calls For Service				
Accident	5	28	1	30
Alarms	11	150	17	204
Arrest	5	28	3	24
Assault	1	5	0	4
Assists	14	281	20	313
Building / House Security Check	879	14807	1768	15942
Burgulary	2	4	0	7
Burgulary of Motor Vehicle	0	3	0	1
Criminal Mischief	0	8	0	8
Disturbance	8	73	5	75
Neighborhood Check	1097	17740	1959	16335
Other Calls for Service	76	1114	130	1396
Suspicious Person	5	50	12	79
Suspicious Vehicle	6	99	8	98
Theft	1	20	1	24
Traffic Assignment	13	181	14	117
<b>TOTAL CALLS FOR SERVICE</b>	<b>2123</b>	<b>34591</b>	<b>3938</b>	<b>34657</b>

Reserve Officer Hours	19	432.5	20	628.25
Average Response Time (Minutes)	4.29	4.1025	3.5	4.103
Traffic Stop (Warnings)	25	329	40	499
Traffic Stop (Citations)	29	247	24	405
Total Citations & Warnings Combined	54	576	64	904
<b>PERCENT OF STOPS RECEIVING CITATIONS</b>	<b>53.7</b>	<b>42.9</b>	<b>37.5</b>	<b>44.8</b>

**OVILLA PD VEHICLE MILEAGE**

OVILLA PD VEHICLE MILEAGE							
January-15				February-15			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	88931	90026	1095	100	90026	90343.6	317.6
102	91093	92394	1301	102	92394	94221	1827
103	104345	106623	2278	103	106623	108745	2122
104	66588.4	67413.5	825.1	104	67413.5	68336.5	923
105	54522	56476	1954	105	56476	57996.2	1520.2
March-15				April-15			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	90343.6	90718	374.4	100	90718	91281	563
102	94221	95928	1707	102	95928	97236	1308
103	108745	110028	1283	103	110028	111376	1348
104	68336.5	70073	1736.5	104	70073	73152.4	3079.4
105	57996.2	60076.3	2080.1	105	60076.3	61609	1532.7
May-15				June-15			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	91281	91860	579	100	91860	92447	587
102	97236	98144.4	908.4	102	98144.1	99349	1204.9
103	111376	112835	1459	103	112835	113618	783
104	73152.4	74724	1571.6	104	74724	75946	1222
105	61609	63206	1597	105	63206	64795	1589
July-15				August-15			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	92447	93018	571	100	93018	93580	562
102	99349	99980	631	102	99980	100726	746
103	113618	115040	1422	103	115040	115836	796
104	75946	76699.3	753.3	104	76699.3	77537	837.7
105	64795	66853	2058	105	66853	68784	1931
September-15				October-15			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	93580	94093	513	100	94093	94574	481
102	100726	101065	339	102	101065	101300	235
103	115836	117476	1640	103	117476	118858	1382
104	77537	78402	865	104	78402	79,698.20	1296.2
105	68784	70113	1329	105	70113	71615	1502
November-15				December-15			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	94574	94894.5	320.5	100			0
102	101300	101742	442	102			0

103	118858	120155	<b>1297</b>	103		<b>0</b>
104	79698.2	81,188.00	<b>1489.8</b>	104		<b>0</b>
105	71615	72725	<b>1110</b>	105		<b>0</b>

**Ovilla City Council Monthly Report for Fire Department - November 2015**

<b>City of Ovilla Calls for Service</b>	<b>2014 Totals</b>		<b>2015 Totals</b>
Fire 14		Fire 8	
EMS 19	33	EMS 18	26
<b>ESD #2 Calls for Service</b>			
Fire 12		Fire 3	
EMS 8	20	EMS 12	15
<b>ESD #4 Calls for Service</b>			
Fire 0		Fire 0	
EMS 1	1	EMS 5	5
<b>Mutual Aid Provided</b>			
Fire 24		Fire 2	
EMS	24	EMS 0	2
<b>Total Calls For Service / Month</b>	<b>78</b>		<b>48</b>
<b>Total Calls For Service / YTD</b>	<b>570</b>		<b>655</b>

	<b>Time from Notify to Time On Scene</b>		<b>Reaction Times</b>		
	<u>OCTOBER</u>	<u>NOVEMBER</u>		<u>OCTOBER</u>	<u>NOVEMBER</u>
<b>Average Response Times for City of Ovilla</b>	5:29	5:34	<b>E-701</b>	1:58	2:18
<b>Average Response Times for ESD # 2</b>	7:32	9:05	<b>E-702</b>	1:48	2:08
<b>Average Response Times for ESD # 4</b>	8:25	9:12			

**From the Deputy Chief / Fire Marshal**

- 3 Inspections
- 3 MEETINGS
- Record Retention
- CQI REPORTS
- QC Reports

**Fire Department News For the Month**

1. NEW PART TIME EMPLOYEE WESLEY VAUGHN
2. NEW VOLUNTEER GUNNER STAALSEN
3. C-701 RESPONDED TO 3 AFTER HOURS CALLS AND 1 DURING WORK HOURS
4. ESD #2 and ESD #4 meetings attended with nothing significant taking place
- 5.
- 6.



Date: December 7, 2015

**TO:** Honorable Mayor and City Council Members

**FROM:** Brad Piland Public Works Director

**TOPIC:** Public Works Monthly Report for November

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- Sewer Lift Station Repairs-
  - Removed pump 1 at Highland Meadows Lift Station
  - Removed pump 1 from Cumberland
  - Pulled pump 1 Heritage Lift Station removed debris and replaced
  
- Read water meters, serviced disconnects and reconnects
- Replaced meters
- 133, 141, 148, 137, 160, Water street
  - Water street water line and meters
- Street Repairs: Red Oak Creek Road, Shiloh, Lariat Trail, Main Street, Cockrell Hill Road
- Repaired sewer cleanout Ovilla Road
- Christmas Decorations
- Trim trees Shiloh and Ovilla Roads
- Road work: Water Street and Ovilla Oaks
- Daily water maintenance residual and pressure tests
- Tree and grass maintenance:
  - Heritage Park
  - Silver Spur Park
  - Baseball fields and Cindy Jones Park
  
- Repaired water leaks
  - 132 Water street
  - 160 Water street
  - 323 Shadowood Trail
  
- ❖ Jimmy Bryan -
  - Serviced PD Units: 102,104,105
  - Serviced 2008 Chev Public Works truck

**\*\*Flushed Hydrants**

- Collect water samples for TCEQ reporting
- Water Maintenance – routine flushing mains and hydrant
- Meter Box repair and replace lids as needed

**\*\*Watered plants at City Hall and park**



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DATE: December 14, 2015

TO: Honorable Mayor and Council Members

FROM:  
Linda Harding, Accountant

SUBJECT: Financial Statements Thru December 2015

**City of Ovilla General Fund  
Actual vs Budget Review  
October 2015 through October 2015**

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
			Budget	Budget	8%
<b>Revenues</b>					
<b>4000100 · Taxes</b>					
4000105 · Ad Valorem, Current	181	181	1,481,056	(1,480,875)	0%
4000110 · Ad Valorem, Delinquent	604	604	12,366	(11,762)	5%
4000113 · Interest/Penalties - Prop Tax	104	104	4,833	(4,729)	2%
4000120 · Sales Tax	14,517	14,517	163,676	(149,159)	9%
4000125 · Sales Tax - Street Improvement	3,629	3,629	40,919	(37,290)	9%
4000130 · Franchise Tax	14	14	150,000	(149,986)	0%
<b>Total 4000100 · Taxes</b>	<b>19,049</b>	<b>19,049</b>	<b>1,852,850</b>	<b>(1,833,801)</b>	<b>1%</b>
<b>4000200 · Licenses and Permits</b>					
<b>4000208 · Building Permits</b>					
4000210 · Residential Building Permits	1,749	1,749	100,000	(98,251)	2%
4000213 · Fire Inspection Permits	0	0	5,250	(5,250)	0%
4000212 · Commercial Building Permits	0	0	12,000	(12,000)	0%
4000214 · Misc Building Permits	2,406	2,406	16,070	(13,664)	15%
<b>Total 4000208 · Building Permits</b>	<b>4,155</b>	<b>4,155</b>	<b>133,320</b>	<b>(129,165)</b>	<b>3%</b>
4000230 · Plan Review Fee	521	521	65,000	(64,479)	1%
4000260 · Alarm Permits	170	170	2,400	(2,230)	7%
4000270 · Animal Tag Fees	144	144	2,600	(2,456)	6%
4000272 · Impound Fees	210	210	1,400	(1,190)	15%
4000290 · Misc Licenses and Permits	90	90	1,000	(910)	9%
<b>Total 4000200 · Licenses and Permits</b>	<b>5,290</b>	<b>5,290</b>	<b>205,720</b>	<b>(200,430)</b>	<b>3%</b>
<b>4000400 · Charges for Services</b>					
4000325 · ESD #2	2,100	2,100	160,000	(157,900)	1%
4000330 · ESD #4	0	0	55,628	(55,628)	0%
4000411 · Copies and Maps	1	1	100	(100)	1%
4000415 · Police Reports	0	0	150	(150)	0%
4000420 · Park Lights	0	0	1,000	(1,000)	0%

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current		Year to Date	\$ Over (Under)	% of Budget Thru October
	October 2015	Oct 2015 - Oct 2015			
4000440 · Oak Leaf Animal Control	310	310	800	(490)	39%
4000450 · Subdivision Fees	0	0	5,000	(5,000)	0%
4000480 · Solid Waste (Garbage)	17,747	17,747	253,793	(236,046)	7%
4000485 · 50/50 Sidewalk Program	0	0	2,500	(2,500)	0%
4000490 · Misc Charges for Services	695	695	2,500	(1,805)	28%
<b>Total 4000400 · Charges for Services</b>	<b>20,852</b>	<b>20,852</b>	<b>481,471</b>	<b>(460,619)</b>	<b>4%</b>
<b>4000500 · Fines and Forfeitures</b>					
4000535 · Omni Warrant Revenue	26	26	500	(474)	5%
4000510 · Fines - Police	4,921	4,921	62,000	(57,079)	8%
4000520 · Fines - Animal Control	0	0	1,000	(1,000)	0%
4000525 · Fines - Code Enforcement	3,732	3,732	3,330	402	112%
4000550 · Municipal Court Technology	86	86	1,300	(1,214)	7%
4000551 · Municipal Court Security	64	64	1,000	(936)	6%
4000590 · Misc Fines and Forfeitures	0	0	400	(400)	0%
<b>Total 4000500 · Fines and Forfeitures</b>	<b>8,829</b>	<b>8,829</b>	<b>69,530</b>	<b>(60,701)</b>	<b>13%</b>
<b>4000800 · Other Revenue</b>					
4000810 · Heritage Day	3,560	3,560	19,000	(15,440)	19%
4000818 · Lease Proceeds	0	0	1,165	(1,165)	0%
4000820 · Water Tower Lease	6,463	6,463	100,000	(93,537)	6%
4000840 · Interest Earned	582	582	6,000	(5,418)	10%
4000870 · Insurance Proceeds	161	161	0	161	100%
4000885 · Proceeds from Sale of Assets	0	0	20,000	(20,000)	0%
4000887 · HOA Revenue	0	0	1,700	(1,700)	0%
4000890 · Misc Other Revenue	0	0	4,000	(4,000)	0%
<b>Total 4000800 · Other Revenue</b>	<b>10,767</b>	<b>10,767</b>	<b>151,865</b>	<b>(141,098)</b>	<b>7%</b>
<b>4000900 · Transfers In</b>					
4000925 · Admin.Rev. received from 4B-EDC	0	0	2,500	(2,500)	0%
4000930 · Admin. Rev. Rec. From W&S Fund	0	0	91,287	(91,287)	0%

**City of Ovilla General Fund  
Actual vs Budget Review  
October 2015 through October 2015**

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
			Budget	Budget	8%
4000940 · Admin.Rev. Rec. from MDD Fund	0	0	500	(500)	0%
4000990 · Reduction in Fund Balance	0	0	163,300	(163,300)	0%
<b>Total Revenues</b>	<b>64,787</b>	<b>64,787</b>	<b>3,019,023</b>	<b>(2,954,236)</b>	<b>2%</b>
<b>Gross Resources</b>	<b>64,787</b>	<b>64,787</b>	<b>3,019,023</b>	<b>(2,954,236)</b>	<b>2%</b>
<b>Expenditures</b>					
<b>10 · Administration</b>					
<b>5101100 · Salaries &amp; Wages</b>					
5101110 · City Administrator	6,338	6,338	61,800	(55,462)	10%
5101115 · City Secretary	4,202	4,202	39,398	(35,196)	11%
5101117 · City Accountant	3,917	3,917	37,080	(33,163)	11%
5101120 · Admin. Support	2,357	2,357	22,308	(19,951)	11%
5101180 · Merit Raises, Staff	0	0	4,818	(4,818)	0%
<b>Total 5101100 · Salaries &amp; Wages</b>	<b>16,815</b>	<b>16,815</b>	<b>165,404</b>	<b>(148,589)</b>	<b>10%</b>
<b>5101400 · Support Staff</b>					
5101490 · Overtime	0	0	625	(625)	0%
<b>Total 5101400 · Support Staff</b>	<b>0</b>	<b>0</b>	<b>625</b>	<b>(625)</b>	<b>0%</b>
<b>5102100 · Employee Benefits</b>					
5102112 · Affordable Health Care Act Fee	0	0	0	0	0%
5102110 · Group Insurance	2,649	2,649	32,665	(30,016)	8%
5102135 · TMRS	1,503	1,503	19,650	(18,147)	8%
5102160 · Worker's Compensation	197	197	790	(593)	25%
5102170 · Payroll Taxes	229	229	3,198	(2,969)	7%
5102180 · Unemployment Taxes	2,790	2,790	1,000	1,790	279%
5102196 · Indiv. Membership Dues	95	95	1,800	(1,705)	5%
<b>Total 5102100 · Employee Benefits</b>	<b>7,463</b>	<b>7,463</b>	<b>59,103</b>	<b>(51,640)</b>	<b>13%</b>
<b>5102200 · Special Services</b>					

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current		Year to Date		\$ Over (Under)	% of Budget Thru October 8%
	October 2015	Oct 2015 - Oct 2015	Budget	Budget		
5102210 · Tax Assessing & Collecting Fees	0	0	1,570	(1,570)	0%	
5102220 · Tax Appraisal Fee	0	0	14,000	(14,000)	0%	
5102230 · Legal Fees	30	30	25,000	(24,970)	0%	
5102240 · Audit	0	0	7,920	(7,920)	0%	
5102250 · Accounting	0	0	2,000	(2,000)	0%	
5102260 · Engineering Fees	0	0	5,000	(5,000)	0%	
<b>Total 5102200 · Special Services</b>	<b>30</b>	<b>30</b>	<b>55,490</b>	<b>(55,460)</b>	<b>0%</b>	
<b>5102300 · Contractual Services</b>						
5102310 · Consultant Fees	0	0	20,000	(20,000)	0%	
<b>Total 5102300 · Contractual Services</b>	<b>0</b>	<b>0</b>	<b>20,000</b>	<b>(20,000)</b>	<b>0%</b>	
<b>5102500 · Operating Services</b>						
5102530 · Custodial Service Contract	344	344	4,500	(4,156)	8%	
5102540 · IT - Computer Maintenance	1,470	1,470	22,600	(21,130)	7%	
<b>Total 5102500 · Operating Services</b>	<b>1,814</b>	<b>1,814</b>	<b>27,100</b>	<b>(25,286)</b>	<b>7%</b>	
<b>5102600 · Special Expenses</b>						
5102610 · Election - Payroll	0	0	850	(850)	0%	
5102620 · Election - Supplies	0	0	2,500	(2,500)	0%	
5102630 · Election Meeting Expense	0	0	100	(100)	0%	
5102650 · Codification Book Update	0	0	3,500	(3,500)	0%	
<b>Total 5102600 · Special Expenses</b>	<b>0</b>	<b>0</b>	<b>6,950</b>	<b>(6,950)</b>	<b>0%</b>	
<b>5103100 · General Supplies</b>						
5103110 · Office Supplies	646	646	8,000	(7,354)	8%	
5103140 · Uniforms	0	0	250	(250)	0%	
<b>Total 5103100 · General Supplies</b>	<b>646</b>	<b>646</b>	<b>8,250</b>	<b>(7,604)</b>	<b>8%</b>	
<b>5103400 · Maintenance Supplies / Parts</b>						

**City of Ovilla General Fund  
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	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
				Budget	8%
5103410 · Supplies - Custodial	292	292	1,000	(708)	29%
5103440 · Maintenance Agreement Expense	0	0	400	(400)	0%
5103460 · Miscellaneous	0	0	100	(100)	0%
<b>Total 5103400 · Maintenance Supplies / Parts</b>	<b>292</b>	<b>292</b>	<b>1,500</b>	<b>(1,208)</b>	<b>19%</b>
<b>5104200 · Travel Expenses</b>					
5104210 · Travel - Local	0	0	500	(500)	0%
5104220 · Professional Development	425	425	5,000	(4,575)	9%
5104222 · Professional Develop - Council	0	0	1,200	(1,200)	0%
5104225 · City Council Meal Expense	44	44	1,200	(1,156)	4%
5104230 · Professional Develop - In-House	0	0	500	(500)	0%
<b>Total 5104200 · Travel Expenses</b>	<b>469</b>	<b>469</b>	<b>8,400</b>	<b>(7,931)</b>	<b>6%</b>
<b>5105200 · Data Processing Expenses</b>					
5105230 · Data Proc-Maintenance & Repair	703	703	6,000	(5,297)	12%
5105240 · Data Processing - Software	1,783	1,783	13,300	(11,517)	13%
<b>Total 5105200 · Data Processing Expenses</b>	<b>2,486</b>	<b>2,486</b>	<b>19,300</b>	<b>(16,814)</b>	<b>13%</b>
<b>5105300 · Printing Expense</b>					
5105310 · Copier Expense	484	484	3,300	(2,816)	15%
5105320 · Printing - Newsletters	778	778	6,000	(5,222)	13%
5105330 · Printing - Forms	210	210	1,500	(1,290)	14%
<b>Total 5105300 · Printing Expense</b>	<b>1,471</b>	<b>1,471</b>	<b>10,800</b>	<b>(9,329)</b>	<b>14%</b>
<b>5105400 · Utilities</b>					
5105410 · Telephone	110	110	1,400	(1,290)	8%
5105415 · Cellular Phone	121	121	2,680	(2,559)	5%
5105417 · Internet	102	102	840	(738)	12%
5105420 · Wireless Cards	76	76	1,100	(1,024)	7%
5105450 · Electricity	347	347	4,635	(4,288)	7%

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	Current	Year to Date	Budget	\$ Over (Under)	% of Budget
	October 2015	Oct 2015 - Oct 2015		Budget	Budget
<b>Total 5105400 · Utilities</b>	756	756	10,655	(9,899)	7%
<b>5105500 · Repairs &amp; Bldg Improvements</b>					
5105520 · Repairs - Buildings	2,518	2,518	3,000	(482)	84%
5105540 · Repairs - Machinery & Equipment	0	0	500	(500)	0%
5105590 · Repairs - Other	0	0	500	(500)	0%
<b>Total 5105500 · Repairs &amp; Bldg Improvements</b>	2,518	2,518	4,000	(1,482)	63%
<b>5105600 · Insurance</b>					
5105610 · Insurance - Property	277	277	1,110	(833)	25%
5105620 · Insurance - Liability	301	301	1,205	(904)	25%
5105630 · Insurance - Fidelity Bond	0	0	300	(300)	0%
5105635 · Public Officials Surety Bonds	0	0	1,000	(1,000)	0%
<b>Total 5105600 · Insurance</b>	578	578	3,615	(3,037)	16%
<b>5105700 · Other Expenses</b>					
5105756 · FM 664	23,928	23,928	24,000	(72)	100%
5105705 · Postage	825	825	7,000	(6,175)	12%
5105710 · Cash - Over/Short	0	0	10	(10)	0%
5105725 · Records Management Expense	0	0	4,000	(4,000)	0%
5105730 · City - Memberships	300	300	2,500	(2,200)	12%
5105740 · Legal Notices/Advertisement	983	983	9,000	(8,017)	11%
5105752 · Employment Screening	0	0	400	(400)	0%
5105760 · Bank Service Charge	0	0	25	(25)	0%
5105764 · Filing Fees	0	0	500	(500)	0%
5105765 · Miscellaneous	50	50	2,000	(1,950)	3%
<b>Total 5105700 · Other Expenses</b>	26,086	26,086	49,435	(23,349)	53%
<b>5106400 · Minor Capital Outlay</b>					
5106440 · Machinery & Equipment	0	0	2,000	(2,000)	0%

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	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
				Budget	8%
5106465 · Furniture	940	940	1,000	(60)	94%
Total 5109000 · Reserves	0	0	61,212	(61,212)	0%
<b>Total 10 · Administration</b>	<b>62,363</b>	<b>62,363</b>	<b>514,839</b>	<b>(452,476)</b>	<b>12%</b>
<b>20 · Police</b>					
<b>5201100 · Salaries &amp; Wages</b>					
5201120 · Police Chief	5,385	5,385	70,000	(64,615)	8%
5201143 · Command Staff	4,120	4,120	52,000	(47,880)	8%
5201150 · Certification Pay	0	0	2,400	(2,400)	0%
5201180 · Merit Raises - Staff	0	0	3,660	(3,660)	0%
<b>Total 5201100 · Salaries &amp; Wages</b>	<b>9,505</b>	<b>9,505</b>	<b>128,060</b>	<b>(118,555)</b>	<b>7%</b>
<b>5201400 · Support Salaries</b>					
5201405 · Support Staff	2,142	2,142	27,040	(24,898)	8%
5201410 · Patrol	18,505	18,505	289,090	(270,585)	6%
5201415 · Certification Pay	69	69	1,636	(1,567)	4%
5201480 · Merit Raises	0	0	1,281	(1,281)	0%
5201490 · Overtime	1,855	1,855	15,000	(13,145)	12%
<b>Total 5201400 · Support Salaries</b>	<b>22,571</b>	<b>22,571</b>	<b>334,047</b>	<b>(311,476)</b>	<b>7%</b>
<b>5202100 · Employee Benefits</b>					
5202110 · Group Insurance	4,356	4,356	76,313	(71,957)	6%
5202135 · TMRS	2,830	2,830	38,775	(35,945)	7%
5202160 · Worker's Compensation	2,781	2,781	11,126	(8,345)	25%
5202170 · Payroll Taxes	486	486	7,926	(7,440)	6%
5202196 · Membership Dues	235	235	315	(80)	75%
<b>Total 5202100 · Employee Benefits</b>	<b>10,688</b>	<b>10,688</b>	<b>134,455</b>	<b>(123,767)</b>	<b>8%</b>
<b>5202300 · Contractual Services</b>					
5202355 · Contract Labor - Individual	0	0	500	(500)	0%

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	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
			Budget	Budget	8%
5202356 · Gingerbread House	1,000	1,000	1,000	0	100%
5202380 · Dispatch	7,263	7,263	13,566	(6,304)	54%
5202385 · Jail Expense	0	0	1,000	(1,000)	0%
5202390 - Special Response Team	0	0	1,000	(1,000)	0%
5202395 - Contractual Services Other	0	0	1,000	(1,000)	0%
<b>Total 5202300 · Contractual Services</b>	<b>8,263</b>	<b>8,263</b>	<b>18,066</b>	<b>(9,804)</b>	<b>46%</b>
<b>5202500 · Operating Services</b>					
5202530 · Custodial Service Contract	235	235	0	235	100%
5202540 · Computer Maintenance	0	0	700	(700)	0%
5202560 · Internet Subscriptions	0	0	1,350	(1,350)	0%
<b>Total 5202500 · Operating Services</b>	<b>235</b>	<b>235</b>	<b>2,050</b>	<b>(1,815)</b>	<b>11%</b>
<b>5202600 · Special Expenses</b>					
5202675 · National Night Out	0	0	500	(500)	0%
<b>Total 5202600 · Special Expenses</b>	<b>0</b>	<b>0</b>	<b>500</b>	<b>(500)</b>	<b>0%</b>
<b>5203100 · General Supplies</b>					
5203110 · Office Supplies	386	386	2,000	(1,614)	19%
5203140 · Uniforms		0	9,000	(9,000)	0%
5203170 · Evidence Gathering	1	1	700	(699)	0%
<b>Total 5203100 · General Supplies</b>	<b>387</b>	<b>387</b>	<b>11,700</b>	<b>(11,313)</b>	<b>3%</b>
<b>5203400 · Maintenance Supplies &amp; Parts</b>					
5203410 · Supplies - Custodial	0	0	600	(600)	0%
<b>Total 5203400 · Maintenance Supplies &amp; Parts</b>	<b>0</b>	<b>0</b>	<b>600</b>	<b>(600)</b>	<b>0%</b>
<b>5204200 · Travel Expenses</b>					
5204210 · Travel - Local	0	0	1,000	(1,000)	0%
5204220 · Professional Development	0	0	2,500	(2,500)	0%

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	Current		Year to Date	Budget	\$ Over (Under) Budget	% of Budget Thru October 8%
	October 2015	Oct 2015 - Oct 2015				
5204225 · Professional Dev - LEOSE	0	0	2,000	(2,000)	0%	
5204270 · Vehicle Expenses	1,399	1,399	24,000	(22,601)	6%	
<b>Total 5204200 · Travel Expenses</b>	<b>1,399</b>	<b>1,399</b>	<b>29,500</b>	<b>(28,101)</b>	<b>5%</b>	
<b>5205200 · Data Processing Expenses</b>						
5205240 · Data Processing - Software	17,851	17,851	17,500	351	102%	
<b>Total 5205200 · Data Processing Expenses</b>	<b>17,851</b>	<b>17,851</b>	<b>17,500</b>	<b>351</b>	<b>102%</b>	
<b>5205300 · Printing Expenses</b>						
5205310 · Copier Expense	84	84	1,500	(1,416)	6%	
5205330 · Printing - Forms	0	0	300	(300)	0%	
5205350 · Printing - Other	125	125	400	(275)	31%	
<b>Total 5205300 · Printing Expenses</b>	<b>209</b>	<b>209</b>	<b>2,200</b>	<b>(1,991)</b>	<b>10%</b>	
<b>5205400 · Utilities</b>						
5205410 · Telephone	110	110	1,600	(1,490)	7%	
5205415 · Cellular Phone	106	106	1,350	(1,244)	8%	
5205417 · Internet - PD	102	102	1,475	(1,373)	7%	
5205420 · Wireless Cards	228	228	2,750	(2,522)	8%	
5205450 · Electricity	236	236	4,500	(4,264)	5%	
<b>Total 5205400 · Utilities</b>	<b>782</b>	<b>782</b>	<b>11,675</b>	<b>(10,893)</b>	<b>7%</b>	
<b>5205500 · Repairs &amp; Building Improvements</b>						
5205520 · Repairs - Building	19	19	3,032	(3,013)	1%	
5205540 · Repairs- Machinery & Equipment	0	0	1,200	(1,200)	0%	
5205550 · Repairs - Vehicles	1,023	1,023	8,000	(6,977)	13%	
<b>Total 5205500 · Repairs &amp; Building Improvements</b>	<b>1,042</b>	<b>1,042</b>	<b>12,232</b>	<b>(11,190)</b>	<b>9%</b>	
<b>5205600 · Insurance</b>						
5205610 · Insurance - Property	412	412	1,650	(1,238)	25%	

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	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
			Budget	Budget	8%
5205620 · Insurance - Liability	1,378	1,378	5,515	(4,137)	25%
5205640 · Insurance - Vehicle	607	607	2,430	(1,823)	25%
<b>Total 5205600 · Insurance</b>	<b>2,398</b>	<b>2,398</b>	<b>9,595</b>	<b>(7,197)</b>	<b>25%</b>
<b>5205700 · Other Expenses</b>					
5205742 · Public Relations	0	0	200	(200)	0%
5205752 · Employment Screening	265	265	1,000	(735)	27%
5205765 · Miscellaneous	0	0	1,620	(1,620)	0%
<b>Total 5205700 · Other Expenses</b>	<b>265</b>	<b>265</b>	<b>2,820</b>	<b>(2,555)</b>	<b>9%</b>
<b>5206400 · Minor Capital Outlay</b>					
5206440 · Machinery & Equipment	0	0	2,000	(2,000)	0%
5206445 · Personal Protective Equipment	0	0	2,000	(2,000)	0%
5206450 · Vehicles	0	0	40,000	(40,000)	0%
<b>Total 5206400 · Minor Capital Outlay</b>	<b>0</b>	<b>0</b>	<b>44,000</b>	<b>(44,000)</b>	<b>0%</b>
<b>Total 20 · Police</b>	<b>75,595</b>	<b>75,595</b>	<b>759,000</b>	<b>(683,405)</b>	<b>10%</b>
<b>25 · Municipal Court</b>					
<b>5251100 · Salaries &amp; Wages</b>					
5251140 · Municipal Judge	585	585	7,000	(6,415)	8%
<b>Total 5251100 · Salaries &amp; Wages</b>	<b>585</b>	<b>585</b>	<b>7,000</b>	<b>(6,415)</b>	<b>8%</b>
<b>5251400 · Support Staff</b>					
5251405 · Support Staff	2,590	2,590	32,692	(30,102)	8%
5251420 · Jury Fees	0	0	200	(200)	0%
5251425 · City Prosecutor	571	571	8,500	(7,929)	7%
5251480 · Merit Raises	0	0	981	(981)	0%
5251490 · Overtime	49	49	1,400	(1,351)	3%
<b>Total 5251400 · Support Staff</b>	<b>3,210</b>	<b>3,210</b>	<b>43,773</b>	<b>(40,563)</b>	<b>7%</b>

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	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
				Budget	8%
<b>5252100 · Employee Benefits</b>					
5252110 · Group Insurance	662	662	8,166	(7,504)	8%
5252135 · TMRS	236	236	3,000	(2,764)	8%
5252160 · Worker's Compensation	46	46	186	(140)	25%
5252170 · Payroll Taxes	38	38	488	(450)	8%
5252196 · Membership Dues	0	0	25	(25)	0%
<b>Total 5252100 · Employee Benefits</b>	<b>983</b>	<b>983</b>	<b>11,865</b>	<b>(10,882)</b>	<b>8%</b>
<b>5252300 · Contractual Services</b>					
5252375 · Traffic Fines	0	0	23,000	(23,000)	0%
<b>Total 5252300 · Contractual Services</b>	<b>0</b>	<b>0</b>	<b>23,000</b>	<b>(23,000)</b>	<b>0%</b>
<b>5252500 · Operating Services</b>					
5252540 · Computer Maintenance	0	0	75	(75)	0%
<b>Total 5252500 · Operating Services</b>	<b>0</b>	<b>0</b>	<b>75</b>	<b>(75)</b>	<b>0%</b>
<b>5253100 · General Supplies</b>					
5253110 · Office Supplies	0	0	150	(150)	0%
5253140 · Uniforms	0	0	50	(50)	0%
<b>Total 5253100 · General Supplies</b>	<b>0</b>	<b>0</b>	<b>200</b>	<b>(200)</b>	<b>0%</b>
<b>5254200 · Travel Expenses</b>					
5254210 · Travel - Local	0	0	25	(25)	0%
<b>Total 5254200 · Travel Expenses</b>	<b>0</b>	<b>0</b>	<b>25</b>	<b>(25)</b>	<b>0%</b>
<b>5255200 · Data Processing Expenses</b>					
5255240 · Data Processing - SW Maint.	1,953	1,953	1,955	(2)	100%
<b>Total 5255200 · Data Processing Expenses</b>	<b>1,953</b>	<b>1,953</b>	<b>1,955</b>	<b>(2)</b>	<b>100%</b>

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	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
				Budget	8%
<b>5255300 · Printing Expense</b>					
5255350 · Printing - Other	0	0	800	(800)	0%
<b>Total 5255300 · Printing Expense</b>	0	0	800	(800)	0%
<b>5255600 · Insurance</b>					
5255620 · Insurance - Liability	85	85	341	(256)	25%
<b>Total 5255600 · Insurance</b>	85	85	341	(256)	25%
<b>5255700 · Other Expenses</b>					
5255765 · Miscellaneous	0	0	100	(100)	0%
5255768 · Collection Agency Fees	886	886	3,000	(2,114)	30%
5255770 · Warrant Fee State Comptroller	0	0	900	(900)	0%
5255772 · Warrant Fee - Omni	102	102	1,100	(998)	9%
<b>Total 5255700 · Other Expenses</b>	988	988	5,100	(4,112)	19%
<b>Total 25 · Municipal Court</b>	7,803	7,803	94,134	(86,331)	8%
<b>30 · Fire</b>					
<b>5301100 · Salaries &amp; Wages</b>					
5301125 · Fire Chief	2,924	2,924	36,909	(33,985)	8%
5301135 · Deputy Chief/Fire Marshall	1,421	1,421	20,000	(18,579)	7%
5301140 · Fire Captains	5,866	5,866	97,246	(91,380)	6%
5301180 · Merit Raises - Staff	0	0	4,624	(4,624)	0%
<b>Total 5301100 · Salaries &amp; Wages</b>	10,212	10,212	158,779	(148,567)	6%
<b>5301400 · Support Salaries</b>					
5301440 · Firefighters	18,113	18,113	230,246	(212,133)	8%
5301480 · Merit Raises	0	0	6,907	(6,907)	0%
5301485 · Volunteer Incentive Program	1,263	1,263	15,600	(14,338)	8%
<b>Total 5301400 · Support Salaries</b>	19,376	19,376	252,753	(233,377)	8%

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	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
			Budget	Budget	8%
<b>5302100 · Employee Benefits</b>					
5302135 · TMRS	261	261	3,387	(3,126)	8%
5302137 · Volunteer Retirement	0	0	500	(500)	0%
5302160 · Worker's Compensation	2,496	2,496	9,984	(7,488)	25%
5302170 · Payroll Taxes	1,986	1,986	28,154	(26,168)	7%
5302196 · Membership Dues	394	394	1,900	(1,506)	21%
<b>Total 5302100 · Employee Benefits</b>	<b>5,137</b>	<b>5,137</b>	<b>43,925</b>	<b>(38,788)</b>	<b>12%</b>
<b>5302300 · Contractual Services</b>					
5302310 · Consultant Fees	0	0	1,500	(1,500)	0%
5302380 · Dispatch	7,263	7,263	13,566	(6,304)	54%
5302385 · Emergency Transport Service	15,890	15,890	66,257	(50,367)	24%
<b>Total 5302300 · Contractual Services</b>	<b>23,152</b>	<b>23,152</b>	<b>81,323</b>	<b>(58,171)</b>	<b>28%</b>
<b>5302500 · Operating Services</b>					
5302510 · Maintenance Agreements	0	0	10,000	(10,000)	0%
5302540 · Computer Maintenance	0	0	2,000	(2,000)	0%
5302570 · Warning System Maintenance	0	0	780	(780)	0%
5302580 · Generator Maintenance	0	0	2,120	(2,120)	0%
<b>Total 5302500 · Operating Services</b>	<b>0</b>	<b>0</b>	<b>14,900</b>	<b>(14,900)</b>	<b>0%</b>
<b>5302600 · Special Expenses</b>					
5302675 · National Night Out	0	0	350	(350)	0%
<b>Total 5302600 · Special Expenses</b>	<b>0</b>	<b>0</b>	<b>350</b>	<b>(350)</b>	<b>0%</b>
<b>5303100 · General Supplies</b>					
5303110 · Office Supplies	0	0	1,600	(1,600)	0%
5303140 · Uniforms	130	130	5,000	(4,870)	3%
5303160 · Medical Supplies	222	222	8,000	(7,778)	3%

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	Current		Year to Date	Budget	\$ Over (Under) Budget	% of Budget Thru October 8%
	October 2015	Oct 2015 - Oct 2015				
5303165 · Medical Support	0	0		1,000	(1,000)	0%
5303170 · Evidence Gathering	0	0		50	(50)	0%
5303175 · Education Aids	0	0		50	(50)	0%
<b>Total 5303100 · General Supplies</b>	<b>352</b>	<b>352</b>		<b>15,700</b>	<b>(15,348)</b>	<b>2%</b>
<b>5303400 · Maintenance Supplies &amp; Parts</b>						
5303410 · Supplies - Custodial	116	116		2,500	(2,384)	5%
5303420 · Building Alarm Maintenance	0	0		420	(420)	0%
<b>Total 5303400 · Maintenance Supplies &amp; Parts</b>	<b>116</b>	<b>116</b>		<b>2,920</b>	<b>(2,804)</b>	<b>4%</b>
<b>5304200 · Travel Expenses</b>						
5304220 · Professional Development	524	524		6,300	(5,776)	8%
5304270 · Vehicle Expenses	665	665		10,000	(9,335)	7%
<b>Total 5304200 · Travel Expenses</b>	<b>1,189</b>	<b>1,189</b>		<b>16,300</b>	<b>(15,111)</b>	<b>7%</b>
<b>5305200 · Data Processing Expenses</b>						
5305230 · Data Proc-Maintenance & Repair	0	0		1,000	(1,000)	0%
5305240 · Data Processing - Software	1,783	1,783		2,850	(1,067)	63%
<b>Total 5305200 · Data Processing Expenses</b>	<b>1,783</b>	<b>1,783</b>		<b>3,850</b>	<b>(2,067)</b>	<b>46%</b>
<b>5305300 · Printing Expense</b>						
5305310 · Copier Expense	225	225		3,100	(2,875)	7%
5305330 · Printing - Forms	0	0		100	(100)	0%
<b>Total 5305300 · Printing Expense</b>	<b>225</b>	<b>225</b>		<b>3,200</b>	<b>(2,975)</b>	<b>7%</b>
<b>5305400 · Utilities</b>						
5305410 · Telephone	224	224		2,350	(2,126)	10%
5305415 · Cellular Phone	51	51		900	(849)	6%
5305417 · Internet - Fire Dept.	330	330		3,600	(3,270)	9%
5305430 · Natural Gas	52	52		2,400	(2,348)	2%
5305450 · Electricity	453	453		5,562	(5,109)	8%

**City of Ovilla General Fund  
Actual vs Budget Review  
October 2015 through October 2015**

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
			Budget	Budget	8%
<b>Total 5305400 · Utilities</b>	1,109	1,109	14,812	(13,703)	7%
<b>5305500 · Repairs &amp; Bldg Improvements</b>					
5305520 · Repairs - Building	260	260	2,800	(2,540)	9%
5305540 · Repairs - Machinery & Equipment	0	0	19,000	(19,000)	0%
5305545 · Repairs - Apparatus	1,177	1,177	12,000	(10,823)	10%
5305550 · Repairs - Vehicles	0	0	3,500	(3,500)	0%
<b>Total 5305500 · Repairs &amp; Bldg Improvements</b>	1,437	1,437	37,300	(35,863)	4%
<b>5305600 · Insurance</b>					
5305620 · Insurance - Liability	386	386	5,660	(5,274)	7%
5305640 · Insurance - Vehicle	2,367	2,367	10,415	(8,048)	23%
<b>Total 5305600 · Insurance</b>	2,753	2,753	16,075	(13,322)	17%
<b>5305700 · Other Expenses</b>					
5305705 · Postage	0	0	50	(50)	0%
5305752 · Employment Screening	162	162	165	(3)	98%
5305765 · Flags & Miscellaneous	0	0	100	(100)	0%
<b>Total 5305700 · Other Expenses</b>	162	162	315	(153)	51%
<b>5306400 · Minor Capital Outlay</b>					
5306440 · Machinery & Equipment	0	0	10,300	(10,300)	0%
5306445 · Personal Protective Equipment	243	243	20,247	(20,004)	1%
<b>Total 5306400 · Minor Capital Outlay</b>	243	243	30,547	(30,304)	1%
<b>Total 30 · Fire</b>	67,245	67,245	693,049	(625,804)	10%
<b>40 · Community Services</b>					
<b>5401100 · Salaries &amp; Wages</b>					
5401135 · ACO/Code Enforcement Officer	3,566	3,566	45,000	(41,434)	8%
5401180 · Merit Raises - Staff	0		1,350	(1,350)	0%
5401190 · Overtime	953	953	2,850	(1,897)	33%
<b>Total 5401100 · Salaries &amp; Wages</b>	4,519	4,519	49,200	(44,681)	9%

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
			Budget	Budget	8%
<b>5402100 · Employee Benefits</b>					
5402110 · Group Insurance	350	350	6,177	(5,827)	6%
5402135 · TMRS	408	408	4,011	(3,603)	10%
5402160 · Worker's Compensation	77	77	310	(233)	25%
5402170 · Payroll Taxes	71	71	653	(582)	11%
5402190 · License	0	0	625	(625)	0%
<b>Total 5402100 · Employee Benefits</b>	<b>907</b>	<b>907</b>	<b>11,776</b>	<b>(10,869)</b>	<b>8%</b>
<b>5402300 · Contractual Services</b>					
5402315 · Contract Building Inspections	2,464	2,464	115,000	(112,536)	2%
5402370 · Impound Fees	0	0	2,300	(2,300)	0%
<b>Total 5402300 · Contractual Services</b>	<b>2,464</b>	<b>2,464</b>	<b>117,300</b>	<b>(114,836)</b>	<b>2%</b>
<b>5402600 · Special Expenses</b>					
5402680 · Environmental Testing	0	0	2,300	(2,300)	0%
5402685 · Clean up Day	0	0	100	(100)	0%
<b>Total 5402600 · Special Expenses</b>	<b>0</b>	<b>0</b>	<b>2,400</b>	<b>(2,400)</b>	<b>0%</b>
<b>5403100 · General Supplies</b>					
5403110 · Office Supplies	0	0	50	(50)	0%
5403120 · Animal Care	0	0	150	(150)	0%
5403122 · Pet Supplies	33	33	500	(467)	7%
5403140 · Uniforms	0	0	450	(450)	0%
<b>Total 5403100 · General Supplies</b>	<b>33</b>	<b>33</b>	<b>1,150</b>	<b>(1,117)</b>	<b>3%</b>
<b>5403400 · Maintenance Supplies &amp; Parts</b>					
5403460 · Miscellaneous	28	28	200	(172)	14%
<b>Total 5403400 · Maintenance Supplies &amp; Parts</b>	<b>28</b>	<b>28</b>	<b>200</b>	<b>(172)</b>	<b>14%</b>
<b>5404200 · Travel Expenses</b>					

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current		Year to Date		\$ Over (Under) Budget	% of Budget Thru October 8%
	October 2015	Oct 2015 - Oct 2015	Budget	Budget		
5404210 · Travel - Local	0	0	25	(25)	0%	
5404220 · Professional Development	0	0	200	(200)	0%	
5404270 · Vehicle Expenses	100	100	3,000	(2,900)	3%	
<b>Total 5404200 · Travel Expenses</b>	<b>100</b>	<b>100</b>	<b>3,225</b>	<b>(3,125)</b>	<b>3%</b>	
5405200 · Data Processing Expenses						
5405230 · Data Proc-Maintenance & Repairs	0	0	1,080	(1,080)	0%	
<b>Total 5405200 · Data Processing Expenses</b>	<b>0</b>	<b>0</b>	<b>1,080</b>	<b>(1,080)</b>	<b>0%</b>	
5405300 · Printing Expense						
5405330 · Printing - Forms	397	397	150	247	264%	
<b>Total 5405300 · Printing Expense</b>	<b>397</b>	<b>397</b>	<b>150</b>	<b>247</b>	<b>264%</b>	
5405400 · Utilities						
5405415 · Cellular Phone	89	89	950	(861)	9%	
<b>Total 5405400 · Utilities</b>	<b>89</b>	<b>89</b>	<b>950</b>	<b>(861)</b>	<b>9%</b>	
5405600 · Insurance						
5405610 · Insurance - Property	2	2	9	(7)	22%	
5405620 · Insurance - Liability	57	57	230	(173)	25%	
5405640 · Insurance - Vehicle	68	68	230	(162)	29%	
<b>Total 5405600 · Insurance</b>	<b>127</b>	<b>127</b>	<b>469</b>	<b>(342)</b>	<b>27%</b>	
5405700 · Other Expenses						
5405765 · Miscellaneous	0	0	100	(100)	0%	
<b>Total 5405700 · Other Expenses</b>	<b>0</b>	<b>0</b>	<b>100</b>	<b>(100)</b>	<b>0%</b>	
5406400 · Minor Capital Outlay						
5406440 · Machinery & Equipment	67	67	1,000	(933)	7%	
<b>Total 5406400 · Minor Capital Outlay</b>	<b>67</b>	<b>67</b>	<b>1,000</b>	<b>(933)</b>	<b>7%</b>	

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
				Budget	8%
<b>Total 40 · Community Services</b>	8,730	8,730	189,000	(180,270)	5%
<b>45 · Solid Waste</b>					
5455400 · Utilities					
5455465 · Solidwaste Pickup (Garbage)	18,343	18,343	226,356	(208,013)	8%
<b>Total 5455400 · Utilities</b>	18,343	18,343	226,356	(208,013)	8%
<b>Total 45 · Solid Waste</b>	18,343	18,343	226,356	(208,013)	8%
<b>50 · Streets</b>					
5501400 · Support Staff					
5501415 · Maintenance Crew	1,800	1,800	23,400	(21,600)	8%
5501490 · Overtime	169	169	1,500	(1,331)	11%
5501500 · Streets - On Call	0	0	600	(600)	0%
<b>Total 5501400 · Support Staff</b>	1,969	1,969	25,500	(23,531)	8%
5502100 · Employee Benefits					
5502110 · Group Insurance	662	662	8,170	(7,508)	8%
5502135 · TMRS	176	176	2,148	(1,972)	8%
5502160 · Worker's Compensation	437	437	1,750	(1,313)	25%
5502170 · Payroll Taxes	28	28	350	(322)	8%
5502190 · License	0	0	122	(122)	0%
<b>Total 5502100 · Employee Benefits</b>	1,303	1,303	12,540	(11,237)	10%
5502200 · Special Services					
5502280 · NCTCOG- SWMP Fees	3,353	3,353	6,400	(3,047)	52%
<b>Total 5502200 · Special Services</b>	3,353	3,353	6,400	(3,047)	52%
5502600 · Special Expenses					
5502620 · Emergency Clean Up	0	0	2,250	(2,250)	0%

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current		Year to Date	Budget	\$ Over (Under) Budget	% of Budget Thru October 8%
	October 2015	Oct 2015 - Oct 2015				
<b>Total 5502600 · Special Expenses</b>	0	0		2,250	(2,250)	0%
<b>5503100 · General Supplies</b>						
5503110 · Office Supplies	0	0		100	(100)	0%
5503140 · Uniforms	0	0		600	(600)	0%
<b>Total 5503100 · General Supplies</b>	0	0		700	(700)	0%
<b>5503400 · Maintenance Supplies &amp; Parts</b>						
5503405 · Drainage Maintenance	0	0		500	(500)	0%
5503420 · Supplies - Street Signs	188	188		2,500	(2,312)	8%
5503460 · Miscellaneous	0	0		300	(300)	0%
<b>Total 5503400 · Maintenance Supplies &amp; Parts</b>	188	188		3,300	(3,112)	6%
<b>5504200 · Travel Expenses</b>						
5504220 · Professional Development	0	0		500	(500)	0%
5504270 · Vehicle Expenses	241	241		6,500	(6,259)	4%
<b>Total 5504200 · Travel Expenses</b>	241	241		7,000	(6,759)	3%
<b>5505300 · Printing Expense</b>						
5505350 · Printing - Other	0	0		350	(350)	0%
<b>Total 5505300 · Printing Expense</b>	0	0		350	(350)	0%
<b>5505400 · Utilities</b>						
5505450 · Electricity	3,751	3,751		45,000	(41,249)	8%
<b>Total 5505400 · Utilities</b>	3,751	3,751		45,000	(41,249)	8%
<b>5505500 · Repairs &amp; Bldg Improvements</b>						
5405520 · Repairs - Building	0	0		500	(500)	0%
5505540 · Repairs - Machinery & Equipment	0	0		3,000	(3,000)	0%

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
			Budget	Budget	8%
5505550 · Repairs - Vehicles	0	0	2,500	(2,500)	0%
5505560 · Repairs -Street Maint.& Repairs	6,011	6,011	50,000	(43,989)	12%
5505565 · Repairs - Infrastruct Drainage	0	0	3,000	(3,000)	0%
5505590 · Repairs - Other	0	0	1,500	(1,500)	0%
<b>Total 5505500 · Repairs &amp; Bldg Improvements</b>	<b>6,011</b>	<b>6,011</b>	<b>60,500</b>	<b>(54,489)</b>	<b>10%</b>
<b>5505600 · Insurance</b>					
5505620 · Insurance - Liability	308	308	1,235	(927)	25%
5505640 · Insurance - Vehicle	888	888	3,554	(2,666)	25%
<b>Total 5505600 · Insurance</b>	<b>1,196</b>	<b>1,196</b>	<b>4,789</b>	<b>(3,593)</b>	<b>25%</b>
<b>5505700 · Other Expenses</b>					
5505752 · Employment Screening	0	0	150	(150)	0%
<b>Total 5505700 · Other Expenses</b>	<b>0</b>	<b>0</b>	<b>150</b>	<b>(150)</b>	<b>0%</b>
<b>5506400 · Minor Capital Outlay</b>					
5506440 · Machinery & Equipment	800	800	2,500	(1,700)	32%
5506445 · Personal Protective Equipment	0	0	300	(300)	0%
5506490 · Other	0	0	850	(850)	0%
<b>Total 5506400 · Minor Capital Outlay</b>	<b>800</b>	<b>800</b>	<b>3,650</b>	<b>(2,850)</b>	<b>22%</b>
<b>5507400 · Capitalized Assets</b>					
5507440 · Machinery & Equipment	0	0	6,000	(6,000)	0%
5507460 · Infrastructure	0	0	330,500	(330,500)	0%
<b>Total 5507400 · Capitalized Assets</b>	<b>0</b>	<b>0</b>	<b>336,500</b>	<b>(336,500)</b>	<b>0%</b>
<b>Total 50 · Streets</b>	<b>18,813</b>	<b>18,813</b>	<b>508,629</b>	<b>(489,816)</b>	<b>4%</b>
<b>60 · Parks</b>					
<b>5602400 · Rentals</b>					
5602490 · Rental - Other	210	210	3,000	(2,790)	7%

**City of Ovilla General Fund**  
**Actual vs Budget Review**  
October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
				Budget	8%
<b>Total 5602400 · Rentals</b>	210	210	3,000	(2,790)	7%
<b>5602600 · Special Expenses</b>					
5602680 · Heritage Day	0	0	8,000	(8,000)	0%
5602690 · Special Events	465	465	4,500	0	10%
<b>Total 5602600 · Special Expenses</b>	465	465	12,500	(8,000)	4%
<b>5603400 · Maintenance Supplies &amp; Parts</b>					
5603460 · Miscellaneous	125	125	300	(175)	42%
<b>Total 5603400 · Maintenance Supplies &amp; Parts</b>	125	125	300	(175)	42%
<b>5605400 · Utilities</b>					
5605450 · Electricity	618	618	8,300	(7,682)	7%
<b>Total 5605400 · Utilities</b>	618	618	8,300	(7,682)	7%
<b>5605500 · Repairs &amp; Bldg Improvements</b>					
5605520 · Repairs - Building	0	0	250	(250)	0%
5605530 · REPAIRS-IMP OTHER THAN BLDGS	0	0	1,000	(1,000)	0%
<b>Total 5605500 · Repairs &amp; Bldg Improvements</b>	0	0	1,250	(1,250)	0%
<b>5605600 · Insurance</b>					
5605610 · Insurance - Property	29	29	115	(86)	25%
5605620 · Insurance - Liability	130	130	521	(391)	25%
5605640 · Insurance - Vehicle	57	57	230	(173)	25%
<b>Total 5605600 · Insurance</b>	216	216	866	(650)	25%
<b>5605700 · Other Expenses</b>					
5605765 · Miscellaneouse	170	170	300	(130)	57%
<b>Total 5605700 · Other Expenses</b>	170	170	300	(130)	57%
<b>5606400 · Minor Capital Outlay</b>					

**City of Ovilla General Fund  
Actual vs Budget Review  
October 2015 through October 2015**

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
			Budget	Budget	8%
5606410 · Land Improvements	243	243	6,000	(5,757)	4%
5606440 · Machinery & Equipment	0	0	500	(500)	0%
<b>Total 5606400 · Minor Capital Outlay</b>	<b>243</b>	<b>243</b>	<b>6,500</b>	<b>(6,257)</b>	<b>4%</b>
5607400 · Capitalized Assets					
5607440 · Machinery & Equipment	0	0	1,000	(1,000)	0%
<b>Total 5607400 · Capitalized Assets</b>	<b>0</b>	<b>0</b>	<b>1,000</b>	<b>(1,000)</b>	<b>0%</b>
<b>Total 60 · Parks</b>	<b>2,046</b>	<b>2,046</b>	<b>34,016</b>	<b>(31,970)</b>	<b>6%</b>
<b>Total Expenditures</b>	<b>260,939</b>	<b>260,939</b>	<b>3,019,023</b>	<b>(2,758,084)</b>	<b>9%</b>
<b>Net Change in Fund Balance</b>	<b>-196,152</b>	<b>-196,152</b>	<b>0</b>	<b>(196,152)</b>	<b>100%</b>

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
			Budget	Budget	8%
<b>Resources</b>					
<b>4000400 · Charges for Services</b>					
4000460 · Water Sales	139,631	139,631	894,932	(755,301)	16%
4000461 · Sewer Service	19,028	19,028	441,770	(422,742)	4%
4000465 · Water & Sewer Penalties	1,965	1,965	19,000	(17,035)	10%
4000471 · Reconnect Fees	100	100	5,400	(5,300)	2%
4000472 · Meters	0	0	3,700	(3,700)	0%
4000473 · Connect Fees	350	350	4,400	(4,050)	8%
4000478 · Infrastructure Improvement Fee	4,195	4,195	70,133	(65,938)	6%
4000480-Solid Waste Fees (Garbage)	16,083	16,083	0	16,083	100%
<b>Total 4000400 · Charges for Services</b>	<b>181,352</b>	<b>181,352</b>	<b>1,439,335</b>	<b>(1,257,983)</b>	<b>13%</b>
<b>4000800 · Other Revenue</b>					
4000880 · Capital Rec Fee	1,250	1,250	62,500	(61,250)	2%
4000840 · Interest Earned	241	241	3,100	(2,859)	8%
4000890 · Misc Other Revenue	0	0	2,000	(2,000)	0%
<b>Total 4000800 · Other Revenue</b>	<b>1,491</b>	<b>1,491</b>	<b>67,600</b>	<b>(66,109)</b>	<b>2%</b>
<b>Total Resources</b>	<b>182,843</b>	<b>182,843</b>	<b>1,506,935</b>	<b>(1,324,092)</b>	<b>12%</b>
<b>Expense</b>					
<b>70 · Administration</b>					
<b>5701100 · Salaries &amp; Wages</b>					
5701110 · City Administrator	0	0	20,600	(20,600)	0%
5701115 · City Secretary	0	0	13,133	(13,133)	0%
5701117 · Finance Accountant	0	0	12,360	(12,360)	0%
5701120 · Part Time Admin. Support	0	0	7,435	(7,435)	0%
5701130 · Public Works Director	4,151	4,151	52,388	(48,237)	8%
5701180 · Merit Raises, Staff	0	0	3,177	(3,177)	0%
<b>Total 5701100 · Salaries &amp; Wages</b>	<b>4,151</b>	<b>4,151</b>	<b>109,093</b>	<b>(104,942)</b>	<b>4%</b>

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
				Budget	8%
<b>5702100 · Employee Benefits</b>					
5702110 · Group Insurance	662	662	8,166	(7,504)	8%
5702135 · TMRS	375	375	4,808	(4,433)	8%
5702170 · Payroll Taxes	59	59	783	(725)	7%
<b>Total 5702100 · Employee Benefits</b>	<b>1,096</b>	<b>1,096</b>	<b>13,757</b>	<b>(12,661)</b>	<b>8%</b>
<b>5702200 · Special Services</b>					
5702230 · Legal Fees	0	0	1,000	(1,000)	0%
5702240 · Audit	0	0	5,780	(5,780)	0%
5702250 · Accounting	0	0	500	(500)	0%
<b>Total 5702200 · Special Services</b>	<b>0</b>	<b>0</b>	<b>7,280</b>	<b>(7,280)</b>	<b>0%</b>
<b>5702300 · Contractual Services /Personnel</b>					
5702310 · Consultant Fees	0	0	3,500	(3,500)	0%
<b>Total 5702300 · Contractual Services /Personnel</b>	<b>0</b>	<b>0</b>	<b>3,500</b>	<b>(3,500)</b>	<b>0%</b>
<b>5703100 · General Supplies</b>					
5703110 · Office Supplies	135	135	800	(665)	17%
<b>Total 5703100 · General Supplies</b>	<b>135</b>	<b>135</b>	<b>800</b>	<b>(665)</b>	<b>17%</b>
<b>5703400 · Maintenance Supplies / Parts</b>					
5703410 · Supplies - Custodial	0	0	200	(200)	0%
<b>Total 5703400 · Maintenance Supplies / Parts</b>	<b>0</b>	<b>0</b>	<b>200</b>	<b>(200)</b>	<b>0%</b>
<b>5704200 · Travel Expenses</b>					
5704210 · Travel - Local	0	0	200	(200)	0%
5704220 · Professional Development	0	0	750	(750)	0%
<b>Total 5704200 · Travel Expenses</b>	<b>0</b>	<b>0</b>	<b>950</b>	<b>(950)</b>	<b>0%</b>
<b>5705200 · Data Processing Expenses</b>					

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
				Budget	8%
5705240 · Data Processing - Software	0	0	400	(400)	0%
<b>Total 5705200 · Data Processing Expenses</b>	<b>0</b>	<b>0</b>	<b>400</b>	<b>(400)</b>	<b>0%</b>
5705300 · Printing Expense					
5705350 · Printing - Other	17	17	250	(233)	7%
<b>Total 5705300 · Printing Expense</b>	<b>17</b>	<b>17</b>	<b>250</b>	<b>(233)</b>	<b>7%</b>
5705400 · Utilities					
5705410 · Telephone	110	110	1,250	(1,140)	9%
5705415 · Cellular Phone	38	38	850	(812)	4%
5705417 · Internet	102	102	950	(848)	11%
<b>Total 5705400 · Utilities</b>	<b>250</b>	<b>250</b>	<b>3,050</b>	<b>(2,800)</b>	<b>8%</b>
5705700 · Other Expenses					
5705705 · Postage	500	500	8,900	(8,400)	6%
5705740 · Advertising	0	0	300	(300)	0%
5705760 · Bank Service Charge	50	50	100	(50)	50%
5705765 · Miscellaneous	0	0	100	(100)	0%
5705775 · Credit Card Transaction Fee	330	330	3,000	(2,670)	11%
<b>Total 5705700 · Other Expenses</b>	<b>880</b>	<b>880</b>	<b>12,400</b>	<b>(11,520)</b>	<b>7%</b>
5706400 · Minor Capital Outlay					
5706440 · Machinery & Equipment	0	0	500	(500)	0%
<b>Total 5706400 · Minor Capital Outlay</b>	<b>0</b>	<b>0</b>	<b>500</b>	<b>(500)</b>	<b>0%</b>
5709000 · Reserve					
5708215 · Admin. Exp. to General Fund	0	0	91,287	(91,287)	0%
5709002 · Capital Improv. Water Reserve	0	0	26,015	(26,015)	0%
5709003 · Capital Improv. Sewer Reserve	0	0	32,685	(32,685)	0%
5709010 · Administrative Reserves	0	0	2,747	(2,747)	0%
<b>Total 5709000 · Reserve</b>	<b>0</b>	<b>0</b>	<b>152,734</b>	<b>(152,734)</b>	<b>0%</b>

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
				Budget	8%
Total 70 · Administration	6,529	6,529	304,914	(298,385)	2%
<b>75 · Water</b>					
<b>5751100 · Salaries &amp; Wages</b>					
5751133 · Superintendent	3,328	3,328	42,000	(38,672)	8%
5751180 · Merit Raises - Staff	0	0	1,260	(1,260)	0%
<b>Total 5751100 · Salaries &amp; Wages</b>	<b>3,328</b>	<b>3,328</b>	<b>43,260</b>	<b>(39,932)</b>	<b>8%</b>
<b>5751400 · Support Salaries</b>					
5751405 · Support Staff	3,232	3,232	30,593	(27,361)	11%
5751415 · Maintenance Crew	6,213	6,213	78,395	(72,182)	8%
5751430 · Seasonal Crew	0	0	3,000	(3,000)	0%
5751450 · Certification Pay	92	92	1,200	(1,108)	8%
5751480 · Merit Raises	0	0	3,666	(3,666)	0%
5751490 · Overtime	504	504	4,000	(3,496)	13%
5751500 · Water - On Call	100	100	1,000	(900)	10%
<b>Total 5751400 · Support Salaries</b>	<b>10,141</b>	<b>10,141</b>	<b>121,854</b>	<b>(111,713)</b>	<b>8%</b>
<b>5752100 · Employee Benefits</b>					
5752110 · Group Insurance	2,025	2,025	41,115	(39,090)	5%
5752135 · TMRS	1,200	1,200	14,792	(13,592)	8%
5752160 · Worker's Compensation	846	846	3,385	(2,539)	25%
5752170 · Payroll Taxes	201	201	2,408	(2,207)	8%
5752190 · Licenses	0	0	222	(222)	0%
<b>Total 5752100 · Employee Benefits</b>	<b>4,272</b>	<b>4,272</b>	<b>61,922</b>	<b>(57,650)</b>	<b>7%</b>
<b>5752300 · Contractual Services/Personnel</b>					
5752350 · Contract Labor - Company	0	0	1,500	(1,500)	0%
5752380 · Dispatch	6,225	6,225	11,628	(5,403)	54%
<b>Total 5752300 · Contractual Services/Personnel</b>	<b>6,225</b>	<b>6,225</b>	<b>13,128</b>	<b>(6,903)</b>	<b>47%</b>

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
**October 2015 through October 2015**

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
				Budget	8%
<b>5752400 · Rentals</b>					
5752420 · Rental - Machinery & Equipment	0	0	250	(250)	0%
<b>Total 5752400 · Rentals</b>	<b>0</b>	<b>0</b>	<b>250</b>	<b>(250)</b>	<b>0%</b>
<b>5752500 · Operating Services</b>					
5752580 · Water Testing	128	128	4,000	(3,872)	3%
5752590 · TCEQ Fees	0	0	3,500	(3,500)	0%
<b>Total 5752500 · Operating Services</b>	<b>128</b>	<b>128</b>	<b>7,500</b>	<b>(7,372)</b>	<b>2%</b>
<b>5753100 · General Supplies</b>					
5753140 · Uniforms	1,099	1,099	1,700	(601)	65%
<b>Total 5753100 · General Supplies</b>	<b>1,099</b>	<b>1,099</b>	<b>1,700</b>	<b>(601)</b>	<b>65%</b>
<b>5753400 · Maintenance Supplies &amp; Parts</b>					
5753460 · Miscellaneous	0	0	300	(300)	0%
<b>Total 5753400 · Maintenance Supplies &amp; Parts</b>	<b>0</b>	<b>0</b>	<b>300</b>	<b>(300)</b>	<b>0%</b>
<b>5754200 · Travel Expenses</b>					
5754220 · Professional Development	0	0	750	(750)	0%
5754270 · Vehicle Expenses	459	459	10,000	(9,541)	5%
<b>Total 5754200 · Travel Expenses</b>	<b>459</b>	<b>459</b>	<b>10,750</b>	<b>(10,291)</b>	<b>4%</b>
<b>5755200 · Data Processing Expenses</b>					
5755230 · Data Proc-Maintenance & Repairs	0	0	1,300	(1,300)	0%
5755240 · Data Processing - Software	0	0	4,200	(4,200)	0%
<b>Total 5755200 · Data Processing Expenses</b>	<b>0</b>	<b>0</b>	<b>5,500</b>	<b>(5,500)</b>	<b>0%</b>
<b>5755300 · Printing Expenses</b>					
5755310 · Copier Expense	0	0	3,000	(3,000)	0%
5755350 · Printing - Other	907	907	2,000	(1,093)	45%

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
October 2015 through October 2015

	Current		Year to Date	\$ Over (Under) Budget	% of Budget Thru October 8%
	October 2015	Oct 2015 - Oct 2015			
Total 5755300 · Printing Expenses	907	907	5,000	(4,093)	18%
<b>5755400 · Utilities</b>					
5755415 · Cellular Phone	64	64	1,500	(1,436)	4%
5755450 · Electricity	2,428	2,428	26,000	(23,572)	9%
5755460 · Water, wholesale	48,580	48,580	391,500	(342,920)	12%
Total 5755400 · Utilities	51,073	51,073	419,000	(367,927)	12%
<b>5755500 · Repairs &amp; Building Improvements</b>					
5755540 · Repairs- Machinery & Equipment	607	607	4,000	(3,393)	15%
5755550 · Repairs - Vehicles	371	371	2,000	(1,629)	19%
5755570 · Inventory Expense	1,422	1,422	9,000	(7,578)	16%
5755580 · Water Chemical Expense	254	254	8,000	(7,746)	3%
5755590 · Repairs - Other	0	0	3,000	(3,000)	0%
Total 5755500 · Repairs & Building Improvements	2,652	2,652	26,000	(23,348)	10%
<b>5755600 · Insurance</b>					
5755610 · Insurance - Property	668	668	2,672	(2,004)	25%
5755620 · Insurance - Liability	431	431	1,724	(1,293)	25%
5755640 · Insurance - Vehicle	158	158	633	(475)	25%
Total 5755600 · Insurance	1,257	1,257	5,029	(3,772)	25%
<b>5755700 · Other Expenses</b>					
5755752 · Employment Screening	0	0	150	(150)	0%
Total 5755700 · Other Expenses	0	0	150	(150)	0%
<b>5756400 · Minor Capital Outlay</b>					
5756440 · Machinery & Equipment	0	0	1,000	(1,000)	0%
5756490 · Other	0	0	500	(500)	0%
Total 5756400 · Minor Capital Outlay	0	0	1,500	(1,500)	0%

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
				Budget	8%
<b>5757400 · Capitalized Assets</b>					
5757440 · Machinery & Equipment	0	0	2,500	(2,500)	0%
5757470 · Infrastructure - Water	0	0	4,000	(4,000)	0%
<b>Total 5757400 · Capitalized Assets</b>	<b>0</b>	<b>0</b>	<b>6,500</b>	<b>(6,500)</b>	<b>0%</b>
<b>5757900 · Long-Term Debt</b>					
5758225 · Admin. Expense to Debt Fund	0	0	102,786	(102,786)	0%
<b>Total 5757900 · Long-Term Debt</b>	<b>0</b>	<b>0</b>	<b>102,786</b>	<b>(102,786)</b>	<b>0%</b>
<b>Total 75 · Water</b>	<b>81,542</b>	<b>81,542</b>	<b>832,129</b>	<b>(750,587)</b>	<b>10%</b>
<b>80 · Sewer</b>					
<b>5801400 · Support Salaries</b>					
5801405 · Support Staff	0	0	10,197	(10,197)	0%
5801415 · Maintenance Crew	2,637	2,637	33,280	(30,643)	8%
5801450 · Certification Pay	92	92	1,210	(1,118)	8%
5801480 · Merit Raises	0	0	998	(998)	0%
5801490 · Overtime	247	247	3,000	(2,753)	8%
5801500 · Sewer - On Call	50	50	1,150	(1,100)	4%
<b>Total 5801400 · Support Salaries</b>	<b>3,026</b>	<b>3,026</b>	<b>49,835</b>	<b>(46,809)</b>	<b>6%</b>
<b>5802100 · Employee Benefits</b>					
5802110 · Group Insurance	662	662	8,451	(7,789)	8%
5802135 · TMRS	266	266	3,054	(2,788)	9%
5802160 · Worker's Compensation-Sewer	846	846	3,385	(2,539)	25%
5802170 · Payroll Taxes	43	43	497	(454)	9%
5802190 · Licenses	0	0	150	(150)	0%
<b>Total 5802100 · Employee Benefits</b>	<b>1,817</b>	<b>1,817</b>	<b>15,537</b>	<b>(13,720)</b>	<b>12%</b>
<b>5802300 · Contractual Services/Personnel</b>					

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
				Budget	8%
5802350 · Contract Labor - Company	0	0	2,000	(2,000)	0%
<b>Total 5802300 · Contractual Services/Personnel</b>	<b>0</b>	<b>0</b>	<b>2,000</b>	<b>(2,000)</b>	<b>0%</b>
<b>5802500 · Operating Services</b>					
5802515 · Sardis Collection Expense	0	0	9,618	(9,618)	0%
5802590 · TCEQ Fees - Sewer	0	0	100	(100)	0%
<b>Total 5802500 · Operating Services</b>	<b>0</b>	<b>0</b>	<b>9,718</b>	<b>(9,718)</b>	<b>0%</b>
<b>5803100 · General Supplies</b>					
5803140 · Uniforms	1,083	1,083	1,200	(117)	90%
<b>Total 5803100 · General Supplies</b>	<b>1,083</b>	<b>1,083</b>	<b>1,200</b>	<b>(117)</b>	<b>90%</b>
<b>5803400 · Maintenance Supplies &amp; Parts</b>					
5803460 · Miscellaneous	0	0	500	(500)	0%
<b>Total 5803400 · Maintenance Supplies &amp; Parts</b>	<b>0</b>	<b>0</b>	<b>500</b>	<b>(500)</b>	<b>0%</b>
<b>5804200 · Travel Expenses</b>					
5804220 · Professional Development	0	0	500	(500)	0%
5804270 · Vehicle Expense	158	158	1,200	(1,042)	13%
<b>Total 5804200 · Travel Expenses</b>	<b>158</b>	<b>158</b>	<b>1,700</b>	<b>(1,542)</b>	<b>9%</b>
<b>5805400 · Utilities</b>					
5805450 · Electricity	130	130	3,000	(2,870)	4%
5805463 · TRA Wastewater Treatment	28,696	28,696	270,806	(242,110)	11%
<b>Total 5805400 · Utilities</b>	<b>28,826</b>	<b>28,826</b>	<b>273,806</b>	<b>(244,980)</b>	<b>11%</b>
<b>5805500 · Repairs &amp; Bldg Improvements</b>					
5805510 · Repairs - Land Improvements	0	0	300	(300)	0%
5805540 · Repairs - Machinery & Equipment	0	0	6,000	(6,000)	0%
5805570 · Inventory Expense	47	47	2,000	(1,953)	2%
5805590 · Repairs - Other	0	0	600	(600)	0%
<b>Total 5805500 · Repairs &amp; Bldg Improvements</b>	<b>47</b>	<b>47</b>	<b>8,900</b>	<b>(8,853)</b>	<b>1%</b>

**Ovilla W&S Utility Fund**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over (Under)	% of Budget Thru October
	October 2015	Oct 2015 - Oct 2015		Budget	Budget
<b>5805600 · Insurance</b>					
5805610 · Insurance - Property	14	14	56	(42)	25%
5805620 · Insurance - Liability	100	100	400	(301)	25%
5805640 · Insurance - Vehicle	10	10	40	(30)	24%
<b>Total 5805600 · Insurance</b>	<b>123</b>	<b>123</b>	<b>496</b>	<b>(373)</b>	<b>25%</b>
<b>5805700 · Other Expenses</b>					
5805752 · Employment Screening	0	0	200	(200)	0%
<b>Total 5805700 · Other Expenses</b>	<b>0</b>	<b>0</b>	<b>200</b>	<b>(200)</b>	<b>0%</b>
<b>5807400 · Capitalized Assets</b>					
5807440 · Machinery & Equipment	0	0	6,000	(6,000)	0%
<b>Total 5807400 · Capitalized Assets</b>	<b>0</b>	<b>0</b>	<b>6,000</b>	<b>(6,000)</b>	<b>0%</b>
<b>Total 80 · Sewer</b>	<b>35,080</b>	<b>35,080</b>	<b>369,892</b>	<b>(334,812)</b>	<b>9%</b>
<b>Total Expense</b>	<b>123,151</b>	<b>123,151</b>	<b>1,506,935</b>	<b>(1,383,784)</b>	<b>8%</b>
<b>Net Change in Fund Balance</b>	<b>59,692</b>	<b>59,692</b>	<b>0</b>	<b>59,692</b>	<b>100%</b>

**Ovilla Debt Service**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
			Budget	Budget	8%
<b>Revenues</b>					
4000100 · Taxes					
4000107 · Ad Valorem, Current I & S	247	247	467,702	(467,455)	0%
4000111 · Ad Valorem, Delinquent I & S	192	192	4,122	(3,930)	5%
4000114 · Interest/Penalties - I & S	33	33	1,611	(1,578)	2%
<b>Total 4000100 · Taxes</b>	<b>471</b>	<b>471</b>	<b>473,435</b>	<b>(472,964)</b>	<b>0%</b>
4000800 · Other Revenue					
4000840 · Interest Earned	2	2	700	(698)	0%
4000900 · Reduction of Reserve Fund Bal.	-	-	1,604	(1,604)	0%
4000930 · Admin.Rev.Rec.Fr Water & Sewer	-	-	102,786	(102,786)	0%
<b>Total 4000800 · Other Revenue</b>	<b>2</b>	<b>2</b>	<b>105,090</b>	<b>(105,088)</b>	<b>0%</b>
<b>Total Revenues</b>	<b>474</b>	<b>474</b>	<b>578,525</b>	<b>(578,051)</b>	<b>0%</b>
<b>Expenditures</b>					
5157900 · Long-Term Debt					
5157930 · Paying Agent Fees	-	-	500	(500)	0%
51579349 - 2011 Bond Issue Principle	-	-	375,000	(375,000)	0%
5157940 · 2011 Bond Issue Interest	-	-	203,025	(203,025)	0%
<b>Total 5157900 · Long-Term Debt</b>	<b>-</b>	<b>-</b>	<b>578,525</b>	<b>(578,525)</b>	<b>0%</b>
<b>Total Expenditures</b>	<b>-</b>	<b>-</b>	<b>578,525</b>	<b>(578,525)</b>	<b>0%</b>
<b>Net Change in Fund Balance</b>	<b>474</b>	<b>474</b>	<b>-</b>	<b>474</b>	<b>100%</b>

City of Ovilla Capital Projects Fund

Actual vs Budget Review

October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
			Budget	Budget	8%
<b>Revenues</b>					
4000800 · Other Revenue					
4000845 · Interest Earned - Texstar	0	0	1	(1)	6%
4000850 · Interest Earned - Prosperity	22	22	255	(233)	9%
<b>Total 4000800 · Other Revenue</b>	<b>22</b>	<b>22</b>	<b>256</b>	<b>(234)</b>	<b>9%</b>
<b>Total Revenues</b>	<b>22</b>	<b>22</b>	<b>256</b>	<b>(234)</b>	<b>9%</b>
<b>Expense</b>					
5879000 · Reserves					
5879010 · Admin Reserves	0	0	256	(256)	0%
<b>Total 5879000 · Reserves</b>	<b>0</b>	<b>0</b>	<b>256</b>	<b>(256)</b>	<b>0%</b>
<b>Total Expense</b>	<b>0</b>	<b>0</b>	<b>256</b>	<b>(256)</b>	<b>0%</b>
<b>Change in Net Position</b>	<b>22</b>	<b>22</b>	<b>0</b>	<b>22</b>	<b>100%</b>

**Ovilla Park Impact Fund  
Actual vs Budget Review  
October 2015 through October 2015**

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
			Budget	Budget	8%
<b>Revenues</b>					
4000400 · Charges for Services					
4000460 · Park Impact	335	335	16,726	(16,391)	2%
Total 4000400 · Charges for Services	335	335	16,726	(16,391)	2%
4000800 · Other Revenue					
4000840 · Interest Earned	11	11	100	(89)	11%
Total 4000800 · Other Revenue	11	11	100	(89)	11%
<b>Total Revenues</b>	<b>345</b>	<b>345</b>	<b>16,826</b>	<b>(16,481)</b>	<b>2%</b>
<b>Expenditures</b>					
5606400 · Minor Capital Outlay					
5606410 · Land Improvements	0	0	500	(500)	0%
Total 5606400 · Minor Capital Outlay	0	0	500	(500)	0%
5607400 · Capitalized Assets					
5607440 · Capital Machinery & Equipment	0	0	6,000	(6,000)	0%
Total 5607400 · Capitalized Assets	0	0	6,000	(6,000)	0%
5609000 · Reserves					
5609035 · Park Impact Reserves	0	0	10,326	(10,326)	0%
Total 5609000 · Reserves	0	0	10,326	(10,326)	0%
<b>Total Expenditures</b>	<b>0</b>	<b>0</b>	<b>16,826</b>	<b>(16,826)</b>	<b>0%</b>
<b>Net Change in Fund Balance</b>	<b>345</b>	<b>345</b>	<b>0</b>	<b>345</b>	<b>100%</b>

Ovilla W&S Impact Fee Fund  
**Actual vs Budget Review**  
 October 2014 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 -Oct 2015		(Under)	Thru October
			Budget	Budget	8%
<b>Revenues</b>					
4000400 · Charges for Services					
4000476 - Water Impact Fee	0	0	0	0	0%
4000477 · Sewer Impact Fee	1,400	1,400	70,000	(68,600)	2%
<b>Total 4000400 · Charges for Services</b>	<b>1,400</b>	<b>1,400</b>	<b>70,000</b>	<b>(68,600)</b>	<b>2%</b>
4000800 · Other Revenue					
4000840 · Interest Earned	13	13	200	(187)	7%
4000880 - Transfer In - Water Impact	0	0	0	0	0%
<b>Total 4000800 · Other Revenue</b>	<b>13</b>	<b>13</b>	<b>200</b>	<b>(187)</b>	<b>7%</b>
<b>Total Revenues</b>	<b>1,413</b>	<b>1,413</b>	<b>70,200</b>	<b>(68,787)</b>	<b>2%</b>
<b>Expense</b>					
5859000 · Reserves					
5859020 - Water Impact Consultant Fee	0	0	37,500	(37,500)	0%
5859030 · Sewer Impact Fees Reserve	0	0	32,700	(32,700)	0%
<b>Total 5859000 · Reserves</b>	<b>0</b>	<b>0</b>	<b>70,200</b>	<b>(70,200)</b>	<b>0%</b>
<b>Total Expense</b>	<b>0</b>	<b>0</b>	<b>70,200</b>	<b>(70,200)</b>	<b>0%</b>
<b>Change in Net Position</b>	<b>1,413</b>	<b>1,413</b>	<b>0</b>	<b>1,413</b>	<b>100%</b>

Ovilla 4B Economic Development Corporation

Actual vs Budget Review

October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
				Budget	8%
<b>Revenues</b>					
4000100 · Taxes					
4000120 · Sales tax	7,258	7,258	81,838	(74,580)	9%
<b>Total 4000100 · Taxes</b>	<b>7,258</b>	<b>7,258</b>	<b>81,838</b>	<b>(74,580)</b>	<b>9%</b>
4000800 · Other Revenue					
4000840 · Interest Income	128	128	1,200	(1,072)	11%
<b>Total 4000800 · Other Revenue</b>	<b>128</b>	<b>128</b>	<b>1,200</b>	<b>(1,072)</b>	<b>11%</b>
<b>Total Revenues</b>	<b>7,387</b>	<b>7,387</b>	<b>83,038</b>	<b>(75,651)</b>	<b>9%</b>
<b>Expenditures</b>					
8102200 · Special Services					
8102230 · Legal Fees	0	0	500	(500)	0%
8102240 · Audit	0	0	1,600	(1,600)	0%
<b>Total 8102200 · Special Services</b>	<b>0</b>	<b>0</b>	<b>2,100</b>	<b>(2,100)</b>	<b>0%</b>
8102300 · Consultant Services					
8102310 · Consultant Fees	0	0	20,000	(20,000)	0%
<b>Total 8102300 · Consultant Services</b>	<b>0</b>	<b>0</b>	<b>20,000</b>	<b>(20,000)</b>	<b>0%</b>
8103100 · General Supplies					
8103110 · Office Supplies	0	0	100	(100)	0%
<b>Total 8103100 · General Supplies</b>	<b>0</b>	<b>0</b>	<b>100</b>	<b>(100)</b>	<b>0%</b>
8104200 · Travel Expense					
8104210 · Travel Expense	0	0	1,000	(1,000)	0%
8104220 · Professional Development	0	0	2,300	(2,300)	0%
<b>Total 8104200 · Travel Expense</b>	<b>0</b>	<b>0</b>	<b>3,300</b>	<b>(3,300)</b>	<b>0%</b>

Ovilla 4B Economic Development Corporation

Actual vs Budget Review

October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
				Budget	8%
8105300 · - Printing					
8105320 · Printing Expense	0	0	300	(300)	0%
Total 8105300 · - Printing	0	0	300	(300)	0%
8105500 · - Projects					
8105560 · Sewer Line	0	0	45,000	(45,000)	0%
Total 8105500 · - Projects	0	0	45,000	(45,000)	0%
8105600 · Insurance					
8105620 · Insurance - Liability	65	65	261	(196)	25%
Total 8105600 · Insurance	65	65	261	(196)	25%
8105700 · Other Expenses					
8105705 · Postage	0	0	100	(100)	0%
8105730 · Memberships	0	0	165	(165)	0%
8105740 · Advertising	0	0	5,300	(5,300)	0%
8105765 · Business Expense	0	0	1,000	(1,000)	0%
Total 8105700 · Other Expenses	0	0	6,565	(6,565)	0%
8109000 · Reserves					
8109015 · Administrative Reserves	0	0	2,912	(2,912)	0%
8109215 · Admin. Expense to General Fund	0	0	2,500	(2,500)	0%
Total 8109000 · Reserves	0	0	5,412	(5,412)	0%
Total Expenditures	65	65	83,038	(82,973)	0%
Net Change in Fund Balance	7,322	7,322	0	7,322	100%

Ovilla Municipal Development District

Actual vs Budget Review

October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	October 2015	Oct 2015 - Oct 2015		(Under)	Thru October
			Budget	Budget	8%
<b>Revenues</b>					
4000100 · Taxes					
4000120 · Sales tax	2,734	2,734	40,919	(38,185)	7%
Total 4000100 · Taxes	2,734	2,734	40,919	(38,185)	7%
4000800 · Other Revenue					
4000840 · Interest Income	38	38	300	(262)	13%
Total 4000800 · Other Revenue	38	38	300	(262)	13%
<b>Total Revenues</b>	<b>2,772</b>	<b>2,772</b>	<b>41,219</b>	<b>(38,447)</b>	<b>7%</b>
<b>Expenditures</b>					
9102200 · Special Services					
9102230 · Legal Fees	0	0	250	(250)	0%
9102240 · Audit	0	0	1,600	(1,600)	0%
9102250 · Accounting	0	0	250	(250)	0%
Total 9102200 · Special Services	0	0	2,100	(2,100)	0%
9102300 · Consultant Services					
9102310 · Consultant Fees	0	0	534	(534)	0%
Total 9102300 · Consultant Services	0	0	534	(534)	0%
9103100 · General Supplies					
9103110 · Office Supplies	0	0	100	(100)	0%
Total 9103100 · General Supplies	0	0	100	(100)	0%
9104200 · Travel Expense					
9104220 · Professional Development	0	0	250	(250)	0%
Total 9104200 · Travel Expense	0	0	250	(250)	0%

Ovilla Municipal Development District

Actual vs Budget Review

October 2015 through October 2015

	Current	Year to Date		\$ Over (Under)	% of Budget Thru October
9105600 · Insurance					
9105620 · Insurance - Liability	65	65	261	(196)	25%
Total 9105600 · Insurance	65	65	261	(196)	25%
9105700 · Other Expenses					
9105705 · Postage	0	0	25	(25)	0%
Total 9105700 · Other Expenses	0	0	25	(25)	0%
9109000 · Reserves					
9109015 · Administrative Reserves	0	0	37,449	(37,449)	0%
9109215 · Admin. Expense to General Fund	0	0	500	(500)	0%
Total 9109000 · Reserves	0	0	37,949	(37,949)	0%
Total Expenditures	65	65	41,219	(41,154)	0%
Net Change in Fund Balance	2,707	2,707	0	2,707	100%

**Ovilla Employee Benefit Trust**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current	Year to Date		\$ Over (Under)	% of Budget Thru October
	October 2015	Oct 2015 - Oct 2015	Budget	Budget	8%
<b>Revenues</b>					
4000991 · Insurance Contributions					
4000991 Insurance Contributions	14,699	14,699	0	14,699	100%
<b>Total 4000991 · Insurance Contributions</b>	<b>14,699</b>	<b>14,699</b>	<b>0</b>	<b>14,699</b>	<b>100%</b>
4000800 - Other Income					
4000840 - Interest Income	1	1	0	1	100%
<b>Total Revenues</b>	<b>14,700</b>	<b>14,700</b>	<b>0</b>	<b>14,700</b>	<b>100%</b>
<b>Expenditures</b>					
5902110 · Benefit Premiums					
5902110 · Benefit Premiums	14,198	14,198	0	14,198	100%
<b>Total 5902110 · Insurance</b>	<b>14,198</b>	<b>14,198</b>	<b>0</b>	<b>14,198</b>	<b>100%</b>
<b>Total Expenditures</b>	<b>14,198</b>	<b>14,198</b>	<b>0</b>	<b>14,198</b>	<b>100%</b>
<b>Net Change in Fund Balance</b>	<b>502</b>	<b>502</b>	<b>0</b>	<b>502</b>	<b>100%</b>

# Ovilla Fire Department Auxiliary

## Actual vs Budget Review

October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over (Under)	% of Budget Thru October
	October 2015	Oct 2015 - Oct 2015		Budget	Budget
<b>Revenues</b>					
4000800 · Other Revenue					
4000815 · Gifts	50	50	0	50	100%
Total 4000800 · Other Revenue	50	50	0	50	100%
<b>Total Revenues</b>	50	50	0	50	100%
<b>Expenditures</b>					
5333400 · Maintenance Supplies and Parts					
5333460 · Supplies - Miscellaneous	0	0	0	0	0%
Total 5333400 · Maintenance Supplies and Parts	0	0	0	0	0%
<b>Total Expenditures</b>	0	0	0	0	0%
<b>Net Change in Fund Balance</b>	50	50	0	50	100%

**Ovilla Police Department Special Fund**  
**Actual vs Budget Review**  
 October 2015 through October 2015

	Current	Year to Date	Budget	\$ Over (Under)	% of Budget Thru October
	October 2015	Oct 2015 -Oct 2015		\$ Over Budget	8%
<b>Revenues</b>					
4000800 · Other Revenue					
4000815 · Gifts	50	50	0	50	100.0%
<b>Total 4000800 · Other Revenue</b>	<b>50</b>	<b>50</b>	<b>0</b>	<b>50</b>	<b>100.0%</b>
<b>Total Revenues</b>	<b>50</b>	<b>50</b>	<b>0</b>	<b>50</b>	<b>100.0%</b>
<b>Expenditures</b>					
5232600 · Special Expenses					
5232690 · Special Expenses - Other	0	0	0	0	0.0%
<b>Total 5232600 · Special Expenses</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0%</b>
<b>Total Expenditures</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0%</b>
<b>Net Income</b>	<b>50</b>	<b>50</b>	<b>0</b>	<b>50</b>	<b>100%</b>



**To:** Honorable Mayor and Council Members  
**From:** Dennis Burn, City Manager  
**Subject:** Information Report - November 30, 2015 through December 4, 2015

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This report is to provide you an overview of City Manager information items for the week ending December 4, 2015.

### **Christmas Tree Lighting**

The annual Christmas Tree Lighting will be held beginning at 6:00 PM at Heritage Park. The event will include an invocation, music, a visit from Santa and of course the lighting of the tree.

### **Police Department**

We have hired a new officer, Christopher Connor Denney. His first day was Monday, November 30. He will be introduced to the City Council at the December 14 meeting. It is anticipated that we will have another officer start on December 14. If that is the case then he too will be introduced.

The new police vehicle (approved in this fiscal year's budget) was ordered in October. We should take receipt of it in January. The vehicle is a 2016 Ford Police Interceptor Utility (police version of the civilian Explorer).

### **Tree Trimming**

Tree trimming by Ellis County has been delayed due to the weather but they will start on Monday.

### **Development**

Hidden Valley Estates. As I told you in a previous report, I met with the developer (Alluvium Development), the engineer (Bannister Engineering) and the broker (Joe Rust Company) who are interested in building a subdivision on a 117.5 acre tract of land. The tract is south of FM 664 with Westmoreland Road being the east boundary and Red Oak Creek Road being the south boundary. The tract is zoned R-15.



This week we received a preliminary plat application for 234 lots. The application (which includes the preliminary plat, a water and sewer layout and a drainage layout) was forwarded to the City Engineer for review and comment.

#### **Cockrell Hill Road (Dallas County Portion).**

Dallas County Precinct 3 has completed some of their corrective work. They have installed more pavement on the edges to straighten them and have filled in low areas with pave patch material. I am communicating with them regularly as to when the repair work will be complete. Cold weather and recent rains have backed up all work. They are indicating that they may be here next week. No guarantees. I am on them. I am trying. When complete they will stripe the road.

#### **Code of Ordinances Chapter 8. Article 8.02 Nuisances**

One of our residents has rewritten a portion, and proposed a revision, of Chapter 8 Article 8.02 of our Code of Ordinances. The emphasis of the rewrite is "Property Blight". The main point of the revision is to improve and maintain a standard of property maintenance and appearance so that our City continues to be a beautiful and desirable place to live. This proposed revision has been forwarded to our attorney for review. Our attorney, the resident and I met this week to discuss the revision. I will have it ready for your consideration at the January 2016 City Council meeting.

#### **Park Board and Planning and Zoning Commission**

The Park Board will meet at 5:00 PM and The Planning and Zoning Commission will meet at 6:00 PM on Monday, December 7.

#### **Sardis-Lone Elm Water Supply**

Sardis-Lone Elm is beginning today a meter replacement program. They are removing their dial meters and replacing with LCD read-out meters. The new meters will allow customers to go on-line and review their water usage on a daily basis. There is no more meter reading by employees. The water usage and billing information is sent directly from the meter to their computer system. Of course there is a price associated with this. It is approximately \$215 per meter and the computer software is approximately \$5,000. This may be a program that we investigate but will be very expensive for us.



**To:** Honorable Mayor and Council Members  
**From:** Dennis Burn, City Manager  
**Subject:** Information Report - November 23, 2015 through November 27, 2015

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This report is to provide you an overview of City Manager information items for the week ending November 27, 2015.

This is a short week for the employees of Ovilla so my report will also be short.

#### **Tree Trimming**

Tree trimming by Ellis County should begin Monday, November 30.

#### **Code of Ordinances Chapter 8. Offenses and Nuisances**

One of our residents has rewritten a portion, and proposed a revision, of Chapter 8 of our Code of Ordinances. The emphasis of the rewrite is "Property Blight". The main point of the revision is to improve and maintain a standard of property maintenance and appearance so that our City continues to be a beautiful and desirable place to live. This proposed revision has been forwarded to our attorney for review. Next week our attorney, the resident and I will meet to discuss the revision. I should have it ready for your consideration at the January 2016 City Council meeting.

#### **New Home Construction**

A portion of our revenue comes from permit fees for new home construction. For the current budget I estimated 50 new homes to be built this fiscal year. To date, from October 1, 2015 to today, 5 applications have been made and 1 permit issued. The other 4 will be in soon to pay their fee and pick up their permit. So...assuming that a total of 5 permits are issued through the first two months of the fiscal year, that is an average of 2.5 permits per month. At that rate there will be 30 permits issued through the end of the fiscal year which is far short of my estimate. Our best hope for new home construction will be the finish out of Ovilla Parc (currently there are 7 vacant lots) and new homes in Bryson Manor Phase I (a total of 59 lots). I have been requesting for many years for someone to give me a special present for Christmas. That special present is a crystal ball. Once I receive one I will prepare an even better budget.



## Holiday Garbage Pick Up Schedule

We have received many calls regarding garbage pick-up during the holidays. In case a neighbor asks, here it is:

### Thanksgiving

Garbage-Normally picked up Thursday will be picked up Wednesday November 25.

Recycle-Normally picked up Thursday will be picked up Friday November 27.

### Christmas

Garbage-Normally picked up Thursday and Friday of this week will be picked up Thursday December 24.

Recycle-Normally picked up Thursday will still be picked up Thursday December 24.

### New Year's Day

Garbage-Normally picked up Thursday and Friday of this week will be picked up Thursday December 31.

Recycle-Normally picked up Friday will be picked up Thursday December 31.

### Thanksgiving

I want to wish each of you a Happy Thanksgiving. Enjoy yourself, your family and your friends. As a reminder, City Hall will be closed from 2:00 PM Wednesday, November 25 to 8:00 AM Monday, November 30.



**To:** Honorable Mayor and Council Members  
**From:** Dennis Burn, City Manager  
**Subject:** Information Report - November 16, 2015 through November 20, 2015

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This report is to provide you an overview of City Manager information items for the week ending November 20, 2015.

### **Record Retention**

The Texas State Records Retention Schedule has been adopted as an administrative rule of the Texas State Library and Archives Commission and must be adhered to by every municipality. In the budget this year is a firm, RCI, who will assist us to remain compliant. Staff has begun the process of boxing retention records and marking dates on the boxes. The boxes will be placed in one central location. RCI will go through the contents of each box. Any files that are due for destruction will be shredded on-site by RCI.

Staff deadline for boxing of the records is December 18. RCI will be contacted soon and told to come on site for their work efforts to begin in January 2016.

### **Comprehensive Land Use Plan (CLUP)**

E-mails have been sent out to the various board members regarding the meeting schedule. The first meeting will be Thursday, January 28 at 6:00 PM in the Fire Department Training Room (City Council room cannot be used as we will be having Municipal Court). The second meeting, which will be our Town Hall meeting, will be Thursday, February 25 at 6:00 PM at the Vertical Church.

### **Thanksgiving Holiday Lunches**

The Vertical Church hosted a lunch for all City employees and Council members on Thursday at their location. It was a very well presented and a well-attended event where some really complimentary things were said about the City and our partnership with each other. Two members of the City Council hosted a lunch for all City employees at City Hall on Friday. It was also very well done and much appreciated.



### Early Dismissal

All employees (except for on duty Police and Fire personnel) are being dismissed at 2:00 PM on Wednesday, November 25 to get an early start for Thanksgiving. City Hall will be closed from 2:00 PM Wednesday, November 25 to 8:00 AM Monday, November 30.

### Park Improvements

At the Cindy Jones Park near the baseball fields we have raked the engineer wood fiber into more consolidated "piles", are ordering more fiber to supplement what is there now, have closed all "S" hooks to the prescribed 1/16" gap, have tightened all connections, are in the process of purchasing the border required to contain the fiber and are having a review of the facility performed by a certified park safety inspector. These items will be performed at the other parks soon. We are concentrating on the Cindy Jones Park as it appears to have the greatest activity.

### 4B Economic Development Corporation

At the Monday, November 16 meeting I was appointed as the registered agent. The prior City Administrator was the agent so there was a time gap between agents that needed to be closed. The members decided to not have a December meeting. The next meeting will be in January.

### Ashburne Glen Subdivision

The Ashburne Glen Subdivision Home Owner Association (HOA) had inquired if the City would discontinue issuing new house construction permits until the HOA approved the plans. My response that I sent is number 1 below. The HOA also inquired about adding their fines to the water bills. My response that I sent is number 2 below.

1. Ovilla has Ordinances that do regulate new home construction. As long as an applicant for new home construction has satisfied all city requirements for that construction then the city will issue a building permit regardless of Home Owner Association regulations. Therefore, the City will continue to enforce our Ordinances and you may continue enforcing your regulations independent of each other.
2. Per the City of Ovilla and Ashburne Glen-Ovilla Agreement dated March 9, 2015, Ovilla does include homeowner association membership dues on the monthly water bill. The City, after collection of the dues and a credit to the City for this service is applied, the dues are forwarded to the association. The City has no desire to amend the agreement to include fines collection that the association has assessed. Fine assessment by the association will remain the association's responsibility.



### **Police Department**

On a weekly basis the Police Chief will be sending you, via e-mail, a report of his officer's activities for the preceding week.

### **New Development**

I met with Mr. Zack Masri (and his father) who have purchased the property next to (west of) the Dollar General. He is interested in building a Golden Chick franchise at that location. We will be reviewing their plan submittals soon. Their engineer is Davis and McDill.



**To:** Honorable Mayor and Council Members  
**From:** Dennis Burn, City Manager  
**Subject:** Information Report - November 9, 2015 through November 13, 2015

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This report is to provide you an overview of City Manager information items for the week ending November 13, 2015.

### **Police Department/Fire Department**

Dispatch Services. Ovilla has a contract with Midlothian for Communication Services. This contract provides Ovilla with emergency dispatch through the Midlothian Police Department. The Police Chief, Fire Chief and I met with police and fire representatives from Midlothian and Red Oak to discuss issues regarding the communication services provided. Currently there are four communication towers (they are linked to each other) that transmit emergency dispatch information for fire and police incidences. Currently there are six conventional hi-band VHF channels that are used. There have been problems in the past that exist today with the quality of the transmissions. As a group (with Midlothian taking the lead) we will install and activate a 700 Megahertz test program on an existing tower at 9<sup>th</sup> street in Midlothian. Vendors that will be potentially used are Kenwood and Motorola. No changes will be made to the existing system that will “strand” any of the participants. Costs for any conversions at this time are unknown.

### **Heritage Park**

In 2012 Ovilla approved a resolution to pursue the acquisition of an obsolete, condemned army asset for static display at Heritage Park. We have submitted forms to the US Army and have met the qualification requirements. The asset would be an artillery piece. To date there has been no activity on this acquisition though the City has made status requests in the past to the US Army. I will be contacting an appropriate agency in an effort to revitalize this effort.

### **Personal E-Mail**

Many government officials use their personal e-mail accounts to conduct government business. Many individuals think of e-mail as an informal means of communication however government e-mails are classified as public information under the Texas Government Code. If you use a personal e-mail account for government communications then you potentially open up that e-mail account to examination in instances of litigation discovery, audits or Public Information Act requests. Please use your City e-mail account for all City related business.



## Public Works

### Water Street and Cockrell Hill Road (from Main Street to Water Street).

Ellis County has completed the application of the first course and second course of the double penetration surface. Both roads are in much better shape and the drive is so much better.

### Cockrell Hill Road (Dallas County Portion).

Dallas County Precinct 3 has completed some of their corrective work. They have installed more pavement on the edges to straighten them and have filled in low areas with pave patch material. They should be here next week to full depth mill the bad areas and repave those same areas. When complete they will stripe the road.

### Ovilla Oaks Subdivision.

All roadways have been paved and completed today. They will have a punch list to perform next week.

## Building Permits

Staff is working with an applicant on his home construction and accessory building permits on property recently purchased in the southwest corner of Hosford Road and Westmoreland Road. The individual wants to build an accessory building with living quarters first and live there while his home is under construction. The requirement is house first, accessory building second. Also the accessory building square footage exceeds the allowable. Both items will be presented to the Board of Adjustments at their December 21 meeting.

Staff is working with an applicant that wants to modify the Curtis Garage structure on Main Street. This is in the Historic Overlay District.



To: Honorable Mayor and Council Members  
From: Dennis Burn, City Manager  
Subject: Information Report - November 2, 2015 through November 6, 2015

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This report is to provide you an overview of City Manager information items for the week ending November 6, 2015.

### **Police Department**

Body Cameras. Each officer does have and use a body camera during their shift.

### **Fire Department**

Nothing new to report.

### **Public Works**

#### **Water Street and Cockrell Hill Road (from Main Street to Water Street).**

Ellis County will blade the roads on Monday, apply the first course of chip seal on Tuesday and apply the second course of chip seal on Wednesday. This all depends on weather conditions.

#### **Cockrell Hill Road (Dallas County Portion).**

Dallas County Precinct 3 on or about November 6 will mill and repave the rough places, install additional pavement on the edges to eliminate the wavy lines and stripe the surface. This will all be done at no charge to the City.

#### **Ovilla Oaks Subdivision.**

All roadways have been reclaimed and cement stabilized and some roadways have been paved. The contractor anticipates that they will be paved out and the project complete by November 13.

### **Park Board**

The Park Board, at their November 2 meeting, discussed the Christmas Tree Lighting event. The event will be on Saturday, December 5 at 6:00 PM at Heritage Park. The board will invite local churches to provide a musical element and "someone special" to light the tree. I will meet with the chairman on November 18 to finalize the event.



### Code Enforcement

Nothing new to report.

### Development

New Subdivision. As I told you in a previous report, I met with the developer (Alluvium Development), the engineer (Bannister Engineering) and the broker (Joe Rust Company) who are interested in building a subdivision on a 117.5 acre tract of land. The tract is south of FM 664 with Westmoreland Road being the east boundary and Red Oak Creek Road being the south boundary. The tract is zoned R-15. The owner appears to be moving forward with the project as their traffic consultant (Traffic Impact Group) has contacted me to begin the preparation of the Traffic Impact Analysis.

### Bryson Manor Phase 2.

The developer (Shaw Development) has submitted a Concept Plan requesting a variance from the Subdivision Ordinance. All subdivisions must have an alley behind all non-perimeter lots. However, alleys are not required when lots have a minimum of 130 foot road frontage. The developer is requesting a minimum of 110 foot wide lots, hence the request for the variance. They have submitted a house footprint plan that shows how a "J" driveway would work in this situation. They are also requesting a variance to the 2 lots per acre maximum density. Phase 2 density would be 2.05 lots per acre however when you look at this request in light of the 1.68 lots per acre density that will be constructed in Phase I, the request seems reasonable. This concept plan will be presented to the Planning and Zoning Commission and to the City Council at their December meetings. If the concept plan is approved the developer will proceed with the preparation of a preliminary plat.

### City Council

There will be a City Council meeting on Monday, November 9 beginning at 6:00 PM with the Briefing Session.

### Veteran's Day

Veteran's Day is Wednesday, November 11. City offices will be closed. The Wreath Laying Ceremony is scheduled for Sunday, November 8 at 2:00 PM at Heritage Park.

### Ovilla Municipal Court Report

<b>FY-2015-2016</b>	<b>Total Traffic Cases Filed</b>	<b>State Law Cases Filed</b>	<b>Parking Cases Filed</b>	<b>Penal Code Cases Filed</b>	<b>City Ordinance Filed</b>	<b>Trials</b>	<b>Total Revenue</b>	<b>Amount Kept by City</b>	<b>Amount sent to State</b>	<b>Warrants Issued</b>	<b>Cases sent to Collections</b>
October	12	0	0	1	0	1	\$6,503.40	\$4,829.79	\$1,673.61	18	18
November	30	0	6	1	1	0	\$6,343.00	\$4,506.02	\$1,836.98	6	6
December											
January											
February											
March											
April											
May											
June											
July											
August											
September											
<b>Totals</b>	<b>42</b>	<b>0</b>	<b>6</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>\$12,846.40</b>	<b>\$9,335.81</b>	<b>\$3,510.59</b>	<b>24</b>	<b>24</b>

2014-2015 FY

<b>November</b>	25	1	0	4	0	1	\$4,361.00	\$2,663.66	\$1,697.34	19
<b>FY Totals</b>	<b>43</b>	<b>1</b>	<b>0</b>	<b>7</b>	<b>3</b>	<b>2</b>	<b>\$9,935.40</b>	<b>\$6,392.65</b>	<b>\$3,542.75</b>	<b>35</b>

<b>FY-2014-2015</b>	<b>Total # of Warrants</b>	<b>Total Amount of Warrants</b>	<b>Warrants Cleared</b>	<b>Warrants Amount</b>
<b>October</b>	398	\$140,651.01	11	\$2,061.60
<b>November</b>	386	\$135,375.84	18	\$4,541.00
<b>December</b>				
<b>January</b>				
<b>February</b>				
<b>March</b>				
<b>April</b>				
<b>May</b>				
<b>June</b>				
<b>July</b>				
<b>August</b>				
<b>September</b>				
<b>Totals</b>			29	\$6,602.60

Code Enforcement Report  
 105 S Cockrell Hill Rd  
 Ovilla, TX 75154  
 (972) 617-7262

To: Mayor Richard Dormier  
 Ovilla City Council  
 Dennis Burn

Subject: **Code Enforcement Monthly Report**

Calls For Service	Nov.2015	Nov.2015 YTD	Nov .2014	.2015 YTD
Complaint (Nuis 16,Permit 11,Parking8	35	602	38	
Follow Up (Nuis 16, Permit-11, Parking-8)	25	672	28	
Door Notice (Nui -10 Parking-8 permit-5)	23	401	43	
Mail Notice (Nuis-6 Parking-6 per 5)	17	244	15	
Posted Property (1 nuisance )	1	202	3	
Court	\$0	\$5,454	\$0.00	
Citizen Contacts	58	1008	48	
Permits Reviewed	16	205	15	
Permits Issued	9	164	11	
Inspections	14	233	16	
Nuisance Abated by City	0	21	0	
Nuisance Signs (, 7 garage sale 11 business)	18	358	29	
Board Of Adjustment Approved 2 fence	2	7	0	

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

To: Mayor Richard Dormier  
 Ovilla City Council  
 Mr.Dennis Burn

Subject:**Animal Control Monthly Report**

	Nov.2015	Nov. 2015 YTD	Nov . 2014	Jan 2015 YTD
Calls For Service				
Complaint ( <b>Registration-15 At Large-7 bark--4</b> )	26	339	26	
Followups	28	397	35	
Door Notice ( <b>Registration-20 At Large-2</b> )	22	145	23	
Impounded Animal ( <b>Dog 4, )</b>	4	129	7	
Animal Welfare Check	7	129	11	
Impound Results 8 (Return 2, Transport3)	8	55	6	
Impound fee collected	\$90.00	\$63.00	35	
Court( 0 )barking	\$0.00	\$266.00	278	
Citizen Contacts	42	819	30	
Registration Tags Issued <b>\$360</b>	30	250	12	
Registration Letter 20	16	175	16	
Nuisance Letter Mailed Barking	6	20	1	
Animals released (1 opossum )	3	42	0	
Deceased Removed	26	212	23	
Oak Leaf (1) 1 dog	2	16	0	
Traps Checked Out	6	18	6	



To: Honorable Mayor and Council Members

From: Mike Dooly, Community Services

Subject: Monthly and Y-T-D Building permits

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Activity Report:

**I. Building permits issued beginning of FY 2015-2016:**

**Total Homes = 1 and Total Other 47**

(Other: plumbing, flatwork, fences, mechanical, swimming pools, etc.)

- October - New home construction: 1 / Other: 20
- November - New home construction: 0 / Other: 27



CONSENT ITEMS C1 - C4

Meeting Date: December 14, 2015

Department: Administration/Finance/Animal Control

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Staff

Amount: N/A

Attachments:

- C1. October 2015 Financial Transactions over \$5,000
- C2. Committed Fund Balance General Fund Report for quarter ending 09/30/2015
- C3. Minutes of the Council Briefing Session and Regular Meeting of November 09, 2015.
- C4. Resolution R2015-029 City of Waxahachie Animal Shelter Agreement

Discussion / Justification:

C2: Two reports, (C3. Quarterly Fund Balance Report for quarter ending 09/30/2015 and C4. Committed Fund Balance Report for quarter ending 09/30/2015) were presented to the City Council at their November 09, 2015 Meeting. The Council took no action. The information in the two reports were redundant and formatted differently. The report in this agenda packet "Committed Fund Balance Report for General Fund" is a single report that conforms to Resolution 2013-002 (enclosed).

C4: The City of Ovilla does not own or operate a licensed animal shelter. The City of Waxahachie does have a licensed facility to treat, board and dispose of animals for the Ovilla Animal Control Department for a set fee. Chapter 791 of the Interlocal Cooperation Act of the TX Government Code authorizes entities of local government to contract with one or more other local governments to perform governmental functions and services under the terms of the Interlocal Cooperation Act. This is an annual agreement. The presented Resolution R2015-029 and cost agreement as well as last year's 2014-15 Resolution R2014-038 and cost agreement are both attached. The service fees remain the same as last year.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

*I move to approve the consent items as presented.*



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DATE: December 14, 2015

TO: Honorable Mayor and Council Members

FROM:  
Linda Harding, Accountant

SUBJECT: Expenditures over \$5,000 for the Month of October 2015

**City of Ovilla Expenditures Over \$5,000  
for the Month of OCTOBER 2015**

<b>General Fund</b>				
<b>Date</b>	<b>Check#</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
10/2/2015	44373	CASCO	Boots and Coats	\$10,000.72
10/2/2015	44251	TMRS	Retirement	\$11,932.98
10/2/2015	44284	Texas Dept of Transportation	ROW and Utility FM 664	\$23,927.70
10/8/2015	44314	Progressive Waste Solutions	Garbage	\$18,343.00
10/8/2015	ACH	Quick Books Payroll Service	Payroll	\$42,402.50
10/8/2015	44306	Sam Houston University	Crimes Software	\$15,000.00
10/8/2015	44309	US Treasury	Payroll Taxes	\$7,915.68
10/8/2015	44309	Texas Municipal League	Insurance	\$13,358.03
10/22/2015	ACH	Quick Books Payroll Service	Payroll	\$42,505.56
10/22/2015	44321	US Treasury	Payroll Taxes	\$7,659.68
10/28/2015	44373	Blue Cross Blue Shield	Health Insurance	\$10,000.72
10/28/2015	44361	State Comptroller	State Criminal Cost & Fees Qtr End 9/30/2015	\$5,837.05

Total General Fund Transactions \$5,000 and Over \$208,883.62

<b>Water &amp; Sewer Fund</b>				
<b>Date</b>	<b>Check#</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
10/9/2015	16052	City of Ovilla General Fund	Payroll 10/09/2015	\$11,683.25
10/23/2015	16056	City of Dallas	Water Purchase	\$48,580.41
10/23/2015	16057	Trinity River Authority	Sewer Charge	\$28,904.00
10/23/2015	16053	City of Ovilla General Fund	Payroll 10/23/2015	\$11,807.19

Total Water & Sewer Fund Transactions \$5,000 and Over \$100,974.85

**City of Ovilla**  
**Committed Fund Balance Report**  
**for General Fund**  
**as of September 30, 2015**

Description	Account Number	2014-2015 Budget Amount
Total General Fund 2014-2015 Budget		2,751,641
<b>CAPITAL ASSETS and RESERVE ACCOUNTS:</b>		
Machinery and Equipment	5106440	(2,000)
Furniture	5106465	(1,000)
Audio and Visual Equipment	5106470	0
Capital Outlay - Vehicles	5207450	(61,957)
Machinery and Equipment	5206440	(1,238)
Personal Protective Equipment	5206445	(2,000)
Machinery and Equipment	5306440	(9,770)
Personal Protective Equipment	5306445	(20,247)
Machinery and Equipment	5406440	(2,700)
Machinery and Equipment	5506440	(3,000)
Personal Protective Equipment	5506445	(300)
Other	5506490	(850)
Machinery and Equipment	5507440	(7,000)
Infrastructure	5507460	(313,200)
Land Improvements	5606410	(500)
Machinery and Equipment	5606440	(500)
Machinery and Equipment	5607440	(500)
Total 2014-2015 Budget Less Capital Assets and Reserve		2,324,879
		<b>25%</b>
<b>REQUIRED UNASSIGNED FUND BALANCE IN GENERAL FUND</b>		<b>\$ 581,219.75</b>

<b>ALL BANK ACCOUNT BALANCES</b>		
Prosperity Bank CD (Operations Acct)	1012500	\$ 1,521,276.55
Prosperity Money Market (Acct #9307605)	1012520	\$ 229,503.36
Texstar Reserves ( Acct.#07017-1112)	1011525	\$ 3,727.03
TexStar Money Market (Acct 1112)	1011525	\$ 929.07
Prosperity Money Market Reserve (Acct. #9307583)	1012250	\$ 127,617.56
Prosperity CD (Acct. #670010694)	1012260	\$ 245,278.04
Prosperity Bank CD (Acct. #670010608)	1012290	\$ 55,748.72
Bryson Manor Phase I-Rough Proportionality	1011295	\$ 196,563.50
ALL BANK ACCOUNTS Total Unassigned Fund Balance in General Fund		\$ 2,380,643.83
<b>REQUIRED UNASSIGNED FUND BALANCE IN GENERAL FUND</b>		<b>\$ 581,219.75</b>
<b>Excess in Unassigned Fund Balance in ALL ACCOUNTS</b>		<b>\$ 1,799,424.08</b>

<b>RESERVE ACCOUNTS ONLY: TO GUARANTEE REQUIREMENT LISTED ABOVE</b>		
Prosperity Money Market (Acct #9307605)	1012520	\$ 229,503.36
Texstar Reserves ( Acct.#07017-1112)	1011525	\$ 3,727.03
TexStar Money Market (Acct 1112)	1011525	\$ 929.07
Prosperity Money Market Reserve (Acct. #9307583)	1012250	\$ 127,617.56
Prosperity CD (Acct. #670010694)	1012260	\$ 245,278.04
Prosperity Bank CD (Acct. #670010608)	1012290	\$ 55,748.72
Bryson Manor Phase I-Rough Proportionality	1011295	\$ 196,563.50
RESERVE ACCOUNTS Total Unassigned Fund Balance in General Fund		\$ 859,367.28
<b>REQUIRED UNASSIGNED FUND BALANCE IN GENERAL FUND</b>		<b>\$ 581,219.75</b>
<b>Excess in Unassigned Fund Balance in RESERVE ACCOUNTS ONLY</b>		<b>\$ 278,147.53</b>

**RESOLUTION 2013-002**

COPY

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF OVILLA,  
TEXAS, REPLACING RESOLUTION 2011-021 AND ESTABLISHING  
AND ADOPTING A FUND BALANCE POLICY.**

**WHEREAS**, A General Fund Reserve was established with Resolution 07-001 on the 23 day of October 2006 and re-established with Resolution 2011-021 on the 26 day of September; and,

**WHEREAS** The General Fund Reserve Policy shall be replaced with the Fund Balance Policy; and,

**WHEREAS**, the creation of a Fund Balance Policy will ensure the City maintains adequate fund balances in the City's various operating funds with sufficient cash flow in meeting daily financial needs; and,

**WHEREAS**, the creation of a Fund Balance Policy will ensure the City maintains its investment grade bond rating; and,

**WHEREAS**, the creation of a Fund Balance Policy will allow the City to offset loss of revenues related to significant economic downturns; and,

**WHEREAS**, the creation of a Fund Balance Policy will provide the City with funds for unforeseen emergencies; and,

**WHEREAS**, the Fund Balance Policy shall be reviewed and updated annually if necessary, as part of the annual budget of the City of Ovilla, Texas.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS**, that the following policy is hereby established and attached as *Exhibit A*, regarding the creation of the Fund Balance Policy.

**RESOLVED AND ADOPTED this the 11 day of March, 2013.**



ATTEST:

Tom Leverentz, MAYOR

Pam Woodall, CITY SECRETARY

## FUND BALANCE POLICY

### Purpose

The purpose of this policy is to establish a key element of the financial stability of the City of Ovilla by setting guidelines for fund balance. Unassigned fund balance is an important measure of economic stability and it is essential that the City maintain prudent levels of unassigned fund balance to protect against reducing service levels or raising taxes and fees because of financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and other similar circumstances. This policy will ensure the City maintains adequate fund balances in the City's various operating funds with the capacity to:

1. Provide sufficient cash flow for daily financial needs,
2. Secure and maintain investment grade bond ratings,
3. Offset significant economic downturns or revenue shortfalls, and
4. Provide funds for unforeseen expenditures related to emergencies.

### Order of expenditure of funds

When multiple categories of fund balances are available for expenditures (for example, a construction project is being funded partly by a grant, funds set aside by the City Council, and unassigned fund balance), the City will first spend the most restricted funds before moving down to the next restrictive category with available funds.

- **Non-spendable Fund balance** includes amounts not in spendable form, such as inventory, or amounts required to be maintained intact legally or contractually (e.g. inventory, pre-paid items, or the principal of an endowment).
- **Restricted Fund Balance** includes amounts constrained for a specific purpose by external parties (e.g. Debt Service, Capital Projects, State and Federal Grant Funds).
- **Committed Fund Balance** includes amounts constrained for a specific purpose by the City Council using its highest level of decision making authority (e.g. Major Maintenance, Capital Replacement Reserve, Land, Hail Reserve). These are amounts that can be used only for a specific purpose determined by formal action of the City Council. Commitments may be changed or lifted only by City Council taking the same formal action that originally imposed the constraint.

**THE CITY'S GOAL IS TO MAINTAIN A COMMITTED FUND BALANCE FOR "EMERGENCIES" IN THE GENERAL FUND EQUAL TO 25% OF BUDGETED EXPENDITURES LESS ANY BUDGETED CAPITAL EQUIPMENT ITEMS AND ANY AMOUNT BUDGETED AS COMMITTED FOR CURRENT YEAR CONTINGENCIES.**

**ANY ADDITIONAL CURRENT FUND BALANCE AMOUNTS LISTED AS RESTRICTED, COMMITTED OR ASSIGNED WILL NOT BE CONSIDERED AS A PART OF THE CALCULATION.**

- **Assigned Fund Balance** includes governmental fund amounts constrained for a specific purpose by the City Council or by an official that has been delegated authority to assign amounts.
- **Unassigned Fund Balance** is the residual classification for the general fund. Unassigned amounts are technically available for any purpose. The Unassigned General Fund Balance may only be appropriated by resolution of the City Council and shall be utilized only for one-time expenditures, such as capital purchases, and not for ongoing expenditure unless a viable revenue plan designed to sustain the expenditure is simultaneously adopted.

***Monitoring and Reporting***

The City Administrator shall be responsible for monitoring and reporting the City's various fund balances. The City Administrator is directed to make recommendations to the Council on the use of funds balance both as an element of the annual operating budget submission and from time to time throughout the fiscal year as needs may arise.

Compliance with the provisions of the policy shall be reviewed as a part of the annual operating budget adoption process and subsequent review will be included in the annual audit and financial statement preparation procedures.

**CITY OF OVILLA MINUTES**  
**Monday, November 09, 2015**  
**City Council Briefing Session**  
**105 S. Cockrell Hill Road, Ovilla, TX 75154**

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Mayor Dormier called the Council Briefing Session of the Ovilla City Council to order at 6:02 p.m., with notice of the meeting duly posted. Mayor Dormier made the following public announcement: *Pursuant to section 30.06, penal code (trespass by holder of license to carry a concealed handgun), a person licensed under subchapter h, chapter 411, government code (concealed handgun law), may not enter this property with a concealed handgun.*

The following City Council Members were present:

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

Mayor Dormier announced present Council members, thus constituting a quorum. Various department directors and staff were also present. Staff presented Council with future agenda items and pending items still under staff review.

**CALL TO ORDER**

**CONDUCT A BRIEFING SESSION to review and discuss agenda items on the 6:30 p.m. regular meeting.**

1. Mayor questioned Items C3 and C4 on the Consent Agenda.
2. PL1 Huber questioned Item 1 under the Regular Agenda and why this was not a managerial responsibility under the City Manager.
3. City Manager Dennis Burn advised Council that the Comprehensive Land Use Plan (CLUP) update was underway with a hold on the Strategic Plan until the CLUP was finished. CLUP Review Committee members were notified of meeting(s) with an outline of what will be addressed.
4. City Manager Dennis Burn went over Item 6 under the Regular Agenda.

**CONDUCT A BRIEFING SESSION to review and discuss future agenda items.**

- a. Employee Pay Plan – City Manager Dennis Burn advised that he expected the completed proposed plan and salary ranges would be presented on the December agenda.

**ADJOURNMENT**

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:30 p.m.

ATTEST:

\_\_\_\_\_  
Richard A. Dormier, Mayor

\_\_\_\_\_  
Pamela Woodall, City Secretary

**Approved December 14, 2015**

**CITY OF OVILLA MINUTES**  
**Monday, November 09, 2015**  
**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 6:31 p.m., with notice of the meeting duly posted. The following City Council Members were present:

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

PL2 Stevenson gave the Invocation and PL3 Griffin led the recitation of the Pledge of Allegiance.

Mayor Dormier announced present Council members, thus constituting a quorum. City Manager Dennis Burn, various department directors and staff were also present. Mayor Dormier made the following public announcement: *Pursuant to section 30.06, penal code (trespass by holder of license to carry a concealed handgun), a person licensed under subchapter h, chapter 411, government code (concealed handgun law), may not enter this property with a concealed handgun.*

**COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS**

Orasi presentation on Strategic Plan update  
Veterans Day Proclamation 2015

**1. Citizens Comments / Citizens Forum:**

1. MS Dani Muckleroy, 608 Green Meadows Lane – Voiced appreciation for Council volunteering their time at the local Wal-Mart for the Salvation Army in years past and was seeking volunteers to ring the bell for 2 hour intervals again this year.
2. MS Lisa Ware, 116 Water Street – Solicited her Yoga, Health and Wellness business plan at her residence, open to the public.
3. Two others signed up to speak: Mr. Ray Reed and MS Carol Lynch when Item 1 on the Regular Agenda was addressed.

**• Department Activity Reports / Discussion – staff presented their reports.**

- Police Department Police Chief B. Windham
  - Monthly Report reviewed and advised Council that a local warrant list was obtained from the Municipal Court and that officers would begin serving them when time allowed.
- Fire Department Fire Chief B. Kennedy
  - Monthly Report reviewed and shared discussion with Council about fire trucks, apparatuses and volunteer status.
- Public Works Public Works Director B. Piland
  - Monthly Report reviewed; replaced 22 water meters, doing minor road repairs to Cockrell Hill. Park safety compliance was discussed.
- Finance Department Accountant L. Harding
  - September 2015 Financials reviewed. Preparing for audit.
- Administration City Manager D. Burn
  - Activity Report(s)

- Updated Council on Comprehensive Land Use Plan outline and schedule of meetings. Advised Council that Vertical Church has approved the use of their building for a Town Hall Meeting.
- Monthly Municipal Court Report reviewed. City Secretary P. Woodall
- Monthly Code/Animal Control Reports reviewed. Code/AC Officer M. Dooley
  - Permits

**CONSENT AGENDA**

- C1. Financial Transactions over \$5,000
- C2. Quarterly Investment Report for quarter ending 09/30/2015
- C3. Quarterly Fund Balance Report for quarter ending 09/30/2015
- C4. Committed Fund Balance Report for quarter ending 09/30/2015
- C5. Minutes of the Council Briefing Session and Regular Meeting of October 13, 2015

Mayor Pro Tem Hunt pulled C3 and C4 from the Consent Agenda for discussion and clarification, asking staff to return for consideration to approve at the next Council Meeting.

Mayor Pro Tem Hunt moved to approve the consent items C1, C2 and C5 as presented, seconded by PL5 Oberg.

*No oppositions, no abstentions.*

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

**REGULAR AGENDA**

**ITEM 1. DISCUSSION/ACTION** – Consideration of and action on approval of take home vehicles of specific department directors in the public safety field and on-call employees in the Public Works Department and direct staff as necessary.

Two Individuals signed up to speak:

1. MS Carol Lynch, 316 Shadowwood Trail – was in support of take home vehicles for public safety directors and the on-call employee in the Public Works Department.
2. Mr. Ray Reed, President of the ESD #2 – voiced disappointment that this was even an agenda item under consideration and spoke on behalf of the ESD #2, stating that they gave the Fire Chief their full support of a take home vehicle and that providing a vehicle was a vital component to conducting the proper line of duty.

City Manager Dennis Burn shared a detailed written justification for approval for all three departments, summarizing that a take home City-owned vehicle provides an overall faster and more efficient response to after-hour emergencies and routine work tasks. Adding that at no time will these vehicles be used for personal reasons or use.

PL2 Stevenson offered an apology to the ESD #2 representative, Ray Reed, for any misunderstanding or lack of communication regarding the take home vehicle in the Fire Department. Mayor Dormier and PL 3 reiterated the need to keep communication lines open between the ESD #2 and the City.

PL2 Stevenson moved to approve take home vehicles for Department Directors Kennedy and Windham and approve a take home vehicle for the on-call employee in the Public Works Department, seconded by PL1 Huber.

*No oppositions, no abstentions.*

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

**ITEM 2. DISCUSSION/ACTION** – Consideration of and action on the update of the Ellis County Emergency Basic Management Plan and authorize the Mayor to execute approval and implementation.

City Manager Dennis Burn advised that the Emergency Management Basic Plan for Ellis County is the newest edition for 2016. The Texas Department of Public Transportation requires that this document be updated at least every five years. The current plan expires in May 2016. This plan supersedes any previous versions once signed by all appropriate agencies and then approved by the State. Revisions to the plan are on page BP-2. Once the City Council approves the plan, the Mayor will execute the sheet entitled "Approval and Implementation". The signature sheet will be forwarded to the Ellis County Emergency Management Office not later than November 13, 2015.

PL2 Stevenson moved that Council approve the update of the Ellis County Emergency Basic Management Plan and authorize the Mayor to execute approval and implementation as presented, seconded by PL3 Griffin.

*No oppositions, no abstentions.*

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

**ITEM 3. DISCUSSION/ACTION** – Consideration of and action on an Engineering Services Agreement by and between the City of Ovilla and Birkhoff, Hendricks and Carter, L.L.P., to complete an analysis of the Water and Wastewater Impact Fee Study update, authorizing payment of engineering services and authorizing the Mayor to execute said Agreement.

Ovilla's City Engineer, Birkhoff, Hendricks and Carter, LLP, provided an agreement to prepare an analysis of the Water and Wastewater Impact Fee Update. The agreement includes a scope of services, completion schedule, payment schedule and information to be provided by the City. Their fee of \$23,600 is within the FY 2015-2016 budgeted amount of \$37,500.00. The agreement was reviewed and approved (as to legal form) by our attorney. City Manager Dennis Burn informed Birkhoff, Hendricks and Carter, LLP that their preparation of the update would be on hold until the completion of the Comprehensive Land Use Plan (CLUP) update, as it will provide a great deal of useful information.

PL2 Stevenson moved that Council approve the Engineering Services Agreement by and between the City of Ovilla and Birkhoff, Hendricks and Carter, L.L.P., to complete an analysis of the Water and Wastewater Impact Fee Study update, authorizing payment of engineering services and authorizing the Mayor to execute said Agreement as presented, seconded by PL5 Oberg.

*No oppositions, no abstentions.*

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

**ITEM 4. DISCUSSION/ACTION** – Consideration of and action on Resolution R2015-026, of votes cast to elect Directors for the Ellis County Appraisal District for the Years 2016-2017, authorizing the Mayor to execute said Resolution upon approval by City Council.

Resolution R2015-026, along with the official ballot, votes to elect Directors for the Ellis County Appraisal District for the Years 2016-2017. Ovilla is entitled to cast 32 votes for one candidate or distribute votes among any number of candidates listed on the ballot.

PL5 Oberg moved Council approve Resolution R2015-026, placing all 32 votes cast to elect Mr. Phillip Lynch as a Director for the Ellis County Appraisal District for the Years 2016-2017, authorizing the Mayor to execute said Resolution upon approval by City Council, seconded by PL2 Stevenson.

*No oppositions, no abstentions.*

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

Richard Dormier, Mayor  
Rachel Huber, Place One  
Larry Stevenson, Place Two

3

Doug Hunt, Place Four  
David Griffin, Place Three  
Dean Oberg, Place Five

**ITEM 5. DISCUSSION/ACTION** – Consideration of and action on Resolution R2015-027, casting Ovilla’s one vote to elect Michael Hurtt as Director for the Dallas Appraisal District for the Years 2016-2017, authorizing the Mayor to execute said Resolution upon approval by City Council.

Staff presented Resolution R2015-027, along with the official ballot, to cast Ovilla’s one vote to elect Michael Hurtt as the fourth member of the Director for the Dallas County Appraisal District for the Years 2016-2017.

Mayor Pro Tem Hunt moved that Council approve Resolution R2015-027, casting Ovilla’s one entitled vote to elect Michael Hurtt as Director for the Dallas Appraisal District for the Years 2016-2017, authorizing the Mayor to execute said Resolution upon approval by City Council, seconded by PL2 Stevenson.

*No oppositions, no abstentions.*

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

**ITEM 6. DISCUSSION/ACTION** – Consideration of and action on an Interlocal Agreement between the Midlothian Independent School District and the City of Ovilla, Texas for cost sharing and construction of infrastructure, authorizing the City Manager to execute said agreement.

City Manager Dennis Burn explained the cost participation for wastewater system improvement for Ovilla with the distribution of payments from Rough Proportionality provisions for the construction of Bryson Lane and Shiloh Road set forth in the Interlocal Agreement between Midlothian Independent School District (MISD) and the City of Ovilla. The Ovilla City Attorney has reviewed and approved this agreement.

#### **Bryson Lane Improvements**

The total cost for Bryson Lane Improvements is \$476,625. MISD will contribute \$381,877 toward the cost of the improvements with the remainder, \$94,748, being the responsibility of Ovilla. The \$94,748 remainder will be paid by Ovilla to MISD from the rough proportionality payments received from Shaw Development.

#### **Shiloh Road Improvements**

Shiloh Road will be reconstructed at no cost to the City. Because the reconstruction involves hot mix asphaltic concrete pavement, and not reinforced concrete pavement as the City requires, it is a substandard City street and is therefore not eligible for reimbursement.

#### **Wastewater System Improvements**

Once the wastewater system improvements are completed and dedicated to the City for maintenance and repair, MISD will pay to the City, on behalf of Shaw Development, \$150,000. The City will credit Shaw Development for the pro-rata cost of any benefitted owner(s) when and if such payments are due.

PL3 Griffin moved that Council approve the Interlocal Agreement between the Midlothian Independent School District and the City of Ovilla, Texas for cost sharing and construction of infrastructure, authorizing the City Manager to execute said agreement, seconded by Mayor Pro Tem Hunt.

*No oppositions, no abstentions.*

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

**ITEM 7. DISCUSSION/ACTION** – Consideration of and action on Resolution R2015-028 to form a Regional Law Enforcement Mutual Aid Task Force Agreement with other area law enforcement agencies for the purpose of providing and receiving law enforcement assistance, authorizing the City Manager to execute said Agreement.

Chief Windham presented a written agreement explaining that the Ovilla Police Department and the law enforcement agencies in the greater Dallas-Ft. Worth area have recognized the necessity and desirability of entering into a "Regional Law Enforcement Interlocal Assistance Agreement." The proposed agreement establishes a regional mutual aid law enforcement assistance to cooperate in the delivery of public safety services to protect health, life and property. Statutory authority for such a mutual aid agreement is contained in Chapter 791 of the Texas Government Code and Section 362.002 of the Texas Local Government Code. Chief Windham advised he believed that this regional mutual assistance agreement would benefit the City of Ovilla. "We" have always been ready to respond to other jurisdictions with manpower and equipment, and occasionally we have received like responses from those other jurisdictions." The agreement clarified the responsibilities and details legal issues involved. There would not be any monetary exchanges between jurisdictions.

PL3 Griffin moved that Council approve Resolution R2015-028 to form a Regional Law Enforcement Mutual Aid Task Force Agreement with other area law enforcement agencies for the purpose of providing and receiving law enforcement assistance, authorizing the City Manager to execute said Agreement; seconded by PL5 Oberg.

*No oppositions, no abstentions.*

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

**ITEM 8.        *DISCUSSION/ACTION*** – Consideration of and action on the transfer of excess municipal revenue collected at the Annual Heritage Day 2015 Celebration to the Park Fund and direct staff as necessary.

Staff presented a single data sheet showing budgeted and actual revenue, and budgeted and actual expenses for Heritage Day. Actual revenue less actual expenses showed a surplus of \$8,656. The City Council had previously expressed an interest in placing any excess funds in the Park Board Fund. A budget amendment for this transfer of funds will be included during the annual Mid-Year Budget revisions.

PL5 Oberg moved that Council approve the transfer of excess municipal revenue collected at the Annual Heritage Day 2015 Celebration to the Park Fund, seconded by PL1 Huber.

*No oppositions, no abstentions.*

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

**ITEM 9.        *DISCUSSION/ACTION*** – Consideration of and action on the dismissal/removal of certain board members that have not complied with the completion of the Open Meetings Act training requirement and direct staff as necessary.

The Open Meetings Act ("Act") training is intended to help public officials comply with the law and avoid unintentional violations of the "Act" as well as help all Texans understand how the Open Meetings Act benefits them. Shortly after Council appoints a new board member, they are notified of their appointment and presented with new information about their assigned board and the statute regarding the Open Meetings Act Training. After repeated reminders, several Board members have yet to meet the mandatory course completion deadlines. Staff shared with Council an excerpt from the Local Government Code, Section 551.005, Open Meetings Act stating that elected or appointed public officials must complete a course of training on the Open Meetings Act not more than the 90<sup>th</sup> day after the date the member takes office. Staff recommended that Council allow them to work with these individuals through the holidays and return in January 2016 with a status. Council's consensus agreed.

***NO ACTION.***

**ITEM 10. DISCUSSION/ACTION** – Consideration of and action on the nominations and appointments/reappointments to serve on the Municipal Development District Board of Directors.

The Municipal Development District Board (MDD) is comprised of five (5) Directors, each whom shall be appointed by the City Council. Each of the Directors shall be a resident of either the City of Ovilla or its extraterritorial jurisdiction, serving a two-year term or until a successor is appointed. Members expressed their desire and agreement to serve another term. Those with expiring terms in November are:

- Place 1, Rachel Huber
- Place 3, Richard Dormier
- Place 5, Lisa Ware

Meetings conducted in 2015 were in April and July. Staff shared an attendance record of all Directors.

PL3 Griffin moved that Council approve the reappointments of the following to serve as Directors on MDD for a term: 1. Rachel Huber, Place 1; 2. Richard Dormier, Place 3; 3. Lisa Ware, Place 5, seconded by Mayor Pro Tem Hunt.

*No oppositions, no abstentions.*

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

**REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS**

- |                       |   |
|-----------------------|---|
| 1. PL1 Huber          | None  |
| 2. PL2 Stevenson      | None  |
| 3. PL3 Griffin        | Review and update fence replacement ordinance.              |
| 4. Mayor Pro Tem Hunt | None  |
| 5. PL5 Oberg          | Parks and safety compliance with completion date(s) report. |
| 6. Mayor              | Review and update the junk, nuisance ordinance.             |

**ADJOURNMENT**

There being no further business, Mayor Dormier adjourned the meeting at 8:15 p.m.

ATTEST:

\_\_\_\_\_  
Richard A. Dormier, Mayor

\_\_\_\_\_  
Pamela Woodall, City Secretary

**Approved December 14, 2015**

**RESOLUTION NO. R2015-029**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY OF OVILLA, TEXAS, AN AGREEMENT OF SERVICES, BY AND BETWEEN THE CITY OF OVILLA, TEXAS, AND THE CITY OF WAXAHACHIE, TEXAS, TO PROVIDE ANIMAL CONTROL SERVICES RENDERED ON A MONTHLY BASIS; PROVIDING AN EFFECTIVE DATE.**

\* \* \* \* \*

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

**Section 1.**

The City Council of the City of Ovilla hereby authorizes the Mayor to execute an Agreement of Service by and between the City of Ovilla, Texas, and the City of Waxahachie, Texas, to provide animal control services, to commence and end upon agreement of both parties with written notice.

**Section 2.**

The cost of services is outlined in the Agreement.

**Section 3.**

A copy of said Agreement is attached hereto and made a part hereof for all purposes.

***PASSED, APPROVED, AND RESOLVED this 14 day of December 2015.***

\_\_\_\_\_  
Richard Dormier, **MAYOR**

**ATTEST:**

\_\_\_\_\_  
Pamela Woodall, **CITY SECRETARY**



CITY OF WAXAHACHIE ANIMAL SHELTER



### Agreement of Service

{City of Waxahachie, Texas}

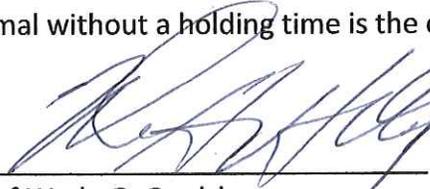
Date: 12/01/2015

{City of Ovilla, Texas}

Below is a price list for animal services the City of Waxahachie Animal Services is offering to the City of Ovilla. This list only reflects the cost of services requested by City of Ovilla Officials. If signed, City of Ovilla will receive an invoice for the services rendered on a monthly basis. The invoices are due when received, payable to the City of Waxahachie.

Euthanization of animal	\$ 40.00
Boarding of animal for 72 hours	\$ 41.00
Rabies testing	\$100.00
Rabies Quarantine (10 days)	\$150.00
Animal Disposal	\$ 10.00
City of Waxahachie ACO after hours call out	\$200.00

Additional services have additional costs. It is understood, that any decision to euthanize an animal without a holding time is the choice of the City of Ovilla.

  
 \_\_\_\_\_  
 Chief Wade G. Goolsby  
 Waxahachie Police Department

*12-1-15*  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Official  
 City of Ovilla

\_\_\_\_\_  
 Date

COPY

RESOLUTION NO. 2014-038

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY OF OVILLA, TEXAS, AN AGREEMENT OF SERVICES, BY AND BETWEEN THE CITY OF OVILLA, TEXAS, AND THE CITY OF WAXAHACHIE, TEXAS, TO PROVIDE ANIMAL CONTROL SERVICES RENDERED ON A MONTHLY BASIS; PROVIDING AN EFFECTIVE DATE.

\* \* \* \* \*

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

Section 1.

The City Council of the City of Ovilla hereby authorizes the Mayor to execute an Agreement of Service by and between the City of Ovilla, Texas, and the City of Waxahachie, Texas, to provide animal control services, to commence and end upon agreement of both parties with written notice.

Section 2.

The cost of services is outlined in the Agreement.

Section 3.

A copy of said Agreement is attached hereto and made a part hereof for all purposes.

***PASSED, APPROVED, AND RESOLVED this 14 day of October 2014.***



Richard Dormier, MAYOR

ATTEST:

Pamela Woodall, CITY SECRETARY



## CITY OF WAXAHACHIE ANIMAL SHELTER



### Agreement of Service

{City of Waxahachie, Texas}

Date: 10/01/2014

{City of Ovilla, Texas}

Below is a price list for animal services the City of Waxahachie Animal Shelter is offering to the City of Ovilla. This list only reflects the cost of services requested by City of Ovilla Officials. If signed, City of Ovilla will receive an invoice for the services rendered on a monthly basis. The invoices are due when received, payable to the City of Waxahachie.

Euthanization of animal	\$ 40.00
Boarding of animal for 72 hours	\$ 41.00
Rabies testing	\$100.00
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Animal Disposal	\$ 10.00
City of Waxahachie ACO after hours call out	\$200.00

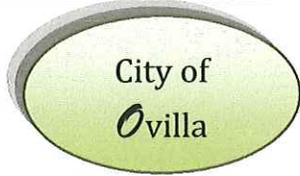
Additional services have additional costs. It is understood, that any decision to euthanize an animal without a holding time is the choice of the City of Ovilla.

  
Assistant Chief Mitch Bartley  
Waxahachie Police Department

9-29-2014  
Date

  
Official  
City of Ovilla

14 October 2014  
Date



# Ovilla City Council

## AGENDA ITEM REPORT

Item: 1

Meeting Date: December 14, 2015

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Dennis Burn, CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant

Director B. Piland, Code Enforcement M. Dooly

### Attachments:

1. Bryson Manor Concept Plan Phase 2
2. Proposed Lot House Plan
3. Concept Plan Variance Letter
4. Section 10.02.002 Ovilla Code of Ordinances (related to pre-application conference meeting)
5. Planning and Zoning Recommendation

### Agenda Item / Topic:

**ITEM 1.**      *DISCUSSION/ACTION* – Receive opinion from the Planning and Zoning Commission to consider a concept plan submitted by Shaw Development Group, LLC for Bryson Manor Phase 2 and direct staff as necessary.

### Discussion / Justification:

The developer of Bryson Manor Phase 2, Shaw Development Group, LLC, has submitted a request for two variances to the Subdivision Ordinance. Those variances are (1) alleys for non-perimeter lots narrower than 130 feet wide and (2) maximum density of two lots per acre. Included with this agenda item are (1) Concept Plan for Bryson Manor Phase 2, (2) Typical lot site plan and (3) a variance request letter dated November 5, 2015. Also included are excerpts from the Zoning Ordinance regarding alleys and lot density.

The developer is seeking approval of the concept plan prior to the preparation of a preliminary plat as the preliminary plat requires much effort and they want a sense of how the Commission feels about their plan. This item was brought before the Planning and Zoning Commission for discussion and for the Commission to express their opinion about the plan. The Commission’s consensus was favorable for the Concept Plan.

#### Excerpts from the Ovilla Code of Ordinances:

Sec. **10.02.124** Alleyways required

(a) All additions must have an alley behind all non-perimeter lots. Exceptions may be made where the configuration of the addition makes an alley impracticable. In such event a developer may seek a variance to the alleyway requirement from the city council. Alleyways will not be required where lots have a minimum of 130 feet of road frontage.

(b) Houses not having an alley must have a wing wall or offset of at least 10 feet length and at least 5 feet in height to restrict street view of the garage.

(Ordinance 463, sec. 1, adopted 2/28/05)

Sec. **10.02.129** Lots

All lots, so far as practicable, shall have the side lines at right angles to the street on which the lot faces, or radial to curved streets lines. All lot corners, angle points, point of curve, etc., shall be marked with steel rods or concrete markers all securely fastened to the ground. All lots which use conventional septic tanks that include leach lines as part of their operation shall have a minimum size of 43,560 square feet (one (1) acre). All lots which use septic systems that do not include leach lines as part of their operation, such as an aerobic jet system, or anaerobic system shall have a minimum size of 26,136 square feet (0.60 acre). All lots tied onto approved sanitary lines shall have a minimum of fifteen thousand (15,000) square feet, with an overall maximum density of no more than two (2) lots per acre, with a minimum of one hundred and twenty (120) feet building line frontage. Perimeter lots must have a minimum of one hundred and fifteen (115) feet building line frontage. (1989 Code, Ch. 9, sec. 5.07; Ordinance 06-002, sec. 1, adopted 10/24/05; Ordinance adopting Code)

**Recommendation / Staff Comments:**

Planning and Zoning Commission and staff recommends continuation of Bryson Manor Phase 2 with preliminary plat based on the Concept Plan provided.

**Sample Motion(s):**

*I move to direct staff to continue with the preliminary plat of Bryson Manor Phase 2 based on the Concept Plan provided.*

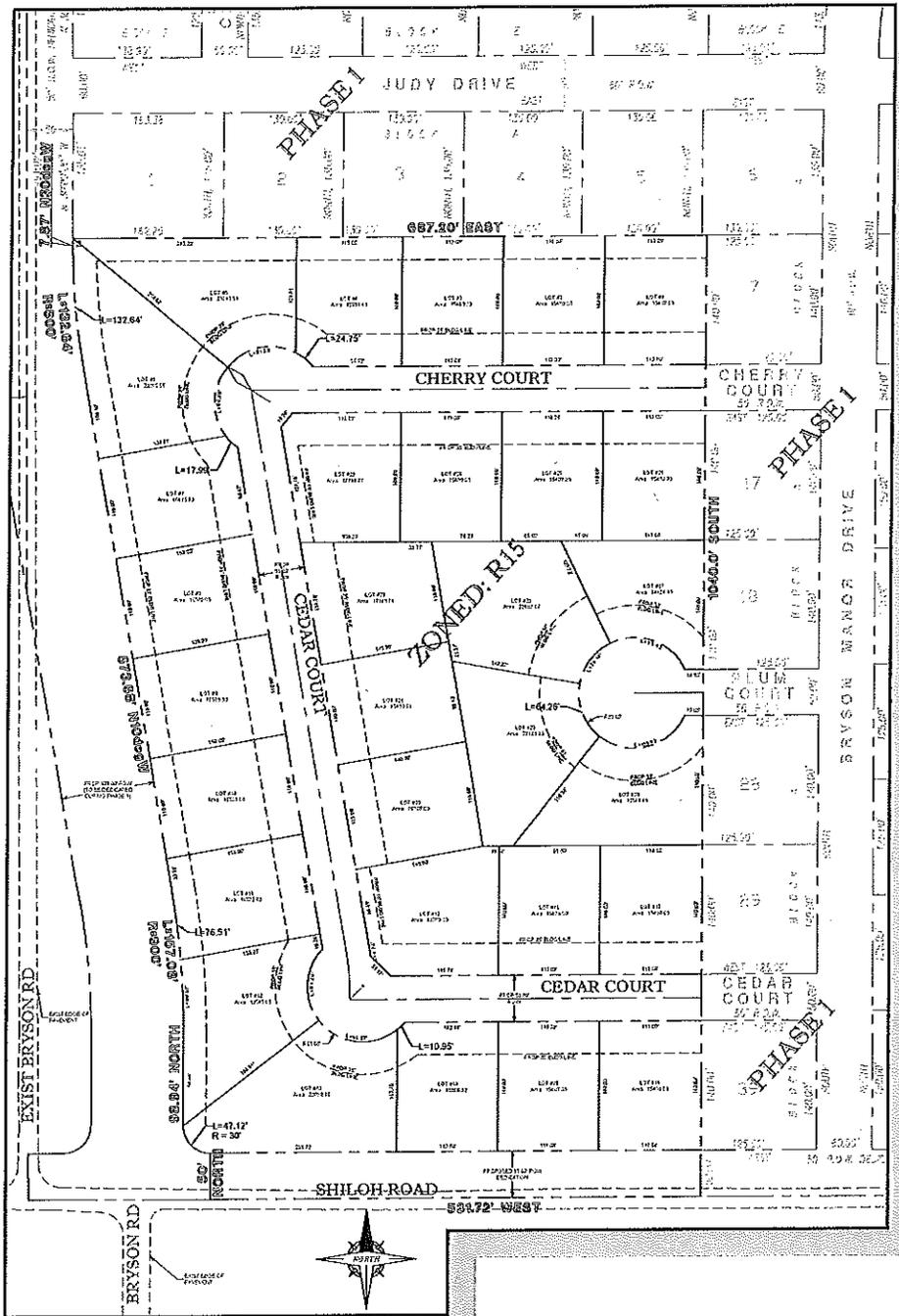
*Or*

*I move to direct staff to work with Shaw Development Group, LLC for Bryson Manor Phase 2 to...*

# BRYSON MANOR - PHASE 2

## PROPOSED CONCEPT PLAN

### 30 SINGLE FAMILY LOTS



**Property Description**

PHASE 2

Being all that certain parcel of land situated in the 2E, BENTLEY SURVEY, 44210477700, 2E, in the City of Onit, Elts County, Texas, and being a portion of the 114,620 acre tract of land conveyed to Shaw Development Group, LLC by Special Warranty Deed executed on 08/20/2014, Page 114 of the Official Public Records of Elts County, Texas (099112), and being more particularly described as follows:

Beginning at a certain g.p.s. set in the south line of said Shaw Tract and in the north line of said Bentley Survey and in the north line of the J. Berry Survey, Abstract No. 30 and in (510) feet to a corner nail for the southerly southeast corner of the tract and which bears West, a distance of 139.10 feet from the southerly southeast corner of said Shaw Tract;

THENCE WEST (fence - tree/gibbs line), along the south line of said Shaw Tract and the common boundary between survey line and along Shiloh Road, a distance of 511.23 feet to a certain g.p.s. set for the southeast corner of the tract and in the southerly terminus of the east line of the proposed right-of-way of Bryson Road (100' wide right-of-way);

THENCE NORTH, along the west line of this tract and the east line of the proposed right-of-way of Bryson Road, a distance of 65.00 feet to a 1/2" iron rod found marked "7415 4160" for corner at the beginning of a curve to the right having a radius of 30.00 feet and a central angle of 90°00'00";

THENCE in a northerly direction along the arc of said curve and continuing along the east line of proposed Bryson Road, a distance of 47.21 feet (along Shiloh Road - W 43°00'00" N, 41.81 feet) to a 1/2" iron rod found marked "7415 4160" for corner;

THENCE NORTH, continuing along the east line of proposed Bryson Road, a distance of 54.00 feet to a 1/2" iron rod found marked "7415 4160" at the beginning of a curve to the left, having a radius of 90.00 feet and a central angle of 120°00'00";

THENCE in a northerly direction along the arc of said curve and along the east line of proposed Bryson Road, a distance of 137.04 feet (along Cedar Court - W 65°00'00" N, 116.84 feet) to a 1/2" iron rod found marked "7415 4160" for corner;

THENCE N 10°00'00" W, continuing along the east line of proposed Bryson Road, a distance of 33.66 feet to a 1/2" iron rod found marked "7415 4160" for corner at the beginning of a curve to the right having a radius of 100.00 feet and a central angle of 90°00'00";

THENCE in a northerly direction along said curve and continuing along the east line of proposed Bryson Road, a distance of 113.68 feet (along Cedar Court - W 65°00'00" N, 112.04 feet) to a 1/2" iron rod found marked "7415 4160" for corner;

THENCE N 60°30'00" W, continuing along the east line of proposed Bryson Road, a distance of 7.80 feet to a 1/2" iron rod found marked "7415 4160" for the northwest corner of this tract;

THENCE EAST, along the north line of this tract, a distance of 637.20 feet to a 1/2" iron rod found marked "7415 4160" for the northeast corner of this tract;

THENCE SOUTH, along the east line of this tract, a distance of 1040.00 feet to the PLACE OF BEGINNING and continuing 14,600 acres of land in survey on the ground.

- LOT DENSITY NOTES:**
- Existing Bryson Manor Phase 1: 35,213 acres of land with 59 lots = 1.68 units/acre.
  - Proposed Bryson Manor Phase 2: 14,502 acres of land with 30 lots = 2.05 units/acre.
  - Total Bryson Manor Phase 1 & 2: 49,815 acres of land with 89 lots = 1.70 units/acre.
- SUBMISSION DATA**
- Building Lines: 35' minimum front building line, 35' minimum at side-sacs.
  - Easement Lines: 20' easement along front property lines, 10' easement along rear property lines and any others as shown on plan. All easements are utility & drainage easements.
  - No building shall be constructed until Final Plans are accepted and filed with the city of Onit & Elts County.

Date: 09/18/2015  
 Revised: 11/05/2015  
 Scale: 1" = 60'

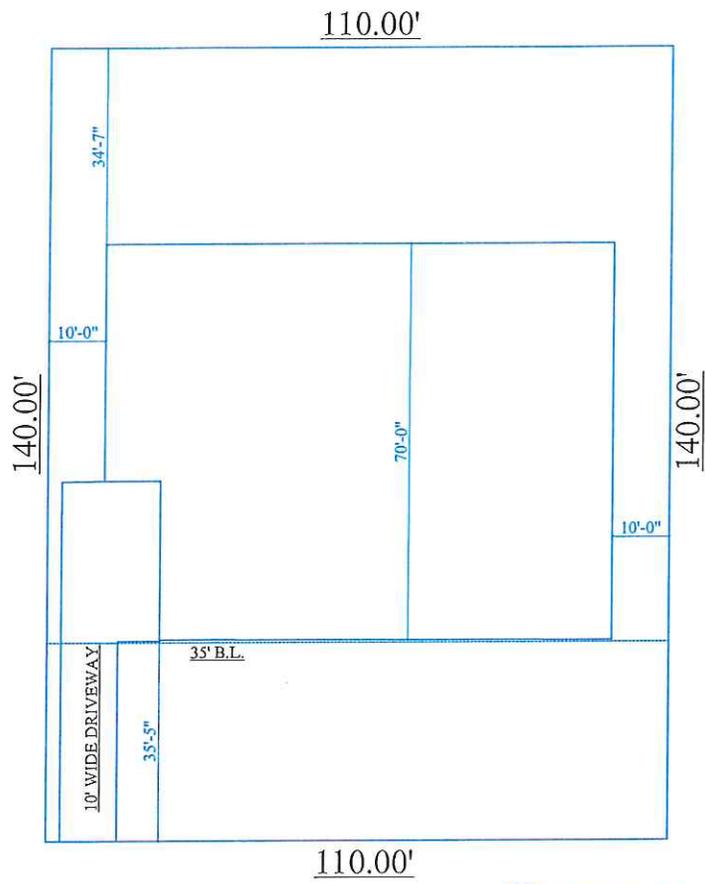
DRAFT

**PROJECT NAME**  
 BRYSON MANOR - PHASE 2

**PREPARED FOR**  
 SHAW DEVELOPMENT GROUP, LLC  
 11015 ROYALSHIRE DRIVE  
 DALLAS, TEXAS 75230-3442  
 CONTACT: MASSEY SHAW  
 PHONE: (214) 803-4939

**PREPARED BY**  
  
 ATLAS ASSOCIATES, INC.  
 P.O. BOX 185  
 MILFORD, TX 76670  
 972-921-4206 | fax 469-227-2527  
 atlas@asi-texas.com

Drawing Title: C:\PROJECTS\15-110-Bryson Manor\BMD2 - PHASE 2.dwg  
 Printed Date: Nov 05, 2015 - 9:47am



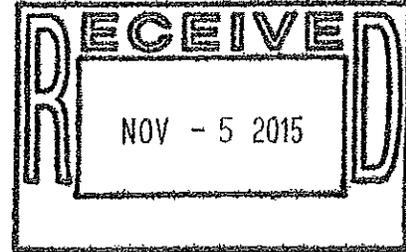
 **SITE PLAN**  
SCALE: 1" = 10'-0"



P.O. Box 185  
Milford, TX 76670  
(972) 921-4206  
(469) 327-2527 Fax  
www.aai-texas.com

November 5, 2015

Dennis Burn, P.E.  
City Administrator  
City of Ovilla  
105 S. Cockrell Hill Road  
Ovilla, Texas 75154  
(972) 617-7262



**RE: Variance Request for future Bryson Manor Phase 2**

Dennis Burn:

With this Concept Plan submittal showing future Bryson Manor Phase 2, we are requesting a variance from the City of Ovilla Subdivision Ordinance requirement for alleys for non-perimeter lots narrower than 130' wide.

We would like to keep the R15 Zoning District minimum lot width of 110' for all lots shown on the enclosed Concept Plan.

Also, we are asking for a variance from the maximum density of 2 units per acre. The proposed Bryson Manor Phase 2 consists of 14.602 acres and is showing 30 proposed lots, this would be 2.05 units/acre.

The existing Bryson Manor Phase 1 consists of 35.213 acres of land with 59 lots, which is 1.68 units/acre. Combining Phase 1 & 2 would be 49.812 acres of land with 89 lots, this is 1.79 units/acre.

Please contact me if you have any questions.

Respectfully,

Alan Lauhoff, P.E.  
Atlas Associates, Inc.

Encl. Concept Plan for future Bryson Manor Phase 2

**Sec. 10.02.002 Pre-application conference**

(a) Prior to the filing of a preliminary plat, the subdivider may request to meet with the mayor or his representative to familiarize himself or herself with the city's development regulations. At such meeting, the general character of the development may be discussed, and items may be included concerning zoning, utility service, street requirements and other pertinent factors related to the proposed subdivision. At the pre-application conference the subdivider may be represented by his or her land planner, engineer or surveyor.

(b) If the request for the meeting is to ascertain platting requirements or discuss a plan for development, the request shall be made in writing on a form prepared by the city administrator and shall state that any proposed development **concept** discussed at the pre-application conference is not intended as a plan of development or application for plat approval. If the request for the meeting is to present a development plan or plat application which meets the criteria set forth in this section, the city administrator shall process the plan or application in accordance with [division 3](#) of this article.



**City of OVILLA Planning & Zoning Commission  
Recommendation**

**Case No. PZI5-05.** A request by Shaw Development, for consideration of a concept plan presented to the Ovilla Planning and Zoning Commission on Monday, December 07, 2015.

**ITEM 1. DISCUSSION – Case No. PZI5-05.** Consideration of and action on a Concept Plan submitted by Shaw Development Group, LLC for Bryson Manor Subdivision Phase 2, and forward opinion to the Ovilla City Council.

**The Commission’s consensus was favorable for the Concept Plan.**

**PLANNING AND ZONING Members present, and upon a record vote of:**

PL 1 Jungman AYE  
PL2 Yordy AYE  
PL3 Lynch AYE  
PL4 Whittaker AYE

PL5 Zabochnik AYE  
PL6 Hart AYE  
PL7 Zimmermann AYE

7 FOR / APPROVAL

0 AGAINST / DENY

0 ABSTAIN

0 ABSENT

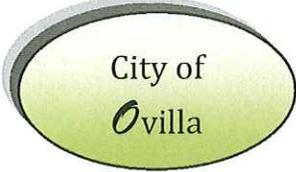
\*\*\*\*\*

*Lynch*  
Presiding Officer of P&Z

12/10/15  
Date

*Queller*  
Board Secretary

12/10/2015  
Date



# Ovilla City Council

## AGENDA ITEM REPORT

Item: 2

Meeting Date: December 14, 2015

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Dennis Burn, CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant

Director B. Piland, Code Enforcement M. Dooly

### Attachments:

1. Building Permit Application, Site Plan Application
2. Excerpts from the Code related to conformance requirements for CR zoning, Historic restoration and site plan
3. Survey and drawings for Curtis Garage
4. Planning and Zoning Commission Recommendation

### Agenda Item / Topic:

**ITEM 2.**      **DISCUSSION/ACTION** – Receive recommendation from the Planning and Zoning Commission to consider and act upon a site plan for Curtis Garage at 707 West Main Street, located in the Ovilla Historic District, submitted by John Sims, First Cedar Hill LLP.

### Discussion / Justification:

Owner, Mr. John Sims, filed building permit and site plan applications to restore his uncle’s “Curtis Garage” located at 707 W. Main in the Core Historic District of downtown. Chapter 14, Section 24 encourages the preservation of the historic integrity of existing and future developments, specifically within the Historic District.

#### Excerpt from the Code of Ordinances:

#### 24.1 PURPOSE

The historical overlay district is hereby created to encourage the preservation of the historic integrity of the existing and future developments found within the boundaries of the historic district. The zoning regulations for the underlying zoning districts shall apply unless otherwise provided in this section.

The owner is requesting to completely replace the entire shell with new corrugated metal (example displayed) and to finish out the inside of the building with business offices. An office for business/professional use is permitted in the Core Historic District, zoned Commercial Restricted, as stated in Chapter 14, Section 11.3, listed in the Code’s land use table.

#### (Land Use Table Attached)

The material (corrugated metal) is not listed as an approved material for construction (Chapter 14, Section 24.4) but could be recommended for approval within the Core Historic District based on interpretation of Section 24.4 F & H and the Code’s statement (Chapter 14, Section 24.1) on preservation of the historic integrity.

**Excerpts from the Code of Ordinances:**

**24.4 REGULATIONS AND REQUIREMENTS**

The following regulations and requirements shall apply in the Historical Overlay district. The regulations for the underlying zoning districts shall apply unless otherwise revised herein or in the motion approving the site plan.

- A. Massing. A building should be of appropriate human-scale, with mass and size similar to those in the adjacent blockface or within the historic overlay district.
  
- B. Height. The height of finished floor from grade should be similar to traditional houses in the vicinity, and should be sufficient to suggest a traditional pier-and-beam foundation.
  
- C. Roof Height. The height of the cornice and the roof ridge(s) should also fit within the range of dimensions of traditional or historic residences in the district.
  
- D. Roof Form. Roof forms should be sloping, either hipped or gabled, with an eave overhang dimension that reflects traditional roof conditions.
  
- E. Building Materials. Exterior building materials shall reflect the traditional materials of similar buildings in Ovilla: wood siding (horizontal lap or novelty siding); limestone or field stone in traditional dimensions and tooling, or brick in traditional dimensions.
  
- F. Design. New buildings should be designed so that the façade's organization closely relates to surrounding or similar buildings.
  
- G. Windows. Spacing and size of window and door openings should be similar to their historic counterparts, as should the proportion of window to wall space.
  
- H. Historic Style. New designs should draw upon the traditions of historic styles and designs in the community, but should be seen as products of their own time while being compatible with the historic environment of the neighborhood or community.

**26.2 REQUIRED PRIOR TO BUILDING PERMIT**

When required by this ordinance, a site plan must be approved prior to the issuance of a building permit.

**26.5 SITE PLAN HEARING NOTICES**

**C. Site Plans with No Zoning Change Requested.** City Council approval of a site plan required for the issuance of a building permit for a structure on a site for which no zoning change has been requested, or which is not in a planned development district shall not constitute an official public hearing as required by state law. Notice of the consideration of the site plan by the City Council in the posted agenda of the Council shall be sufficient notice for the purposes of approving a site plan by City Council action for the issuance of a building permit.

**26.6 SITE PLAN CONSIDERATION**

In considering, granting, or denying an application for a site plan as provided for in this ordinance, the Planning and Zoning Commission and the City Council shall take into consideration the following factors:

- A. Ordinance Compliance. Compliance with the Zoning Ordinance, the Subdivision Ordinance, and all other ordinances of the City; and

B. Public's Health, Safety and Welfare. Such other measures as will secure and protect public health, safety, morals, and general welfare.

The Site Plan meets all other requirements.

The Planning and Zoning Commission recommended approval with the following notations:

- Sign/plaque for outside display noting original historic name of "Curtis Garage" and date established.
- Historical Marker
- Be mindful at permitting stage of the 6" concrete driveway requirement.

**Recommendation / Staff Comments:**

The Planning and Zoning Commission and staff recommends approval of the presented site plan.

**Sample Motion(s):**

*I move that Council approves / denies the site plan for Curtis Garage at 707 West Main Street, located in the Ovilla Historic District, submitted by John Sims, First Cedar Hill LLP as presented.*

# City of Ovilla

Phone: (972) 617-7262

105 S. Cockrell Hill Rd.

Fax: (972) 515-3221

Ovilla, Texas 75154

## Commercial Building Permit Application

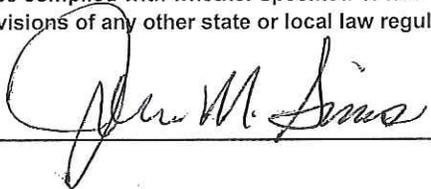
Building Permit Number: <u>5010</u>	Valuation: <u>25,000 - 27,000</u>								
Project Name: <u>John Sims DBA First Cedar Hill LLP</u>	Square Foot: <u>1500</u>								
Project Address: <u>707 W. MAIN ST Ovilla, TX 75154</u>									
Project Description: <table style="width:100%; border:none;"> <tr> <td>New <input type="checkbox"/></td> <td>C/O <input type="checkbox"/></td> <td>Sign <input type="checkbox"/></td> <td>Irrigation <input type="checkbox"/></td> </tr> <tr> <td>Fence <input type="checkbox"/></td> <td>Flatwork <input type="checkbox"/></td> <td>Electrical <input type="checkbox"/></td> <td>Other <input checked="" type="checkbox"/></td> </tr> </table>		New <input type="checkbox"/>	C/O <input type="checkbox"/>	Sign <input type="checkbox"/>	Irrigation <input type="checkbox"/>	Fence <input type="checkbox"/>	Flatwork <input type="checkbox"/>	Electrical <input type="checkbox"/>	Other <input checked="" type="checkbox"/>
New <input type="checkbox"/>	C/O <input type="checkbox"/>	Sign <input type="checkbox"/>	Irrigation <input type="checkbox"/>						
Fence <input type="checkbox"/>	Flatwork <input type="checkbox"/>	Electrical <input type="checkbox"/>	Other <input checked="" type="checkbox"/>						
Scope of Work: <u>COMMERCIAL</u> <u>REPLACE ENTIRE FRAME - SHELL OF BUILDING</u>									

Owner Information: <u>FIRST CEDAR HILL LLP</u>	
Name: <u>John Sims</u>	Contact Person: <u>John Sims / Phillip Stewart</u>
Address: <u>6241 Curtis Midlothian, TEXAS 76065</u>	
Phone Number: <u>(214) 727-8380</u>	Mobile Number: <u>(469) 323-9457</u>

Engineer	Contact Person	Phone Number	Fax Number
Architect	Contact Person	Phone Number	Fax Number
General Contractor	Contact Person	Phone Number	Contractor License Number
<u>Hoover Bld</u>	<u>Bill</u>	<u>(214) 683-8077</u>	
Mechanical Contractor	Contact Person	Phone Number	Contractor License Number
Electrical Contractor	Contact Person	Phone Number	Contractor License Number
Plumbing Contractor	Contact Person	Phone Number	Contractor License Number

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

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

Signature of Applicant:  Date: 10-14-2015

**OFFICE USE ONLY:**

Approved by:	Date approved:
Approved by Fire:	

Plan Review Fee: _____ Building Permit Fee: _____ Capital Recovery Fee: _____ Fire Meter: _____ Water Meter Cost: _____ Water Impact: _____ Sewer Connection Fee: _____ Sewer Impact: _____ Fire Fee: _____	REC # _____ <u>use - office</u> <u>zone - CR</u> Permit Fees: _____ Issued Date: _____ Issued By: _____ BV Project # _____
---	--

# BUILDING PERMIT

## CITY OF OVILLA

P.O. BOX 5047, OVILLA, TEXAS 75154

Application No.

PERMIT NO.

No. 4828

Location 707 W. Main

Description Repair / Commercial

Owner Sims - Stewart

Date 5-1-15

This Permit To Be Posted In Conspicuous Place On Site

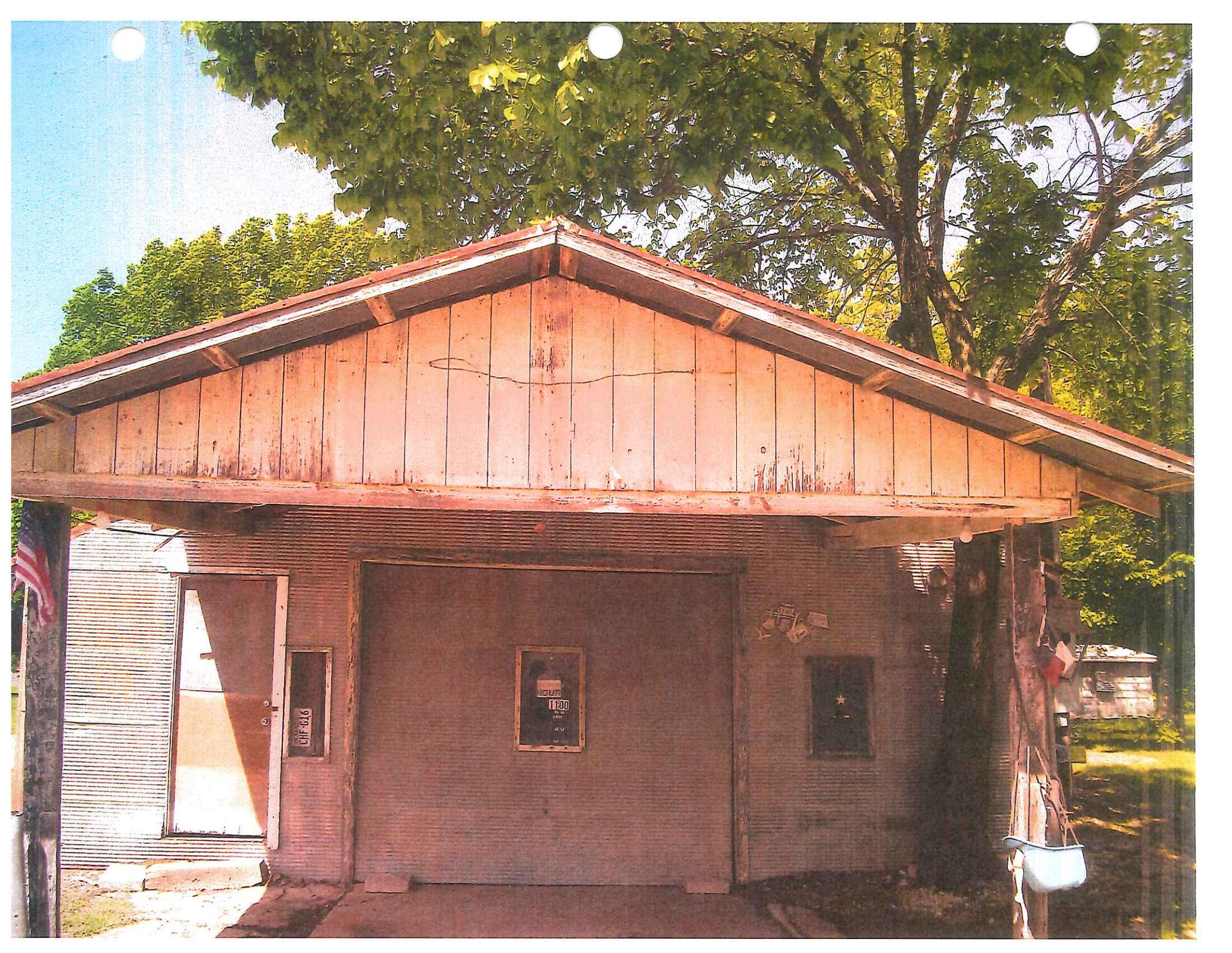
City of Ovilla

Building Inspector

105 S. Cockrell Hill Rd. #2

Ovilla, TX 75154

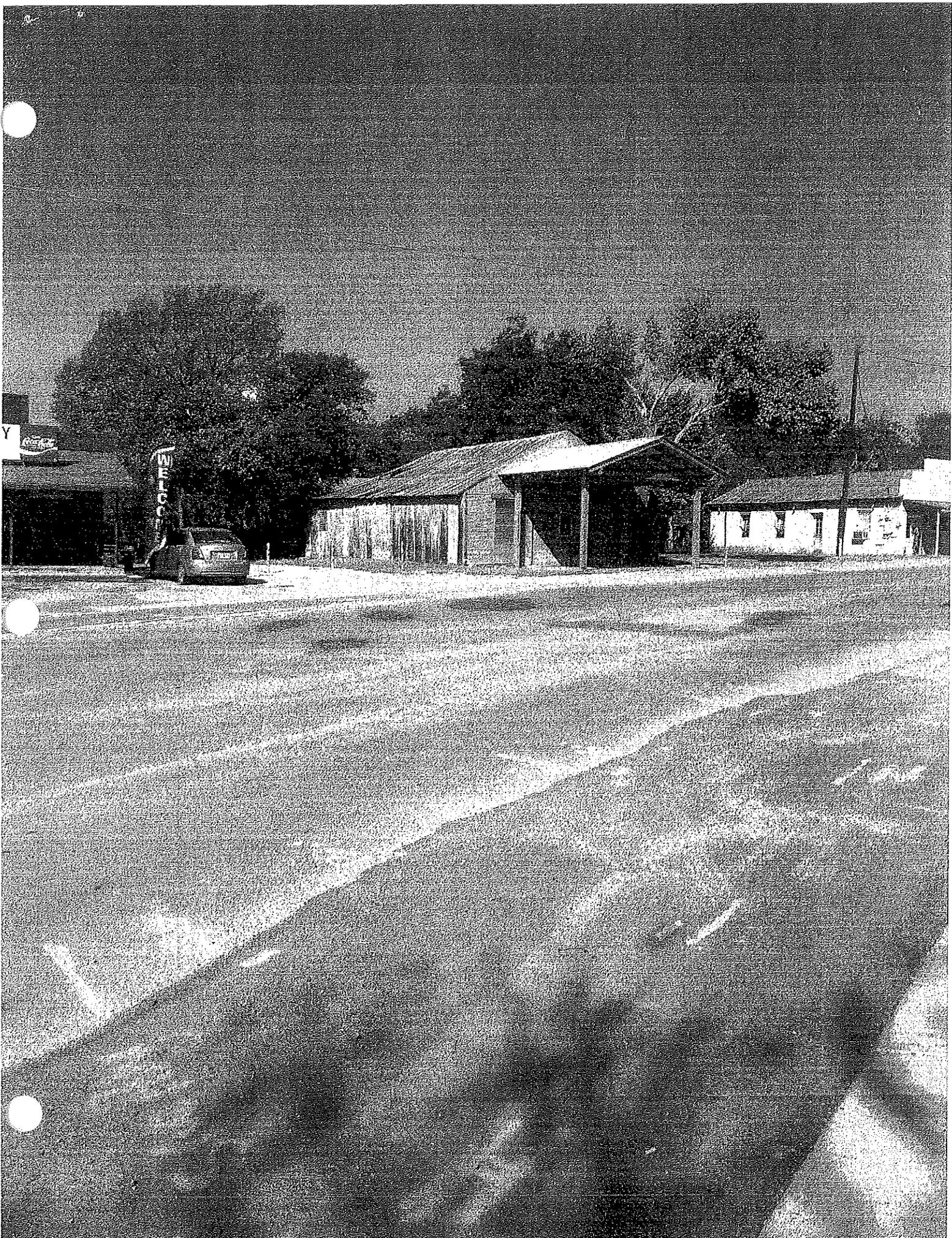
Previous  
Permit To Replace  
Awning Front of  
Building.  
Metal to match new Awning.



CIF-616

YOUR  
11:00  
11:00  
11:00







APPLICATION FOR SITE PLAN  
Subject Property Information

Site Plan

Applicant John Sims Phone 214 727-8380

Mailing Address PO Box 1061 CEDAR HILL, TX 75106

Property General Location 702 W MAIN

Current Zoning: COMMERCIAL RESTRICTED

Area in Subdivision:      Total Acres 0.1676 Number of Lots 1 Average Lot Size

Engineer or Land Planner CHRIS R. ACKERD Blue Line Phone 972-935-9710

Company: Design Co.

Mailing Address 130 Chieftain Dr. Ste 101 Waxahatchie, TX 75165

City Limits  Extraterritorial Jurisdiction (ETJ)

Subdivision Name CORE HISTORIC DISTRICT

24.4 REGULATIONS AND REQUIREMENTS

The following regulations and requirements shall apply in the **Historical Overlay district**. The regulations for the underlying zoning districts shall apply unless otherwise revised herein or in the motion approving the site plan.

- A. Massing. A building should be of appropriate human-scale, with mass and size similar to those in the adjacent block-face or within the historic overlay district.
- B. Height. The height of finished floor from grade should be similar to traditional houses in the vicinity, and should be sufficient to suggest a traditional pier-and-beam foundation.
- C. Roof Height. The height of the cornice and the roof ridge(s) should also fit within the range of dimensions of traditional or historic residences in the district.
- D. Roof Form. Roof forms should be sloping, either hipped or gabled, with an eave overhang dimension that reflects traditional roof conditions.

E. Building Materials. Exterior building materials shall reflect the traditional materials of similar buildings in Ovilla: wood siding (horizontal lap or novelty siding); limestone or field stone in traditional dimensions and tooling, or brick in traditional dimensions.

F. Design. New buildings should be designed so that the façade's organization closely relates to surrounding or similar buildings.

G. Windows. Spacing and size of window and door openings should be similar to their historic counterparts, as should the proportion of window to wall space.

H. Historic Style. New designs should draw upon the traditions of historic styles and designs in the community, but should be seen as products of their own time while being compatible with the historic environment of the neighborhood or community.

## 24.5 SITE PLAN REQUIREMENTS

A site plan shall be required for any building construction located within the Core Historical Area. A building permit shall not be issued for any such construction until the site plan and a specific use permit has been approved by the City Council upon recommendation by the Planning and Zoning Commission. Building permits for non-substantive construction and improvements, as determined by the City Administrator, may be approved administratively.

### Section 26 - Site Plan Requirements

#### 26.1 GENERALLY

Whenever a site plan is required by this ordinance, the site plan must conform to the requirements of this section. Unless otherwise specified in this ordinance, all site plans must be approved by the City Council, upon recommendation of the Planning and Zoning Commission. The site plan submitted in support of an application must satisfy the requirements for site plan submittals as set forth by the city staff. Site plans shall be reviewed by the city staff, and comments shall be returned within a reasonable time after review.

#### 26.2 REQUIRED PRIOR TO BUILDING PERMIT

When required by this ordinance, a site plan must be approved prior to the issuance of a building permit.

#### 26.3 CHANGES TO THE SITE PLAN

A. Approval Required. Except as otherwise provided in subsection C below, any site plan that is amended shall require approval of the City Council, upon recommendation of the Planning and Zoning Commission.

B. Amendment Affecting Use. Changes to the site plan which will affect the use of the land may require either an amendment to a Planned Development or a rezoning of property, whichever applies.

C. Minor Changes. Changes of details within a site plan which do not alter the basic physical relationship of the property to adjacent properties; do not alter the use permitted; and do not increase the density, floor area, height, or reduce the yards provided at the boundary of the site as indicated on the approved site plan, may be authorized by the Administrative Official. An aggrieved party may appeal the decision of the Administrative Official to the Zoning Board of Adjustment in accordance with the provisions of this ordinance.

#### 26.4 COUNCIL APPROVAL

Upon City Council approval of a site plan that accompanies a zoning change request, the site plan shall become part of the amending ordinance.

#### 26.5 SITE PLAN HEARING NOTICES

A. Notice to Owners. The Administrative Official shall send notice to owners of record of property within two hundred (200) feet of the property under consideration of a site plan consideration by the Planning and Zoning Commission.

B. Sign Required. The City Administrator shall cause at least one (1) sign to be erected on the property for which the site plan consideration of the Planning and Zoning Commission has been requested. The sign shall have total area of at least four (4) square feet and shall be located adjacent to the street. Such sign shall be erected on or before the first notice to property owners and shall be removed immediately after final action by the City Council, or when the applicant withdraws the request, whichever comes first. The sign shall contain a notice of hearing on a site plan and the telephone number of the public official from whom dates of public hearing may be obtained. The erection or continued maintenance of signs shall not be deemed a condition precedent to the granting of any site plan recommendation or approval or the holding of any public hearing.

C. Site Plans with No Zoning Change Requested. City Council approval of a site plan required for the issuance of a building permit for a structure on a site for which no zoning change has been requested, or which is not in a planned development district shall not constitute an official public hearing as required by state law. Notice of the consideration of the site plan by the City Council in the posted agenda of the Council shall be sufficient notice for the purposes of approving a site plan by City Council action for the issuance of a building permit.

#### 26.6 SITE PLAN CONSIDERATION

In considering, granting, or denying an application for a site plan as provided for in this ordinance, the Planning and Zoning Commission and the City Council shall take into consideration the following factors:

A. Ordinance Compliance. Compliance with the Zoning Ordinance, the Subdivision Ordinance, and all other ordinances of the City; and

B. Public's Health, Safety and Welfare. Such other measures as will secure and protect public health, safety, morals, and general welfare.

## 26.7 SITE PLAN CONTENT

A. Requirements. The site plan shall contain the information:

✓ 1. The boundary lines and dimensions of the property, existing subdivision lots, available utilities, easements, roadways, sidewalks, emergency access easements, and public rights-of-way;

~~2. Topography of the property proposed for development in contours of not more than two feet, apart with any proposed grade elevations, if different from existing elevations. (Note: If the natural contour of the land is to be altered or changed in any location on the property more than four (4) feet, the site plan must provide detailed information on the proposed grading plan. This information shall include the correlation of the proposed grading plan to the surrounding properties and the use of those surrounding properties and shall include information indicating the drainage and the line of sight effect the proposed grading plan will have on the surrounding properties;~~  
*WAIVED BY CHAIRMAN*

3. One-hundred year floodplains, water courses, marshes, drainage areas, and other significant environmental features including, but not limited to, rock outcroppings and major tree groupings. Topographic and drainage map information provisions may be waived by the reviewing body when the inclusion of such data would not materially contribute to the necessary evaluation of the project petition;

~~4. The location of existing trees, including notations of those trees to be preserved;~~

✓ 5. The location and proposed uses of all existing and proposed buildings or structures, including all refuse storage areas, and the minimum distance between buildings. Where building complexes are proposed, the location of each building and the minimum distances between buildings, and between buildings and the property line, street line, and/or alley shall be submitted. For buildings more than one (1) story in height, elevations and/or perspective drawings shall be required in order that the relationship of the buildings to adjacent property, open spaces, and to other features of the development plan may be determined. The drawings must indicate the square footage, the height, number of floors and exposures for access, light, and air. A designation of the maximum building coverage of the site shall be indicated on the site plan;

✓ 6. Total number, location, and arrangement of off-street parking and loading spaces, where required. The plan should include a table of the required and proposed off-street parking and off-street loading spaces with the building area;

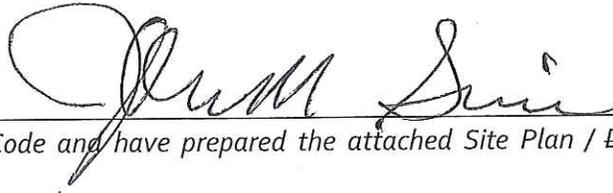
7. All points of vehicular ingress, egress, and circulation within the property and all special traffic regulation facilities proposed or required to assure the safe function of the circulation plan;
8. Setbacks, lot coverage, and when relevant, the relationship of the setbacks provided and the height of any existing or proposed building or structure;
9. The location, size, and arrangement of all outdoor signs, exterior auditory speakers, and lighting;
10. The type, location, and quantity of all plant material used for landscaping, and the type, location, and height of fences or screening and the plantings around them. When necessary to protect the public health, safety, or welfare, the City Council or the Planning and Zoning Commission may require landscaping and screening requirements to be in place prior to the start of construction pursuant to an approved site plan;
11. Where multiple types of land uses are proposed, a delineation of the specific areas to be devoted to various land uses;
12. Vicinity map, north point, scale, name of development, name of owner, name of planner, total acreage of project, and street address or common description of the property;
13. Current land uses and zoning district of the property and current land uses and zoning districts of contiguous properties and buildings on the exterior of the site and within twenty-five (25) feet of all property lines;
14. Existing buildings on the exterior of the site and within one hundred (100) feet of all property lines;
15. The location and size of existing and proposed surface and subsurface drainage facilities, including culverts, drains, and detention ponds, showing size and direction of flow;
16. The number of square feet of the property after construction which will constitute impervious area or impervious surface and vegetated areas;
17. Roadway speeds and distances of adjacent driveways from all proposed driveways and streets;
18. Architectural drawings, such as elevations, concept sketches or renderings depicting building types and other significant proposed improvements including the treatment and use of open spaces, etc., where the submission of such drawings would more clearly portray the nature and character of the applicant's land use and development proposals;

19. Legal description of the total site area proposed for rezoning, development or specific use permit;
20. Signature and title of the applicant, certifying the information presented in the plans, and supporting documents reflect a reasonably accurate portrayal of the nature and character of the applicant's proposals;
21. Any proposed dedications of land for public use, including easements, trails, parkland, open space and floodplain; and
22. The proposed name of the business or development.

B. Option for Single Drawing. Notwithstanding Subsection A, any or all of the required features may be incorporated on a single drawing if, in the sole discretion of the Building Official, the drawing is clear and capable of evaluation by the City Council and City Staff required to enforce and interpret this ordinance.

**Plan Preparer's Acknowledgement:** \_\_\_\_\_

*I have reviewed the City of Ovilla's Code and have prepared the attached Site Plan / Development Plan in accordance with those regulations.*



Received on 11-23-2015

Official Filing Date 11-23-2015 *Woodall*

City of Ovilla  
 105 S. Cockrell Hill Road  
 Ovilla, TX 75154  
 972.617.7262  
 FAX: 972.515.3221  
 Added excerpt for Mr. Sims.

**Sec. 14.03.004 Restoration of destroyed historic structure**

If a historic structure in the city historic district is destroyed by natural disaster, the structure can be restored to match its original appearance using like materials. The plans to restore the structure must be approved by the city historic preservation commission and building inspector. The structure must comply with all building codes except for exterior wall requirements and minimum structure size requirements, if applicable; and must comply with the city zoning ordinance except for size of yards and size of lot, if applicable. If the structure is to be rebuilt without regard to its original appearance, the structure must comply with the exterior wall requirements as stated in the building code. (1989 Code, ch. 12, sec. 5.04)

**24.2 BOUNDARIES OF HISTORIC AREAS**

The physical boundaries of the Historical Overlay District shall be defined as follows:

- A. Historical Compatibility Area: Beginning at the southern tip of Dillard Farms going west to Westlawn Road, south down Willow Wood Road to Water Street, then east to the curve of Red Oak Creek Road to include the cemeteries, then northeast to the end of East University Street, then north to the southern tip of Dillard Farms Road.

**City of Ovilla Land Use Table**

Residential							Land Use Descriptions	Nonresidential		Conditions	
R-C	R-E	R-22	R-15	R-D	MF	MH		CR	CG	I	
<b>Professional Uses</b>											
							Bank, Bank with Drive-Through, Savings and Loan Association, Financial Institution	P	P	P	g
							<b>Office, Business</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>g</b>
							<b>Office, Professional</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>g</b>
							Office, Real Estate Development Tract or Field Office	P	P	P	g

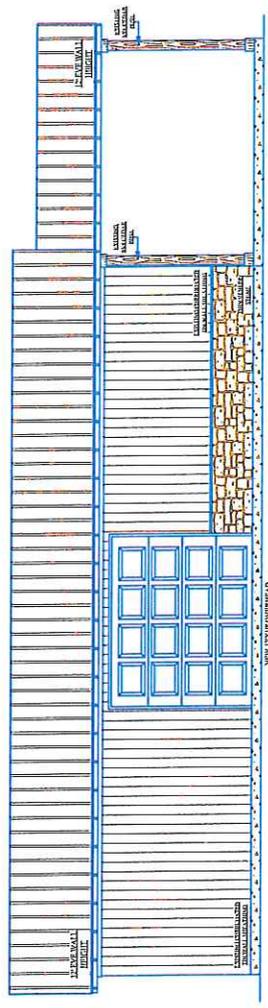
**G. All outdoor lighting, including parking lot lighting, shall be directed away from any property zoned or developed for residential uses.**



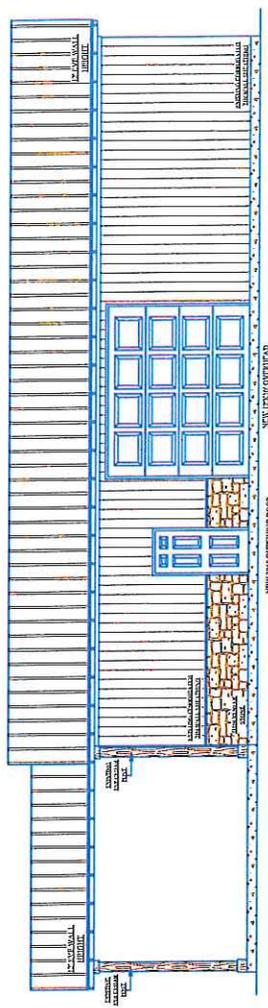
OWNER: JOHN SIMS  
 P.O. BOX 1061  
 CEDAR HILL, TEXAS 75106  
 MOBILE: (214) 727-8380  
 OFFICE: (214) 234-9440

NOVEMBER 16th, 2015  
 JOHN SIMS PROJECT  
 A RENOVATION TO  
 202 WEST MAIN  
 OVIILA, TEXAS 75154

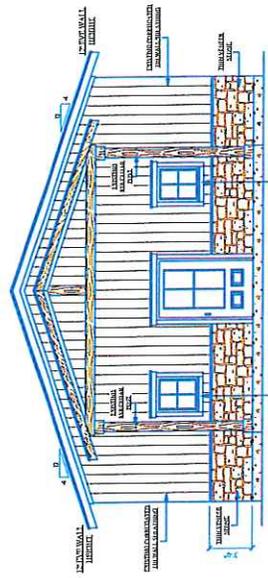
ARCHITECT: JOHN P. SIMS  
 130 CHIEFTAIN DRIVE  
 SUITE 101  
 WAXAHACHIE, TEXAS 75165  
 OFFICE: (972) 525-9710



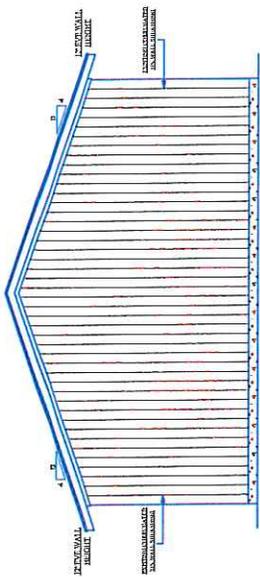
LEFT ELEVATION  
 SCALE: 1/4" = 1'-0"



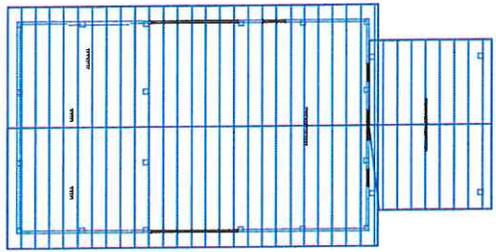
RIGHT ELEVATION  
 SCALE: 1/4" = 1'-0"



FRONT ELEVATION  
 SCALE: 1/4" = 1'-0"



REAR ELEVATION  
 SCALE: 1/4" = 1'-0"



ROOF FRAMING PLAN  
 SCALE: 1/8" = 1'-0"

**NOTES:**

1. All work shall conform to the 2015 International Residential Code (IRC) and the 2015 International Building Code (IBC).
2. All materials shall be of standard quality and shall be approved by the local building department.
3. All work shall be done in accordance with the manufacturer's instructions.
4. All work shall be done in accordance with the applicable code requirements.
5. All work shall be done in accordance with the applicable code requirements.
6. All work shall be done in accordance with the applicable code requirements.
7. All work shall be done in accordance with the applicable code requirements.
8. All work shall be done in accordance with the applicable code requirements.
9. All work shall be done in accordance with the applicable code requirements.
10. All work shall be done in accordance with the applicable code requirements.



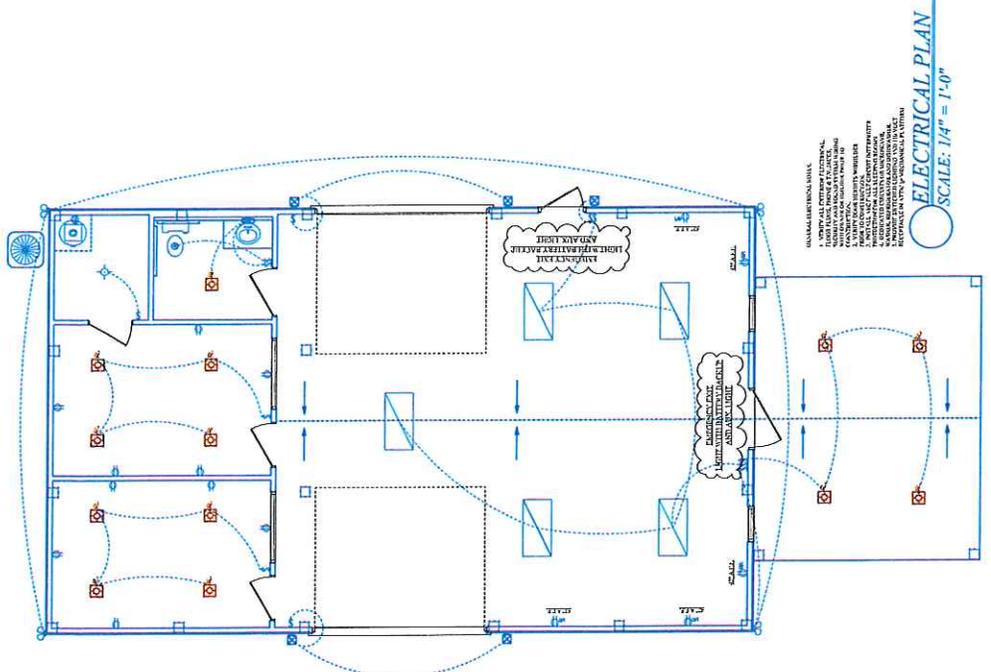
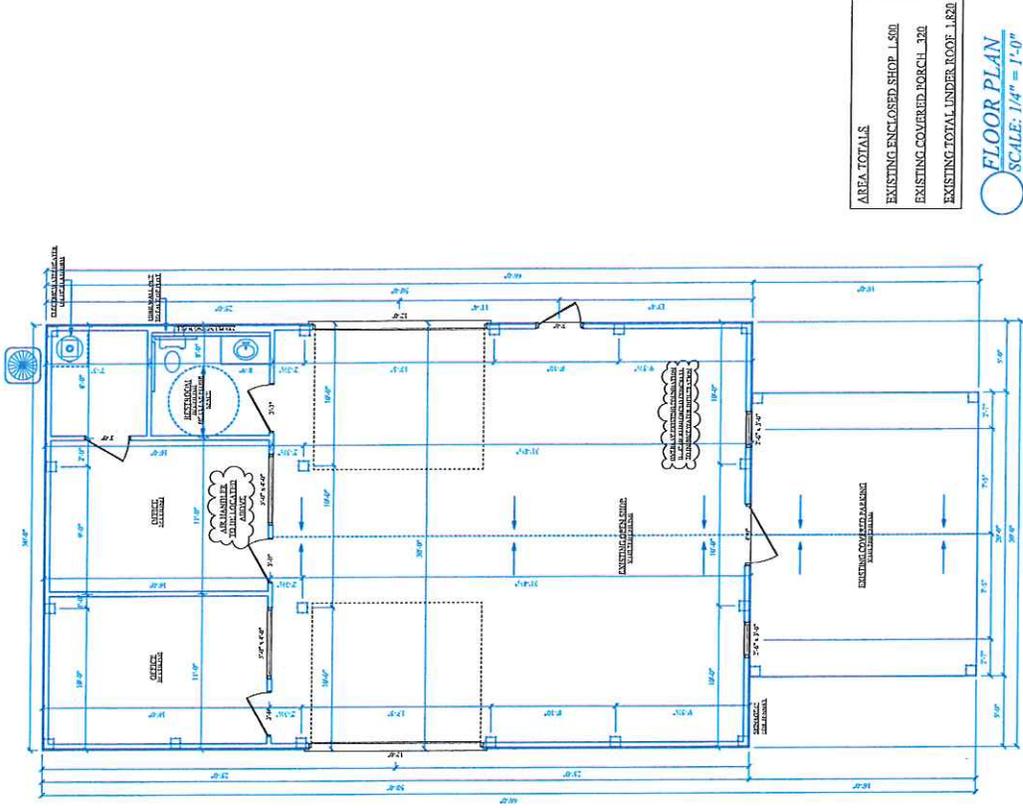
DAVID P. MILLER  
MECHANICAL ENGINEER  
LICENSE NO. 10587  
EXPIRES 08/2010

OWNER: JOHN SIMS  
P.O. BOX 1061  
CEDAR HILL, TEXAS 75106  
MOBILE: (214) 727-8380  
OFFICE: (214) 234-9449

NOVEMBER 16th, 2015  
JOHN SIMS PROJECT  
RENOVATION TO  
207 WEST MAIN  
DOWNTOWN, TEXAS 75104



DAVID P. MILLER  
MECHANICAL ENGINEER  
LICENSE NO. 10587  
EXPIRES 08/2010



**NOTES:**  
 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURE.  
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING MECHANICAL SYSTEMS.  
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PIPING.  
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ROOFING.  
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING FLOORING.  
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING WALLS AND CEILING.  
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING MECHANICAL SYSTEMS.  
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PIPING.  
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ROOFING.  
 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING FLOORING.  
 12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING WALLS AND CEILING.



**Subject:** Structure Quote  
**From:** William Hughes  
**To:** johnmichaelsims@yahoo.com; pkstewart527@att.net;  
**Date:** Tuesday, September 29, 2015 4:14 PM

Hello John and Phil,

We have come up with some numbers on the building you're redoing in Ovilla. This quote is for the items as follows:

30x50x12 shelter (roof on posts)

With supporting girts, purlins and skirt board.

With 8"x 8" posts (costs up from our normal 4"x 6" posts for a structure this size).

With the Mueller corrugated metal (not our standard metal)

2 - 12' x 10' large door frame-outs

1 - 3' x 6' 8" steel walk door installed

1 - 4' x 6' 8" steel walk door installed

With teardown of existing building and stacking off to side (save metal).

Thanks,

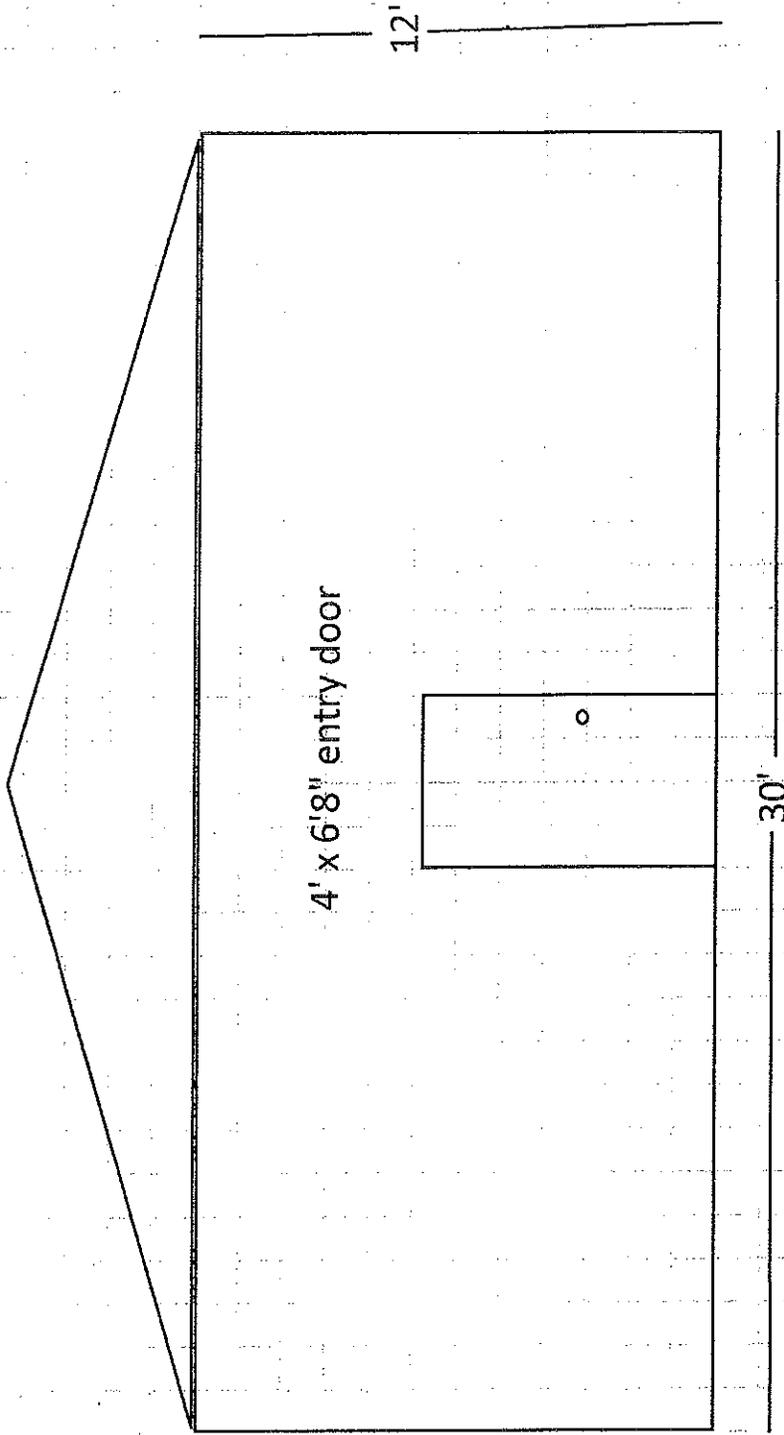
Bill

Hoover Pole Buildings

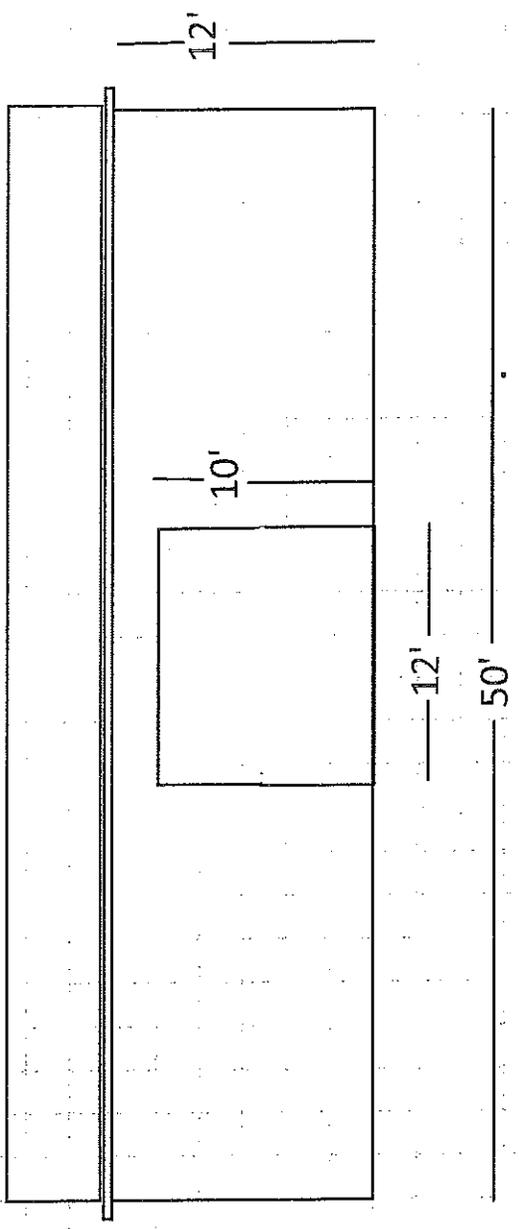
John Sims - front elevation

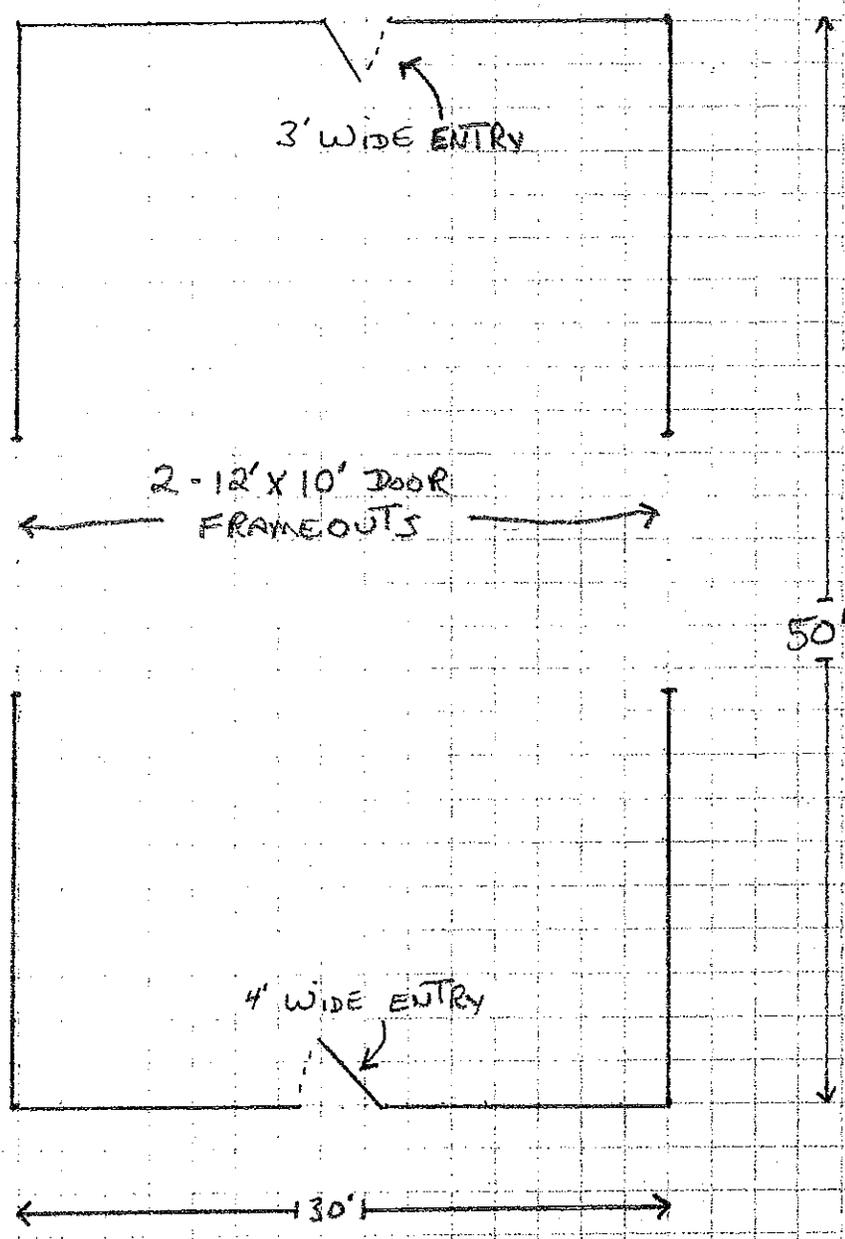
30' x 50' x 12' wood frame metal bldg

4 / 12 Roof Pitch



50' Length elevation (side)

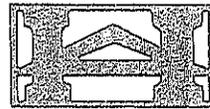












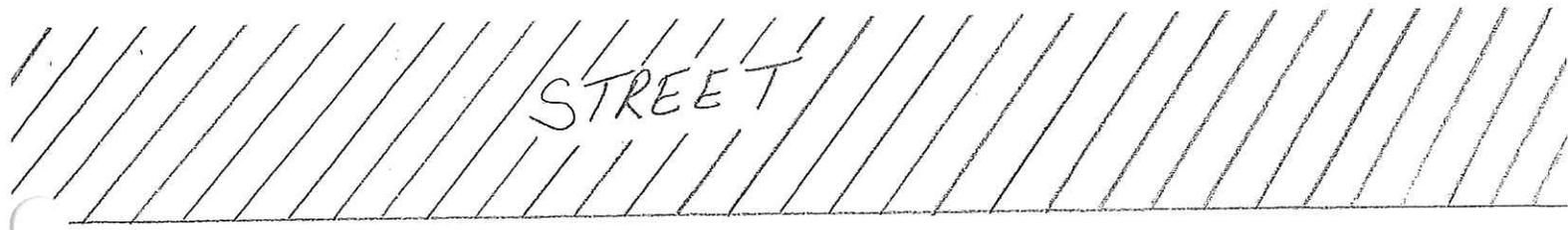
**HOVER**  
**POLE BUILDINGS**

3440 E. Hwy. 175 • Kaufman, TX 75142

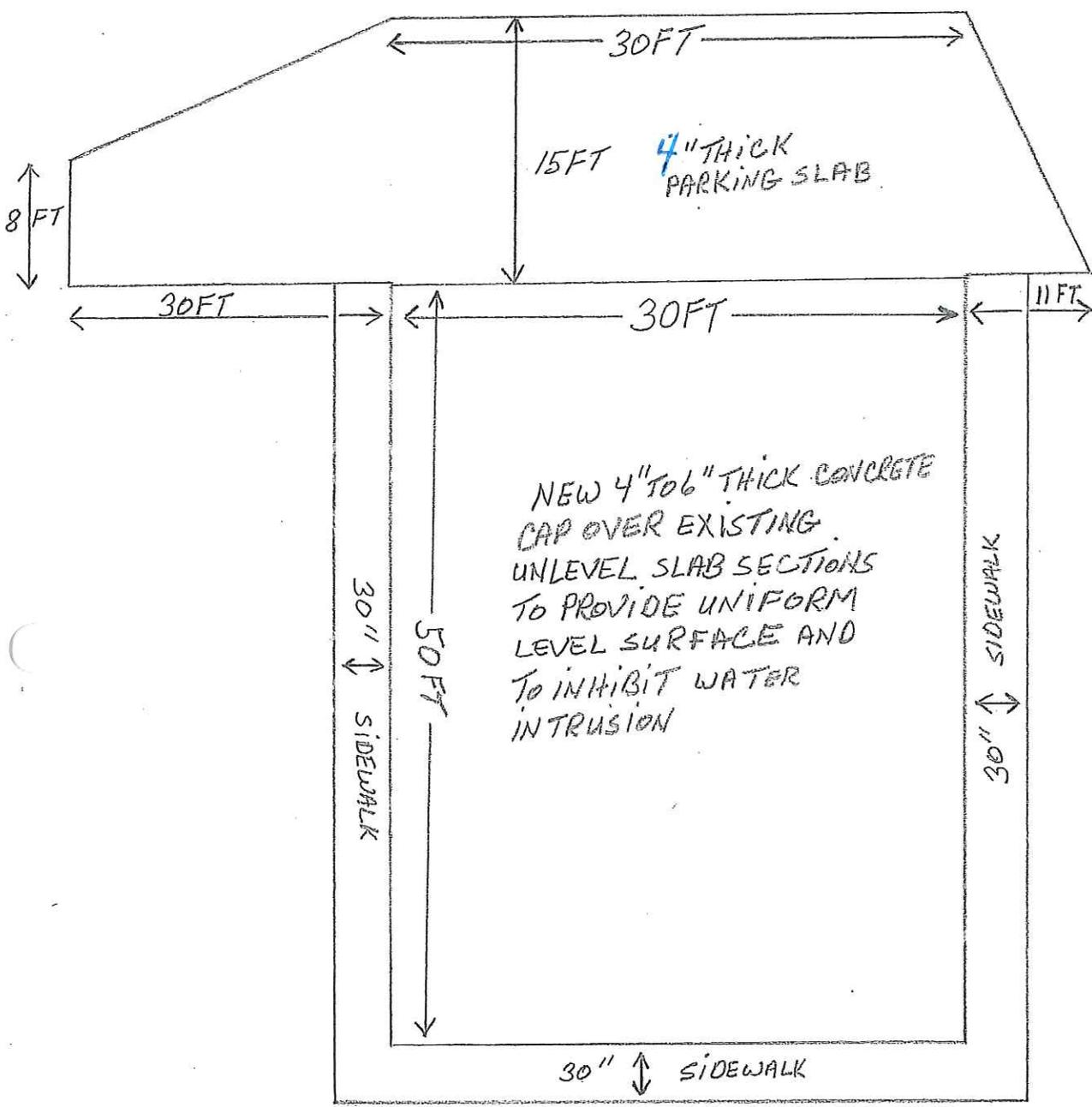
Jim Hoover & Carl Shealy - Owners

**972-932-1924 • Fax 972-932-1845**

[www.hooverpolebuildings.com](http://www.hooverpolebuildings.com)



STREET



PLANNED CONCRETE WORK



COMcheck Software Version 3.9.4

# Envelope Compliance Certificate

## 2012 IECC

### Section 1: Project Information

Project Type: **New Construction**  
Project Title : 707 WEST MAIN

Construction Site:  
707 WEST MAIN  
OVILLA, TX 75154

Owner/Agent:

Designer/Contractor:

Chris Acker  
Blue Line Design Co.  
130 Chieftain Drive  
Suite 101  
Waxahachie, TX 75165  
972-935-9710  
cacker@plan-master.com

Additional Efficiency Package: **High efficiency HVAC. Systems that do not meet the performance requirement will be identified in the mechanical requirements checklist report.**

### Section 2: General Information

Building Location (for weather data): **Ovilla, Texas**  
Climate Zone: **3a**  
Building Space Conditioning Type(s): **Nonresidential**  
Vertical Glazing / Wall Area Pct.: **3%**

**Activity Type(s)** **Floor Area**  
Common Space Types: Office - Enclosed 1500

### Section 3: Envelope Assemblies

Envelope PASSES. Design 1% better than code.

#### Climate-Specific Requirements:

Component Name/Description	Gross Area or Perimeter	Cavity R-Value	Cont. R-Value	Proposed U-Factor	Budget U-Factor <sup>(a)</sup>
Roof 1: Attic Roof with Wood Joists	1500	0.0	38.0	0.025	0.027
Exterior Wall 1: Wood-Framed, 16" o.c.	1220	22.0	0.0	0.061	0.064
Window 1: Vinyl Frame:Fixed, Perf. Type: Other testing/cert. Product ID: WINDOWS, SHGC 0.25 (b)	16	---	---	0.250	0.460
Door 1: Insulated Metal, Swinging	21	---	---	0.500	0.610
Door 2: Glass (> 50% glazing):Metal Frame, Entrance Door, Perf. Type: Other testing/cert. Product ID: store front, SHGC 0.30 (b)	24	---	---	0.300	0.770
Floor 1: Slab-On-Grade:Unheated	160	---	---	---	---

(a) Budget U-factors are used for software baseline calculations ONLY, and are not code requirements.

(b) Fenestrations product performance must be certified in accordance with NFRC and requires supporting documentation.

### Section 4: Compliance Statement

**Compliance Statement:** The proposed envelope design represented in this document is consistent with the building plans, specifications and other calculations submitted with this permit application. The proposed envelope system has been designed to meet the 2012 IECC requirements in COMcheck Version 3.9.4 and to comply with the mandatory requirements in the Requirements Checklist.

Chris Acker/Designer Chris Acker 11/23/15  
Name - Title Signature Date



COMcheck Software Version 3.9.4

# Interior Lighting and Power Compliance Certificate

2012 IECC

## Section 1: Project Information

Project Type: **New Construction**  
Project Title : 707 WEST MAIN

Construction Site:  
707 WEST MAIN  
OVILLA, TX 75154

Owner/Agent:

Designer/Contractor:

Chris Acker  
Blue Line Design Co.  
130 Chieftain Drive  
Suite 101  
Waxahachie, TX 75165  
972-935-9710  
cacker@plan-master.com

Additional Efficiency Package: **High efficiency HVAC. Systems that do not meet the performance requirement will be identified in the mechanical requirements checklist report.**

## Section 2: Interior Lighting and Power Calculation

A Area Category	B Floor Area (ft <sup>2</sup> )	C Allowed Watts / ft <sup>2</sup>	D Allowed Watts (B x C)
Common Space Types:Office - Enclosed	1500	1.1	1650
Total Allowed Watts =			1650

## Section 3: Interior Lighting Fixture Schedule

A Fixture ID : Description / Lamp / Wattage Per Lamp / Ballast	B Lamps/ Fixture	C # of Fixtures	D Fixture Watt.	E (C X D)
Common Space Types:Office - Enclosed (1500 sq.ft.)				
Linear Fluorescent 1: 48" T8 32W (Super T8); Electronic:	1	22	75	1650
Total Proposed Watts =				1650

Interior Lighting PASSES: Design 0.0% better than code.

## Section 4: Compliance Statement

*Compliance Statement:* The proposed lighting design represented in this document is consistent with the building plans, specifications and other calculations submitted with this permit application. The proposed lighting system has been designed to meet the 2012 IECC requirements in COMcheck Version 3.9.4 and to comply with the mandatory requirements in the Requirements Checklist.

\_\_\_\_\_  
Name - Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Section 5: Post Construction Compliance Statement

### Record Drawings and Operating and Maintenance Manuals:

1. Construction documents with record drawings and operating and maintenance manuals provided to the owner.

\_\_\_\_\_  
Lighting Designer or Contractor Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



COMcheck Software Version 3.9.4

# Exterior Lighting Compliance Certificate

## 2012 IECC

### Section 1: Project Information

Project Type: **New Construction**  
Project Title : 707 WEST MAIN  
Exterior Lighting Zone: **1 (Developed rural area)**

Construction Site:  
707 WEST MAIN  
OVILLA, TX 75154

Owner/Agent:

Designer/Contractor:  
Chris Acker  
Blue Line Design Co.  
130 Chieftain Drive  
Suite 101  
Waxahachie, TX 75165  
972-935-9710  
cacker@plan-master.com

Additional Efficiency Package: **High efficiency HVAC. Systems that do not meet the performance requirement will be identified in the mechanical requirements checklist report.**

### Section 2: Exterior Lighting Area/Surface Power Calculation

A Exterior Area/Surface	B Quantity	C Allowed Watts / Unit	D Tradable Wattage	E Allowed Watts (B x C)	F Proposed Watts
Main entry	320 ft of door width	20	Yes	6400	400
				Total Tradable Watts* =	6400
				Total Allowed Watts =	6400
				Total Allowed Supplemental Watts** =	500

\* Wattage tradeoffs are only allowed between tradable areas/surfaces.

\*\* A supplemental allowance equal to 500 watts may be applied toward compliance of both non-tradable and tradable areas/surfaces.

### Section 3: Exterior Lighting Fixture Schedule

A Fixture ID : Description / Lamp / Wattage Per Lamp / Ballast	B Lamps/ Fixture	C # of Fixtures	D Fixture Watt.	E (C X D)	
Main entry (320 ft of door width): Tradable Wattage Incandescent 1: Incandescent 100W:	1	4	100	400	
				Total Tradable Proposed Watts =	400

### Section 4: Compliance Statement

*Compliance Statement:* The proposed exterior lighting design represented in this document is consistent with the building plans, specifications and other calculations submitted with this permit application. The proposed lighting system has been designed to meet the 2012 IECC requirements in COMcheck Version 3.9.4 and to comply with the mandatory requirements in the Requirements Checklist.

*Chris Acker* / Designer *Chris Acker* 11/23/15  
 Name - Title Signature Date





COMcheck Software Version 3.9.4

# Inspection Checklist

Energy Code: 2012 IECC

Requirements: 0.0% were addressed directly in the COMcheck software

Text in the "Comments/Assumptions" column is provided by the user in the COMcheck Requirements screen. For each requirement, the user certifies that a code requirement will be met and how that is documented, or that an exception is being claimed. Where compliance is itemized in a separate table, a reference to that table is provided.

1	High Impact (Tier 1)	2	Medium Impact (Tier 2)	3	Low Impact (Tier 3)
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2012 IECC	Plan Review	Complies?	Comments/Assumptions
C103.2 [PR1] <sup>1</sup>	Plans and/or specifications provide all information with which compliance can be determined for the building envelope and document where exceptions to the standard are claimed.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C103.2 [PR2] <sup>1</sup>	Plans, specifications, and/or calculations provide all information with which compliance can be determined for the mechanical systems and equipment and document where exceptions to the standard are claimed. Load calculations per acceptable engineering standards and handbooks.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C103.2 [PR4] <sup>1</sup>	Plans, specifications, and/or calculations provide all information with which compliance can be determined for the interior lighting and electrical systems and equipment and document where exceptions to the standard are claimed. Information provided should include interior lighting power calculations, wattage of bulbs and ballasts, transformers and control devices.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C103.2 [PR8] <sup>1</sup>	Plans, specifications, and/or calculations provide all information with which compliance can be determined for the exterior lighting and electrical systems and equipment and document where exceptions to the standard are claimed. Information provided should include exterior lighting power calculations, wattage of bulbs and ballasts, transformers and control devices.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C406 [PR9] <sup>1</sup>	Plans, specifications, and/or calculations provide all information with which compliance can be determined for the additional energy efficiency package options.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C402.3.1 [PR10] <sup>1</sup>	Vertical fenestration area <= 30 percent of the gross above-grade wall area.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C402.3.1 [PR11] <sup>1</sup>	Skylight area <= 3 percent of the gross roof area.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	

1 High Impact (Tier 1)    2 Medium Impact (Tier 2)    3 Low Impact (Tier 3)

2012 IECC	Plan Review	Complies?	Comments/Assumptions
C402.3.2 [PR14] <sup>1</sup>	In enclosed spaces > 10,000 ft <sup>2</sup> directly under a roof with ceiling heights >15 ft. and used as an office, lobby, atrium, concourse, corridor, storage, gymnasium/exercise center, convention center, automotive service, manufacturing, non-refrigerated warehouse, retail store, distribution/sorting area, transportation, or workshop, the following requirements apply: (a) the daylight zone under skylights is $\geq$ half the floor area; (b) the skylight area to daylight zone is $\geq$ 3 percent with a skylight VT $\geq$ 0.40; or a minimum skylight effective aperture $\geq$ 1 percent.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C402.3.2.2 [PR15] <sup>1</sup>	Areas with obstructions that block direct beam sunlight on $\geq$ 1/2 of the roof over the enclosed area for more than 1,500 daytime hours per year between 8 am and 4 pm.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	

**Additional Comments/Assumptions:**

1 High Impact (Tier 1)	2 Medium Impact (Tier 2)	3 Low Impact (Tier 3)
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Section # & Req.ID	Footing / Foundation Inspection	Plans Verified Value	Field Verified Value	Complies?	Comments/Assumptions
C402.2.6 [FO3] <sup>2</sup>	Slab edge insulation R-value.	R-____ <input type="checkbox"/> Unheated <input type="checkbox"/> Heated	R-____ <input type="checkbox"/> Unheated <input type="checkbox"/> Heated	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Envelope Assemblies table for values.
C303.2 [FO4] <sup>2</sup>	Slab edge insulation installed per manufacturer's instructions.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C402.2.6 [FO5] <sup>2</sup>	Slab edge insulation depth/length. Slab insulation extending away from building is covered by pavement or $\geq$ 10 inches of soil.	____ ft	____ ft	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Envelope Assemblies table for values.
C403.2.7, C408.2.8, C404.5 [FO6] <sup>1</sup>	Exterior insulation protected against damage, sunlight, moisture, wind, landscaping and equipment maintenance activities.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C403.2.4.5 [FO9] <sup>3</sup>	Freeze protection and snow/ice melting system sensors for future connection to controls.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C402.2.8 [FO12] <sup>3</sup>	Bottom surface of floor structures incorporating radiant heating insulated to $\geq$ R-3.5.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Envelope Assemblies table for values.

**Additional Comments/Assumptions:**

1	High Impact (Tier 1)	2	Medium Impact (Tier 2)	3	Low Impact (Tier 3)
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Section # & Req.ID	Framing / Rough-In Inspection	Plans Verified Value	Field Verified Value	Complies?	Comments/Assumptions
C402.4.3, C402.4.4 [FR18] <sup>3</sup>	Factory-built fenestration and doors are labeled as meeting air leakage requirements.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C402.4.7 [FR17] <sup>3</sup>	Vestibules are installed on all building entrances. Doors have self-closing devices.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C402.3.3, C402.3.4 [FR8] <sup>1</sup>	Vertical fenestration U-Factor.	U-_____	U-_____	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Envelope Assemblies table for values.
C402.3.3 [FR10] <sup>1</sup>	Vertical fenestration SHGC value.	SHGC:_____	SHGC:_____	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Envelope Assemblies table for values.
C303.1.3 [FR12] <sup>2</sup>	Fenestration products rated in accordance with NFRC.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C303.1.3 [FR13] <sup>1</sup>	Fenestration products are certified as to performance labels or certificates provided.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C402.2.7 [FR14] <sup>2</sup>	U-factor of opaque doors associated with the building thermal envelope meets requirements.	U-_____ <input type="checkbox"/> Swinging <input type="checkbox"/> Nonswinging	U-_____ <input type="checkbox"/> Swinging <input type="checkbox"/> Nonswinging	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Envelope Assemblies table for values.

**Additional Comments/Assumptions:**

1 High Impact (Tier 1)	2 Medium Impact (Tier 2)	3 Low Impact (Tier 3)
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Section # & Req.ID	Mechanical Rough-In Inspection	Plans Verified Value	Field Verified Value	Complies?	Comments/Assumptions
C403.2.3 [ME55] <sup>2</sup>	HVAC equipment efficiency verified.	Efficiency: _____	Efficiency: _____	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Mechanical Systems list for values.
C402.4.5.1 [ME3] <sup>3</sup>	Stair and elevator shaft vents have motorized dampers that automatically close.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C403.2.5.1 [ME59] <sup>1</sup>	Demand control ventilation provided for spaces >500 ft <sup>2</sup> and >25 people/1000 ft <sup>2</sup> occupant density and served by systems with air side economizer, auto modulating outside air damper control, or design airflow >3,000 cfm.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C403.2.7 [ME60] <sup>2</sup>	HVAC ducts and plenums insulated. Where ducts or plenums are installed in or under a slab, verification may need to occur during Foundation Inspection.	R- _____	R- _____	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C403.2.8 [ME61] <sup>2</sup>	HVAC piping insulation thickness. Where piping is installed in or under a slab, verification may need to occur during Foundation Inspection.	_____ in.	_____ in.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Mechanical Systems list for values for HVAC System 1.
C403.2.8 [ME41] <sup>3</sup>	Thermally ineffective panel surfaces of sensible heating panels have insulation >= R-3.5.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C403.2.7 [ME10] <sup>2</sup>	Ducts and plenums sealed based on static pressure and location.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C403.2.7.1.3 [ME11] <sup>3</sup>	Ductwork operating >3 in. water column requires air leakage testing.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Mechanical Systems list for values for HVAC System 1.
C403.3.1.1 [ME62] <sup>1</sup>	Air economizers provided where required, meet the requirements for design capacity, control signal, ventilation controls, high-limit shut-off, integrated economizer control, and provide a means to relieve excess outside air during operation.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Mechanical Systems list for values for HVAC System 1.
C408.2.2.1 [ME53] <sup>3</sup>	Air outlets and zone terminal devices have means for air balancing.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C403.4.2 [ME66] <sup>2</sup>	VAV fan motors >=7.5 hp to be driven by variable speed drive, have a vane-axial fan with variable pitch blades, or have controls to limit fan motor demand.	<input type="checkbox"/> VSD <input type="checkbox"/> Vane axial fan <input type="checkbox"/> Other	<input type="checkbox"/> VSD <input type="checkbox"/> Vane axial fan <input type="checkbox"/> Other	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Mechanical Systems list for values for HVAC System 1.

1 High Impact (Tier 1)    2 Medium Impact (Tier 2)    3 Low Impact (Tier 3)

Section # & Req.ID	Mechanical Rough-In Inspection	Plans Verified Value	Field Verified Value	Complies?	Comments/Assumptions
C403.2.6 [ME57] <sup>1</sup>	Exhaust air energy recovery on systems meeting Table C403.2.6			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C403.2.11 [ME71] <sup>2</sup>	Unenclosed spaces that are heated use only radiant heat.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	

**Additional Comments/Assumptions:**

1	High Impact (Tier 1)	2	Medium Impact (Tier 2)	3	Low Impact (Tier 3)
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2012 IECC	Rough-In Electrical Inspection	Complies?	Comments/Assumptions
C405.2.2.1 [EL22] <sup>2</sup>	Automatic controls to shut off all building lighting installed in all buildings.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C405.2.1.1 [EL23] <sup>2</sup>	Independent lighting controls installed per approved lighting plans and all manual controls readily accessible and visible to occupants.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C405.2.1.2 [EL15] <sup>1</sup>	Lighting controls installed to uniformly reduce the lighting load by at least 50%.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C405.2.2.3 [EL16] <sup>2</sup>	Daylight zones provided with individual controls that control the lights independent of general area lighting.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C405.2.3 [EL17] <sup>3</sup>	Sleeping units have at least one master switch at the main entry door that controls wired luminaires and switched receptacles.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C405.2.2.2 [EL18] <sup>1</sup>	Occupancy sensors installed in required spaces.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C405.2.2.3 [EL20] <sup>1</sup>	Primary sidelighted areas are equipped with required lighting controls.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C405.2.2.3 [EL21] <sup>1</sup>	Enclosed spaces with daylight area under skylights and rooftop monitors are equipped with required lighting controls.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C405.2.4 [EL25] <sup>2</sup>	Automatic lighting controls for exterior lighting installed.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C405.2.3 [EL4] <sup>1</sup>	Separate lighting control devices for specific uses installed per approved lighting plans.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C405.3 [EL19] <sup>3</sup>	Fluorescent luminaires with odd numbered lamp configurations that are with 10 feet center to center (if recess mounted) or are within 1 foot edge to edge (if pendant or surface mounted) shall be tandem wired.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C405.4 [EL6] <sup>1</sup>	Exit signs do not exceed 5 watts per face.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C405.6 [EL24] <sup>1</sup>	Exterior grounds lighting over 100 W provides >60 lm/W unless on motion sensor or fixture is exempt from scope of code or from external LPD.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	

1 High Impact (Tier 1)   
 2 Medium Impact (Tier 2)   
 3 Low Impact (Tier 3)

2012 IECC	Rough-In Electrical Inspection	Complies?	Comments/Assumptions
C405.2.3 [EL8] <sup>1</sup>	Additional interior lighting power allowed for special functions per the approved lighting plans and is automatically controlled and separated from general lighting.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	

**Additional Comments/Assumptions:**

1 High Impact (Tier 1)	2 Medium Impact (Tier 2)	3 Low Impact (Tier 3)
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Section # & Req.ID	Insulation Inspection	Plans Verified Value	Field Verified Value	Complies?	Comments/Assumptions
C402.4.1.1 [IN1] <sup>1</sup>	All sources of air leakage in the building thermal envelope are sealed, caulked, gasketed, weather stripped or wrapped with moisture vapor-permeable wrapping material to minimize air leakage.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C402.4.2.1 [IN2] <sup>1</sup>	Roof R-value. For some ceiling systems, verification may need to occur during Framing Inspection.	R-_____ <input type="checkbox"/> Above deck <input type="checkbox"/> Metal <input type="checkbox"/> Attic	R-_____ <input type="checkbox"/> Above deck <input type="checkbox"/> Metal <input type="checkbox"/> Attic	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Envelope Assemblies table for values.
C303.2 [IN3] <sup>1</sup>	Roof insulation installed per manufacturer's instructions. Blown or poured loose-fill insulation is installed only where the roof slope is $\leq 3$ in 12.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C402.2.1.1 [IN5] <sup>3</sup>	High-albedo roofs satisfy one of the following: 3-year-aged solar reflectance $\geq 0.55$ and thermal emittance $\geq 0.75$ , 3-year-aged solar reflectance index $\geq 64.0$ , initial year solar reflectance $\geq 0.70$ and thermal emittance $\geq 0.75$ , or initial year solar reflectance index $\geq 82.0$ .	SR:_____ SRI:_____ 	SR:_____ SRI:_____ 	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C303.2 [IN7] <sup>1</sup>	Above-grade wall insulation installed per manufacturer's instructions.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C402.2.5 [IN8] <sup>2</sup>	Floor insulation R-value.	R-_____ <input type="checkbox"/> Mass <input type="checkbox"/> Steel <input type="checkbox"/> Wood	R-_____ <input type="checkbox"/> Mass <input type="checkbox"/> Steel <input type="checkbox"/> Wood	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Envelope Assemblies table for values.
C303.1 [IN10] <sup>2</sup>	Building envelope insulation is labeled with R-value or insulation certificate providing R-value and other relevant data.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C303.2.1 [IN14] <sup>2</sup>	Exterior insulation is protected from damage with a protective material. Verification for exposed foundation insulation may need to occur during Foundation Inspection.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C402.2.1 [IN17] <sup>3</sup>	Insulation intended to meet the roof insulation requirements cannot be installed on top of a suspended ceiling. Mark this requirement compliant if insulation is installed accordingly.			<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	

**Additional Comments/Assumptions:**

1	High Impact (Tier 1)	2	Medium Impact (Tier 2)	3	Low Impact (Tier 3)
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2012 IECC	Final Inspection	Complies?	Comments/Assumptions
C402.4.6 [FI37] <sup>1</sup>	Weatherseals installed on all loading dock cargo doors.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C403.2.4.2 [FI47] <sup>3</sup>	Heating and cooling to each zone is controlled by a thermostat control. Minimum one humidity control device per installed humidification/dehumidification system.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Mechanical Systems list for values for HVAC System 1.
C403.2.4.2 [FI38] <sup>3</sup>	Thermostatic controls have a 5 °F deadband.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C403.2.4.2 [FI20] <sup>3</sup>	Temperature controls have setpoint overlap restrictions.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C403.2.4.3 [FI39] <sup>3</sup>	Each zone equipped with setback controls using automatic time clock or programmable control system.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C403.2.4.3 [FI40] <sup>3</sup>	Automatic Controls: Setback to 55°F (heat) and 85°F (cool); 7-day clock, 2-hour occupant override, 10-hour backup	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C403.2.4.1.1 [FI42] <sup>3</sup>	Heat pump controls prevent supplemental electric resistance heat from coming on when not needed.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Mechanical Systems list for values for HVAC System 1.
C408.2.5.1 [FI7] <sup>3</sup>	Furnished HVAC as-built drawings submitted within 90 days of system acceptance.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C303.3,C408.2.5.2 [FI8] <sup>3</sup>	Furnished O&M manuals for HVAC systems within 90 days of system acceptance.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C408.2.5.3 [FI43] <sup>1</sup>	An air and/or hydronic system balancing report is provided for HVAC systems.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C408.2.3.2 [FI10] <sup>1</sup>	HVAC control systems have been tested to ensure proper operation, calibration and adjustment of controls.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C402.4.8 [FI26] <sup>3</sup>	Recessed luminaires in thermal envelope to limit infiltration and be IC rated and labeled. Seal between interior finish and luminaire housing.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C403.2.2 [FI27] <sup>3</sup>	HVAC systems and equipment capacity does not exceed calculated loads.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	

1 High Impact (Tier 1)    2 Medium Impact (Tier 2)    3 Low Impact (Tier 3)

2012 IECC	Final Inspection	Complies?	Comments/Assumptions
C408.2.5.1 [FI16] <sup>3</sup>	Furnished as-built drawings for electric power systems within 30 days of system acceptance.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C303.3.C4 08.2.5.2 [FI17] <sup>3</sup>	Furnished O&M instructions for systems and equipment to the building owner or designated representative.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C405.5.2 [FI18] <sup>1</sup>	Interior installed lamp and fixture lighting power is consistent with what is shown on the approved lighting plans, demonstrating proposed watts are less than or equal to allowed watts.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Interior Lighting fixture schedule for values.
C405.6.2 [FI19] <sup>1</sup>	Exterior lighting power is consistent with what is shown on the approved lighting plans, demonstrating proposed watts are less than or equal to allowed watts.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	See the Exterior Lighting fixture schedule for values.
C408.2.1 [FI28] <sup>1</sup>	Commissioning plan developed by registered design professional or approved agency.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C408.2.4 [FI29] <sup>1</sup>	Preliminary commissioning report completed and certified by registered design professional or approved agency.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C408.2.5.4 [FI30] <sup>1</sup>	Final commissioning report due to building owner within 90 days of receipt of certificate of occupancy.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C408.2.3.1 [FI31] <sup>1</sup>	HVAC equipment has been tested to ensure proper operation.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C408.2.3.3 [FI32] <sup>1</sup>	Economizers have been tested to ensure proper operation.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C408.3 [FI33] <sup>1</sup>	Lighting systems have been tested to ensure proper calibration, adjustment, programming, and operation.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C408.3 [FI48] <sup>1</sup>	Lighting systems have been tested to ensure proper calibration, adjustment, programming, and operation.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	
C406 [FI34] <sup>1</sup>	Efficient HVAC performance, efficient lighting system, or on-site supply of renewable energy consistent with what is shown the approved plans.	<input type="checkbox"/> Complies <input type="checkbox"/> Does Not <input type="checkbox"/> Not Observable <input type="checkbox"/> Not Applicable	

**Additional Comments/Assumptions:**

1 High Impact (Tier 1)    2 Medium Impact (Tier 2)    3 Low Impact (Tier 3)

1	High Impact (Tier 1)	2	Medium Impact (Tier 2)	3	Low Impact (Tier 3)
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**City of OVILLA Planning & Zoning Commission  
Recommendation**

**Case No. PZ15-06.** A request by The City of Ovilla, for consideration.

**ITEM 2.** **DISCUSSION/ACTION – Case PZ15-06** - Consideration of and action on a site plan for Curtis Garage at 707 West Main located in the Ovilla Historic District, submitted by John Sims, First Cedar Hill LLP, and forward recommendation to the Ovilla City Council.

\*\*\*\*\*

*The Planning and Zoning Commission recommended approval with the following notations:*

- Sign/plaque for outside display noting original historic name of “Curtis Garage” & date established.
- Historical marker
- Be mindful at permitting stage of the 6’ concrete driveway requirement.

**PLANNING AND ZONING Members present, and upon a record vote of:**

PL 1 Jungman   AYE    
 PL2 Yordy   AYE    
 PL3 Lynch   AYE    
 PL4 Whittaker   AYE  

PL5 Zabochnik   AYE    
 PL6 Hart   AYE    
 PL7 Zimmermann   AYE  

  7   FOR

  0   AGAINST

  0   ABSTAIN

  0   ABSENT

\*\*\*\*\*

  *Lynch*    
 Presiding Officer of P&Z

  12/10/15    
 Date

  *Queen*    
 Board Secretary

  12/10/2015    
 Date



# Ovilla City Council

## AGENDA ITEM REPORT

Item: 3

Meeting Date: December 14, 2015

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Dennis Burn, CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant

Director B. Piland, Code Enforcement M. Dooly

### Attachments:

Agreement for Street Lighting Service with Oncor

### Agenda Item / Topic:

**ITEM 3.**      **DISCUSSION/ACTION** – Consideration of and action on an Agreement for Street Lighting Services by and between the City of Ovilla, Texas and Oncor Electric Delivery Company LLC and authorize the Mayor to execute said agreement.

### Discussion / Justification:

Mr. Kenneth Govan of Oncor delivered the attached agreement stating that though the City has been paying the streetlight invoices, we had no agreement in place.

### Recommendation / Staff Comments:

Staff recommends approval.

### Sample Motion(s):

*I move that Council approves / denies an Agreement for Street Lighting Services by and between the City of Ovilla, Texas and Oncor Electric Delivery Company LLC and authorize the Mayor to execute said agreement.*

**Tariff for Retail Delivery Service  
Oncor Electric Delivery Company LLC**

**6.3 Agreements and Forms**  
Applicable: Entire Certified Service Area  
Effective Date: September 25, 2011

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Page 1 of 7  
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**6.3.17 Agreement for Street Lighting Service**

**AGREEMENT FOR STREET LIGHTING SERVICE**

BY AND BETWEEN

\_\_\_\_\_, Texas

A MUNICIPAL CORPORATION

AND

ONCOR ELECTRIC DELIVERY COMPANY LLC

DATE

\_\_\_\_\_

**Tariff for Retail Delivery Service  
Oncor Electric Delivery Company LLC**

**6.3 Agreements and Forms**

Applicable: Entire Certified Service Area

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**AGREEMENT FOR STREET LIGHTING SERVICE  
BY AND BETWEEN  
ONCOR ELECTRIC DELIVERY COMPANY LLC AND  
[INSERT NAME OF CITY]**

The City of \_\_\_\_\_, Texas, a Municipal Corporation ("Customer"), and Oncor Electric Delivery Company LLC, for and in consideration of the mutual covenants set forth in this Agreement for Street Lighting Service (the "Agreement"), agree as follows:

**1. Definitions.** For purposes of this Agreement, the following terms shall have the meanings indicated:

a. "Company's Tariff" shall mean the Company's approved Tariff for Retail Delivery Service, as may be revised from time to time during the term of this Agreement, on file with the Public Utility Commission of Texas;

b. Customer shall be the "Retail Customer" as such term is used in Company's Tariff.

c. "Facility" or "Facilities" shall mean the electrical facilities or equipment, including but not limited to, pole(s), luminaire(s), wires, and appurtenances, owned by Company or Customer, through which Company will provide service to Customer pursuant to this Agreement.

**2. Term and Termination.** Consistent with the requirements of section 6.1.1.1.8 - Lighting Service of Company's Tariff, this Agreement shall be effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and, unless terminated early in accordance with the terms of this Agreement, shall remain in effect for an initial term of ten (10) years and from year to year thereafter until canceled by either party consistent with the terms of this Agreement. After the expiration of the initial ten year term, this Agreement may be terminated by either party upon ninety (90) days written notice to the other party. Notwithstanding any provision of this Agreement to the contrary, this Agreement may be terminated at any time under the following conditions.

(a) If Company begins installation of any requested Facilities prior to receiving full payment of any contribution-in-aid-of-construction provided for in section 6.1.1.1.8 - Lighting Service of Company's Tariff or any subsequently approved similar provision, from Customer or Customer's agent or representative ("Customer's Agent") as appropriate, and Customer or Customer's Agent thereafter fails to make such payment in full, then: (i) Company may immediately terminate this Agreement by providing written notice of such termination to Customer, (ii) Company may remove all such Facilities, and (iii) Customer shall pay Company all cost incurred by Company in removing such Facilities, less the salvage value of such Facilities, within 30 days of Company's removal of the subject Facilities.

(b) If Customer discontinues taking electric service from Customer's designated competitive retailer at Facilities, for purposes other than to allow the Customer to begin receiving service from another competitive retailer at such Facilities, then: (i) Company may immediately terminate this Agreement by providing written notice of such termination to Customer, (ii) Company may remove all such Facilities owned by Company, and (iii) Customer shall pay Company all cost incurred by Company in removing such Facilities, less the salvage value of such Facilities, within 30 days of Company's removal of the subject Facilities.

(c) If Customer purchases Facilities owned by Company.

**3. Contribution-In-Aid-Of-Construction.** Section 6.1.1.1.8 - Lighting Service of Company's Tariff provides for the installation or construction by Company of a base level of Facilities with no contribution-in-aid-of-construction required from Customer. For example, Schedule A provides for the installation or construction of wood poles of a type normally used by Company served overhead without the payment of contribution-in-aid-of-construction by Customer. Requested Facilities that exceed such base level require a contribution-in-aid-of-construction to be paid by Customer to Company. Company will begin work on the requested Facilities prior to receipt of full payment of any required contribution-in-aid-of-construction from Customer or Customer's Agent. However, Customer or Customer's Agent shall pay to Company any required

**Tariff for Retail Delivery Service  
Oncor Electric Delivery Company LLC**

**6.3 Agreements and Forms**

Applicable: Entire Certified Service Area  
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contribution-in-aid-of-construction prior to Company energizing the requested Facilities or within 90 days from the receipt of a contribution-in-aid-of-construction invoice, whichever is earlier. If Customer has arranged for Customer's Agent to pay to Company any required contribution-in-aid-of-construction, then Customer's Agent shall execute a Supplement to this Agreement, the form of which is attached hereto as Exhibit A, for the sole purpose of establishing such agent's agreement to pay such contribution-in-aid-of-construction.

**4. Service Subject to Company's Tariff.** This Agreement is subject to the terms and conditions of Company's Tariff, and all services provided by Company shall be pursuant to and consistent with Company's Tariff. To the extent any provision of this Agreement conflicts with or is inconsistent with Company's Tariff, then the provisions of Company's Tariff shall control.

**5. Material Change.** In the event that a judicial decision, order, new law or regulation, or a change in any law or regulation, materially and directly affects a party's ability to perform its obligations hereunder, then the party that is negatively affected shall have the right to notify the other party, within 30 days after becoming aware of such detrimental event. The parties shall use their best efforts to negotiate a modification to the terms of this Agreement so as to mitigate the impact of the event. If, after twenty (20) days beyond the notice, the parties have been unable to negotiate a mutually satisfactory modification to the terms of this Agreement, then either party shall have the right to terminate this agreement upon ten (10) days written notice to the other party. If such right to terminate is not exercised within forty-five (45) days after the date of the original notice, then the right to terminate this Agreement shall be waived with respect to the particular event.

**6. Type of Service and Applicable Rate Schedule.** The type of service provided and rate schedule applicable at each Facility or group of Facilities shall be agreed to by the Parties and specified on the form entitled Request for Street Lighting Service, attached hereto as Exhibit "B," which may be amended or supplemented as necessary, at any time, by mutual agreement of the parties.

**7. Installation/Construction.** All requests for installation or construction of Facilities subject to this Agreement shall be made on the form entitled Request for Street Lighting Service, attached hereto as Exhibit "B" and incorporated into this Agreement by execution of the form Supplement to the Agreement attached hereto as Exhibit "A." All such installation or construction shall be performed by Company pursuant to and consistent with section 6.1.1.1.8 - Lighting Service of Company's Tariff, and all other applicable provisions of such Tariff.

**8. Relocation of Facilities.** Nothing contained herein modifies section 37.101 of PURA, which provides that "the governing body of a municipality may require an electric utility to relocate the utility's facility at the utility's expense to permit the widening or straightening of a street by: (1) giving the electric utility 30 days' notice; and (2) specifying the new location for the facility along the right-of-way of the street." Notwithstanding the foregoing, issues regarding the relocation of Facilities should, if possible, be resolved by the parties prior to the execution of this Agreement and may require the execution of a separate agreement.

**9. Billing and Payment.** Company will invoice Customer directly for the contribution-in-aid-of-construction specified on the form entitled Request for Street Lighting Service, attached hereto as Exhibit "B" and any other charges for which Company's Tariff provides for direct billing by Company to Customer. Federal income taxes are due on contributions-in-aid-of-construction, pursuant to current Internal Revenue Service ("IRS") rulings and regulations, unless Customer is eligible for an exemption available under applicable IRS regulations. To the extent such IRS rulings and regulations are modified in a manner that impacts the obligation of Customer to pay such federal income taxes, then the Parties shall implement such modified rulings and regulations on a prospective basis. All other charges associated with the Services provided by Company to Customer will be included on the bill or invoice that Customer receives from Customer's designated competitive retailer.

**10. No Delegation of Authority.** Customer does not by this Agreement delegate its authority or responsibility for the Facilities covered by this Agreement to Company but shall continue to hold full discretion to determine the policies and procedures regarding such Facilities.

**Tariff for Retail Delivery Service  
Oncor Electric Delivery Company LLC**

**6.3 Agreements and Forms**  
Applicable: Entire Certified Service Area  
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**11. Obstructions.** Customer is responsible for removing all obstructions and trimming all trees that may interfere with the installation or construction of requested Facilities. After installation, Company is responsible for removing or trimming all trees that interfere with the distribution line providing service to the lighting facilities and Customer is responsible for removing or trimming all trees that interfere with the dispersion of light from the Facilities.

**12. Outages.** To the extent that Company is responsible for maintaining Facilities pursuant to this Agreement, Customer may report any Facilities requiring maintenance to Company via either of the following means:

Internet: <http://oncorstreetlight.com>  
Telephone: 1-888-313-4747

**13. Permits.** Customer will secure for Company all permits and consents necessary for the performance of this Agreement.

**14. Notice.** Except as provided in section 12 above, any notice required under this Agreement shall be forwarded to the following representatives of the parties:

Customer:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Company:

CUSTOMER OPERATIONS / STREETLIGHT ADMINISTRATION

ONCOR ELECTRIC DELIVERY COMPANY LLC

1616 WOODALL RODGERS FWY

DALLAS, TX 75202

**15. Prior Agreements for Street Lighting Service.** This Agreement supersedes and amends all prior agreements for Street Lighting Service between Company and Customer.

**16. Successors and Assigns.** This Agreement shall inure to the benefit of, and be binding upon, Company and Customer and their respective successors and permitted assigns. Neither party shall assign this Agreement or any of its rights or obligations hereunder without the prior written consent of the other party. Notwithstanding the foregoing, Company may, without the consent of Customer and upon five (5) days advance written notice, (a) transfer or assign this Agreement to an affiliate of Company, or (b) transfer or assign this Agreement to any person or entity succeeding to all or a substantial portion of the assets of Company. UPON AN ASSIGNMENT PURSUANT TO THIS SECTION, CUSTOMER AGREES THAT COMPANY SHALL HAVE NO FURTHER OBLIGATIONS REGARDING FUTURE PERFORMANCE HEREUNDER.

**Tariff for Retail Delivery Service  
Oncor Electric Delivery Company LLC**

**6.3 Agreements and Forms**  
Applicable: Entire Certified Service Area  
Effective Date: September 25, 2011

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This Agreement is effective this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_.

[[INSERT CUSTOMER NAME]]

BY:

\_\_\_\_\_

\_\_\_\_\_  
(TITLE)

\_\_\_\_\_  
(DATE)

ONCOR ELECTRIC DELIVERY COMPANY LLC

BY:

\_\_\_\_\_

\_\_\_\_\_  
(TITLE)

\_\_\_\_\_  
(DATE)

**Tariff for Retail Delivery Service  
Oncor Electric Delivery Company LLC**

**6.3 Agreements and Forms**  
Applicable: Entire Certified Service Area  
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**EXHIBIT "A"**

WR Number: \_\_\_\_\_

**SUPPLEMENT TO  
THE AGREEMENT FOR STREET LIGHTING SERVICE BY AND BETWEEN  
ONCOR ELECTRIC DELIVERY COMPANY LLC AND \_\_\_\_\_**

DATED \_\_\_\_\_

This Supplement ("Supplement") to the Agreement for Street Lighting Service ("Agreement"), is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by ONCOR Electric Delivery Company LLC and \_\_\_\_\_, ("Customer") both hereinafter referred to as the "Parties." In consideration of the mutual promises and undertakings herein set forth, the Parties hereby agree to amend the Agreement as follows:

1. The following Request for Street Lighting Service is hereby added to the Agreement:  

Request for Street Lighting Service dated \_\_\_\_\_, attached hereto as Exhibit B.
2. This Supplement shall become effective upon execution by the Parties.
3. This Supplement is subject to the terms and conditions of the Agreement.
4. If Customer has arranged for its designated agent or representative ("Customer's Agent") to pay to Company the contribution-in-aid-of-construction ("CIAC") referenced in the Agreement, then Customer's Agent shall execute this Amendment for the sole purpose of establishing such agent's agreement to pay such CIAC.
5. Except as otherwise provided herein, the Agreement shall continue in full force and effect in accordance with its terms.

IN WITNESS HEREOF, the Parties have caused this Supplement to be executed in several counterparts, each of which shall be deemed an original but all shall constitute one and the same instrument.

**ONCOR ELECTRIC DELIVERY COMPANY LLC**

**By:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

\_\_\_\_\_  
[[INSERT CUSTOMER NAME]]

**By:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

*For CIAC purposes only pursuant  
to Section (4) above.*

\_\_\_\_\_  
[[INSERT CUSTOMER'S AGENT'S NAME]]

**By:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_





# Ovilla City Council

## AGENDA ITEM REPORT

Item: 4

Meeting Date: December 14, 2015

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Dennis Burn, CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant  Other

<b>Attachments:</b>
Ordinance 2015-025
<b>Agenda Item / Topic:</b>
ITEM 4. <i>DISCUSSION/ACTION</i> – Consideration of and action on Ordinance 2015-025 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.
<b>Discussion / Justification:</b>
Chapter 1, Article 1, Section 1.02.002 of the Ovilla Code of Ordinances and Section 52.004 of the Local Government Code states the municipality shall declare an official newspaper annually for required publications. The Waxahachie Daily Light is the city’s current newspaper on file.
<b>Recommendation / Staff Comments:</b>
Staff recommends the Waxahachie Daily Light as the official newspaper
<b>Sample Motion(s):</b>
<i>I move that Council approves / denies on Ordinance 2015-025 of the City of Ovilla, Texas amending Chapter 1, Section 1.02.002 of the Code of Ordinances declaring _____ as the official city newspaper and declaring an effective date.</i>

**ORDINANCE 2015-025**

**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 \_\_\_\_\_, 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 14<sup>th</sup> day of December 2015.***

**APPROVED:**

\_\_\_\_\_  
**Richard Dormier, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**Pamela Woodall, CITY SECRETARY**

## AGENDA ITEM REPORT

Item: 5

Meeting Date: December 14, 2015

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Dennis Burn, CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant  Other

### Attachments:

Resolution R2015-030  
Salary Survey  
Proposed Pay Plan and Performance Assessment

### Agenda Item / Topic:

**ITEM 5.** *DISCUSSION/ACTION* – Consideration of and action to approve and adopt Resolution R2015-030, repealing a certain section of Section 9.13 Performance Appraisals (Employees) Performance Assessment Report Evaluation Form and Classifications, and replacing with a new Performance Assessment and Pay Plan Progression Process of the City of Ovilla Employee Policies Handbook and providing an effective date.

### Discussion / Justification:

This agenda item includes (1) The Performance Assessment and Pay Plan Progression Process, (2) Annual and Part Time Salary Form and (3) Salary Survey. The Assessment Plan is a document that will be used by all Department Heads to perform annual evaluations of their employees. The City Manager will also use this form to evaluate Department Directors on an annual basis. The Annual and Part Time Salary Form (which is now complete) will become part of the Assessment Plan. The Salary Survey is what was sent to area municipalities for their response and also includes survey information conducted by the Waters Group.

### Recommendation / Staff Comments:

Staff recommends approval

### Sample Motion(s):

*I move that Council approves / denies Resolution R2015-030, repealing a certain section of Section 9.13 Performance Appraisals (Employees) Performance Assessment Report Evaluation Form and Classifications, and replacing with a new Performance Assessment and Pay Plan Progression Process of the City of Ovilla Employee Policies Handbook and providing an effective date.*

## RESOLUTION NO. R2015-030

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OVILLA, TEXAS, REPEALING A CERTAIN SECTION OF SECTION 9.13 PERFORMANCE APPRAISALS (EMPLOYEES) PERFORMANCE ASSESSMENT REPORTS EVALUATION FORM AND CLASSIFICATIONS, AND REPLACING WITH A NEW PERFORMANCE ASSESSMENT AND PAY PLAN PROGRESSION PROCESS OF THE CITY OF OVILLA EMPLOYEE POLICIES HANDBOOK AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS**, the City Council has determined that the personnel policies for employees of the City of Ovilla required revision in order to conform more fully with current laws and policies; and

**WHEREAS**, the City Council has reviewed the revised Sections to the Employee Policies Handbook, as attached, and determined that it more adequately meets the needs of the City of Ovilla.

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

### SECTION 1.

That the City Council hereby approves the repeal of a certain section of Section 9.13 Performance Appraisals (Employees) Performance Assessment Reports Evaluation Form and Classifications, of the Employee Policies Handbook.

### SECTION 2.

That the City Council hereby approves the adoption of a new section to Section 9.13 with a Performance Assessment and Pay Plan Progression Process of the "Employee Policies Handbook" which is attached hereto, marked Exhibit "A" and made a part hereof by reference.

This Resolution shall supersede and repeal any previous ordinance and/or resolution including Resolution R2014-002 of the City Council regarding an employee handbook, to the extent there is any conflict.

### SECTION 3.

The City Manager is hereby directed to distribute a copy of Resolution R2015-030 including attachment Exhibit "A" of the Employee Policies Handbook revisions to each employee of the City of Ovilla.

### SECTION 4.

This resolution shall be in force and effect immediately upon passage and approval.  
**RESOLVED, PASSED and APPROVED**, this \_\_\_\_ day of \_\_\_\_\_, 2015.

**RESOLUTION NO. R2015-030**

**CITY OF OVILLA, TEXAS**

\_\_\_\_\_  
Richard Dormier, Mayor

ATTEST:

\_\_\_\_\_  
Pamela Woodall, City Secretary



## SEPTEMBER 2015 SALARY SURVEY FULL TIME POSITIONS

### ANNUAL SALARY

POSITION TITLE	# OF EMPLOYEES IN POSITION	MINIMUM SALARY	MID RANGE SALARY	MAXIMUM SALARY	AVG OR CURRENT SALARY	REGULAR HOURLY RATE
<b>City Manager</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1	95,647		143,321	120,741	58.05
OVILLA	1	0	0	82,400	82,400	39.62
RED OAK	1	0	0	128,989	128,989	62.01
DUNCANVILLE	1	0	0	190,000	190,000	91.35
ENNIS	1	0	0	144,000	144,000	69.23
<b>ASSISTANT CITY MGR</b>						
MIDLOTHIAN	1	95,035	116,418	137,800	116,418	55.97
DESOTO	1	100,000	190,000	300,000	190,000	91.35
FERRIS	1	81,000	93,150	105,300	93,150	44.78
PALMER	1			78,000	78,000	37.50
LANCASTER	1	0	0	176,715	176,715	84.96
GLENN HEIGHTS	1	0	0	100,000	100,000	48.08
MANSFIELD		144,980		253,000	253,000	121.63
		103,312	133,189	153,294	139,451	67.04
<b>City Secretary</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1	53,909		76,342	60,893	29.28
OVILLA	1	0	0	54,631	54,631	26.26
RED OAK	1	0	0	70,510	70,510	33.90
DUNCANVILLE	1	75,684	0	113,526	79,693	38.31
ENNIS	1	58,513	0	73,141	73,141	35.16
MIDLOTHIAN	1	67,579	82,784	97,989	82,784	39.80
DESOTO	1	64,958	72,829	92,542	72,829	35.01
FERRIS	1	47,000	54,050	61,100	54,050	25.99
PALMER	1	0	0	60,772	60,772	29.22
LANCASTER	1	0	0	70,040	70,040	33.67
GLENN HEIGHTS	1	48,880		78,080	63,057	30.32
MANSFIELD	1	62,830		87,962	80,000	38.46
		59,919	69,888	78,053	68,533	32.95



## SEPTEMBER 2015 SALARY SURVEY FULL TIME POSITIONS

### ANNUAL SALARY

POSITION TITLE	# OF EMPLOYEES IN POSITION	MINIMUM SALARY	MID RANGE SALARY	MAXIMUM SALARY	AVG OR CURRENT SALARY	REGULAR HOURLY RATE
<b>City Accountant</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1	66,632	0	95,043	78,968	37.97
OVILLA	1	0	0	50,923	50,923	24.48
RED OAK	1	0	0	94,641	94,641	45.50
4 Positions-details not given DUNCANVILLE	1	0	0	0	0	0.00
ENNIS	1	45,718	0	57,148	57,148	27.48
ASSISTANT FINANCE DIR. MIDLOTHIAN	1	74,485	91,229	107,994	91,236	43.86
Director DESOTO	1	91,515	120,000	132,000	120,000	57.69
FERRIS	1	47,000	54,050	61,100	54,050	25.99
PALMER	0	0	0	0	0	0.00
LANCASTER	1	61,821	72,047	82,270	72,047	34.64
GLENN HEIGHTS	1	56,210	0	89,790	67,215	32.31
MANSFIELD	1	43,988		61,583	61,266	29.45
		60,921	84,331	83,249	74,749	35.94
<b>Utility Billing</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1	27,199	0	38,096	33,777	16.24
PERMIT AND BILLING OVILLA	1	0	0	42,016	42,016	20.20
RED OAK	2	0	0	32,000	32,000	15.38
4 Positions-details not given DUNCANVILLE	1	0	0	0	0	0.00
ENNIS	1	32,011	0	40,019	40,019	19.24
MIDLOTHIAN	1	45,801	56,098	66,393	56,097	26.97
DESOTO	2	33,265	37,573	49,897	37,573	18.06
FERRIS	1	27,000	31,050	35,100	32,240	15.50
Asst. City Secretary/Water Billing PALMER	1			35,568	35,568	17.10
LANCASTER	2	61,821	72,047	82,270	72,047	34.64
GLENN HEIGHTS	2	23,296	0	34,944	30,410	14.62
MANSFIELD	2	38,351		53,691	42,214	20.30
		36,093	49,192	46,363	41,269	19.84



## SEPTEMBER 2015 SALARY SURVEY FULL TIME POSITIONS

### ANNUAL SALARY

POSITION TITLE	# OF EMPLOYEES IN POSITION	MINIMUM SALARY	MID RANGE SALARY	MAXIMUM SALARY	AVG OR CURRENT SALARY	REGULAR HOURLY RATE
<b>Permit Clerk</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1	0	0	0	0	0.00
SEE UTILITY BILLING OVILLA	X	0	0	0	0	0.00
RED OAK	0	0	0	0	0	0.00
DUNCANVILLE	0	0	0	0	0	0.00
ENNIS	1	34,008	0	42,515	42,515	20.44
MIDLOTHIAN		34,237	41,933	49,629	41,932	20.16
Administrative Assistant DESOTO	1	33,265	42,177	49,897	42,177	20.28
FERRIS	0	0	0	0	0	0.00
PALMER	0	0	0	0	0	0.00
LANCASTER		36,074	41,609	47,141	41,609	20.00
GLENN HEIGHTS	1	30,368	0	45,780	34,902	16.78
MANSFIELD	1	27,810		60,185	48,409	23.27
		32,627	41,906	49,188	41,924	20.16
<b>Administrative Assistant</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1	29,112	0	39,880	35,486	17.06
OVILLA	1	0	0	30,636	30,636	14.73
RED OAK	1	0	0	35,000	35,000	16.83
DUNCANVILLE	5	34,385	0	51,578	38,494	18.51
ENNIS	1	0	0	0	0	0.00
MIDLOTHIAN		34,237	41,933	49,629	41,932	20.16
3 levels average DESOTO		32,891	38,424	49,337	38,424	18.47
C M FERRIS	0	27,000	31,050	35,100	31,050	14.93
PALMER		0	0	35,568	35,568	17.10
LANCASTER		30,428	34,927	39,425	34,927	16.79
GLENN HEIGHTS	3	38,480		57,616	40,872	19.65
MANSFIELD	7	33,475		57,680	42,409	20.39
		32,501	36,584	43,768	36,800	17.69



## SEPTEMBER 2015 SALARY SURVEY FULL TIME POSITIONS

### ANNUAL SALARY

POSITION TITLE	# OF EMPLOYEES IN POSITION	MINIMUM SALARY	MID RANGE SALARY	MAXIMUM SALARY	AVG OR CURRENT SALARY	REGULAR HOURLY RATE
<b>Municipal Court Clerk</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1	30,464	0	44,532	40,091	19.27
OVILLA	1	0	0	33,675	33,675	16.19
RED OAK	2	32,000	0	33,334	32,667	15.71
DUNCANVILLE	4	28,985	0	43,478	30,765	14.79
ENNIS	2	32,032	0	40,040	40,040	19.25
MIDLOTHIAN		29,598	0	42,910	36,254	17.43
DESOTO	1	46,807	53,000	70,210	53,000	25.48
FERRIS	3	24,000	27,600	31,200	27,600	13.27
PALMER		34,091	34,394	41,902	36,796	17.69
LANCASTER		34,105	39,269	44,433	39,269	18.88
GLENN HEIGHTS	1	44,160	0	66,240	53,888	25.91
MANSFIELD	2	29,355		41,097	32,063	15.41
		33,236	38,566	44,421	38,009	18.27
<b>Police Secretary</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1	0	0	0	0	0.00
OVILLA	1	0	0	27,851	27,851	13.39
RED OAK	2	0	0	0	0	0.00
DUNCANVILLE	4	0	0	0	0	0.00
ENNIS	2	0	0	0	0	0.00
MIDLOTHIAN		0	0	0	0	0.00
DESOTO	1	0	0	0	0	0.00
FERRIS	3	0	0	0	0	0.00
PALMER	1	0	0	40,627	40,627	19.53
LANCASTER		0	0	0	0	0.00
GLENN HEIGHTS	1	0	0	0	0	0.00
MANSFIELD	7	32,120	0	56,374	46,156	22.19
		32,120	0	41,617	38,211	18.37



## SEPTEMBER 2015 SALARY SURVEY FULL TIME POSITIONS

### ANNUAL SALARY

POSITION TITLE	# OF EMPLOYEES IN POSITION	MINIMUM SALARY	MID RANGE SALARY	MAXIMUM SALARY	AVG OR CURRENT SALARY	REGULAR HOURLY RATE
<b>Police Chief</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1	70,616	0	98,242	81,626	39.24
OVILLA	1	0	0	70,000	70,000	33.65
RED OAK	1	0	0	97,184	97,184	46.72
DUNCANVILLE	1	0	0	127,520	127,520	61.31
ENNIS	1	82,017	0	102,521	102,521	49.29
MIDLOTHIAN		90,522	110,885	131,248	110,885	53.31
DESOTO	1	91,515	128,160	132,000	128,160	61.62
FERRIS	1	55,000	63,250	71,500	63,253	30.41
PALMER		0	0	69,445	69,445	33.39
LANCASTER	2	0	0	119,952	119,952	57.67
GLENN HEIGHTS	1	63,380	0	104,520	85,587	41.15
MANSFIELD	1	108,926	0	152,497	136,000	65.38
		80,282	100,765	106,386	99,344	47.76
<b>Police Lieutenant</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1	0	0	0	0	0.00
OVILLA	1	0	0	53,560	53,560	25.75
RED OAK	2	67,258	0	77,014	72,136	34.68
DUNCANVILLE	5	81,174	0	88,803	84,226	40.49
ENNIS	2	56,732	0	70,915	70,915	34.09
MIDLOTHIAN		81,882	86,861	92,106	86,950	41.80
DESOTO	4	80,174	84,973	86,173	84,973	40.85
FERRIS	0	0	0	0	0	0.00
PALMER	0	0	0	0	0	0.00
LANCASTER	6	81,649	85,592	88,062	85,592	41.15
GLENN HEIGHTS	0	0	0	0	0	0.00
MANSFIELD	0	0	0	0	0	0.00
		74,811	85,809	79,519	76,907	36.97



## SEPTEMBER 2015 SALARY SURVEY FULL TIME POSITIONS

### ANNUAL SALARY

POSITION TITLE	# OF EMPLOYEES IN POSITION	MINIMUM SALARY	MID RANGE SALARY	MAXIMUM SALARY	AVG OR CURRENT SALARY	REGULAR HOURLY RATE
<b>Police Sergeant</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1	0	0	0	0	0.00
OVILLA	1	0	0	43,992	43,992	21.15
RED OAK	3	53,000	0	69,548	61,274	29.46
DUNCANVILLE	6	68,430	0	74,770	71,160	34.21
ENNIS	4	51,293	0	64,126	64,126	30.83
MIDLOTHIAN		68,430	72,591	76,974	72,665	34.94
DESOTO	8	68,429	72,359	75,834	72,359	34.79
FERRIS	2	38,000	43,700	49,400	43,700	21.01
PALMER		0	0	55,069	55,069	26.48
LANCASTER	7	68,018	72,165	74,238	72,165	34.69
GLENN HEIGHTS	3	49,920	0	66,560	52,208	25.10
MANSFIELD	9	62,830		87,962	85,118	40.92
		58,706	65,204	67,134	63,076	30.33
<b>Patrol Officer</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1	39,657	0	56,385	44,120	21.21
OVILLA	7.0	37,648	0	38,771	38,022	18.28
RED OAK	19	41,040	0	62,000	46,934	22.56
DUNCANVILLE	48	50,843	0	63,141	59,068	28.40
ENNIS	16	43,098	0	53,872	53,872	25.90
MIDLOTHIAN		50,657	56,870	64,097	57,208	27.50
DESOTO	47	50,843	60,372	62,975	60,372	29.03
FERRIS	7	34,000	39,100	44,200	39,040	18.77
PALMER		44,527	45,617	50,231	46,792	22.50
LANCASTER	41	50,236	56,125	59,179	56,125	26.98
GLENN HEIGHTS	9	38,376	0	50,752	41,538	19.97
MANSFIELD	44	50,470	0	70,685	71,784	34.51
		44,283	51,617	56,357	51,240	24.63
POLICE PATROL 1000 HRS PART TIME	1	0	0	25,000	25,000	25.00



## SEPTEMBER 2015 SALARY SURVEY FULL TIME POSITIONS

### ANNUAL SALARY

POSITION TITLE	# OF EMPLOYEES IN POSITION	MINIMUM SALARY	MID RANGE SALARY	MAXIMUM SALARY	AVG OR CURRENT SALARY	REGULAR HOURLY RATE
<b>Fire Chief</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1 full time	62,460	0	91,125	77,141	37.09
OVILLA	1 part time	0	0	38,017	38,017	24.37
RED OAK	1 full time	0	0	107,927	107,927	51.89
DUNCANVILLE	1 full time	0	0	120,200	120,200	57.79
ENNIS	1 full time	82,017	0	102,521	102,521	49.29
MIDLOTHIAN	full time	86,216	105,602	125,008	105,609	50.77
DESOTO	1 full time	91,515	128,160	132,000	128,160	61.62
FERRIS	1 full time	55,000	63,250	71,500	69,992	33.65
PALMER		0	0	0	0	0.00
assistant chief LANCASTER	1	88,774	94,682	99,113	94,682	45.52
GLENN HEIGHTS	1 full time	63,380	0	104,520	85,567	41.14
MANSFIELD	1 full time	108,926	0	152,497	136,000	65.38
		79,786	97,923	104,039	96,892	47.14
<b>Deputy Fire Marshall, Asst. Fire Chief</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1	0	0	0	0	0.00
OVILLA	1 part time		0	20,600	20,600	20.60
RED OAK	1 full time		0	87,976	87,976	42.30
DUNCANVILLE	1 full time	98,208	0	103,257	99,410	47.79
ENNIS	1 full time	60,102	0	75,127	75,127	36.12
AVG-Marshall/Asst. Chief MIDLOTHIAN	full time	89,503	91,832	98,593	93,309	44.86
DESOTO	1 full time	98,208	102,305	102,305	102,305	49.19
Asst Chief / Captain FERRIS	part time	0	0	0	18,000	18.00
PALMER		0	0	0	0	0.00
LANCASTER	1	79,249	82,033	84,121	82,033	39.44
GLENN HEIGHTS	0	0	0	0	0	0.00
MANSFIELD	3 full time	99,024	0	138,633	112,016	53.85
<b>Fire Fighter/EMS - CAPTAIN</b>						



## SEPTEMBER 2015 SALARY SURVEY FULL TIME POSITIONS

### ANNUAL SALARY

POSITION TITLE	# OF EMPLOYEES IN POSITION	MINIMUM SALARY	MID RANGE SALARY	MAXIMUM SALARY	AVG OR CURRENT SALARY	REGULAR HOURLY RATE
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	1	0	0	0	0	0.00
CAPTAINS / 800 HRS YR AVG OVILLA	6 hrly x 800	0	0	13,416	13,416	16.77
RED OAK	0	0	0	0	0	0.00
DUNCANVILLE		0	0	0	0	0.00
ENNIS		0	0	0	0	0.00
MIDLOTHIAN	full time	78,459	83,224	88,250	83,311	40.05
DESOTO	0	0	0	0	0	0.00
FERRIS	0	0	0	0	37,440	18.00
PALMER		0	0	0	0	0.00
LANCASTER	9 full time	68,555	72,363	75,219	72,363	34.79
GLENN HEIGHTS	0	0	0	0	0	0.00
MANSFIELD	0	0	0	0	0	0.00
<b>Fire Fighter - EMS</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	7 PART TIME	9,800	0	12,104	11,184	13.98
PART TIME / 800 HRS YR AVG OVILLA	23 PART TIME	0	0	11,968	11,968	14.96
RED OAK	14 full time	42,540	46,014	57,780	46,014	22.12
DUNCANVILLE	33 full time	50,383	0	59,947	56,928	27.37
ENNIS	15 full tim	44,205	48,741	55,302	48,741	23.43
full time MIDLOTHIAN	full time	49,493	54,645	60,216	54,784	26.34
full time DESOTO	38 full time	50,383	57,863	59,946	57,863	27.82
FERRIS	part time	13,104	15,040	17,008	15,040	7.23
PALMER	NONE	0	0	0	0	0.00
Fire Engineer LANCASTER	21	60,294	62,738	64,569	62,738	30.16
GLENN HEIGHTS	9 hrly x 800	11,016	11,776	14,584	11,776	14.72
MANSFIELD	41 full time	50,470	0	75,705	56,017	70.02
<b>Code Enforcement</b>						



## SEPTEMBER 2015 SALARY SURVEY FULL TIME POSITIONS

### ANNUAL SALARY

POSITION TITLE	# OF EMPLOYEES IN POSITION	MINIMUM SALARY	MID RANGE SALARY	MAXIMUM SALARY	AVG OR CURRENT SALARY	REGULAR HOURLY RATE
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	0	0	0	0	0	0.00
CODE PLUS ANIMAL CONTROL OVILLA	1	0	0	46,363	46,363	22.29
RED OAK	1	0	0	77,000	77,000	37.02
DUNCANVILLE	2	37,503	0	56,255	41,888	20.14
ENNIS	1	32,469	0	40,581	40,581	19.51
MIDLOTHIAN		35,942	44,013	52,104	44,020	21.16
DESOTO	1	36,674	38,719	55,011	38,719	18.61
FERRIS	0	0	0	0	0	0.00
PALMER		0	0	0	0	0.00
LANCASTER		42,799	49,592	56,322	49,592	23.84
GLENN HEIGHTS	1	30,368	0	45,760	34,216	16.45
MANSFIELD	1	34,867	0	48,810	41,000	19.71
		35,803	44,108	53,134	45,931	22.08
<b>Animal Control Officer</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	0	0	0	0	0	0.00
SEE CODE OVILLA	X	0	0	0	0	0.00
RED OAK	1	0	0	42,515	42,515	20.44
DUNCANVILLE	2	31,860	0	47,790	34,971	16.81
ENNIS	1	32,469	0	40,581	40,581	19.51
MIDLOTHIAN		31,075	38,064	45,052	38,064	18.30
DESOTO	3	31,680	35,519	47,521	35,519	17.08
FERRIS	1	24,000	27,600	31,200	29,744	14.30
PALMER		0	0	0	0	0.00
LANCASTER		38,201	44,130	50,057	44,130	21.22
GLENN HEIGHTS	1	27,664	0	41,392	29,702	14.28
MANSFIELD	3	35,020	0	49,028	36,736	17.66
		31,496	36,328	43,904	36,885	17.73
<b>Public Works Director</b>						



## SEPTEMBER 2015 SALARY SURVEY FULL TIME POSITIONS

### ANNUAL SALARY

POSITION TITLE	# OF EMPLOYEES IN POSITION	MINIMUM SALARY	MID RANGE SALARY	MAXIMUM SALARY	AVG OR CURRENT SALARY	REGULAR HOURLY RATE
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	0	0	0	0	0	0.00
OVILLA	1	0		53,960	53,960	25.94
RED OAK	0	90,000	0	0	90,000	43.27
DUNCANVILLE	1	0	0	122,640	122,640	58.96
ENNIS	1	82,017	0	102,521	102,521	49.29
MIDLOTHIAN		74,484	91,229	107,994	91,236	43.86
DESOTO	1	72,612	110,000	108,918	110,000	52.88
FERRIS	0	55,000	63,250	71,500	63,250	30.41
PALMER		0	0	69,570	69,570	33.45
LANCASTER	0	0	0	109,241	109,241	52.52
open position GLENN HEIGHTS	1	63,380	0	104,520	104,520	50.25
MANSFIELD	1	99,024	0	138,633	136,000	65.38
		89,420	88,160	98,950	95,722	46.02
<b>Water Superintendent</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	0	0	0	0	0	0.00
OVILLA	1	0		43,260	43,260	20.80
RED OAK	1	0		63,159	63,159	30.36
DUNCANVILLE	1	56,720		85,080	74,675	35.90
ENNIS	0	0	0	0	0	0.00
MIDLOTHIAN		50,481	61,838	73,195	61,838	29.73
DESOTO	2	38,127	43,273	57,190	43,273	20.80
FERRIS	1	38,000	43,700	49,400	49,400	23.75
PALMER		0	0	0	0	0.00
LANCASTER		69,882	81,561	93,240	81,561	39.21
GLENN HEIGHTS	1	48,880		78,080	62,201	29.90
MANSFIELD	1	53,889	0	75,445	53,889	25.91
		50,854	57,593	68,672	59,251	28.49
<b>Street Maintenance</b>						



## SEPTEMBER 2015 SALARY SURVEY FULL TIME POSITIONS

### ANNUAL SALARY

POSITION TITLE	# OF EMPLOYEES IN POSITION	MINIMUM SALARY	MID RANGE SALARY	MAXIMUM SALARY	AVG OR CURRENT SALARY	REGULAR HOURLY RATE
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	0	26,334	0	37,732	31,698	15.24
OVILLA	1	0		23,400	23,400	11.25
RED OAK	4	27,997		35,283	30,173	14.51
DUNCANVILLE	5	26,515		39,773	27,260	13.11
ENNIS	5	28,288		35,360	35,360	17.00
MIDLOTHIAN						0.00
DESOTO	10	28,735	28,306	43,102	28,306	13.61
FERRIS	2	29,120	0	31,200	30,160	14.50
PALMER		33,865	39,490	41,788	38,381	18.45
LANCASTER		27,957	32,013	36,068	32,013	15.39
GLENN HEIGHTS	4	21,632	0	32,448	25,813	12.41
MANSFIELD	12	27,810	0	38,934	29,143	14.01
		27,825	33,270	35,917	30,155	14.50
<b>Water Maintenance</b>						
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	0	26,334	0	37,732	31,698	15.24
OVILLA	3	24,107		31,844	26,915	12.94
RED OAK	2	0		28,837	28,837	13.86
DUNCANVILLE	2	27,770		41,655	28,187	13.55
ENNIS	4	28,288		35,360	35,360	17.00
MIDLOTHIAN						0.00
DESOTO	6	36,311	41,953	54,467	41,953	20.17
PW MAINT FERRIS	3	27,000	31,050	35,100	34,008	16.35
PALMER		33,865	39,490	41,788	38,381	18.45
LANCASTER		28,749	32,946	37,141	32,946	15.84
GLENN HEIGHTS	0	25,168	0	37,648	37,648	18.10
MANSFIELD	12	27,810	0	38,934	29,143	14.01
		28,540	36,360	38,228	33,189	15.96
<b>SEWER MAINTENANCE</b>						



## SEPTEMBER 2015 SALARY SURVEY FULL TIME POSITIONS

### ANNUAL SALARY

POSITION TITLE	# OF EMPLOYEES IN POSITION	MINIMUM SALARY	MID RANGE SALARY	MAXIMUM SALARY	AVG OR CURRENT SALARY	REGULAR HOURLY RATE
Waters Group 2015 Survey (Average of 27 Cities with Populations of 3,040-8,330)	0	26,334	0	37,732	31,698	15.24
OVILLA	1	0		34,278	34,278	16.48
RED OAK	0	0		0	0	0.00
DUNCANVILLE	4	27,770		41,655	27,770	13.35
ENNIS	5	28,288		35,360	35,360	17.00
MIDLOTHIAN						0.00
DESOTO	5	34,927	33,931	52,391	33,931	16.31
PW SEWER/WATER FERRIS	3	34,000	39,100	44,200	39,100	18.80
PALMER		33,865	39,490	41,788	38,381	18.45
LANCASTER		28,749	32,946	37,141	32,946	15.84
GLENN HEIGHTS	4	27,664	0	41,392	35,048	16.85
MANSFIELD	0	0	0	0	0	0.00
		30,200	36,367	40,660	34,279	16.48

MIDLOTHIAN - AVERAGES NOT GIVEN USED AVG OF MIN-MAX / 3 AND AVG HOURS \$/2080  
 WHERE CITIES REPORTED AVERAGES - THEIR AVERAGES WERE USED.  
 NOT ALL CITIES REPORTED MIN. - MID- MAX

## The Performance Assessment and Pay Plan Progression Process

### Process Overview and Components

The Performance Assessment Process ensures that all employees of the City of Ovilla Organization have the opportunity to have their performance:

- Formally assessed by their supervisors on an annual basis
- Reviewed relative to expectations
- Documented for development planning and coaching purposes

This Process Guide describes the roles, responsibilities and components of the City of Ovilla Performance Assessment and Pay Plan Progression Process.

### Key Components

- **Employee Input into Performance Assessment and Shared Responsibility for Learning and Goal Setting.**

The process begins with input provided by the employee on their prior year's performance coupled with consideration for future goals and objectives. Employees are given a self-evaluation form and asked to identify their key accomplishments towards goals and objectives over the previous year. Utilizing organizational goals and objectives for the coming year, new individual objectives and expectations are established

- **Ongoing Coaching by Supervisor.** This includes a mandatory mid-year review that will allow for employees to gauge whether or not they are meeting expectations.

Supervisors are expected to provide timely and constructive coaching and feedback to employees on their work performance. The objective of coaching is to continuously improve both individual and organizational performance. Supervisors should strive to create and foster an environment for effective dialogue and discussion with employees. Every employee should know what is expected of them.

- **Performance Review by Supervisor**

The next step is for the supervisor to fill out an evaluation of the employee. The supervisor will evaluate the employee based on their ability to meet expectations and perform job duties as expected.

- **Employee Feedback and Discussion**

The final step of the review process is for the employee and supervisor to sit down together and review the evaluations (both the evaluation filled out by the employee and the supervisor). Special attention should be given to areas where employee and supervisor differ in opinion of performance. As a result of this meeting, employees should understand how their performance is viewed, their

strengths, weaknesses and what they need to do to continue to improve over the coming evaluation period.

#### Evaluation Instructions and Form

The following form should be filled out prior to the annual evaluation. It should be filled out independently by both the employee and the supervisor. The combination of the two forms will be the basis for conversation and evaluation of the employee's performance.

Evaluations should be conducted and assigned one of the following ratings:

**RE:** Employee is rarely equaled on performance expectations

**CE:** Employee clearly exceeds job requirements. Contributes significantly to organizational success well beyond job demands

**MR:** Employee meets all job requirements and all expectations. Does not require more help from supervisor and others than is implicit in the position description. This is a very satisfactory performance in a position in which high performance standards are required.

**MP:** Employee is a marginal performer; does not consistently meet job-related requirements. Employee requires more than minimum help from others. Problem areas need to be identified and documented.

**FM:** Employee fails to meet expectations and requirements. Problem areas need to be identified and documented. Termination is likely considered.

#### **Evaluation and Connection to Pay Plan**

Generally speaking, a higher annual rating will equate to a higher potential raise. However, all raises are subject to budgetary constraints and the approval of funding for pay raises by the City Council. In some cases, employees are eligible to be moved out of their assigned pay classification and into the next pay classification. This is the exception rather than the rule and should only be considered following a history of exceptional employee reviews.



6. What goals would you be interested in working toward between now and the next performance evaluation?

7. What do you consider to be the top priorities of your job as you understand them?

8. Do you allocate your time wisely? Is it ever necessary for you to work overtime to keep up with your work load?

9. Where do you need to improve by your next review?

10. Answer the following with yes or no:

1. I know what the responsibilities of my job are.

2. I feel my workload is too heavy.

3. I feel my work is appreciated.

4. I know what my daily and weekly goals are.

5. I feel I have sufficient training to perform my job.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Are there any comments or suggestions you would like to offer?

Overall Evaluation Ranking (FOR SUPERVISORY USE ONLY) – Circle One:

RE

CE

MR

MP

FM

## ANNUAL AND PART TIME SALARY

Position	Current Positions	Current Annual Salary	Base Pay Amount	Mid Point Amount	Top Out Annual	Hourly Min.	Hourly Mid	Hourly Max	Part Time Hours Per Year	Pay Classification	Survey Minimum	Survey Max	Survey Average	# of Respondents
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### PART TIME POSITIONS

Fire Fighter	24	11,968	11,000	15,500	20,000	13.75	19.38	25.00	800	PT1	9,800	17,008	13,404	4
Fire Fighter/Captain	5	13,416	13,000	19,000	25,000	16.25	23.75	31.25	800	PT2				0
Police Patrol Officer	1	25,000	24,000	29,500	35,000	24.00	29.50	35.00	1000	PT3				0
Deputy Fire Marshall	1	20,600	20,000	30,000	40,000	20.00	30.00	40.00	1000	PT4				0
Fire Chief	1	38,017	35,000	42,500	50,000	22.44	27.24	32.05	1560	PT5				0

### FULL TIME

Street Maintenance	1	23,400	22,500	28,750	35,000	10.82	13.82	16.83	NA	FT1	27,825	35,917	30,155	11
Water Maintenance	3	26,915	25,000	32,500	40,000	12.02	15.63	19.23	NA	FT2	28,540	38,228	33,189	11
Police Secretary	1	27,851	25,000	32,500	40,000	12.02	15.63	19.23	NA	FT2			38,211	3
Administrative Assistant	1	30,636	30,000	40,000	50,000	14.42	19.23	24.04	NA	FT3	32,501	43,768	36,800	11
Municipal Court Clerk	1	33,675	30,000	40,000	50,000	14.42	19.23	24.04	NA	FT3	33,236	44,421	38,009	12
Police Patrol Officer	4	38,022	30,000	40,000	50,000	14.42	19.23	24.04	NA	FT3	44,283	56,357	51,240	12
Sewer Maintenance	1	34,278	30,000	40,000	50,000	14.42	19.23	24.04	NA	FT3	30,200	40,660	34,279	9
Utility Billing - Permit Clerk	1	42,016	40,000	47,500	55,000	19.23	22.84	26.44	NA	FT4	36,093	46,363	41,269	11
Code Enforcement - Animal Control	1	46,363	40,000	47,500	55,000	19.23	22.84	26.44	NA	FT4	35,803	53,134	45,931	9
Water Superintendent	1	43,260	40,000	47,500	55,000	19.23	22.84	26.44	NA	FT4	50,854	68,672	59,251	9
Police Sergeant	1	43,992	40,000	47,500	55,000	19.23	22.84	26.44	NA	FT4	58,706	67,134	63,076	11
City Accountant	1	50,923	49,000	59,500	70,000	23.56	28.61	33.65	NA	FT5	60,921	83,249	74,749	10
Vacant			51,000	63,000	75,000	24.52	30.29	36.06	NA	FT6				
City Secretary	1	54,631	52,500	66,250	80,000	25.24	31.85	38.46	NA	FT7	59,919	78,053	68,533	12

## ANNUAL AND PART TIME SALARY

Position	Current Positions	Current Annual Salary	Base Pay Amount	Mid Point Amount	Top Out Annual	Hourly Min.	Hourly Mid	Hourly Max	Part Time Hours Per Year	Pay Classification	Survey Minimum	Survey Max	Survey Average	# of Respondents
Public Works Director	1	53,960	52,500	66,250	80,000	25.24	31.85	38.46	NA	FT7	89,420	98,950	95,722	11
Police Lieutenant	1	53,560	52,500	66,250	80,000	25.24	31.85	38.46	NA	FT7	74,811	79,519	76,907	7
Police Chief	1	70,000	68,000	76,500	85,000	32.69	36.78	40.87	NA	FT8	80,282	106,386	99,344	12
Vacant			75,000	82,500	90,000	36.06	39.66	43.27	NA	FT9				
City Manager	1	82,400	82,000	93,500	105,000	39.42	44.95	50.48	NA	FT10	103,312	153,294	139,451	12

Classification	Base Pay	Mid Point	Top Out Pay	
PT1	13.75	19.38	25.00	Hourly Pay
PT2	16.25	23.75	31.25	
PT3	24.00	29.50	35.00	
PT4	20.00	30.00	40.00	
PT5	22.44	27.24	32.05	
FT1	22,500	28,750	35,000	Annual Pay
FT2	25,000	32,500	40,000	
FT3	30,000	40,000	50,000	
FT4	40,000	47,500	55,000	
FT5	49,000	59,500	70,000	
FT6	51,000	63,000	75,000	
FT7	52,500	66,250	80,000	
FT8	68,000	76,500	85,000	
FT9	75,000	82,500	90,000	
FT10	82,000	93,500	105,000	

## **Current Section 9.13 of the Employee Policies Handbook**

### **9.13 PERFORMANCE APPRAISALS (EMPLOYEES)**

The purpose of the City of Ovilla performance pay policy is to encourage personnel to perform to higher standards by rewarding those employees who exceed expectations, as determined through the annual evaluation process, with a percentage increase to their base salary pursuant to budget approval.

#### **METHODOLOGY**

##### ***Evaluations***

Employees will be evaluated on an annual basis through the means of an evaluation instrument. The evaluation will serve as the official method for communicating job performance to the employee. During the annual review period, the employee and the evaluator will set goals and establish objectives to be reached during the course of the following year. Supervisors will hold a mid-year review with their employees to determine if the goals and objectives identified are realistic, or if additional goals and objectives are needed. Evaluations will be conducted annually during the month of August.

##### ***Performance Assessment Reports***

Throughout the year, personnel job performance will be assessed through Performance Assessment Reports (PAR). The PAR will allow managers to address performance issues throughout the year and also provides a means to document exemplary performance. A PAR should be used any time an employee does something above and beyond their normal job performance expectations. It should also be used to document any behavior that is below normal job performance expectations. The PAR's are essential in the monitoring and effectiveness of the evaluation instrument throughout the year and should be used as a means to assist the evaluator during the annual review period.

#### **MERIT PAY INCREASE**

The evaluation instrument constitutes the only method in determining whether or not an employee is eligible for a Merit Pay Increase (MPI). The City Manager, based on the recommendation of the Department Director or division manager, will have oversight and final approval of all MPI recommendations. The amount of the MPI will be determined based on the outcome of the annual evaluation,

## Current Section 9.13 of the Employee Policies Handbook

budget approval, and shall take effect on May 01, and/or following the mid-year budget review. . The following classifications will be used when determining the amount of the MPI:

CLASSIFICATION			
Exceeds Expectations			
Meet Expectations			
Below Expectations			
Unsatisfactory			

The classifications are defined as follows:

Exceeds Expectations – In general, an employee who exceeds expectations has received three or more PARs documenting the exemplary nature of the action undertaken by the employee throughout the year. Additionally, the employee has completed all goals and objectives as identified in the evaluation instrument and mid-year review for the review period ending.

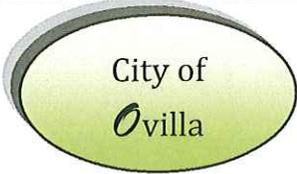
Meets Expectations – In general, an employee whose performance is classified as meeting expectations may or may not have received one or more PARs documenting the exemplary nature of the action undertaken by the employee throughout the year. The employee may or may not have completed all goals and objectives as identified in the evaluation instrument, but has completed all goals and objectives as adjusted in the mid-year review. The employee must not have received more than two negative PARs during the review period ending.

Below Expectations – In general, an employee classified as performing below expectations has received more than two negative PARs during the review period ending. The employee may or may not have completed all goals as identified in the evaluation instrument. More than one classification as below expectations in a two-year period may result in the immediate termination of the employee.

## Current Section 9.13 of the Employee Policies Handbook

Unsatisfactory - In general, an employee classified as unsatisfactory has received more than three negative PARs during the review period ending. Even with supervisor counseling and guidance, the employee has not completed the majority of the goals identified in the evaluation instrument. With one unsatisfactory classification the employee is immediately placed on a Performance Improvement Plan, for a determined period of time by the supervisor, and without measurable improvement may result in the immediate termination of the employee.

The above definitions are not meant to prohibit Department Directors or division managers from developing additional clarifications for the performance classifications, but any additional clarification must include the core elements defined above, and any additional clarification or adaptation of the above must be reviewed and approved by the City Manager before taking effect.



# Ovilla City Council

## AGENDA ITEM REPORT

Item: 6

Meeting Date: December 14, 2015

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Dennis Burn, CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant

Code Enforcement M. Dooly

### Attachments:

Fence Ordinance & proposed revisions

### Agenda Item / Topic:

**ITEM 6.** *DISCUSSION/ACTION* – Review and deliberate update recommendation to Chapter 3, Article 3.05 FENCES and Chapter 14, Zoning Ordinance, of the Ovilla Code of Ordinances and direct staff as necessary.

### Discussion / Justification:

This agenda item is to review clarifications/revisions that should be addressed in a future revision to the Code of Ordinances. These clarifications are requested by staff with any recommendations by the City Council.

The following is from Chapter 3 Building Regulations of the Code of Ordinances. Though I have included the entire article, the only revision staff proposes is to Section 3.05.004 (6) by deleting “Graphic outline...” and replacing with “Survey or site plan...”. The area of revision is highlighted in yellow. “Graphic outline” is not clear. “Survey or site plan” is clear.

#### ARTICLE 3.05 FENCES

##### **Sec. 3.05.001 Definitions**

(a) For the purpose of this article, the following definitions shall apply:

*Fence.* Any wall or structure more than eighteen inches (18") in height constructed for the purpose of enclosing, screening, [or] restricting access to, [a] building or structure.

(b) Other definitions as to front yards, rear yards, lot lines, etc., are described in the city’s zoning ordinance. All applicable definitions of that ordinance shall also apply to this article.

(1989 Code, ch. 3, sec. 9.01)

##### **Sec. 3.05.002 Penalty; additional remedies**

Any person or corporation who shall violate any of the provisions of this article or fail to comply therewith or with any of the requirements thereof or who shall build or alter any building or use in violation of any statement or plan submitted and approved hereunder shall be guilty of a misdemeanor, and each owner or owners of any building or premises, or part thereof, where anything in violation of this article shall be placed or shall exist, and any architect, builder, contractor, agent, person or corporation employed in connection therewith and who may have assisted in the commission of any such violation, shall be guilty of a separate offense and upon conviction shall be fined as herein provided. The city likewise shall have the power to enforce the provisions of this article through civil action as provided by state law. (1989 Code, ch. 3, sec. 9.12)

##### **Sec. 3.05.003 Permit required**

(a) It shall be unlawful for any persons, group of persons, or corporation to construct, or have constructed, any type of fence, or any part of a fence, without first having secured a permit from the city.

(b) The fee shall be as set out in the fee schedule found in [appendix A](#) of this code.

(1989 Code, ch. 3, sec. 9.02)

#### **Sec. 3.05.004 Application for permit**

Any person, group of persons, or corporation must supply the following information when applying for a permit to erect a fence:

- (1) Applicant's name and address; and, if the person represents a company or corporation, the name and address of the company representative making the request and the name of the company's president;
- (2) Name of the owner of the property;
- (3) Local address where the fence is to be erected;
- (4) Type of fence, i.e., stone, brick, wood picket, etc.;
- (5) Height of fence;
- (6) **Graphic outline** of the property to be fenced, with the fence signified by a dark line(s);
- (7) Section of fence drawn to show post sizes and proposed depth to be set in the ground;
- (8) Approximate value.

(1989 Code, ch. 3, sec. 9.03)

#### **Sec. 3.05.005 Height requirements for residential fences**

(a) It shall be unlawful to erect a fence at a height exceeding eight feet (8') in any side yard or rear yard.

(b) Front yard fences must be of the "open air" type, such as chain link, cedar posts, split rail, decorative iron, etc. Such fences may [not] exceed six feet (6') in height. If subdivision restrictions prohibit such fences, then such restrictions shall prevail.

(1989 Code, ch. 3, sec. 9.04)

#### **Sec. 3.05.006 Types of fence and construction**

(a) It shall be unlawful for any fence that is electrically charged in any form or manner to be erected in an area zoned for residential use. This does not apply to usage for restraining livestock in which case electrical charge warning signs must be posted every seventy-five feet (75'). Electrical charging units must be UL approved and of the DC variety only.

(b) Fences will be constructed in such a manner to ensure structural stability. Posts will be set in concrete of sufficient thickness to provide stability. Wooden fences: The posts and rails of a new or extended fence must not be exposed to an adjacent street, or a neighbor's yard, in other words, the smooth side of a fence must face an adjacent public street or a neighbor's property. Also, both new and replacement wooden fences must have metal posts set in concrete.

(c) Fences shall be constructed of city code approved wire, wood, wrought iron, vinyl, brick, pierced brick, stone, mortar, blocks, wood or other fence parks or a combination of some or all. The density and design is subject to the building code of the city. Wooden fences are required to be natural wood with metal posts except for decorative wooden rail fences. Wood byproducts and wood particleboards or sheets of wood byproducts of any type are prohibited.

(d) All fences listed under subsection (c) as listed above must have appropriate support, as approved by the building inspector.

(e) In order to allow for the entrance and exit of fire department and police department personnel, there must be at least one (1) gate no less than three feet (3') wide on each fence that is adjacent or parallel to a public alley or utility easement. This does not pertain to those easements which the city has allowed to be completely fenced in.

(f) In all residential developments with rear or side entry access to a garage or carport, the fence height must provide visibility of the street or alley from the driveway for a distance of at least ten feet (10') on both sides of the driveway.

(g) A fence higher than three and one-half feet (3-1/2') above the established street grades cannot be constructed within twenty feet (20') of any street intersection (refer to Ordinance 160 revised, part II, section 10-2).

(h) Materials that are not usual fence materials, i.e., chicken wire, hardware cloth, etc., shall not be used as fencing unless for agricultural usage.

(i) Barbed wire shall be used only for agricultural use, to restrain livestock.

(Ordinance 2013-021 adopted 7/8/13)

#### **Sec. 3.05.007 Swimming pool fences**

(a) Every outdoor swimming pool must be enclosed by a wall or fence not less than four feet (4') in height. It shall be constructed in such a manner so that there are no gaps or openings, other than gates or doors, larger than four inches (4") measured horizontally on vertical fences and measured vertically on horizontal fences. A dwelling or building may be used as part of the fence or enclosure.

(b) All gates and/or doors permitting entrance and exit to the pool area shall be equipped with a self-closing and self-latching device for keeping the gate and/or door closed at all times when not in actual use.

(c) Hot tubs and individual spas must be covered when not in use. Locking devices, where practical, are suggested.

(d) Existing facilities not meeting the requirements of this section must be brought into compliance within one (1) year of issuance of this section. If the provisions of this section conflict with any provisions in the Uniform Swimming Pool, Spa and Hot Tub Code, the more stringent provisions shall govern.

(1989 Code, ch. 3, sec. 9.06)

**State law references**—Swimming pool enclosures, V.T.C.A., Local Government Code, sec. 214.101 et seq.; pool yard enclosure for multiunit rental complex, property owners' association, etc., V.T.C.A., Health and Safety Code, ch. 757.

#### **Sec. 3.05.008 Intrusion on public property**

No fence, guy wires, braces, or brackets of such fence shall be allowed to be constructed upon, or extend over, any property belonging to the city, or that the general public has control and dominion of, or any property which has an easement on, above, under or through same, except that property which allows such intrusions. (1989 Code, ch. 3, sec. 9.07)

#### **Sec. 3.05.009 Inspections**

Upon completion of the installation of the fence, the building inspector shall be called for the purpose of making an inspection. A certificate of acceptance will be issued for compliance with this article or a rejection slip will be issued for defects in construction materials or procedure. Once a certificate of acceptance is received, the fence shall be maintained to comply with the requirements of this article at all times. Any appeal from a decision of the building inspector under the terms of this article shall be made to the city council. (1989 Code, ch. 3, sec. 9.09)

#### **Sec. 3.05.010 Maintenance**

(a) Any person, group of persons or corporation owning or having control of any fence within the city shall be responsible to maintain the fence in a safe and visibly presentable condition. This shall include replacement of broken or defective boards, posts, wire, wood, wrought iron, vinyl, brick, pierced brick, stone, mortar, blocks, wood or other fence parts or a combination of some or all. This section requires owners to remove, repair, or replace fences identified in violation that may cause the fence to be unsafe or unsightly.

(b) No permit will be required for normal fence maintenance; however, if the fence has deteriorated beyond fifty percent (50%) of the fence value, and does not comply with the provisions of this article including subsection (d) below, then the terms of this article shall prevail.

(c) A fence is considered dilapidated if 10% of its pickets, bricks, stones, blocks, wire or structural members are damaged, missing, broken or rotted; or if any 8-foot section is more than 15 degrees off vertical alignment.

(d) New fences and replacement fences that replace 50% or more of one side of a fence require permits from the city.

(e) Wooden fences: The posts and rails of a new or extended fence must not be exposed to an adjacent street, or a neighbor's yard, in other words, the smooth side of a fence must face an adjacent public street or a neighbor's property. Also, both new and replacement wooden fences must have metal posts set in concrete.

- (f) Wooden fences must maintain uniformly colored wood or other permanent material, which creates an appearance of equal character or visual integrity.
- (g) Fences shall be constructed of city code approved wire, wood, wrought iron, vinyl, brick, pierced brick, stone, mortar, blocks, wood or other fence parts or a combination of some or all. The density and design is subject to the building code of the city. Wooden fences are required to be natural wood with metal posts except for decorative wooden rail fences. Wood byproducts and wood particleboards or sheets of wood byproducts of any type are prohibited.
- (h) Subsection (a) above requires property owners of fences or those having control of the fences to maintain their fences in a structurally sound, safe and presentable condition. This section requires owners to remove, repair, or replace fences identified in violation. (Removal is not an option where a pool barrier fence, including a locked pool gate, is involved or when zoning regulations specifically require a fence and a locked gate.)

**Sec. 3.05.011 Existing fences**

Existing fences are subject to inspection and may be tagged as safety hazards or public nuisances if not adequately maintained per [section 3.05.010](#)(c) and (e). Should such notification occur, the owner of the property has ninety days (90) to rectify. Property owners or residents may seek a one-time ninety-day (90) extension from the city administrator or designee. (Ordinance 2013-018 adopted 6/10/13)

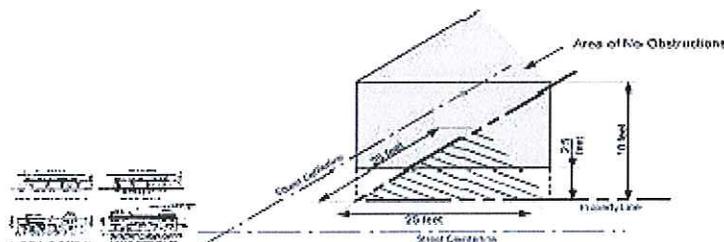
The following is from Chapter 14 Zoning Ordinance. Any future revision to the Zoning Ordinance will be placed on a Planning and Zoning Commission meeting for their review and recommendation to the City Council. Revisions that staff recommends are:

1. 35.3 C. Eliminate the words "...or side...". Currently fences are constructed to the side and rear property lines but not past the front building line. This change will clarify current practice. The area of revision is highlighted in yellow.
2. 35.3 D. 1. Add the word "front" between the words "the" and "property" and remove the sentence from D and add to C. The area of revision is highlighted in yellow.
3. 35.3 D. 1. Delete the second sentence. This is redundant and is already included in 35.3 A. The area of revision is highlighted in yellow.
4. 35.3 D. 2. This becomes 35.3 D.1. The area of revision is highlighted in yellow.
5. Add 35.3 E. Replacing Existing Fence. A new fence can be constructed at the location of an existing fence as long as the new fence is constructed to City Ordinances.

**35.2 FENCING REQUIREMENTS**

A. Corner Lots. On a corner lot in any district, a person commits an offense if the person erects, places, plants, or allows vegetation or fence or structure to grow in such a manner as to materially impede vision between a height of two and one-half (2.5) and ten feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines 25 feet from the point of the intersection.

**GRAPHIC 35.B**



B. Interior Lots. On an interior lot in any district, a person commits an offense if the person erects, places, plants or allows vegetation to grow in such a manner or erects or maintains a fence or other structure as to materially impede the vision or in any way create a traffic hazard to motorists entering

or exiting any public highway, street, alley or private street or driveway from or to adjacent private property.

C. Easements. No screening element or fence comprised of brick, masonry, concrete or solid metal shall be erected or placed which would interfere with the installation or maintenance of any public utility line, service or drainageway, within the easements reserved therefor.

D. Garbage Collection Areas. Garbage, refuse and trash collection and storage areas in non-residential districts shall be fully enclosed by a screening element of not less than six feet in height.

E. Electric Fences. Electric fences are expressly prohibited in all districts except those where agricultural and related principal activities are permitted, provided such fences shall be plainly marked as "electric fencing" every seventy-five (75) feet of fence.

F. Barbed Wire Fences. Barbed wire fences used in conjunction with permitted agricultural uses and activities in the agricultural zoning district are permitted, provided the building official deems there is no safety hazard related issues associated with said fence. Barbed wire fencing is expressly prohibited in all other zoning districts.

G. Razor Wire. Razor wire fencing, or other similar material, is strictly prohibited in residential zoning districts. When used in other districts, razor wire fencing must be a minimum of eight feet in height.

(Ordinance 2010.013 adopted 6/14/10)

### 35.3 FENCES IN RESIDENTIAL DISTRICTS

A. Maximum Height. Screening elements and fences shall be restricted to a maximum height of eight feet (8'), measured from the adjacent grade line, except as otherwise permitted in this section. Fences may be permitted to be constructed to a height exceeding eight feet (8') by special exception as approved by the Zoning Board of Adjustment.

B. Trash Storage Areas. Garbage, refuse and trash collection and storage areas in any multifamily development, mobile home development or other nonresidential use permitted in a residential district shall be fully enclosed on three sides by a dense screening element to adequately screen such area from view of the surrounding area.

C. Setbacks. No screening element or fence shall be erected, placed or planted beyond the front or side building line of any permitted building in a residential district, either on a corner lot or interior lot.

D. Support and Rails.

1. Fences may be constructed to the property line upon approval of a special exception by the Zoning Board of Adjustment. Fencing located on or behind the building line shall not exceed eight feet (8') in height.

2. Panel fences shall be constructed such that the support rails are located on the inside of the lot and the panel is located on the outside of the lot, so as to present a "smooth side out" appearance to the fence.

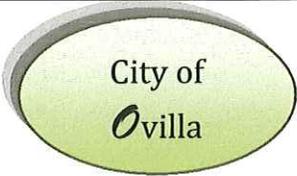
(Ordinance 2010.015 adopted 8/9/10)

#### Recommendation / Staff Comments:

Staff recommends Council direct them to return with an ordinance for consideration, after review from the Planning and Zoning Commission, following state procedures.

#### Sample Motion(s):

*I move that Council approves / denies staff to move forward with procedures for the preparation, recommendation and consideration of an ordinance, with staff recommendations as noted, to revise Chapter 3, Article 3.05 FENCES and Chapter 14, Zoning Ordinance of the Ovilla Code of Ordinances and return for Council consideration.*



AGENDA ITEM REPORT

Item: 7

Meeting Date: December 14, 2015

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

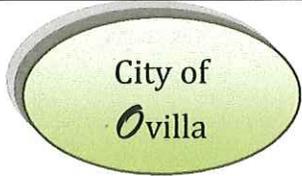
Submitted by: Dennis Burn, CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant  PW Director B. Piland

<b>Attachments:</b>	
N/A	
<b>Agenda Item / Topic:</b>	
ITEM 7.	<i>DISCUSSION</i> – Review and discuss park safety compliance and direct staff as necessary.
<b>Discussion / Justification:</b>	
<b>Park Improvements</b> At the Cindy Jones Park near the baseball fields we have raked the engineer wood fiber into more consolidated “piles”, are ordering more fiber to supplement what is there now, have closed all “S” hooks to the prescribed 1/16” gap, have tightened all connections, are in the process of purchasing the border required to contain the fiber and are having a review of the facility performed by a certified park safety inspector. These items will be performed at the other parks soon. We are concentrating on the Cindy Jones Park as it appears to have the greatest activity.	
<b>Recommendation / Staff Comments:</b>	
N/A	
<b>Sample Motion(s):</b>	
<i>Discussion only.</i>	



# Ovilla City Council

## AGENDA ITEM REPORT

Item: 8

Meeting Date: December 14, 2015

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Dennis Burn, CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant

Code Enforcement M. Dooly

### Attachments:

Proposed update of Chapter 8, Article 8.02

### Agenda Item / Topic:

**ITEM 8.**      *DISCUSSION/ACTION* – Review and deliberate a proposed Ordinance to repeal Chapter 8, Article 8.02 of the Ovilla Code of Ordinances and adopt a new Chapter 8, Article 8.02 related to nuisances and direct staff as necessary.

### Discussion / Justification:

One of our residents has proposed a revision to our Code of Ordinances regarding nuisances. This agenda item includes a proposed draft ordinance whose main point is to improve and maintain a standard of property maintenance and appearance so that our City continues to be a beautiful and desirable place to live. The resident prepared a new ordinance, it was sent to our attorney for review, our attorney revised the new ordinance and our attorney, the resident and I met to discuss the final version. This agenda item is for your review of the proposed ordinance and any comments you may have. It is my intent to incorporate any comments you may have and bring the final version to you for your consideration at the January 2016 City Council meeting.

### Recommendation / Staff Comments:

N/A

### Sample Motion(s):

*I move that staff move forward with the repeal of Chapter 8, Article 8.02 of the Ovilla Code of Ordinances and adopt a new Chapter 8, Article 8.02 related to nuisances using the proposed document as presented and return with an Ordinance for consideration.*

*I move that staff move forward to repeal Chapter 8, Article 8.02 of the Ovilla Code of Ordinances and adopt a new Chapter 8, Article 8.02 related to nuisances using the proposed document as presented with the following changes:*

- 1.
- 2.

*...and return with an Ordinance for consideration.*

**AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, REPEALING ARTICLE 8.02 OF THE OVILLA CODE OF ORDINANCES AND ADOPTING NEW PROVISIONS IN PLACE THEREOF; PROHIBITING THE CREATION OR EXISTENCES OF NUISANCES; PROVIDING FOR ENFORCEMENT; PROVIDING APPEAL PROCEDURES; 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.**

**WHEREAS**, the City Council of the City of Ovilla, Texas, finds and determines that it is in the best interest of the citizens of the City of Ovilla to promote and preserve the aesthetic appeal of the City; and

**WHEREAS**, the City Council further finds and determines that certain conditions of property can constitute a nuisance which substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities attempting to use and enjoy land and can detrimentally affect the aesthetic appeal of the City; and

**WHEREAS**, the City Council further finds and determines that it is in the best interest of the health, safety and welfare of the citizens of the City of Ovilla to adopt and enact comprehensive provisions prohibiting the creation and existence of conditions which constitute a nuisance.

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

**SECTION 1. REPEAL OF ARTICLE 8.02 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA**

Article 8.02 of the Code of Ordinances of the City of Ovilla is hereby repealed in its entirety.

**SECTION 2. ADOPTION OF A NEW ARTICLE 8.02 OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA**

The following provisions are hereby adopted as Article 8.02 of the Code of Ordinances of the City of Ovilla:

**ARTICLE 8.02 NUISANCES**

**Sec. 8.02.001 Purpose**

The purpose of this Article is to:

1. Promote the public health, safety and welfare by requiring a minimum level of maintenance of private property to protect the livability, appearance, and economic stability of the City.
2. Protect the public from the health and safety hazards and the impairment of property values that result from the neglect and deterioration of property.
3. Eliminate property conditions that contribute to blighted neighborhoods.

ORDINANCE NO. 2016-\_\_\_\_

4. Prevent the spread of disease.
5. Safeguard the health, safety and welfare of the people by maintaining property in a safe condition.
6. Reduce the threat to health, safety, welfare, and reduced economic value due to the decline in property conditions by delineating the circumstances under which such conditions may be considered illegal nuisances and or blight and therefore abated.
7. Abate nuisances in the best interest of the health, safety and welfare of the residents of the City of Ovilla because use and enjoyment of property or premises in proximity to one another depends upon maintenance of those properties free of nuisance conditions, and to provide for the administration and enforcement of this article and to provide penalties for violations thereof.

**Sec. 8.02.002** Nuisance; Generally

For purposes of this Article, a nuisance is generally defined as follows:

1. A public nuisance known and established at common law or in equity jurisprudence.
2. Any attractive nuisance known at common law or in equity jurisprudence, including without limitation, any abandoned wells, shafts, basements or excavations, inoperable motor vehicles, or any structurally unsound fences or structures, or any lumber, trash, fence, debris or vegetation which are or may be hazardous to children.
3. Whatever is dangerous to human life or is detrimental to health, and is contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
4. Overcrowding a room with occupants, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
5. Insufficient ventilation or illumination, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
6. Inadequate or unsanitary sewage or plumbing facilities, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
7. Uncleanliness, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city.
8. Whatever renders air, food, or drink unwholesome or detrimental to the health of human beings, and is contrary to the public health, safety or welfare in violation of the codes and ordinance of the city.
9. A live tree, shrub or other similar plant of any description which creates a hazard or risk of damage or destruction to persons or property, contrary to the public health, safety or welfare or in violation of the code and ordinances of the city.
10. The existence of any one or more of the conditions or activities described in Section 8.01.004 constitutes property nuisance.

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11. A building, structure or premise is in a state of disrepair when any nuisance enumerated in Section 8.01.004 exists.
12. Any other nuisance or public nuisance as set forth in this Article or the codes and ordinances of the city.

**Sec. 8.02.003 Nuisances Prohibited**

1. No person, whether as owner, agent, manager, operator, lessee, tenant, sublessee, or occupant in possession of a property, shall maintain a blighted or nuisance property or cause or permit property to be maintained as a blighted or nuisance property.
2. No person, whether as owner, agent, manager, operator, lessee, sublessee, tenant or occupant of a property, shall take any action or allow any action to be taken at that property in violation of any provision of this Article or any order issued pursuant to the provisions of this Article.

**Sec. 8.02.004 Nuisances Enumerated**

The following shall constitute nuisances when caused, allowed, maintained, or suffered to exist within the jurisdiction of the City of Ovilla, including but not limited to any front, side or rear yard in public view or view from an adjacent or neighboring property; any property, public or private; buildings of any character; car ports; unfinished enclosures; sheds; stables; pens; grounds; cellars; lots; alleys; vaults; drains; bar ditches; swimming pools; wells; cisterns; privies; or sewers where:

1. Any part of the property, including any building or structure located on the property that is visible from a street or neighboring property that contains graffiti. Any property containing personal property items which contain graffiti and which may be viewed from the public street, road or a neighboring property constitutes property blight.
2. Accumulations of containers of any type, including trash receptacles, outside storage of miscellaneous items, miscellaneous industrial equipment, miscellaneous items cluttering driveways, front or side entry car ports or unfinished enclosures visible from the street or neighboring property when not screened by a screening fence, litter, refuse, garbage, rubbish, trash, fallen trees, brush pile, junk, dead carcasses, decaying flesh, fish, fowls, rotting vegetables, stagnant water, or other stagnant fluids, flammable liquids not properly stored, slops, or other deposits or substances of any and every character, which are likely to or do become unwholesome, unclean, filthy, unsightly, offensive, or unsanitary or likely to create or engender disease constitutes nuisance and property blight.
3. Unclean premises shall also be areas or conditions that harbor rodents or parasitic insects, or promotes mosquito breeding; or with dilapidated fences, or poison oak or poison ivy or other poisonous plants within fifty (50') feet of a public street, road, structure or fence line and constitute nuisance and property blight.
4. Stagnant, foul and offensive water: Any stagnant, foul or offensive water upon any lot or other premises or under the floor of any building constitutes property blight.
5. Animals: Keeping, breeding or raising animals in or about any place or premises in such numbers or in such manner that the same may become annoying, offensive or disturbing to the adjacent residents of or those passing by such places or premises or which by reason of numbers create filth in or about such premises or premises adjacent thereto constitute property blight.

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6. Weeds, brush or any vegetation including wild flowers which is unsightly, unclean, strewn with litter, unsanitary or unsafe growing to a height greater than nine (9") inches upon any property is a nuisance. It shall be the duty of all persons to keep the area from the line of their property to the curb line, edge of asphalt, concrete or point at which the roadway begins, regardless of the type of said roadway adjacent to the property, free and clear of the matter referenced above. Bushes, shrubs and vegetation of any type which blocks the view at intersections shall be removed or trimmed low enough for shrubs and high enough for trees as not to obstruct the view from any vehicle. All vegetation not regularly cultivated which exceeds nine (9") inches in height shall be presumed to be objectionable, unsanitary and unsightly. Each condition hereof constitutes property blight. It is an affirmative defense to prosecution that the flowers, weeds, bushes or vegetation which is growing to a height greater than nine (9") inches is a manicured flower bed, manicured flower garden, food garden, a State Exempt Natural Habitat Preservation Area, a manicured hedge, a manicured bush or agricultural crop or a decorative garden unless the aforementioned obstructs the view at intersections of oncoming traffic.

7. Household Appliances: Any broken, discarded or abandoned refrigerator, freezer, water heater, dishwasher, range, oven, trash compactor, washing machine, clothes dryer or similar appliance located in the front, rear or side yard, including porches, covered porches, car ports, unfinished enclosures and unsecured garages, of any premises used as a residence regardless of zoning, or on any vacant lot constitutes property blight.

8. Landscape in an Unsafe State of Disrepair: Any vegetation, landscape, trees, bushes, shrubs, vines, brush, weeds or ground cover plants that due to lack of trimming, pruning, or shaping or other neglect is in a state of disrepair. It shall be the duty of all persons, whether as owner, agent, manager, operator, lessee, sublessee, tenant or occupant of a property of any real property within the city to keep the area from the line of their property to the curb line, edge of asphalt, concrete or point at which the roadway begins, regardless of the type of said roadway adjacent to the property, to keep bushes and trees, on residential property including bushes and trees in the right of way trimmed not less than four (4') feet back from the edge of the street, road or thoroughfare. Bushes and trees with limbs overhanging streets shall be trimmed not less than sixteen (16') feet above the center of the street, road or thoroughfare. It shall be an affirmative defense if a tree trunk larger than six (6") inches is closer than four (4') feet to the edge of the street, and if the trunk is trimmed bare of limbs to a height of not less than sixteen (16') feet above the center of the street, road or thoroughfare. Landscape in an unsafe state of disrepair may include trees or shrubs or vines or brush or ground cover that presents a safety hazard due to death or disease or damage, including damage to passing vehicles and constitute property nuisance and blight.

9. Nuisance Outside Storage: Storage or accumulation outside of an enclosed structure including the storage or accumulation under a front or side entry carport or covered patio or unfinished enclosure or other projecting overhang on any lot, tract or parcel of land or portion thereof of any objectionable, cluttered, impure, unwholesome, filthy, or unsanitary matter including the storage or accumulation of the following items that present health or safety hazards:

A. New, broken, inoperable, deteriorated, dismantled or discarded indoor (non-weather resistant) furniture, appliances, machines, tools, boxes, tool boxes, cartons, lawn maintenance equipment, fertilizer, lawn mulch, and flower or flowerbed additives;

B. New, used, deteriorated or discarded building materials, including, but not limited to loose bricks, stones, fence material or supplies;

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C. Wet, broken or leaking barrels or boxes;

D. New, used, discarded, or broken automotive, truck, lawn maintenance, industrial equipment tools or boat parts or equipment including engines, transmissions, electrical parts, suspension parts, vehicle body parts, batteries, tires, wheels, hubcaps and other motor vehicle parts, discarded boats, discarded tractors, discarded trailers, discarded industrial equipment;

E. Trash, garbage or other refuse; or

F. Any other material which tends to decay or become putrid or provides harborage for rodents and other vermin.

G. Vacant or uninhabited residences, barns, sheds, buildings including commercial buildings shall keep all doors, windows, garage entrances closed and locked to prevent injurious conditions detrimental to the health, safety or welfare of the general public. Inoperable locks, broken doors permitting entrance or broken glass shall be repaired within ten (10) days of verbal or written notification by the City Manager or their designee. Failure to adhere to the aforementioned is a public nuisance.

**Sec. 8.02.005** Exceptions and Affirmative Defenses; Outside Storage

1. The following are exceptions to Nuisance Outside Storage:

A. Building materials stored in a workmanlike manner as part of and in conjunction with, an active building permit and is in compliance with all other city ordinances.

B. Non-hazardous materials or items of any kind:

- (i) awaiting for city trash service;
- (ii) in a container or bag approved by the city, or
- (iii) in an approved location for the city trash service or other trash service pick-up.

2. The following is an affirmative defense for Nuisance Outside Storage:

Outside storage with a legal land use and is in compliance with all other city ordinances.

**Sec. 8.02.006** Notice of Nuisance and Abatement

Whenever the code enforcement officer or his authorized designee finds, upon the recommendation of a duly authorized employee involved in code enforcement, that a nuisance as defined in this Article exists in or on any building, structure or property within the city, he shall advise the property owner, occupant, mortgagee or other person in control of the property of the nuisance and direct him or her to abate the nuisance. The property owner shall be notified of the existence of the nuisance in writing. Such notification shall detail the violations and establish a reasonable abatement period. Notification shall be made by certified mail, return receipt requested if a mailing address is known, and by posting a copy of the notice in a conspicuous place at the subject property. Posting notice on the property shall constitute official notification for purposes of this section. If the letter or written notice is returned by the United States Postal Service as refused or unclaimed, the validity of the notice is not affected, and the notice is considered as delivered

**Sec. 8.02.007** Extension of Time

Whenever an order has been given by the code enforcement officer or his authorized designee to abate or remove any nuisance that may exist upon any lot or premises, under the provisions of this Article, the owner thereof shall have the right, within the period of time given in the order of abatement, to appear at the office of the code enforcement officer or his designee to show cause why such order should not or cannot be complied with, and the code enforcement officer or his designee may, at his discretion, revoke the order of abatement or give such a specific extension of time in a signed written agreement with the city for the abatement or removal of such nuisance as may be necessary, provided that there is no immediate danger to the public health.

**Sec. 8.02.008** Voluntary Abatement

The owner of any building, structure or property found to be a nuisance under the provisions of this chapter may abate the nuisance at any time within the abatement period by repair or removal. The code enforcement officer shall be advised of the abatement and shall inspect the premises to ensure that the nuisance has been abated. Should any of the items which constitute a nuisance be placed on other public or private property without consent from the owner or person in control of such property, such action will constitute a separate violation and appropriate enforcement action shall be taken by the code enforcement officer.

**Sec. 8.02.009** Failure to Voluntarily Abate Nuisance

If a nuisance is not properly abated within the period established under the provisions of this Article, the City Council shall hold a public hearing to determine if the nuisance should be abated under the police powers of the city.

**Sec. 8.02.010** Notice of Public Hearing

A written notice of the public hearing before the City Council shall be served on the property owner at least ten (10) days prior to the date set for the public hearing. Service shall be made upon the owner by personal service, or by certified or registered mail. If there is no known address for the owner, the notice shall be sent in care of the property address, and notice of the hearing shall be published in a newspaper of general circulation in the city at least ten (10) calendar days before the hearing. The failure of any person to receive such notice shall not affect the validity of the proceedings.

**Sec. 8.02.011** Hearing by the City Council

At the public hearing, the City Council shall hear and consider all relevant evidence, objections or protests and shall receive testimony from owners, witnesses, city personnel and interested persons relative to such alleged public nuisance and to proposed abatement measures. The hearing may be continued from time to time.

**Sec. 8.02.012** Decision of the City Council

Following the public hearing, the City Council shall consider all evidence and determine whether the property or any part thereof, constitutes a public nuisance as alleged. If the City Council finds that a public nuisance does exist and that there is sufficient cause to abate the nuisance, the City Council shall make a written order setting forth the findings and ordering the owner or other person having charge or control of the property to abate the nuisance by repair or removal in the manner and by

**ORDINANCE NO. 2016-\_\_\_\_**

the means specifically set forth in that order. The order shall set forth the times within which the abatement shall be completed.

**Sec. 8.02.013** Service of Abatement Order.

Within five (5) days following the decision of the City Council, the property owner or the person having charge or control of the premises shall be served with a copy of the written order in the manner provided in section 8.02.010.

**Sec. 8.02.014** Appeal; Judicial Review

Any owner, lienholder, or mortgagee of record of property jointly or severally aggrieved by an abatement order of the City Council may file in district court a verified petition setting forth that the decision is of the City Council is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be filed by an owner, lienholder, or mortgagee within 30 calendar days after the respective dates a copy of the Abatement Order is personally delivered to them, mailed to them by first class mail with certified return receipt requested, or delivered to them by the United States Postal Service using signature confirmation service, or such Abatement Order shall become final as to each of them upon the expiration of each such 30 calendar day period.

**Sec. 8.02.015** Abatement by Property Owner

The property owner, or person having charge or control of the property, may, at his own expense, abate the nuisance as prescribed by the Abatement Order of the City Council prior to the expiration of the period set forth in section 8.02.014. If the nuisance has been inspected by the code enforcement officer and has been abated in accordance with the order, the proceedings shall be terminated.

**Sec. 8.02.016** Abatement by City.

If a nuisance is not completely abated within the time prescribed in section 8.02.014, the code enforcement officer, City Manager, or other designated city official is authorized and directed to cause the nuisance to be abated by city forces or private contract. In furtherance of this section, the code enforcement officer, City Manager, or their designated agent or private contractor is expressly authorized to enter upon the property to abate the nuisance.

**Sec. 8.02.017** Record of Abatement Costs

1. The code enforcement officer, City Manager, or designee shall keep an account of the costs (including incidental expenses) of abating the nuisance on each separate lot or parcel of land where the work is done and shall report to the building advisory and appeals board showing the cost of abatement of said nuisance, including any salvage value relating thereto.
2. The term "incidental expenses" shall include, but not be limited to, the actual expenses and costs of the city in the preparation of notices, specifications and contracts, inspection of work and costs of printing, mailing and publication required hereunder.

**Sec. 8.02.018** Assessment of Costs Against Property Lien.

1. The total cost of abating such nuisance shall constitute a special assessment against the respective lot or parcel of land to which it relates, and, upon recantation in the office of the county clerk of a notice of lien, as so made and confirmed, shall constitute a lien on said property for the amount of such assessment.

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2. After such confirmation and recordation, a copy of the notice of lien may be turned over to the city tax office, whereupon it shall be the duty of the tax collector to add the amounts of the respective assessments to the next regular city tax bills for said respective lots and parcels of land, and thereafter, said amounts shall be collected at the same time and in the same manner as ad valorem taxes are collected and shall be subject to the same penalties and the same procedure under foreclosure and sale as in the case of delinquent ad valorem taxes.
3. At any time after recordation, such lien may be foreclosed by judicial or other sale in the manner and means provided by law.

**Sec. 8.02.019** Disposition of Certain Articles of Personal Property.

1. The code enforcement officer or designee shall hold any articles of personal property, except motor vehicles, removed during nuisance abatement proceedings, which are still usable for the purpose for which they were originally intended. Any such items which remain in the custody of the city for a period of thirty (30) days without being claimed by the owner, whether known or unknown, may be sold by the city purchasing agent at public auction. Any proceeds from such a sale shall be credited first to costs of abatement of the nuisance and the public auction, if any, and any excess shall be returned to the owner.
2. Any such articles of personal property which are claimed by the owner from the code enforcement officer or designee during such thirty-day period shall be returned only if the owner gives adequate signed written assurances that such property will not continue to be used or stored in such a manner as to constitute a nuisance.
3. Any articles of personal property which are not usable for the purpose for which they were originally intended may be disposed of by the code enforcement officer or designee.

**Sec. 8.02.020** Penalties

1. Any person, firm or corporation who violates, disobeys or omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this chapter shall be fined not more than two thousand dollars (\$2,000.00) for each offense involving fire safety, zoning or public health and sanitation, including dumping of refuse, and shall be fined not more than one thousand dollars (\$1,000.00) for each offense for all other violations of this article.
2. Any person, firm or corporation, whether as owner, agent or lessee or other person having charge or control of any property in the city, who maintains any nuisance in violation of this Article, or who violates any order of abatement served as provided herein, shall be fined not more than two thousand dollars (\$2,000.00) for each offense involving fire safety, zoning or public health and sanitation, including dumping of refuse, and shall be fined not more than one thousand dollars (\$1,000.00) for each offense for any other violations of this article.
3. Any person, firm or corporation who obstructs, impedes or interferes with a representative of the city, with a representative of a city department or with a person who has been ordered to abate a nuisance pursuant to this chapter and is lawfully engaged in such abatement, shall be fined not more than two hundred dollars (\$200.00) for each offense.
4. Each day that a violation occurs or is permitted to exist shall constitute a separate offense.

**SECTION 4. SAVINGS CLAUSE**

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

**SECTION 5. SEVERANCE CLAUSE**

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

**SECTION 6. INCORPORATION INTO THE CODE OF ORDINANCES**

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

**SECTION 7. EFFECTIVE DATE**

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

**SECTION 8. PUBLICATION**

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

**PASSED, ADOPTED AND APPROVED** by the City Council of Ovilla, Texas on this the

\_\_\_\_\_ day of \_\_\_\_\_, 2016.

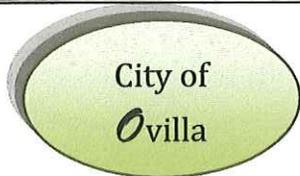
\_\_\_\_\_  
Richard Dormier, Mayor

**ATTEST:**

\_\_\_\_\_  
Pamela Woodall, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Ron G. MacFarlane, Jr., City Attorney



## AGENDA ITEM REPORT

Item: 9

Meeting Date: December 14, 2015

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Dennis Burn, CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant  Other

### Attachments:

Proposed Ordinance  
Excerpts from Chapter 3 of the Ovilla Code of Ordinances: Sections 3.06.003 (f) and 3.06.005  
Legal Counsel suggestions

### Agenda Item / Topic:

**ITEM 9.**      **DISCUSSION/ACTION** – Review and deliberate a proposed ordinance amending Chapter 3, Article 3.06 Division 1, Section 3.06.003(f), providing restrictions on the placement of signs; providing for exceptions to the restrictions on placement of signs and direct staff as necessary.

### Discussion / Justification:

There were changes in the law with regard to placing political signs in/on public property. The City must allow political signs on public property during election periods and outside a certain distance from polling places. Our current ordinance (Section 3.06.003(f)) prohibits signs in public rights-of-way and vacant lots (without the owner's permission), with the exception of real estate directions signs which can be posted on the weekends (noon Friday until noon Monday). The statute that allows for political signs during election periods only addresses signs on the premises of a public building being used as a polling place. In other words, we can prohibit political signs and all other signs on all public property, except for political signs on the premises of a public building being used as a polling place.

There is no statutory provision that would allow us to control the number of political signs that could be posted, but we can have some other reasonable regulations concerning the time, manner and place of such signs.

A sample ordinance is included with options from Ron MacFarlane for additional restrictions.

### Recommendation / Staff Comments:

### Sample Motion(s):

*I move to direct staff to proceed with an ordinance amending Chapter 3, Article 3.06 Division 1, Section 3.306003(f), providing restrictions on the placement of signs as presented.*

OR

*I move to direct staff to proceed with an ordinance amending Chapter 3, Article 3.06 Division 1, Section 3.306003(f), providing restrictions on the placement of signs with the following additional restrictions:*

- 1.
- 2.
- 3.

ORDINANCE NO. 2015-\_\_\_\_

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING CHAPTER 3, ARTICLE 3.06, DIVISION 1, SECTION 3.06.003(F) OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS, PROVIDING RESTRICTIONS ON THE PLACEMENT OF SIGNS; PROVIDING FOR EXCEPTIONS TO THE RESTRICTIONS ON PLACEMENT OF SIGNS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE, PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

**WHEREAS**, the City of Ovilla, Texas, is a Type-A General Law Municipality within the State of Texas; and

**WHEREAS**, the City Council of the City of Ovilla, Texas, finds and determines that placement of signs on public property should be restricted, subject to certain limited exceptions; and

**WHEREAS**, the City Council of the Ovilla, Texas, finds and determines that it is in the best interest of the public health, safety and general welfare of the citizens of Ovilla, Texas, to amend the City's current sign ordinance to restrict the placement of signs on public property, subject to certain limited exceptions.

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

**SECTION 1. AMENDMENT OF CHAPTER 3, ARTICLE 3.06, DIVISION 1, SECTION 3.06.003(F) OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA, TEXAS**

Chapter 3, Article 3.06, Division1, Section 3.06.003(f) of the Code of Ordinances of the City of Ovilla, Texas is hereby amended to read as follows:

**3.06.003 General Standards**

\* \* \*

(f) Placement of signs.

(1) Restrictions. No person, firm, corporation or other entity shall erect, place or cause to be erected or placed any sign on public property, including, but not limited to, signs attached to any public utility pole or structure, street light, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, in a public right-of-way, or any other location on public property. No sign shall be erected or placed on a vacant lot or tract unless written permission has been given by the property owner and such documentation is provided to an official or officer of the City upon request.

(2) Exceptions.

(a) The section does not prohibit the posting of political signs during a voting period on the premises of a public building being used as a polling place or early voting polling place if posted outside the area of one hundred (100)

**ORDINANCE NO. 2015-\_\_\_\_**

feet from an outside door through which a voter may enter the polling place. A voting period shall mean the "voting period" defined in Section 61.003(b) of the Texas Elections Code and the "early voting period" defined in Section 85.001 of the Texas Elections Code.

- (b) Real estate directional signs permitted herein and which meet the requirements of state law may be posted in public rights-of-way no earlier than 12:00 noon on Friday and must be removed no later than 12:00 noon on Monday. If either Friday or Monday is a holiday, the permitted hours shall be extended to include any such holiday. Such signs shall be posted no closer than fifty (50) feet to any street intersection.

**SECTION 2. SAVINGS CLAUSE**

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

**SECTION 3. SEVERANCE CLAUSE**

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

**SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES**

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

**SECTION 5. EFFECTIVE DATE**

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

**SECTION 6. PUBLICATION**

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

**PASSED, ADOPTED AND APPROVED** by the City Council of Ovilla, Texas on this the

\_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Richard Dormier, Mayor

**ORDINANCE NO. 2015-\_\_\_\_\_**

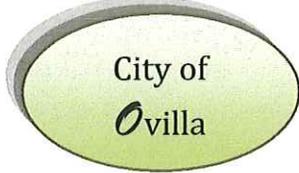
**ATTEST:**

\_\_\_\_\_  
Pamela Woodall, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Ron G. MacFarlane, Jr., City Attorney





# Ovilla City Council

## AGENDA ITEM REPORT

Item: 10

Meeting Date: December 14, 2015

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Dennis Burn, CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other

<b>Attachments:</b>	
City Manager Performance Evaluation	
<b>Agenda Item / Topic:</b>	
ITEM 10.	<i>DISCUSSION/ACTION</i> – Deliberate the appointment, employment, evaluation, reassignment and/or duties of the City Manager.
<b>Discussion / Justification:</b>	
<b>Recommendation / Staff Comments:</b>	
<b>Sample Motion(s):</b>	
I move to ...	

# CERTIFIED EXECUTIVE SESSION AGENDA

Date: 14 December 2015

\*\*\*\*\*

I, Richard Dormier, Mayor of the City of Ovilla, Texas hereby convene into Executive Session at \_\_\_\_ p.m. on the 14 day of December 2015.

The following Council Members and staff attended:

Council Members

Staff Members

Other

\_\_\_\_ Mayor, Richard Dormier  
\_\_\_\_ Place 3, David Griffin  
\_\_\_\_ Place 1, Rachel Huber  
\_\_\_\_ Place 2, Larry Stevenson  
\_\_\_\_ Place 4, Doug Hunt  
\_\_\_\_ Place 5, Dean Oberg

\_\_\_\_ Dennis Burn, City Manager  
\_\_\_\_ P. Woodall, City Secretary  
\_\_\_\_ \_\_\_\_\_

\_\_\_\_ City Attorney, Ron MacFarlane  
\_\_\_\_ Other Legal Counsel

***The following is an agenda of an Executive Session of the City of Ovilla, Texas, held pursuant to the Texas Open Meetings Act, Government Code Section:***

____ 551.071 - Consultation w/Attorney	____ 551.072 - Real Property
____ 551.073 - Deliberations about Gift	<u>X</u> 551.074 - Personnel Matters
____ 551.076 - Security Personnel or Devices	____ 551.086 - Test item (SB 595)
____ 551.087 - Economic Development Negotiations (SB1851)	
____ 418.183 - Homeland Security	

Said Executive Session has been conducted in order to deliberate on the following matters:

Closed Meeting called pursuant to Texas Government Code § 551.074 - Personnel Matters.  
ITEM 10. **DISCUSSION/ACTION** - Deliberate the appointment, employment, evaluation, reassignment and/or duties of the City Manager.

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

**I, Richard Dormier, Mayor, hereby adjourn the Executive Session at \_\_\_\_ p.m. on the 14 day of December 2015. No Action was taken in Executive Session. Any action, as a result of this Executive Session, will be taken and recorded in open session.**

I certify that this agenda is a true and accurate record of the proceedings.

\_\_\_\_\_  
Richard Dormier, Mayor