

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, January 11, 2016

6:00 P.M.

Council Chamber Room

AGENDA

I. CALL TO ORDER

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

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

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

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

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. 50/50 Sidewalk policy

IV. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the January 11, 2016 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.org, on the 08th day of January 2016 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



Pamela Woodall, City Secretary

DATE OF POSTING: 01-08-2016 TIME: 10:00 am/pm
DATE TAKEN DOWN: _____ TIME: _____ am/pm

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

DRAFT

50/50 SIDEWALK REPLACEMENT PROGRAM

The City of Ovilla offers property owners the opportunity to improve the appearance and safety of their homes and neighborhoods with the 50/50 Sidewalk Replacement Program.

SIDEWALK CONSTRUCTION STANDARD

Sidewalks in subdivision developments shall be a minimum of forty-eight inches wide with 4-inch-thick concrete and be constructed with NCTCOG class A concrete with 3/8-inch reinforcing bars on 24-inch centers each way. Sidewalks along thoroughfares shall be 60 inches wide.

HOW DOES THE PROGRAM WORK?

Under the 50/50 Sidewalk Replacement Program the City pays half the cost of replacing the eligible sidewalk with the property owner(s) paying the other 50 percent. The program covers all public sidewalks in the City including those in front of homes, businesses, churches and schools.

WHO IS ELIGIBLE FOR THE PROGRAM?

Any private property in the City of Ovilla, residential or business, is eligible for the program. The City is now accepting applications for the 2015 sidewalk repairs and will assist you with your questions. Please contact us by calling 972-617-7262.

WHAT SIDEWALK IS COVERED?

Main sidewalk that is deteriorated and unsafe is eligible for the 50/50 cost sharing. Private lead walks extending from the street curb to the main sidewalk and private service walks extending from the main walk to the home or business are the sole responsibility of the owner. The City assumes the total cost for ADA wheel chair ramps at intersecting streets.

WHAT WILL IT COST ME?

The total cost for sidewalk removal and replacement is approximately \$10.00 per square foot. The City and the applicant will each be responsible for one-half of the cost. For instance, a 4-foot wide by 100-foot long sidewalk is 400 square feet. 400 square feet times \$10.00 per square foot equals \$4,000.00. The City and the applicant will each pay \$2,000.00.

The cost will be reviewed and revised (as needed) each year based on competitive bids received by the City.

WHAT IS THE PROCEDURE FOR PARTICIPATION?

1) Register to be placed on the 50/50 Sidewalk Program list by contacting Ovilla City Hall.

2) City staff will visit the site(s) to take measurements and determine eligibility for inclusion in a project list.

3) Once a project list is established, it is bid, a contractor is selected, and unit costs are finalized. Property owner(s) are contacted with any additional instructions including a final estimate of costs.

4) After the property owner(s) has/have agreed to a quantity for replacement, the property owner(s) is/are invoiced by the City. Payment can be made at City Hall which accepts a variety of payment forms.

WHO DOES THE WORK AND WHEN?

The contractor selected by the City, through competitive bidding, will perform the work when weather conditions are acceptable and in consideration of the contractor's schedule. The City will inspect and approve all replacement work after it is completed before paying the contractor for the project.

DRAFT

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Dean Oberg, Place Five
Dennis Burn, City Manager

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, January 11, 2016

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, January 11, 2016 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 LICENSE HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

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- Invocation
- Pledge of Allegiance

II. COMMENTS, PRESENTATIONS & REPORTS

Mayor to discuss recent tornado event.

▪ Citizen Comments

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

▪ Department Activity Reports / Discussion

- | | |
|---------------------------|---------------------------------|
| • Police Department | Police Chief B. Windham |
| ○ Monthly Report | |
| • Fire Department | Fire Chief B. Kennedy |
| ○ Monthly Report | |
| • Public Works | Public Works Director B. Piland |
| ○ Monthly Report | |
| • Finance Department | Accountant L. Harding |
| ○ October 2015 Financials | |
| • Administration | City Manager D. Burn |
| ○ Activity Report(s) | |

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-
- o Monthly Municipal Court Report City Secretary P. Woodall
 - o Monthly Code/Animal Control Reports Code/AC Officer M. Dooly
 - ❖ Permits

III. CONSENT AGENDA

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

- C1. November 2015 Financial Transactions over \$5,000
- C2. Committed Fund Balance Report for quarter ending 12/31/2015
- C3. Minutes of the Council Briefing Session and Regular Meeting of December 14, 2015.

IV. REGULAR AGENDA

- ITEM 1. **DISCUSSION/ACTION** – Consideration of and Action on Ordinance 2016-001, of the City of Ovilla, TX, 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.
- ITEM 2. **DISCUSSION/ACTION** – Consideration of and Action on Ordinance 2016-002, 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.
- ITEM 3. **DISCUSSION/ACTION** – Consideration of and Action on an Interlocal Agreement by and between the City of Frisco, Texas and the City of Ovilla, Texas, for the purchase of goods and services, effective upon execution and authorizing the City Manager to execute said agreement.
- ITEM 4. **DISCUSSION/ACTION** – Consideration of and Action on an Agreement by and between the City of Ovilla and Kim Dobbs, Consultant, to provide professional urban planning services to the City of Ovilla, effective upon execution and authorizing the Mayor to execute said agreement.

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).

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

VI. ADJOURNMENT

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Pamela Woodall, City Secretary

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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

	December 2015	December 2015 YTD	December 2014	December 2014 YTD
Calls For Service				
Accident	2	30	2	32
Alarms	15	165	13	217
Arrest	3	31	2	26
Assault	0	5	0	4
Assists	29	310	29	342
Building / House Security Check	1425	16232	1591	17533
Burgulary	1	5	0	7
Burgulary of Motor Vehicle	0	3	0	1
Criminal Mischief	1	9	0	8
Disturbance	12	85	12	87
Neighborhood Check	1553	19293	1863	18198
Other Calls for Service	41	1155	123	1519
Suspicious Person	6	56	7	86
Suspicious Vehicle	3	102	17	115
Theft	2	22	0	24
Traffic Assignment	42	223	23	140
TOTAL CALLS FOR SERVICE	3135	37726	3682	38339

Reserve Officer Hours	26.25	458.75	30.5	658.75
Average Response Time (Minutes)	6.08	4.32222222	4.5	4.13
Traffic Stop (Warnings)	53	382	84	583
Traffic Stop (Citations)	33	280	21	426
Total Citations & Warnings Combined	86	662	105	1009
PERCENT OF STOPS RECEIVING CITATIONS	38.4	42.3	20.0	42.2

November-15				December-15			
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	94574	94894.5	320.5	100	94894.5	95612	717.5
102	101300	101742	442	102	101742	103886	2144
103	118858	120155	1297	103	120155	121749	1594
104	79698.2	81,188.00	1489.8	104	81188	81995	807
105	71615	72725	1110	105	72725	74127	1402

Ovilla City Council Monthly Report for Fire Department - December 2015

City of Ovilla Calls for Service	2014 Totals		2015 Totals
Fire 7		Fire 10	
EMS 15	22	EMS 15	25
ESD #2 Calls for Service			
Fire 3		Fire 16	
EMS 12	15	EMS 4	20
ESD #4 Calls for Service			
Fire 0		Fire 3	
EMS 0	0	EMS 5	8
Mutual Aid Provided			
Fire 10		Fire 6	
EMS 6	16	EMS 1	7
Total Calls For Service / Month	53		60
Total Calls For Service / YTD	639		714

	Time from Notify to Time On Scene		Reaction Times		
	<u>NOVEMBER</u>	<u>DECEMBER</u>	<u>NOVEMBER</u>	<u>DECEMBER</u>	
Average Response Times for City of Ovilla	5:34	5:05			
Average Response Times for ESD # 2	9:05	5:54	E-701	2:18	1:46
Average Response Times for ESD # 4	9:12	9:14	E-702	2:08	1:38

From the Deputy Chief / Fire Marshal

2 meetings
 Fire alarm inspection
 Re inspection
 Tornado Response
 MISD Consult

Fire Department News For the Month

- ESD #2 Updated Contract to include language on the new Engine.
- January 22, 2015 Ovilla Fire Banquet at The Vertical Church at 6:30 pm.
- Ovilla had 13 dispatched runs for the Tornado event between 1800 and 0300 hours. 3 part time and 2 Volunteers responded to call back for the event. Other calls were also taking place outside of the 13 dispatch's we had so we had to have Mutual Aid Company's help out. Overall Chief Lindsey, the Crew On Duty and the personnel that came in, did an exceptional job with this large scale event.
- C-701 responded to 6 calls this month for Command Support
- C-702 responded to 3 calls this month for Command Support and was involved with command for the Tornado Event
- Current staffing, 2-Chiefs, 4-Captains, 25-Part Time Firefighters, 10-Volunteer Firefighters.



Date: January 7, 2016

TO: Honorable Mayor and City Council Members

FROM: Brad Piland Public Works Director

TOPIC: Public Works Monthly Report for December 2015

- 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 meter: 602 Williams
- Street repairs: Red Oak Creek Road, Shiloh Road, Johnson Lane, Main Street and Cockrell Hill Road
- Repaired sewer cleanout on Ovilla Road
- Christmas decorations
- Christmas Tree Lighting at Heritage Park
- Cleared trees from roadways after storm
- Street sign maintenance and repairs
- 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:
 - 608 Georgetown

- ❖ Jimmy Bryan:
 - Serviced PD Units: 102,104,105
 - Serviced 2008 Chev public works truck

****Flushed Hydrants**

- Collected water samples for TCEQ reporting
- Water maintenance – routine flushing of mains and hydrant
- Meter box repaired and replaced lids as needed



DATE: January 11, 2016

TO: Honorable Mayor and Council Members
Dennis Burn, City Manager

FROM: Linda Harding, City Accountant

SUBJECT: Accounting Department Report

November Financial Report Notes:

November report will include the \$323,904.00 payment to Old Castle for pavement work done. The General Fund is at 26% of budget, which is 9% over the average through the month of November. This is due to the Pavement work completed by Old Castle. The Water and Sewer are at 14% of budget, which is 3% below average for the time period.

Highlights of special projects:

A team from Yeldell, Wilson & Co., P.C. started the audit procedures. The team completed their visual inspection of documents in roughly 12 days. Yeldell's first review was being completed as the sections of the audit were being completed by the on-site team. The auditors will complete additional reviews January / February.

Council reports, A/P, P/R, A/R, EOM reports, various accounting obligations, and completed instructions given by City Manager.

Currently under review or development

- a. Review and updated the equipment list as presented by Departments.
- b. Collected documents required in audit process and assisted auditors.

Other Items:

Examining the various funds, ordinances, resolutions, accounting files.



DATE: January 11, 2016

TO: Honorable Mayor and Council Members

FROM:
Linda Harding, Accountant

SUBJECT: Financial Statements Through November 2015

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

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
Revenues					
4000100 - Taxes					
4000105 - Ad Valorem, Current	102,608	103,389	1,481,056	(1,377,667)	7%
4000110 - Ad Valorem, Delinquent	565	1,170	12,366	(11,196)	9%
4000113 - Interest/Penalties - Prop Tax	104	208	4,833	(4,625)	4%
4000120 - Sales Tax	19,983	34,500	163,676	(129,176)	21%
4000125 - Sales Tax - Street Improvement	4,996	8,625	40,919	(32,294)	21%
4000130 - Franchise Tax	11,744	11,758	150,000	(138,242)	8%
Total 4000100 - Taxes	140,000	159,649	1,852,850	(1,693,201)	9%
4000200 - Licenses and Permits					
4000208 - Building Permits					
4000210 - Residential Building Permits	0	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	1,830	4,236	16,070	(11,834)	26%
Total 4000208 - Building Permits	1,830	5,985	133,320	(127,335)	4%
4000230 - Plan Review Fee	77	598	65,000	(64,402)	1%
4000260 - Alarm Permits	170	340	2,400	(2,060)	14%
4000270 - Animal Tag Fees	324	468	2,600	(2,132)	18%
4000272 - Impound Fees	100	310	1,400	(1,090)	22%
4000290 - Misc Licenses and Permits	90	180	1,000	(820)	18%
Total 4000200 - Licenses and Permits	2,592	7,881	205,720	(197,839)	4%
4000400 - Charges for Services					
4000325 - ESD #2	0	2,100	160,000	(157,900)	1%
4000330 - ESD #4	0	0	55,628	(55,628)	0%
4000411 - Copies and Maps	22	23	100	(78)	23%
4000415 - Police Reports	6	6	150	(144)	4%
4000420 - Park Lights	0	0	1,000	(1,000)	0%

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

	Current		Year to Date		\$ Over (Under) Budget	% of Budget Thru November 17%
	November 2015	Oct 2015 - Nov 2015	Budget	Budget		
4000440 · Oak Leaf Animal Control	220	530	800	(270)	66%	
4000450 · Subdivision Fees	0	0	5,000	(5,000)	0%	
4000480 · Solid Waste (Garbage)	0	17,747	253,793	(236,046)	7%	
4000485 · 50/50 Sidewalk Program	0	0	2,500	(2,500)	0%	
4000490 · Misc Charges for Services	325	1,020	2,500	(1,480)	41%	
Total 4000400 · Charges for Services	573	21,425	481,471	(460,046)	4%	
4000500 · Fines and Forfeitures						
4000535 · Omni Warrant Revenue	312	338	500	(162)	68%	
4000510 · Fines - Police	7,049	11,970	62,000	(50,030)	19%	
4000520 · Fines - Animal Control	0	0	1,000	(1,000)	0%	
4000525 · Fines - Code Enforcement	0	3,732	3,330	402	112%	
4000550 · Municipal Court Technology	84	170	1,300	(1,130)	13%	
4000551 · Municipal Court Security	63	127	1,000	(873)	13%	
4000590 · Misc Fines and Forfeitures	0	0	400	(400)	0%	
Total 4000500 · Fines and Forfeitures	7,508	16,337	69,530	(53,193)	23%	
4000800 · Other Revenue						
4000810 · Heritage Day	700	4,260	19,000	(14,740)	22%	
4000818 · Lease Proceeds	0	0	1,165	(1,165)	0%	
4000820 · Water Tower Lease	4,020	10,483	100,000	(89,517)	10%	
4000840 · Interest Earned	500	1,083	6,000	(4,917)	18%	
4000870 · Insurance Proceeds	0	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%	
Total 4000800 · Other Revenue	5,220	15,987	151,865	(135,878)	11%	
4000900 · Transfers In						
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 November 2015**

	Current		Year to Date	Budget	\$ Over (Under) Budget	% of Budget Thru November 17%
	November 2015	Oct 2015 - Nov 2015				
4000940 · Admin.Rev. Rec. from MDD Fund	0	0		500	(500)	0%
4000990 · Reduction in Fund Balance	0	0		163,300	(163,300)	0%
Total Revenues	155,893	221,279		3,019,023	(2,797,744)	7%
Gross Resources	155,893	221,279		3,019,023	(2,797,744)	7%
Expenditures						
10 · Administration						
5101100 · Salaries & Wages						
5101110 · City Administrator	6,338	12,677		61,800	(49,123)	21%
5101115 · City Secretary	4,202	8,405		39,398	(30,993)	21%
5101117 · City Accountant	3,917	7,834		37,080	(29,246)	21%
5101120 · Admin. Support	2,357	4,714		22,308	(17,594)	21%
5101130 · Merit Raises, Staff	0	0		4,818	(4,818)	0%
Total 5101100 · Salaries & Wages	16,815	33,630		165,404	(131,774)	20%
5101400 · Support Staff						
5101490 · Overtime	0	0		625	(625)	0%
Total 5101400 · Support Staff	0	0		625	(625)	0%
5102100 · Employee Benefits						
5102112 · Affordable Health Care Act Fee	0	0		0	0	0%
5102110 · Group Insurance	0	2,649		32,665	(30,016)	8%
5102135 · TMRS	1,503	3,007		19,650	(16,643)	15%
5102160 · Worker's Compensation	0	197		790	(593)	25%
5102170 · Payroll Taxes	229	458		3,198	(2,740)	14%
5102180 · Unemployment Taxes	0	2,790		1,000	1,790	279%
5102196 · Indiv. Membership Dues	26	121		1,800	(1,679)	7%
Total 5102100 · Employee Benefits	1,758	9,221		59,103	(49,882)	16%
5102200 · Special Services						

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

	Current		Year to Date		\$ Over (Under) Budget	% of Budget Thru November 17%
	November 2015	Oct 2015 - Nov 2015	Budget	Budget		
5102210 · Tax Assessing & Collecting Fees	3,750	3,750	1,570	2,180	239%	
5102220 · Tax Appraisal Fee	0	0	14,000	(14,000)	0%	
5102230 · Legal Fees	0	30	25,000	(24,970)	0%	
5102240 · Audit	0	0	7,920	(7,920)	0%	
5102250 · Accounting	265	265	2,000	(1,735)	13%	
5102260 · Engineering Fees	0	0	5,000	(5,000)	0%	
Total 5102200 · Special Services	4,015	4,045	55,490	(51,445)	7%	
5102300 · Contractual Services						
5102310 · Consultant Fees	0	0	20,000	(20,000)	0%	
Total 5102300 · Contractual Services	0	0	20,000	(20,000)	0%	
5102500 · Operating Services						
5102530 · Custodial Service Contract	344	688	4,500	(3,812)	15%	
5102540 · IT - Computer Maintenance	1,690	3,160	22,600	(19,440)	14%	
Total 5102500 · Operating Services	2,034	3,848	27,100	(23,252)	14%	
5102600 · Special Expenses						
5102610 · Election - Payroll	0	0	850	(850)	0%	
5102620 · Election - Supplies	48	48	2,500	(2,452)	2%	
5102630 · Election Meeting Expense	0	0	100	(100)	0%	
5102650 · Codification Book Update	0	0	3,500	(3,500)	0%	
Total 5102600 · Special Expenses	48	48	6,950	(6,902)	1%	
5103100 · General Supplies						
5103110 · Office Supplies	374	1,019	8,000	(6,981)	13%	
5103140 · Uniforms	0	0	250	(250)	0%	
Total 5103100 · General Supplies	374	1,019	8,250	(7,231)	12%	
5103400 · Maintenance Supplies / Parts						

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

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
5103410 · Supplies - Custodial	133	425	1,000	(575)	42%
5103440 · Maintenance Agreement Expense	0	0	400	(400)	0%
5103460 · Miscellaneous	106	106	100	6	106%
Total 5103400 · Maintenance Supplies / Parts	239	531	1,500	(969)	35%
5104200 · Travel Expenses					
5104210 · Travel - Local	0	0	500	(500)	0%
5104220 · Professional Development	20	445	5,000	(4,555)	9%
5104222 · Professional Develop - Council	0	0	1,200	(1,200)	0%
5104225 · City Council Meal Expense	0	44	1,200	(1,156)	4%
5104230 · Professional Develop - In-House	0	0	500	(500)	0%
Total 5104200 · Travel Expenses	20	489	8,400	(7,911)	6%
5105200 · Data Processing Expenses					
5105230 · Data Proc-Maintenance & Repair	182	884	6,000	(5,116)	15%
5105240 · Data Processing - Software	2,175	3,958	13,300	(9,342)	30%
Total 5105200 · Data Processing Expenses	2,357	4,843	19,300	(14,457)	25%
5105300 · Printing Expense					
5105310 · Copier Expense	440	924	3,300	(2,376)	28%
5105320 · Printing - Newsletters	70	848	6,000	(5,152)	14%
5105330 · Printing - Forms	56	266	1,500	(1,234)	18%
Total 5105300 · Printing Expense	567	2,038	10,800	(8,762)	19%
5105400 · Utilities					
5105410 · Telephone	110	220	1,400	(1,180)	16%
5105415 · Cellular Phone	121	243	2,680	(2,437)	9%
5105417 · Internet	102	203	840	(637)	24%
5105420 · Wireless Cards	76	152	1,100	(948)	14%
5105450 · Electricity	285	632	4,635	(4,003)	14%

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

	Current		Year to Date	Budget	\$ Over (Under) Budget	% of Budget Thru November 17%
	November 2015	Oct 2015 - Nov 2015				
Total 5105400 · Utilities	694	1,450	10,655	(9,205)	14%	
5105500 · Repairs & Bldg Improvements						
5105520 · Repairs - Buildings	18	2,536	3,000	(464)	85%	
5105540 · Repairs - Machinery & Equipment	0	0	500	(500)	0%	
5105590 · Repairs - Other	0	0	500	(500)	0%	
Total 5105500 · Repairs & Bldg Improvements	18	2,536	4,000	(1,464)	63%	
5105600 · Insurance						
5105610 · Insurance - Property	0	277	1,110	(833)	25%	
5105620 · Insurance - Liability	0	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%	
Total 5105600 · Insurance	0	578	3,615	(3,037)	16%	
5105700 · Other Expenses						
5105756 · FM 664	0	23,928	24,000	(72)	100%	
5105705 · Postage	325	1,150	7,000	(5,850)	16%	
5105710 · Cash - Over/Short	0	0	10	(10)	0%	
5105725 · Records Management Expense	0	0	4,000	(4,000)	0%	
5105730 · City - Memberships	0	300	2,500	(2,200)	12%	
5105740 · Legal Notices/Advertisement	534	1,518	9,000	(7,482)	17%	
5105752 · Employment Screening	0	0	400	(400)	0%	
5105760 · Bank Service Charge	164	164	25	139	655%	
5105764 · Filing Fees	0	0	500	(500)	0%	
5105765 · Miscellaneous	47	97	2,000	(1,903)	5%	
Total 5105700 · Other Expenses	1,070	27,157	49,435	(22,278)	55%	
5106400 · Minor Capital Outlay						
5106440 · Machinery & Equipment	0	0	2,000	(2,000)	0%	

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

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
5106465 · Furniture	0	940	1,000	(60)	94%
Total 5109000 · Reserves	0	0	61,212	(61,212)	0%
Total 10 · Administration	30,009	92,372	514,839	(422,467)	18%
20 · Police					
5201100 · Salaries & Wages					
5201120 · Police Chief	5,385	10,769	70,000	(59,231)	15%
5201143 · Command Staff	4,120	8,240	52,000	(43,760)	16%
5201150 · Certification Pay	0	0	2,400	(2,400)	0%
5201180 · Merit Raises - Staff	0	0	3,660	(3,660)	0%
Total 5201100 · Salaries & Wages	9,505	19,009	128,060	(109,051)	15%
5201400 · Support Salaries					
5201405 · Support Staff	2,142	4,285	27,040	(22,755)	16%
5201410 · Patrol	13,027	31,532	289,090	(257,558)	11%
5201415 · Certification Pay	69	138	1,636	(1,498)	8%
5201480 · Merit Raises	0	0	1,281	(1,281)	0%
5201490 · Overtime	1,539	3,394	15,000	(11,606)	23%
Total 5201400 · Support Salaries	16,778	39,349	334,047	(294,698)	12%
5202100 · Employee Benefits					
5202110 · Group Insurance	350	4,706	76,313	(71,607)	6%
5202135 · TMRS	2,284	5,114	38,775	(33,661)	13%
5202160 · Worker's Compensation	0	2,781	11,126	(8,345)	25%
5202170 · Payroll Taxes	423	909	7,926	(7,017)	11%
5202196 · Membership Dues	0	235	315	(80)	75%
Total 5202100 · Employee Benefits	3,058	13,745	134,455	(120,710)	10%
5202300 · Contractual Services					
5202355 · Contract Labor - Individual	0	0	500	(500)	0%

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Actual vs Budget Review
October 2015 through November 2015**

	Current		Year to Date	Budget	\$ Over (Under) Budget	% of Budget Thru November 17%
	November 2015	Oct 2015 - Nov 2015				
5202356 · Gingerbread House	0	1,000	1,000	1,000	0	100%
5202380 · Dispatch	0	7,263	13,566	13,566	(6,304)	54%
5202385 · Jail Expense	0	0	1,000	1,000	(1,000)	0%
5202390 · Special Response Team	0	0	1,000	1,000	(1,000)	0%
5202395 · Contractual Services Other	0	0	1,000	1,000	(1,000)	0%
Total 5202300 · Contractual Services	0	8,263	18,066	18,066	(9,804)	46%
5202500 · Operating Services						
5202530 · Custodial Service Contract	235	470	0	0	470	100%
5202540 · Computer Maintenance	0	0	700	700	(700)	0%
5202560 · Internet Subscriptions	0	0	1,350	1,350	(1,350)	0%
Total 5202500 · Operating Services	235	470	2,050	2,050	(1,580)	23%
5202600 · Special Expenses						
5202675 · National Night Out	0	0	500	500	(500)	0%
Total 5202600 · Special Expenses	0	0	500	500	(500)	0%
5203100 · General Supplies						
5203110 · Office Supplies	53	439	2,000	2,000	(1,561)	22%
5203140 · Uniforms	650	650	9,000	9,000	(8,350)	7%
5203170 · Evidence Gathering	7	8	700	700	(692)	1%
Total 5203100 · General Supplies	710	1,097	11,700	11,700	(10,603)	9%
5203400 · Maintenance Supplies & Parts						
5203410 · Supplies - Custodial	33	33	600	600	(567)	5%
Total 5203400 · Maintenance Supplies & Parts	33	33	600	600	(567)	5%
5204200 · Travel Expenses						
5204210 · Travel - Local	0	0	1,000	1,000	(1,000)	0%
5204220 · Professional Development	0	0	2,500	2,500	(2,500)	0%

**City of Ovilla General Fund
Actual vs Budget Review
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	Current		Year to Date	Budget	\$ Over (Under) Budget	% of Budget Thru November 17%
	November 2015	Oct 2015 - Nov 2015				
5204225 · Professional Dev - LEOSE	0	0	2,000	(2,000)	0%	
5204270 · Vehicle Expenses	1,057	2,456	24,000	(21,544)	10%	
Total 5204200 · Travel Expenses	1,057	2,456	29,500	(27,044)	8%	
5205200 · Data Processing Expenses						
5205240 · Data Processing - Software	0	17,851	17,500	351	102%	
Total 5205200 · Data Processing Expenses	0	17,851	17,500	351	102%	
5205300 · Printing Expenses						
5205310 · Copier Expense	84	169	1,500	(1,331)	11%	
5205330 · Printing - Forms	150	150	300	(150)	50%	
5205350 · Printing - Other	0	125	400	(275)	31%	
Total 5205300 · Printing Expenses	234	444	2,200	(1,756)	20%	
5205400 · Utilities						
5205410 · Telephone	110	220	1,600	(1,380)	14%	
5205415 · Cellular Phone	106	212	1,350	(1,138)	16%	
5205417 · Internet - PD	102	203	1,475	(1,272)	14%	
5205420 · Wireless Cards	228	456	2,750	(2,294)	17%	
5205450 · Electricity	217	454	4,500	(4,046)	10%	
Total 5205400 · Utilities	763	1,545	11,675	(10,130)	13%	
5205500 · Repairs & Building Improvements						
5205520 · Repairs - Building	0	19	3,032	(3,013)	1%	
5205540 · Repairs- Machinery & Equipment	0	0	1,200	(1,200)	0%	
5205550 · Repairs - Vehicles	79	1,102	8,000	(6,898)	14%	
Total 5205500 · Repairs & Building Improvements	79	1,121	12,232	(11,111)	9%	
5205600 · Insurance						
5205610 · Insurance - Property	0	412	1,650	(1,238)	25%	

**City of Ovilla General Fund
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October 2015 through November 2015**

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
5205620 · Insurance - Liability	0	1,378	5,515	(4,137)	25%
5205640 · Insurance - Vehicle	0	607	2,430	(1,823)	25%
Total 5205600 · Insurance	0	2,398	9,595	(7,197)	25%
5205700 · Other Expenses					
5205742 · Public Relations	87	87	200	(113)	43%
5205752 · Employment Screening	257	522	1,000	(478)	52%
5205765 · Miscellaneous	0	0	1,620	(1,620)	0%
Total 5205700 · Other Expenses	344	609	2,820	(2,211)	22%
5206400 · Minor Capital Outlay					
5206440 · Machinery & Equipment	240	240	2,000	(1,760)	12%
5206445 · Personal Protective Equipment	0	0	2,000	(2,000)	0%
5206450 · Vehicles	0	0	40,000	(40,000)	0%
Total 5206400 · Minor Capital Outlay	240	240	44,000	(43,760)	1%
Total 20 · Police	33,035	108,630	759,000	(650,370)	14%
25 · Municipal Court					
5251100 · Salaries & Wages					
5251140 · Municipal Judge	585	1,170	7,000	(5,830)	17%
Total 5251100 · Salaries & Wages	585	1,170	7,000	(5,830)	17%
5251400 · Support Staff					
5251405 · Support Staff	2,590	5,181	32,692	(27,511)	16%
5251420 · Jury Fees	0	0	200	(200)	0%
5251425 · City Prosecutor	0	571	8,500	(7,929)	7%
5251480 · Merit Raises	0	0	981	(981)	0%
5251490 · Overtime	85	134	1,400	(1,266)	10%
Total 5251400 · Support Staff	2,675	5,886	43,773	(37,887)	13%

**City of Ovilla General Fund
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October 2015 through November 2015**

	Current		Year to Date	Budget	\$ Over (Under) Budget	% of Budget Thru November 17%
	November 2015	Oct 2015 - Nov 2015				
5252100 - Employee Benefits						
5252110 - Group Insurance		0	662	8,166	(7,504)	8%
5252135 - TMRS		239	475	3,000	(2,525)	16%
5252160 - Worker's Compensation		0	46	186	(140)	25%
5252170 - Payroll Taxes		39	77	488	(411)	16%
5252196 - Membership Dues		0	0	25	(25)	0%
Total 5252100 - Employee Benefits		278	1,261	11,865	(10,604)	11%
5252300 - Contractual Services						
5252375 - Traffic Fines		0	0	23,000	(23,000)	0%
Total 5252300 - Contractual Services		0	0	23,000	(23,000)	0%
5252500 - Operating Services						
5252540 - Computer Maintenance		0	0	75	(75)	0%
Total 5252500 - Operating Services		0	0	75	(75)	0%
5253100 - General Supplies						
5253110 - Office Supplies		0	0	150	(150)	0%
5253140 - Uniforms		0	0	50	(50)	0%
Total 5253100 - General Supplies		0	0	200	(200)	0%
5254200 - Travel Expenses						
5254210 - Travel - Local		0	0	25	(25)	0%
Total 5254200 - Travel Expenses		0	0	25	(25)	0%
5255200 - Data Processing Expenses						
5255240 - Data Processing - SW Maint.		0	1,953	1,955	(2)	100%
Total 5255200 - Data Processing Expenses		0	1,953	1,955	(2)	100%

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

	Current	Year to Date		\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015	Budget	(Under) Budget	Thru November 17%
5255300 · Printing Expense					
5255350 · Printing - Other	0	0	800	(800)	0%
Total 5255300 · Printing Expense	0	0	800	(800)	0%
5255600 · Insurance					
5255620 · Insurance - Liability	0	85	341	(256)	25%
Total 5255600 · Insurance	0	85	341	(256)	25%
5255700 · Other Expenses					
5255765 · Miscellaneous	0	0	100	(100)	0%
5255768 · Collection Agency Fees	430	1,315	3,000	(1,685)	44%
5255770 · Warrant Fee State Comptroller	0	0	900	(900)	0%
5255772 · Warrant Fee - Omni	0	102	1,100	(998)	9%
Total 5255700 · Other Expenses	430	1,417	5,100	(3,683)	28%
Total 25 · Municipal Court	3,968	11,771	94,134	(82,363)	13%
30 · Fire					
5301100 · Salaries & Wages					
5301125 · Fire Chief	2,924	5,849	36,909	(31,060)	16%
5301135 · Deputy Chief/Fire Marshall	1,576	2,997	20,000	(17,003)	15%
5301140 · Fire Captains	5,892	11,758	97,246	(85,488)	12%
5301180 · Merit Raises - Staff	0	0	4,624	(4,624)	0%
Total 5301100 · Salaries & Wages	10,392	20,604	158,779	(138,175)	13%
5301400 · Support Salaries					
5301440 · Firefighters	18,217	36,330	230,246	(193,916)	16%
5301480 · Merit Raises	0	0	6,907	(6,907)	0%
5301485 · Volunteer Incentive Program	1,028	2,290	15,600	(13,310)	15%
Total 5301400 · Support Salaries	19,244	38,620	252,753	(214,133)	15%

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	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
			Budget	Budget	17%
5302100 · Employee Benefits					
5302135 · TMRS	261	523	3,387	(2,864)	15%
5302137 · Volunteer Retirement	108	108	500	(392)	22%
5302160 · Worker's Compensation	0	2,496	9,984	(7,488)	25%
5302170 · Payroll Taxes	2,007	3,993	28,154	(24,161)	14%
5302196 · Membership Dues	215	609	1,900	(1,291)	32%
Total 5302100 · Employee Benefits	2,592	7,729	43,925	(36,196)	18%
5302300 · Contractual Services					
5302310 · Consultant Fees	0	0	1,500	(1,500)	0%
5302380 · Dispatch	0	7,263	13,566	(6,304)	54%
5302385 · Emergency Transport Service	0	15,890	66,257	(50,367)	24%
Total 5302300 · Contractual Services	0	23,152	81,323	(58,171)	28%
5302500 · Operating Services					
5302510 · Maintenance Agreements	0	0	10,000	(10,000)	0%
5302540 · Computer Maintenance	613	613	2,000	(1,387)	31%
5302570 · Warning System Maintenance	780	780	780	0	100%
5302580 · Generator Maintenance	702	702	2,120	(1,418)	33%
Total 5302500 · Operating Services	2,095	2,095	14,900	(12,805)	14%
5302600 · Special Expenses					
5302675 · National Night Out	0	0	350	(350)	0%
Total 5302600 · Special Expenses	0	0	350	(350)	0%
5303100 · General Supplies					
5303110 · Office Supplies	203	203	1,600	(1,397)	13%
5303140 · Uniforms	0	130	5,000	(4,870)	3%
5303160 · Medical Supplies	256	478	8,000	(7,522)	6%

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	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
			Budget	Budget	17%
5303165 · Medical Support	207	207	1,000	(793)	21%
5303170 · Evidence Gathering	0	0	50	(50)	0%
5303175 · Education Aids	0	0	50	(50)	0%
Total 5303100 · General Supplies	666	1,018	15,700	(14,682)	6%
5303400 · Maintenance Supplies & Parts					
5303410 · Supplies - Custodial	202	317	2,500	(2,183)	13%
5303420 · Building Alarm Maintenance	0	0	420	(420)	0%
Total 5303400 · Maintenance Supplies & Parts	202	317	2,920	(2,603)	11%
5304200 · Travel Expenses					
5304220 · Professional Development	0	524	6,300	(5,776)	8%
5304270 · Vehicle Expenses	631	1,296	10,000	(8,704)	13%
Total 5304200 · Travel Expenses	631	1,820	16,300	(14,480)	11%
5305200 · Data Processing Expenses					
5305230 · Data Proc-Maintenance & Repair	0	0	1,000	(1,000)	0%
5305240 · Data Processing - Software	0	1,783	2,850	(1,067)	63%
Total 5305200 · Data Processing Expenses	0	1,783	3,850	(2,067)	46%
5305300 · Printing Expense					
5305310 · Copier Expense	164	389	3,100	(2,711)	13%
5305330 · Printing - Forms	0	0	100	(100)	0%
Total 5305300 · Printing Expense	164	389	3,200	(2,811)	12%
5305400 · Utilities					
5305410 · Telephone	224	447	2,350	(1,903)	19%
5305415 · Cellular Phone	51	103	900	(797)	11%
5305417 · Internet - Fire Dept.	330	659	3,600	(2,941)	18%
5305430 · Natural Gas	55	107	2,400	(2,293)	4%
5305450 · Electricity	374	827	5,562	(4,735)	15%

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	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
Total 5305400 · Utilities	1,034	2,143	14,812	(12,669)	14%
5305500 · Repairs & Bldg Improvements					
5305520 · Repairs - Building	18	278	2,800	(2,522)	10%
5305540 · Repairs - Machinery & Equipment	0	0	19,000	(19,000)	0%
5305545 · Repairs - Apparatus	1,171	2,348	12,000	(9,652)	20%
5305550 · Repairs - Vehicles	50	50	3,500	(3,450)	1%
Total 5305500 · Repairs & Bldg Improvements	1,239	2,676	37,300	(34,624)	7%
5305600 · Insurance					
5305620 · Insurance - Liability	0	386	5,660	(5,274)	7%
5305640 · Insurance - Vehicle	0	2,367	10,415	(8,048)	23%
Total 5305600 · Insurance	0	2,753	16,075	(13,322)	17%
5305700 · Other Expenses					
5305705 · Postage	0	0	50	(50)	0%
5305752 · Employment Screening	6	168	165	3	102%
5305765 · Flags & Miscellaneous	0	0	100	(100)	0%
Total 5305700 · Other Expenses	6	168	315	(147)	53%
5306400 · Minor Capital Outlay					
5306440 · Machinery & Equipment	0	0	10,300	(10,300)	0%
5306445 · Personal Protective Equipment	0	243	20,247	(20,004)	1%
Total 5306400 · Minor Capital Outlay	0	243	30,547	(30,304)	1%
Total 30 · Fire	38,265	105,510	693,049	(587,539)	15%
40 · Community Services					
5401100 · Salaries & Wages					
5401135 · ACO/Code Enforcement Officer	3,566	7,133	45,000	(37,867)	16%
5401180 · Merit Raises - Staff	0		1,350	(1,350)	0%
5401190 · Overtime	435	1,388	2,850	(1,462)	49%
Total 5401100 · Salaries & Wages	4,001	8,521	49,200	(40,679)	17%

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	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
5402100 · Employee Benefits					
5402110 · Group Insurance	350	700	6,177	(5,477)	11%
5402135 · TMRS	362	770	4,011	(3,241)	19%
5402160 · Worker's Compensation	0	77	310	(233)	25%
5402170 · Payroll Taxes	64	135	653	(518)	21%
5402190 · License	0	0	625	(625)	0%
Total 5402100 · Employee Benefits	776	1,682	11,776	(10,094)	14%
5402300 · Contractual Services					
5402315 · Contract Building Inspections	600	3,064	115,000	(111,936)	3%
5402370 · Impound Fees	350	350	2,300	(1,950)	15%
Total 5402300 · Contractual Services	950	3,414	117,300	(113,886)	3%
5402600 · Special Expenses					
5402680 · Environmental Testing	0	0	2,300	(2,300)	0%
5402685 · Clean up Day	0	0	100	(100)	0%
Total 5402600 · Special Expenses	0	0	2,400	(2,400)	0%
5403100 · General Supplies					
5403110 · Office Supplies	0	0	50	(50)	0%
5403120 · Animal Care	0	0	150	(150)	0%
5403122 · Pet Supplies	134	167	500	(333)	33%
5403140 · Uniforms	274	274	450	(176)	61%
Total 5403100 · General Supplies	408	441	1,150	(709)	38%
5403400 · Maintenance Supplies & Parts					
5403460 · Miscellaneous	0	28	200	(172)	14%
Total 5403400 · Maintenance Supplies & Parts	0	28	200	(172)	14%
5404200 · Travel Expenses					

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

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
5404210 · Travel - Local	0	0	25	(25)	0%
5404220 · Professional Development	0	0	200	(200)	0%
5404270 · Vehicle Expenses	86	186	3,000	(2,814)	6%
Total 5404200 · Travel Expenses	86	186	3,225	(3,039)	6%
5405200 · Data Processing Expenses					
5405230 · Data Proc-Maintenance & Repairs	0	0	1,080	(1,080)	0%
Total 5405200 · Data Processing Expenses	0	0	1,080	(1,080)	0%
5405300 · Printing Expense					
5405330 · Printing - Forms	0	397	150	247	264%
Total 5405300 · Printing Expense	0	397	150	247	264%
5405400 · Utilities					
5405415 · Cellular Phone	89	179	950	(771)	19%
Total 5405400 · Utilities	89	179	950	(771)	19%
5405600 · Insurance					
5405610 · Insurance - Property	0	2	9	(7)	22%
5405620 · Insurance - Liability	0	57	230	(173)	25%
5405640 · Insurance - Vehicle	0	68	230	(162)	29%
Total 5405600 · Insurance	0	127	469	(342)	27%
5405700 · Other Expenses					
5405765 · Miscellaneous	0	0	100	(100)	0%
Total 5405700 · Other Expenses	0	0	100	(100)	0%
5406400 · Minor Capital Outlay					
5406440 · Machinery & Equipment	0	67	1,000	(933)	7%
Total 5406400 · Minor Capital Outlay	0	67	1,000	(933)	7%

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

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
Total 40 - Community Services	6,310	15,040	189,000	(173,960)	8%
45 - Solid Waste					
5455400 - Utilities					
5455465 - Solidwaste Pickup (Garbage)	18,343	36,686	226,356	(189,670)	16%
Total 5455400 - Utilities	18,343	36,686	226,356	(189,670)	16%
Total 45 - Solid Waste	18,343	36,686	226,356	(189,670)	16%
50 - Streets					
5501400 - Support Staff					
5501415 - Maintenance Crew	1,800	3,600	23,400	(19,800)	15%
5501490 - Overtime	101	270	1,500	(1,230)	18%
5501500 - Streets - On Call	50	50	600	(550)	8%
Total 5501400 - Support Staff	1,951	3,920	25,500	(21,580)	15%
5502100 - Employee Benefits					
5502110 - Group Insurance	0	662	8,170	(7,508)	8%
5502135 - TMRS	174	350	2,148	(1,798)	16%
5502160 - Worker's Compensation	0	437	1,750	(1,313)	25%
5502170 - Payroll Taxes	28	55	350	(295)	16%
5502190 - License	0	0	122	(122)	0%
Total 5502100 - Employee Benefits	202	1,505	12,540	(11,035)	12%
5502200 - Special Services					
5502280 - NCTCOG- SWMP Fees	0	3,353	6,400	(3,047)	52%
Total 5502200 - Special Services	0	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 November 2015**

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
Total 5502600 - Special Expenses	0	0	2,250	(2,250)	0%
5503100 - General Supplies					
5503110 - Office Supplies	0	0	100	(100)	0%
5503140 - Uniforms	0	0	600	(600)	0%
Total 5503100 - General Supplies	0	0	700	(700)	0%
5503400 - Maintenance Supplies & Parts					
5503405 - Drainage Maintenance	0	0	500	(500)	0%
5503420 - Supplies - Street Signs	602	790	2,500	(1,710)	32%
5503460 - Miscellaneous	0	0	300	(300)	0%
Total 5503400 - Maintenance Supplies & Parts	602	790	3,300	(2,510)	24%
5504200 - Travel Expenses					
5504220 - Professional Development	0	0	500	(500)	0%
5504270 - Vehicle Expenses	264	505	6,500	(5,995)	8%
Total 5504200 - Travel Expenses	264	505	7,000	(6,495)	7%
5505300 - Printing Expense					
5505350 - Printing - Other	0	0	350	(350)	0%
Total 5505300 - Printing Expense	0	0	350	(350)	0%
5505400 - Utilities					
5505450 - Electricity	3,725	7,475	45,000	(37,525)	17%
Total 5505400 - Utilities	3,725	7,475	45,000	(37,525)	17%
5505500 - Repairs & Bldg Improvements					
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 November 2015**

	Current		Year to Date	Budget	\$ Over (Under) Budget	% of Budget Thru November 17%
	November 2015	Oct 2015 - Nov 2015				
5505550 · Repairs - Vehicles	0	0	2,500	(2,500)	0%	
5505560 · Repairs -Street Maint.& Repairs	2,670	8,681	50,000	(41,319)	17%	
5505565 · Repairs - Infrastruct Drainage	0	0	3,000	(3,000)	0%	
5505590 · Repairs - Other	0	0	1,500	(1,500)	0%	
Total 5505500 · Repairs & Bldg Improvements	2,670	8,681	60,500	(51,819)	14%	
5505600 · Insurance						
5505620 · Insurance - Liability	0	308	1,235	(927)	25%	
5505640 · Insurance - Vehicle	0	888	3,554	(2,666)	25%	
Total 5505600 · Insurance	0	1,196	4,789	(3,593)	25%	
5505700 · Other Expenses						
5505752 · Employment Screening	0	0	150	(150)	0%	
Total 5505700 · Other Expenses	0	0	150	(150)	0%	
5506400 · Minor Capital Outlay						
5506440 · Machinery & Equipment	0	800	2,500	(1,700)	32%	
5506445 · Personal Protective Equipment	0	0	300	(300)	0%	
5506490 · Other	0	0	850	(850)	0%	
Total 5506400 · Minor Capital Outlay	0	800	3,650	(2,850)	22%	
5507400 · Capitalized Assets						
5507440 · Machinery & Equipment	0	0	6,000	(6,000)	0%	
5507460 · Infrastructure	385,254	385,254	330,500	54,754	117%	
Total 5507400 · Capitalized Assets	385,254	385,254	336,500	48,754	114%	
Total 50 · Streets	394,668	413,481	508,629	(95,148)	81%	
60 · Parks						
5602400 · Rentals						
5602490 · Rental - Other	419	629	3,000	(2,371)	21%	

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

	Current		Year to Date	Budget	\$ Over (Under) Budget	% of Budget Thru November 17%
	November 2015	Oct 2015 - Nov 2015				
Total 5602400 · Rentals	419	629	3,000	(2,371)	21%	
5602600 · Special Expenses						
5602680 · Heritage Day	0	0	8,000	(8,000)	0%	
5602690 · Special Events	0	465	4,500	0	10%	
Total 5602600 · Special Expenses	0	465	12,500	(8,000)	4%	
5603400 · Maintenance Supplies & Parts						
5603460 · Miscellaneous	0	125	300	(175)	42%	
Total 5603400 · Maintenance Supplies & Parts	0	125	300	(175)	42%	
5605400 · Utilities						
5605450 · Electricity	570	1,188	8,300	(7,112)	14%	
Total 5605400 · Utilities	570	1,188	8,300	(7,112)	14%	
5605500 · Repairs & Bldg Improvements						
5605520 · Repairs - Building	0	0	250	(250)	0%	
5605530 · REPAIRS-IMP OTHER THAN BLDGS	12	12	1,000	(988)	1%	
Total 5605500 · Repairs & Bldg Improvements	12	12	1,250	(1,238)	1%	
5605600 · Insurance						
5605610 · Insurance - Property	0	29	115	(86)	25%	
5605620 · Insurance - Liability	0	130	521	(391)	25%	
5605640 · Insurance - Vehicle	0	57	230	(173)	25%	
Total 5605600 · Insurance	0	216	866	(650)	25%	
5605700 · Other Expenses						
5605765 · Miscellaneous	0	170	300	(130)	57%	
Total 5605700 · Other Expenses	0	170	300	(130)	57%	
5606400 · Minor Capital Outlay						

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

	Current		Year to Date	Budget	\$ Over (Under) Budget	% of Budget Thru November 17%
	November 2015	Oct 2015 - Nov 2015				
5606410 · Land Improvements	0	243	6,000	(5,757)	4%	
5606440 · Machinery & Equipment	210	210	500	(290)	42%	
Total 5606400 · Minor Capital Outlay	210	453	6,500	(6,047)	7%	
5607400 · Capitalized Assets						
5607440 · Machinery & Equipment	0	0	1,000	(1,000)	0%	
Total 5607400 · Capitalized Assets	0	0	1,000	(1,000)	0%	
Total 60 · Parks	1,211	3,257	34,016	(30,759)	10%	
Total Expenditures	525,809	786,748	3,019,023	(2,232,275)	26%	
Net Change in Fund Balance	-369,917	-565,469	0	(565,469)	100%	

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

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
Resources					
4000400 · Charges for Services					
4000460 · Water Sales	112,081	251,712	894,932	(643,220)	28%
4000461 · Sewer Service	33,492	52,520	441,770	(389,250)	12%
4000465 · Water & Sewer Penalties	2,473	4,438	19,000	(14,562)	23%
4000471 · Reconnect Fees	758	857	5,400	(4,543)	16%
4000472 · Meters	0	0	3,700	(3,700)	0%
4000473 · Connect Fees	175	525	4,400	(3,875)	12%
4000478 · Infrastructure Improvement Fee	5,407	9,602	70,133	(60,531)	14%
4000480 · Solid Waste Fees (Garbage)	(16,083)	0	0	0	0%
Total 4000400 · Charges for Services	138,303	319,655	1,439,335	(1,119,680)	22%
4000800 · Other Revenue					
4000880 · Capital Rec Fee	0	1,250	62,500	(61,250)	2%
4000840 · Interest Earned	239	480	3,100	(2,620)	15%
4000890 · Misc Other Revenue	0	0	2,000	(2,000)	0%
Total 4000800 · Other Revenue	239	1,730	67,600	(65,870)	3%
Total Resources	138,542	321,385	1,506,935	(1,185,550)	21%
Expense					
70 · Administration					
5701100 · Salaries & Wages					
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	8,302	52,388	(44,086)	16%
5701180 · Merit Raises, Staff	0	0	3,177	(3,177)	0%
Total 5701100 · Salaries & Wages	4,151	8,302	109,093	(100,791)	8%

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

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
5702100 · Employee Benefits					
5702110 · Group Insurance	0	662	8,166	(7,504)	8%
5702135 · TMRS	375	750	4,808	(4,058)	16%
5702170 · Payroll Taxes	60	118	783	(665)	15%
Total 5702100 · Employee Benefits	435	1,531	13,757	(12,226)	11%
5702200 · Special Services					
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%
Total 5702200 · Special Services	0	0	7,280	(7,280)	0%
5702300 · Contractual Services /Personnel					
5702310 · Consultant Fees	0	0	3,500	(3,500)	0%
Total 5702300 · Contractual Services /Personnel	0	0	3,500	(3,500)	0%
5703100 · General Supplies					
5703110 · Office Supplies	0	135	800	(665)	17%
Total 5703100 · General Supplies	0	135	800	(665)	17%
5703400 · Maintenance Supplies / Parts					
5703410 · Supplies - Custodial	0	0	200	(200)	0%
Total 5703400 · Maintenance Supplies / Parts	0	0	200	(200)	0%
5704200 · Travel Expenses					
5704210 · Travel - Local	0	0	200	(200)	0%
5704220 · Professional Development	0	0	750	(750)	0%
Total 5704200 · Travel Expenses	0	0	950	(950)	0%
5705200 · Data Processing Expenses					

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

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
5705240 · Data Processing - Software	0	0	400	(400)	0%
Total 5705200 · Data Processing Expenses	0	0	400	(400)	0%
5705300 · Printing Expense					
5705350 · Printing - Other	0	17	250	(233)	7%
Total 5705300 · Printing Expense	0	17	250	(233)	7%
5705400 · Utilities					
5705410 · Telephone	110	220	1,250	(1,030)	18%
5705415 · Cellular Phone	38	76	850	(774)	9%
5705417 · Internet	102	203	950	(747)	21%
Total 5705400 · Utilities	250	499	3,050	(2,551)	16%
5705700 · Other Expenses					
5705705 · Postage	500	1,000	8,900	(7,900)	11%
5705740 · Advertising	0	0	300	(300)	0%
5705760 · Bank Service Charge	20	70	100	(30)	70%
5705765 · Miscellaneous	0	0	100	(100)	0%
5705775 · Credit Card Transaction Fee	237	567	3,000	(2,433)	19%
Total 5705700 · Other Expenses	757	1,637	12,400	(10,763)	13%
5706400 · Minor Capital Outlay					
5706440 · Machinery & Equipment	0	0	500	(500)	0%
Total 5706400 · Minor Capital Outlay	0	0	500	(500)	0%
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%
Total 5709000 · Reserve	0	0	152,734	(152,734)	0%

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

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
Total 70 - Administration	5,593	12,122	304,914	(292,792)	4%
75 - Water					
5751100 - Salaries & Wages					
5751133 - Superintendent	3,328	6,655	42,000	(35,345)	16%
5751180 - Merit Raises - Staff	0	0	1,260	(1,260)	0%
Total 5751100 - Salaries & Wages	3,328	6,655	43,260	(36,605)	15%
5751400 - Support Salaries					
5751405 - Support Staff	3,232	6,464	30,593	(24,129)	21%
5751415 - Maintenance Crew	6,213	12,426	78,395	(65,969)	16%
5751430 - Seasonal Crew	0	0	3,000	(3,000)	0%
5751450 - Certification Pay	92	185	1,200	(1,015)	15%
5751480 - Merit Raises	0	0	3,666	(3,666)	0%
5751490 - Overtime	360	864	4,000	(3,136)	22%
5751500 - Water - On Call	150	250	1,000	(750)	25%
Total 5751400 - Support Salaries	10,047	20,188	121,854	(101,666)	17%
5752100 - Employee Benefits					
5752110 - Group Insurance	700	2,725	41,115	(38,390)	7%
5752135 - TMRS	1,192	2,392	14,792	(12,400)	16%
5752160 - Worker's Compensation	0	846	3,385	(2,539)	25%
5752170 - Payroll Taxes	200	402	2,408	(2,007)	17%
5752190 - Licenses	0	0	222	(222)	0%
Total 5752100 - Employee Benefits	2,092	6,364	61,922	(55,558)	10%
5752300 - Contractual Services/Personnel					
5752350 - Contract Labor - Company	0	0	1,500	(1,500)	0%
5752380 - Dispatch	0	6,225	11,628	(5,403)	54%
Total 5752300 - Contractual Services/Personnel	0	6,225	13,128	(6,903)	47%

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

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
5752400 · Rentals					
5752420 · Rental - Machinery & Equipment	236	236	250	(14)	94%
Total 5752400 · Rentals	236	236	250	(14)	94%
5752500 · Operating Services					
5752580 · Water Testing	168	296	4,000	(3,704)	7%
5752590 · TCEQ Fees	2,814	2,814	3,500	(686)	80%
Total 5752500 · Operating Services	2,983	3,111	7,500	(4,389)	41%
5753100 · General Supplies					
5753140 · Uniforms	0	1,099	1,700	(601)	65%
Total 5753100 · General Supplies	0	1,099	1,700	(601)	65%
5753400 · Maintenance Supplies & Parts					
5753460 · Miscellaneous	0	0	300	(300)	0%
Total 5753400 · Maintenance Supplies & Parts	0	0	300	(300)	0%
5754200 · Travel Expenses					
5754220 · Professional Development	0	0	750	(750)	0%
5754270 · Vehicle Expenses	396	855	10,000	(9,145)	9%
Total 5754200 · Travel Expenses	396	855	10,750	(9,895)	8%
5755200 · Data Processing Expenses					
5755230 · Data Proc-Maintenance & Repairs	0	0	1,300	(1,300)	0%
5755240 · Data Processing - Software	3,700	3,700	4,200	(500)	88%
Total 5755200 · Data Processing Expenses	3,700	3,700	5,500	(1,800)	67%
5755300 · Printing Expenses					
5755310 · Copier Expense	0	0	3,000	(3,000)	0%
5755350 · Printing - Other	0	907	2,000	(1,093)	45%

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

	Current		Year to Date	Budget	\$ Over (Under) Budget	% of Budget Thru November 17%
	November 2015	Oct 2015 - Nov 2015				
Total 5755300 · Printing Expenses	0	907	5,000	(4,093)	18%	
5755400 · Utilities						
5755415 · Cellular Phone	65	129	1,500	(1,371)	9%	
5755450 · Electricity	1,737	4,165	26,000	(21,835)	16%	
5755460 · Water, wholesale	42,864	91,446	391,500	(300,055)	23%	
Total 5755400 · Utilities	44,666	95,739	419,000	(323,261)	23%	
5755500 · Repairs & Building Improvements						
5755540 · Repairs- Machinery & Equipment	30	637	4,000	(3,363)	16%	
5755550 · Repairs - Vehicles	24	394	2,000	(1,606)	20%	
5755570 · Inventory Expense	977	2,398	9,000	(6,602)	27%	
5755580 · Water Chemical Expense	567	821	8,000	(7,179)	10%	
5755590 · Repairs - Other	0	0	3,000	(3,000)	0%	
Total 5755500 · Repairs & Building Improvements	1,598	4,251	26,000	(21,749)	16%	
5755600 · Insurance						
5755610 · Insurance - Property	0	668	2,672	(2,004)	25%	
5755620 · Insurance - Liability	0	431	1,724	(1,293)	25%	
5755640 · Insurance - Vehicle	0	158	633	(475)	25%	
Total 5755600 · Insurance	0	1,257	5,029	(3,772)	25%	
5755700 · Other Expenses						
5755752 · Employment Screening	0	0	150	(150)	0%	
Total 5755700 · Other Expenses	0	0	150	(150)	0%	
5756400 · Minor Capital Outlay						
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 November 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November 17%
5757400 · Capitalized Assets					
5757440 · Machinery & Equipment	0	0	2,500	(2,500)	0%
5757470 · Infrastructure - Water	400	400	4,000	(3,600)	10%
Total 5757400 · Capitalized Assets	400	400	6,500	(6,100)	6%
5757900 · Long-Term Debt					
5758225 · Admin. Expense to Debt Fund	0	0	102,786	(102,786)	0%
Total 5757900 · Long-Term Debt	0	0	102,786	(102,786)	0%
Total 75 · Water	69,445	150,986	832,129	(681,143)	18%
80 · Sewer					
5801400 · Support Salaries					
5801405 · Support Staff	0	0	10,197	(10,197)	0%
5801415 · Maintenance Crew	2,637	5,274	33,280	(28,006)	16%
5801450 · Certification Pay	92	185	1,210	(1,025)	15%
5801480 · Merit Raises	0	0	998	(998)	0%
5801490 · Overtime	99	346	3,000	(2,654)	12%
5801500 · Sewer - On Call	0	50	1,150	(1,100)	4%
Total 5801400 · Support Salaries	2,828	5,854	49,835	(43,981)	12%
5802100 · Employee Benefits					
5802110 · Group Insurance	0	662	8,451	(7,789)	8%
5802135 · TMRS	249	515	3,054	(2,539)	17%
5802160 · Worker's Compensation-Sewer	0	846	3,385	(2,539)	25%
5802170 · Payroll Taxes	40	82	497	(415)	17%
5802190 · Licenses	0	0	150	(150)	0%
Total 5802100 · Employee Benefits	288	2,106	15,537	(13,431)	14%
5802300 · Contractual Services/Personnel					

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

	Current		Year to Date	Budget	\$ Over (Under) Budget	% of Budget Thru November 17%
	November 2015	Oct 2015 - Nov 2015				
5802350 · Contract Labor - Company	0	0	2,000	(2,000)	0%	
Total 5802300 · Contractual Services/Personnel	0	0	2,000	(2,000)	0%	
5802500 · Operating Services						
5802515 · Sardis Collection Expense	714	714	9,618	(8,904)	7%	
5802590 · TCEQ Fees - Sewer	0	0	100	(100)	0%	
Total 5802500 · Operating Services	714	714	9,718	(9,004)	7%	
5803100 · General Supplies						
5803140 · Uniforms	0	1,083	1,200	(117)	90%	
Total 5803100 · General Supplies	0	1,083	1,200	(117)	90%	
5803400 · Maintenance Supplies & Parts						
5803460 · Miscellaneous	0	0	500	(500)	0%	
Total 5803400 · Maintenance Supplies & Parts	0	0	500	(500)	0%	
5804200 · Travel Expenses						
5804220 · Professional Development	0	0	500	(500)	0%	
5804270 · Vehicle Expense	131	289	1,200	(911)	24%	
Total 5804200 · Travel Expenses	131	289	1,700	(1,411)	17%	
5805400 · Utilities						
5805450 · Electricity	269	399	3,000	(2,601)	13%	
5805463 · TRA Wastewater Treatment	0	28,696	270,806	(242,110)	11%	
Total 5805400 · Utilities	269	29,095	273,806	(244,711)	11%	
5805500 · Repairs & Bldg Improvements						
5805510 · Repairs - Land Improvements	0	0	300	(300)	0%	
5805540 · Repairs - Machinery & Equipment	0	0	6,000	(6,000)	0%	
5805570 · Inventory Expense	21	68	2,000	(1,932)	3%	
5805590 · Repairs - Other	0	0	600	(600)	0%	
Total 5805500 · Repairs & Bldg Improvements	21	68	8,900	(8,832)	1%	

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

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November 17%
5805600 · Insurance					
5805610 · Insurance - Property	0	14	56	(42)	25%
5805620 · Insurance - Liability	0	100	400	(301)	25%
5805640 · Insurance - Vehicle	0	10	40	(30)	24%
Total 5805600 · Insurance	0	123	496	(373)	25%
5805700 · Other Expenses					
5805752 · Employment Screening	0	0	200	(200)	0%
Total 5805700 · Other Expenses	0	0	200	(200)	0%
5807400 · Capitalized Assets					
5807440 · Machinery & Equipment	0	0	6,000	(6,000)	0%
Total 5807400 · Capitalized Assets	5,542	5,542	6,000	(458)	92%
Total 80 · Sewer	9,793	44,873	369,892	(325,019)	12%
Total Expense	84,831	207,981	1,506,935	(1,298,954)	14%
Net Change in Fund Balance	53,711	113,403	0	113,403	100%

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

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
			Budget	Budget	17%
Revenues					
4000100 - Taxes					
4000107 - Ad Valorem, Current I & S	32,402	32,649	467,702	(435,053)	7%
4000111 - Ad Valorem, Delinquent I & S	179	371	4,122	(3,751)	9%
4000114 - Interest/Penalties - I & S	33	66	1,611	(1,545)	4%
Total 4000100 - Taxes	32,615	33,086	473,435	(440,349)	7%
4000800 - Other Revenue					
4000840 - Interest Earned	6	8	700	(692)	1%
4000900 - Reduction of Reserve Fund Bal.	-	-	1,604	(1,604)	0%
4000930 - Admin.Rev.Rec.Fr Water & Sewer	-	-	102,786	(102,786)	0%
Total 4000800 - Other Revenue	6	8	105,090	(105,082)	0%
Total Revenues	32,621	33,094	578,525	(545,431)	6%
Expenditures					
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%
Total 5157900 - Long-Term Debt	-	-	578,525	(578,525)	0%
Total Expenditures	-	-	578,525	(578,525)	0%
Net Change in Fund Balance	32,621	33,094	-	33,094	100%

City of Ovilla Capital Projects Fund
Actual vs Budget Review
 October 2015 through November 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
Revenues					
4000800 · Other Revenue					
4000845 · Interest Earned - Texstar	0	0	1	(1)	13%
4000850 · Interest Earned - Prosperity	21	43	255	(212)	17%
Total 4000800 · Other Revenue	21	44	256	(212)	17%
Total Revenues	21	44	256	(212)	17%
Expense					
5879000 · Reserves					
5879010 · Admin Reserves	0	0	256	(256)	0%
Total 5879000 · Reserves	0	0	256	(256)	0%
Total Expense	0	0	256	(256)	0%
Change in Net Position	21	44	0	44	100%

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

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
Revenues					
4000400 · Charges for Services					
4000460 · Park Impact	0	335	16,726	(16,391)	2%
Total 4000400 · Charges for Services	0	335	16,726	(16,391)	2%
4000800 · Other Revenue					
4000840 · Interest Earned	10	21	100	(79)	21%
Total 4000800 · Other Revenue	10	21	100	(79)	21%
Total Revenues	10	356	16,826	(16,470)	2%
Expenditures					
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%
Total Expenditures	0	0	16,826	(16,826)	0%
Net Change in Fund Balance	10	356	0	356	100%

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

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
Revenues					
4000400 · Charges for Services					
4000476 · Water Impact Fee	0	0	0	0	0%
4000477 · Sewer Impact Fee	0	1,400	70,000	(68,600)	2%
Total 4000400 · Charges for Services	0	1,400	70,000	(68,600)	2%
4000800 · Other Revenue					
4000840 · Interest Earned	13	26	200	(174)	13%
4000880 · Transfer In - Water Impact	0	0	0	0	0%
Total 4000800 · Other Revenue	13	26	200	(174)	13%
Total Revenues	13	1,426	70,200	(68,774)	2%
Expense					
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%
Total 5859000 · Reserves	0	0	70,200	(70,200)	0%
Total Expense	0	0	70,200	(70,200)	0%
Change in Net Position	13	1,426	0	1,426	100%

Ovilla 4B Economic Development Corporation

Actual vs Budget Review

October 2015 through November 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November 17%
Revenues					
4000100 · Taxes					
4000120 · Sales tax	9,992	17,250	81,838	(64,588)	21%
Total 4000100 · Taxes	9,992	17,250	81,838	(64,588)	21%
4000800 · Other Revenue					
4000840 · Interest Income	119	247	1,200	(953)	21%
Total 4000800 · Other Revenue	119	247	1,200	(953)	21%
Total Revenues	10,111	17,497	83,038	(65,541)	21%
Expenditures					
8102200 · Special Services					
8102230 · Legal Fees	0	0	500	(500)	0%
8102240 · Audit	0	0	1,600	(1,600)	0%
Total 8102200 · Special Services	0	0	2,100	(2,100)	0%
8102300 · Consultant Services					
8102310 · Consultant Fees	0	0	20,000	(20,000)	0%
Total 8102300 · Consultant Services	0	0	20,000	(20,000)	0%
8103100 · General Supplies					
8103110 · Office Supplies	0	0	100	(100)	0%
Total 8103100 · General Supplies	0	0	100	(100)	0%
8104200 · Travel Expense					
8104210 · Travel Expense	0	0	1,000	(1,000)	0%
8104220 · Professional Development	0	0	2,300	(2,300)	0%
Total 8104200 · Travel Expense	0	0	3,300	(3,300)	0%

Ovilla 4B Economic Development Corporation

Actual vs Budget Review

October 2015 through November 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
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	0	65	261	(196)	25%
Total 8105600 · Insurance	0	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	0	65	83,038	(82,973)	0%
Net Change in Fund Balance	10,111	17,432	0	17,432	100%

Ovilla Municipal Development District
Actual vs Budget Review
 October 2015 through November 2015

	Current	Year to Date	Budget	\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015		(Under)	Thru November
				Budget	17%
Revenues					
4000100 · Taxes					
4000120 · Sales tax	3,243	5,976	40,919	(34,943)	15%
Total 4000100 · Taxes	3,243	5,976	40,919	(34,943)	15%
4000800 · Other Revenue					
4000840 · Interest Income	37	76	300	(224)	25%
Total 4000800 · Other Revenue	37	76	300	(224)	25%
Total Revenues	3,280	6,052	41,219	(35,167)	15%
Expenditures					
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 November 2015

	Current	Year to Date		\$ Over (Under)	% of Budget Thru November
9105600 - Insurance					
9105620 - Insurance - Liability	0	65	261	(196)	25%
Total 9105600 - Insurance	0	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	0	65	41,219	(41,154)	0%
Net Change in Fund Balance	3,280	5,987	0	5,987	100%

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

	Current	Year to Date		\$ Over	% of Budget
	November 2015	Oct 2015 - Nov 2015	Budget	(Under)	Thru November
				Budget	17%
Revenues					
4000991 - Insurance Contributions					
4000991 Insurance Contributions	0	14,699	0	14,699	100%
Total 4000991 - Insurance Contributions	0	14,699	0	14,699	100%
4000800 - Other Income					
4000840 - Interest Income	1	3	0	3	100%
Total Revenues	1	14,702	0	14,702	100%
Expenditures					
5902110 - Benefit Premiums					
5902110 - Benefit Premiums	0	14,198	0	14,198	100%
Total 5902110 - Insurance	0	14,198	0	14,198	100%
Total Expenditures	0	14,198	0	14,198	100%
Net Change in Fund Balance	1	503	0	503	100%

Ovilla Fire Department Auxiliary
Actual vs Budget Review
 October 2015 through November 2015

	Current	Year to Date	Budget	\$ Over (Under)	% of Budget
	November 2015	Oct 2015 - Nov 2015		Budget	Thru November 17%
Revenues					
4000800 · Other Revenue					
4000815 · Gifts	0	50	0	50	100%
Total 4000800 · Other Revenue	0	50	0	50	100%
Total Revenues	0	50	0	50	100%
Expenditures					
5333400 · Maintenance Supplies and Parts					
5333460 · Supplies - Miscellaneous	0	0	0	0	0%
Total 5333400 · Maintenance Supplies and Parts	0	0	0	0	0%
Total Expenditures	0	0	0	0	0%
Net Change in Fund Balance	0	50	0	50	100%

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

	Current	Year to Date	Budget	\$ Over (Under)	% of Budget Thru November
	November 2015	Oct 2015 - Nov 2015		\$ Over Budget	17%
Revenues					
4000800 · Other Revenue					
4000815 · Gifts	120	170	0	170	100.0%
Total 4000800 · Other Revenue	120	170	0	170	100.0%
Total Revenues	120	170	0	170	100.0%
Expenditures					
5232600 · Special Expenses					
5232690 · Special Expenses - Other	159	159	0	159	100.0%
Total 5232600 · Special Expenses	159	159	0	159	100.0%
Total Expenditures	159	159	0	159	100.0%
Net Income	(39)	11	0	11	100%



To: Honorable Mayor and Council Members
From: Dennis Burn, City Manager
Subject: Information Report - December 7, 2015 through December 11, 2015

This report is to provide you an overview of City Manager information items for the week ending December 11, 2015.

City Council Meeting

There will be a City Council meeting on Monday, December 14 starting a 6:00 PM with the Briefing Session. I spent substantial time this week preparing the agenda specifically reviewing fence ordinances, personnel policies, the nuisance ordinance and the sign ordinance.

Christmas Tree Lighting

The annual Christmas Tree Lighting was held at 6:00 PM at Heritage Park on Saturday, December 5. The event included an invocation, music, a visit from Santa and of course the lighting of the tree. It was a great event with a large turnout. Estimated attendees is 125-150. The Park Board at their last meeting indicated that they want to continue being in charge of the event.

Cockrell Hill Road (Dallas County Portion).

Dallas County Precinct 3 has completed their corrective paving work. They completed milling and installation of new pavement in the bad areas and have also striped the pavement.

Audit

Out auditor, Yeldell, Wilson, Wood & Reeve, P.C., will be at City Hall beginning Monday, December 14 to prepare the annual audit. They will have staff here each day for approximately 2-3 weeks. The audit should be complete by the middle of January. I will place the audit on the February City Council agenda.

iSWM

iSWM, which stands for Integrated Storm Water Management, was presented at a meeting I attended this week. The meeting was hosted by the North Central Texas Council of Governments at the Waxahachie Department of Development. This program has been around for about 10 years. The program is voluntary and is in place to help communities protect their storm water runoff from contamination and to prevent erosion issues as well as flood mitigation.



I will be reviewing our design and construction standards to see how we match up to the stated goals and how we can improve.

Ali Sharaf Luncheon

The Ali Sharaf family provided lunch on Thursday to City employees. Very nice. No family members attended. We will send them a thank you note.

Police Department

A high school student, needing some community service time for National Honor Society credits, will be at the Police Department over the weekend and will be weeding and cleaning out the flower beds. She will be accompanied by her father and other family members. Our on-duty officer will sign off on her activity when complete.



To: Honorable Mayor and Council Members
From: Dennis Burn, City Manager
Subject: Information Report - December 14, 2015 through December 18, 2015

This report is to provide you an overview of City Manager information items for the week ending December 18, 2015.

Campuzanos Luncheon

Campuzanos is hosting a Christmas Luncheon for City Staff and City Council. The luncheon will be Tuesday, December 22 at noon in the City Council Chambers. Please plan on attending.

Early Dismissal

All employees (except for on duty Police and Fire personnel) are being dismissed at 12:00 Noon on Wednesday, December 23 to get an early start for Christmas. City Hall will be closed from 12:00 Noon Wednesday, December 23 to 8:00 AM Monday, December 28.

Hidden Valley Estates

This is a proposed residential subdivision that 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. We received a preliminary plat application for 234 lots (December 1, 2015). 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 the next day. I have received the City Engineer comments regarding the preliminary plat application (December 11, 2015). I have forwarded the comments to the applicant. There will be a second letter sent to the applicant by our City Engineer as there were review comments missing and other comments that are not applicable. Per our Subdivision Ordinance I had till December 15, 2015 to make a determination that the application is complete. I did determine that the application was complete and forwarded that determination to the applicant (December 14, 2015). This means that I determined that they had submitted a complete application with the necessary copies of the required plans, that the application fee was paid and a tax certificate was submitted. This determination, however, does not relieve the applicant from addressing the City Engineer's comments. Once the comments are addressed, that date becomes the official filing date. The Planning and Zoning Commission must act upon the Preliminary Plat within 30 days of the filing date.



Evaluation

I appreciate the kind words you expressed towards my performance. I have learned a lot about Ovilla in my first six months and still have much more to learn. My actions are never self-serving. I always look at how we can improve staff response to issues.

Employee Pay Plan

During my presentation Monday night, I neglected to point out that the salary survey did include information gathered by a company called the Waters Group. That survey information was in your packet. That particular survey information was gathered in 2015 and did include all cities in the North Central Texas Council of Governments (NCTCOG) region that have similar population to Ovilla. That survey (and none of the survey respondents to our request) indicate budget information.

Southern Regional Response Group (SRRG)/Special Response Team (SRT)

I attended a SRRG/SRT meeting in Cedar Hill. Ovilla is a member city of SRRG/SRT. There are nine participating cities. SRRG/SRT meets a communities needs for highly trained individuals that can handle emergencies that are beyond the capabilities of local law enforcement departments. These emergencies include hostage situations, active shooters, natural disasters and intelligence gathering.

SRRG/SRT has been operational since 2009. No member city has been asked in the past to participate financially as the equipment, weapons and ammunition has been provided by grants and by some municipalities that paid for tactical gear for their employee(s) that were on the team. The grants are starting to go away and some aging equipment needs to be replaced. In spring 2016 SRRG/SRT will be asking for funding participation from participating cities. If a participating member's municipal police department has an employee that is part of the tactical team (Ovilla does not) then the requested funds will be \$5,000.00 per year per participating city. The funds will be \$7,500.00 per year per participating city for departments without a member on the team.

Future Building Plans

I will be working soon on a method to fund and construct various building improvements for the Municipal employees and our guests. These improvements are: (1) Construct a new police building on property we own north of the existing police building, (2) Move Public Works/Code Enforcement/Animal Control from City Hall to the existing Police Building (this makes sense in that their equipment/tools/supplies are located behind and in conjunction with the existing police building), (3) Remove the wall and offices to the south of the existing City Council chambers and expand the existing chambers to allow for more attendees at our meetings and



(4) Reconstruct/expand the entrance to council chambers to allow for restrooms, a lobby and record retention storage.

This work would require the abandonment of the existing septic system and constructing a sewerage system consisting of gravity sewer/force main sewer/a lift station and connection to an existing manhole in Cockrell Hill Road.

The cost of the above is unknown at this time. I will be working on it.

Cockrell Hill Road

I will be discussing with Oldcastle Construction what the price would be to reconstruct Cockrell Hill Road from the bridge at FM 664 to the Ellis/Dallas County line. I want to reconstruct this roadway in a similar manner that the roadways in Ovilla Oaks Subdivision were reconstructed. Oldcastle's contract with Ellis County expires the end of May 2016 and I want to take advantage of their current unit prices.

Police Department

Due to changes in State law regarding concealed handgun carry (effective September 1, 2015) and open handgun carry (effective January 1, 2016) we are updating police policy on how we interact with the public regarding handguns carried by civilians. This policy is being sent to our City attorney for review and comment before it is put into effect.



To: Honorable Mayor and Council Members
From: Dennis Burn, City Manager
Subject: Information Report - December 21, 2015 through December 25, 2015

This report is to provide you an overview of City Manager information items for the week ending December 25, 2015. This is a short week so my report will also be short. This report is being sent to you on Tuesday instead of Friday.

Campuzanos Luncheon

Campuzanos hosted a Christmas Luncheon for City Staff and City Council on Tuesday. It was well attended and a great way to start Christmas.

Early Dismissal

All employees (except for on duty Police and Fire personnel) are being dismissed at 12:00 Noon on Wednesday, December 23 to get an early start for Christmas. City Hall will be closed from 12:00 Noon Wednesday, December 23 to 8:00 AM Monday, December 28. As I have told you previously, I will be gone beginning Wednesday, December 23 and will return Tuesday, December 29.

ESD No. 2

ESD No. 2 had a meeting on Monday, December 21 at 6:00 PM in the Fire Department Training Room. Ovilla was represented by Richard Dormier, Dean Oberg, Kevin Lindsey and Dennis Burn. The agenda included: 1. Insurance and bond coverage renewal, 2. Lease agreement with Ovilla, 3. Midlothian debt payment, 4. Inter local agreement with the Houston-Galveston Area Council for the purchase of the 2016 Pierce Dash CF Pumper, 5. Fiscal year-end financial report and 6. Engagement letter with the District's CPA firm.

The Fire Department building ownership will be transferred from ESD No. 2 to Ovilla once all cities in ESD No. 2 (except Ovilla) have annexed their respective ETJ's thus eliminating ESD No. 2 (except Ovilla ETJ). When all cities (including Ovilla) annex their ETJ, then ESD No. 2 will cease to exist.

Complaint Policy

I have developed a Complaint Policy whereby any citizen and/or employee can file a complaint about any concern(s) they may have. I am fine tuning it. When it is complete I will share it with you. I will not bring it to you as an agenda item but will implement the policy as an administrative directive.



Audit

Out auditor, Yeldell, Wilson, Wood & Reeve, P.C., will complete their work here at City Hall next week. It will be great to get the conference room back.



To: Honorable Mayor and Council Members
From: Dennis Burn, City Manager
Subject: Information Report - December 28, 2015 through January 1, 2016

This report is to provide you an overview of City Manager information items for the week ending January 1, 2016. This report is being sent to you on Thursday instead of Friday.

Closure

City Hall will be closed on Friday, January 1, 2016 for New Year's Day.

Park Board and Planning and Zoning Commission

The January 4, 2016 meetings of the Park Board and the Planning and Zoning Commission are cancelled.

Tornado

As everyone is aware, on Saturday, December 26 we had a tornado touch down in the east portion of Ovilla. The Governor did declare Dallas and Ellis Counties as disaster areas. The area in the Ovilla city limits affected is bounded by Red Oak Creek, Westmoreland, William and Hollingsworth. None of the properties that were damaged were rated "destroyed" but were rated "minor", "moderate" and "major". Our Police Department along with the State Police have kept looters and other undesirables out of the area. There had been a curfew imposed on Saturday and Sunday but it was lifted on Monday.

Our Police/Fire/Public Works Departments were well represented and provided traffic control, debris removal from roadways and other items of assistance.

Anyone with damaged roofs and/or fences must still come in and get a permit to rebuild (roofers must still come in and be registered and pay a registration fee), however I have waived all fence and roof permit fees. I felt that this was the right thing to do by not adding insult to injury.

The mayor and I went to the Emergency Operations Center (EOC) in Red Oak Saturday night. I felt that it was a well-run and organized operation. On Tuesday the EOC has been removed from Red Oak as we have moved from the emergency phase to the recovery phase. Our contact for any emergency related issues is: Ms. Stephanie Parker, Emergency Management Coordinator, Ellis County Courts Building, 109 S. Jackson, Waxahachie, Texas 75165, Office: 972.825.5193, E-Mail: stephanie.parker@co.ellis.tx.us. For any donations to the Red Cross they can be contacted at 866.505.4801. For anyone needing shelter the location is Longbranch Elementary School, 6631 FM 1387, Midlothian.



The EOC contacted me about Ovilla being a repository for photographs and other valuable/precious documents found in the debris fields. I consented to the request. These items can be delivered to City Hall to my attention. To date I have received a few photographs. News Channel 5 did an on camera interview of me regarding the photograph/document turn in effort.

I spoke to Progressive Waste about their removal of limbs and branches placed along our roadways and requested that they work with us in not presenting us with a large bill for the clean-up. I was told by Ms. Parker that debris clean up on private property is the responsibility of the insurance companies.

Oncor is close to restoring electricity to all affected areas. Anyone without Oncor power should contact them at 888.313.4747.

January 1 is the property tax assessment date in Texas and the physical condition of a property on January 1 is the condition on which the appraisal districts will base the property tax appraisal for the 2016 Tax Year.

Progressive Waste

I had a meeting with Progressive Waste personnel and told them to back into cul-de-sacs and not pull forward. They have a new truck coordinator and they promised/guaranteed that this would not happen anymore. I told them to drive through the Ovilla Oaks Subdivision and to look at the paving project that was recently completed. They did drive through the area. I told them to not destroy the nice project that was recently completed. I told them that this applies to not only the Ovilla Oaks Subdivision but to all areas of Ovilla.

Tree in Front of City Hall

The tree in front of City Hall has seen better days. It is covered with Mistletoe and will not last long. It is "V" cut down the middle to keep the branches away from the power line. I am considering cutting the tree down and possibly installing a ground level monument sign made from brick/stone that would state that this is Ovilla City Hall with the address. Is there anything significant or historic about the tree? Is there anyone that would be offended by its removal? Your thoughts please.

Town Planner

I have relieved Sherry Sefko from her agreement with Ovilla due to her non-performance. She was agreeable and apologized for her lack of effort. I will be considering another firm/individual to provide us the planning services we may need.



Audit

Out auditor, Yeldell, Wilson, Wood & Reeve, P.C., has completed their work here at City Hall. It will be great to get the conference room back.

Handguns

As a reminder, open carry of handguns takes effect on January 1, 2016. Those with a valid concealed handgun permit may open carry in public.

Ovilla Municipal Court Report

FY-2015-2016	Total Traffic Cases Filed	State Law Cases Filed	Parking Cases Filed	Penal Code Cases Filed	City Ordinance Filed	Trials	Total Revenue	Amount Kept by City	Amount sent to State	Warrants Issued	Cases sent to Collections
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	36	1	0	0	0	0	\$4,249.52	\$2,462.16	\$1,787.36	5	5
January											
February											
March											
April											
May											
June											
July											
August											
September											
Totals	78	1	6	2	1	1	\$17,095.92	\$11,797.97	\$5,297.95	29	29

2014-2015 FY

December	30	0	0	1	2	0	\$5,417.38	\$3,195.00	\$2,222.38	0
FY Totals	73	1	0	8	5	2	\$15,352.78	\$9,587.65	\$5,765.13	35

FY-2014-2015	Total # of Warrants	Total Amount of Warrants	Warrants Cleared	Warrants Amount
October	398	\$140,651.01	11	\$2,061.60
November	386	\$135,375.84	18	\$4,541.00
December	386	\$136,131.44	5	\$1,897.07
January				
February				
March				
April				
May				
June				
July				
August				
September				
Totals			34	\$8,499.67

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**

	Dec.2015	Dec.2015 YTD	Dec .2014	YTD
Calls For Service				
Complaint (Nuis 19,Permit 14,Parking 12)	45	647	36	
Follow Up (Nuis 20, Permit-16, Parking-12)	48	720	46	
Door Notice (Nui -15 Parking-11 permit-13)	39	440	29	
Mail Notice (Nuis-8 Parking 9 per 5)	22	266	14	
Posted Property (4 nuisance)	4	206	3	
Court	\$0	\$5,454	\$0.00	
Citizen Contacts	63	1071	42	
Permits Reviewed	15	220	13	
Permits Issued	11	175	10	
Inspections	14	233	18	
Nuisance Abated by City	0	21	0	
Nuisance Signs (12 garage sale 18 business)	30	388	32	
Board Of Adjustment no meeting	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**

	Dec.2015	Dec. 2015 YTD	Dec . 2014	Jan 2015 YTD
Calls For Service				
Complaint (Registration-22 At Large-15 bark)	42	482	21	
Followups	48	445	31	
Door Notice (Registration-22 At Large-8)	30	175	23	
Animal Impounded (13)	13	142	7	
Animal Welfare Check	9	138	15	
Impound Results 13 (Return 11, Transport2)	13	68	4	
Impound fee collected	\$780.00	\$1,928.00	70	
Court (0) barking	\$0.00	\$266.00	0	
Citizen Contacts	44	863	29	
Registration Tags Issued (\$276 collected)	23	273	5	
Registration Letter	23	198	16	
Nuisance Letter Mailed Barking	4	24	1	
Animals released (1 opossum)	3	42	0	
Deceased Removed	18	230	28	
Oak Leaf (1) 1 dog	1	17	0	
Traps Checked Out	7	25	2	



To: Honorable Mayor and Council Members

From: Mike Dooly, Community Services

Subject: Monthly and Y-T-D Building permits

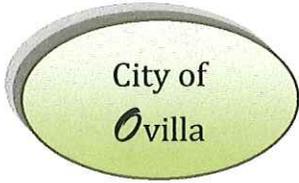
Activity Report:

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

Total Homes = 4 and Total Other 62

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

- October - New home construction: 1 / Other: 20
- November - New home construction: 0 / Other: 27
- December - New home construction: 3 / Other: 15



CONSENT ITEMS C1 – C3

Meeting Date: January 11, 2016

Department: Administration / Finance

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: Staff

Amount: N/A

Attachments:

- C1. November 2015 Financial Transactions over \$5,000
- C2. Committed Fund Balance Report for quarter ending 12/31/2015
- C3. Minutes of the Council Briefing Session and Regular Meeting of December 14, 2015.

Discussion / Justification:

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

I move to approve the consent items as presented.



DATE: January 11, 2016

TO: Honorable Mayor and Council Members

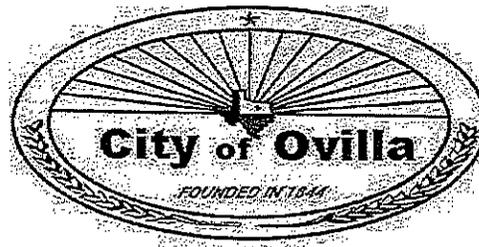
FROM:
Linda Harding, Accountant

SUBJECT: Expenditures Over \$5,000.00 Through November 2015

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

General Fund				
Date	Check#	Payee	Description	Amount
11/5/2015	ACH	Quick Books Payroll Service	Payroll	\$39,395.52
11/6/2015	44381	US Treasury	Payroll Taxes	\$7,186.40
11/6/2015	44391	TMRS	Retirement	\$13,102.74
11/6/2015	44394	City of Midlothian	Communications	\$14,525.00
11/6/2015	44399	Ellis County Precinct #4	Emulsion Base and Rock	\$7,195.00
11/6/2015	44401	APAC Texas Inc	Hot Mix	\$6,011.41
11/6/2015	44402	BlackBoard Inc.	Blackboard Connect	\$5,349.00
11/19/2015	ACH	Quick Books Payroll Service	Payroll	\$41,103.79
11/12/2015	44425	Progressive Waste Solutions	Garbage	\$18,343.00
11/20/2015	44441	US Treasury	Payroll Taxes	\$7,128.20
11/20/2015	44445	City of Midlothian	Emergency Medical Transport	\$15,889.75
11/25/2015	44455	Ellis County Precinct #4	Chip/Seal Cockrell Hill - Chip Seal Base Only Water	\$54,320.00
Total General Fund Transactions \$5,000 and Over				\$229,549.81

Water & Sewer Fund				
Date	Check#	Payee	Description	Amount
11/6/2015	16071	City of Midlothian	Dispatch	\$6,225.00
11/9/2015	16100	City of Ovilla General Fund	payroll 11/6/2015	\$11,272.36
11/10/2015	16079	City of Ovilla General Fund	October Garbage	\$17,746.59
11/12/2015	16083	City of Dallas	Water	\$42,864.21
11/20/2015	16099	City of Ovilla General Fund	Payroll 11/20/2015	\$11,895.93
11/30/2015	16126	City of Ovel	November Garbage	\$18,577.08
Total Water & Sewer Fund Transactions \$5,000 and Over				\$108,581.17



DATE: January 11, 2016

TO: Honorable Mayor and Council Members

FROM:
Linda Harding, Accountant

SUBJECT: Committed Fund Balance for General Fund as of December 31, 2015

**City of Ovilla
Committed Fund Balance Report
for General Fund
as of December 31, 2015**

Description	Account Number	2015-2016 Budget Amount
Total General Fund 2015-2016 Budget		3,019,023
CAPITAL ASSETS and RESERVE ACCOUNTS:		
Machinery and Equipment	5106440	(2,000)
Furniture	5106465	(1,000)
Audio and Visual Equipment	5106470	0
Reserve for Contengency	5109001	(61,212)
Machinery and Equipment	5206440	(2,000)
Personal Protective Equipment	5206445	(2,000)
Capital Outlay - Vehicles	5206450	(40,000)
Machinery and Equipment	5306440	(10,300)
Personal Protective Equipment	5306445	(20,247)
Machinery and Equipment	5406440	(1,000)
Machinery and Equipment	5506440	(2,500)
Personal Protective Equipment	5506445	(300)
Other	5506490	(850)
Machinery and Equipment	5507440	(6,000)
Infrastructure	5507460	(330,500)
Land Improvements	5606410	(6,000)
Machinery and Equipment	5606440	(500)
Machinery and Equipment	5607440	(1,000)
Total 2014-2015 Budget Less Capital Assets and Reserve		2,531,614
		25%
REQUIRED UNASSIGNED FUND BALANCE IN GENERAL FUND	\$	632,903.50

ALL BANK ACCOUNT BALANCES		
Prosperity Bank (Operationing Acct)	1012500	\$ 1,531,855.47
Prosperity Money Market (Acct #9307605)	1012520	\$ 229,580.07
Texstar Reserves (Acct.#07017-1112)	1011525	\$ 3,727.67
TexStar Money Market (Acct 1112)	1011525	\$ 929.18
Prosperity Money Market Reserve (Acct. #9307583)	1012250	\$ 127,660.22
Prosperity CD (Acct. #670010694)	1012260	\$ 245,494.42
Prosperity Bank CD (Acct. #670010608)	1012290	\$ 55,790.88
Bryson Manor Phase I-Rough Proportionality	1011295	\$ 196,678.49
ALL BANK ACCOUNTS Total Unassigned Fund Balance in General Fund	\$	2,391,716.40
REQUIRED UNASSIGNED FUND BALANCE IN GENERAL FUND	\$	632,903.50
Excess in Unassigned Fund Balance in ALL ACCOUNTS	\$	1,758,812.90

RESERVE ACCOUNTS ONLY: TO GUARANTEE REQUIREMENT LISTED ABOVE		
Prosperity Money Market (Acct #9307605)	1012520	\$ 229,580.07
Texstar Reserves (Acct.#07017-1112)	1011525	\$ 3,727.67
TexStar Money Market (Acct 1112)	1011525	\$ 929.18
Prosperity Money Market Reserve (Acct. #9307583)	1012250	\$ 127,660.22
Prosperity CD (Acct. #670010694)	1012260	\$ 245,494.42
Prosperity Bank CD (Acct. #670010608)	1012290	\$ 55,790.88
Bryson Manor Phase I-Rough Proportionality	1011295	\$ 196,678.49
RESERVE ACCOUNTS Total Unassigned Fund Balance in General Fund	\$	859,860.93
REQUIRED UNASSIGNED FUND BALANCE IN GENERAL FUND	\$	632,903.50
Excess in Unassigned Fund Balance in RESERVE ACCOUNTS ONLY	\$	226,957.43

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.



Tom Leverentz

Tom Leverentz, MAYOR

Pam Woodall

Pam Woodall, CITY SECRETARY

CITY OF OVILLA

Exhibit A

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.

CITY OF OVILLA

Exhibit A

- **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 fund 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, December 14, 2015
City Council Briefing Session
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Council Briefing Session of the Ovilla City Council to order at 6:04 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.

City Manager Dennis Burn and Council reviewed each item on the 6:30 p.m. regular agenda. Clarification under the Consent Agenda was given by City Accountant Linda Harding stating that the net proceeds sale of the last fire truck totaling \$80,770, was separate from and not reflected in the \$278,000 General Fund Committed Fund Balance of the reserve accounts only.

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) City Manager Dennis Burn gave a brief review and discussed with Council.
- 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) City Manager Dennis Burn gave a brief review and discussed with Council.
- 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) City Manager Dennis Burn gave a brief review and discussed with Council.
- d.** Calling the General Election.

ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:23 p.m.

ATTEST:

Richard A. Dormier, Mayor

Pamela Woodall, City Secretary

Approved January 11, 2016

CITY OF OVILLA MINUTES

Monday, December 14, 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 6:30 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

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.*

PL3 Griffin gave the Invocation and Mayor Dormier led the recitation of the Pledge of Allegiance.

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

- Police Chief Windham gave an introduction of new Police Officers Denney and Geiser. Photos were taken with Chief Windham and Mayor Dormier.
- City Manager Dennis Burn gave recognition of the Public Works Department for waterline installation with the following statements:
 1. 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 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.
 2. The employees of the Public Works Department using City equipment and a rental trackhoe performed all work. This work effort saved the City approximately \$55,000.00 in that a private contractor would have cost the City that much more.
 3. The employees and citizens of Ovilla are proud of this accomplishment lead by the Public Works Director Brad Piland.
- **Citizen Comments**
 - MS Dani Muckleroy shared the following:
 - Gave appreciation to Police Chief Windham for slowing down speeders; thanked the Public Works Department for their continued diligent work and; asked for volunteers to work the collections and ringing of the bell for the Salvation Army.
 - Three additional individuals signed up to speak when Council addressed specific agenda item(s).
- **Department Activity Reports / Discussion** – staff presented their reports.
 - Police Department Police Chief B. Windham
 - Reported that response times were down.
 - Fire Department Fire Chief B. Kennedy

- Monthly Report reviewed and shared discussion with Council.
- Public Works Public Works Supervisor D. Durham
 - Monthly Report was reviewed and discussed. Council commended the Department on the tree lighting event.
- Finance Department Accountant L. Harding
 - October 2015 Financials reviewed. MS Harding advised that sales tax has increased \$7,000 from this time last year. Staff is preparing for audit.
- Administration City Manager D. Burn
 - Activity Report(s)
 - Discussed the necessity to have Progressive Waste Disposal backup in the cul-de-sacs. City Manager will visit with company authorities.
 - Monthly Municipal Court Report reviewed. City Secretary P. Woodall
 - Collections slightly increased compared to this time last year. Eighteen warrants were cleared.
 - Monthly Code/Animal Control Reports reviewed. Code/AC Officer M. Dooly
 - Permits reviewed.

CONSENT AGENDA

- 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

Mayor Pro Tem Hunt moved to approve the consent items as presented, seconded by PL2 Stevenson.
No oppositions, no abstentions.

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

REGULAR AGENDA

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.

Planning and Zoning Chair Carol Lynch had signed up to speak to Council on this item, and shared the consensus of the Planning and Zoning Commission was favorable for Phase 2 of Bryson Manor.

City Manager Dennis Burn reviewed/discussed specific excerpts (Sec. 10.02.124 and Section 10.02.129) from the Ovilla Code of Ordinance with Council and gave the following information: The developer of Bryson Manor Phase 2, Shaw Development Group, LLC, 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 were excerpts from the Zoning Ordinance regarding alleys and lot density.

The developer was seeking approval of the Concept Plan prior to the preparation of a preliminary plat as the preliminary plat requires much effort and they wanted a sense of how the Council feels about their Plan. This item was brought before the Planning and Zoning Commission (P & Z) for discussion on December 07, to receive their opinion also. The P & Z Commission’s consensus was favorable for the Concept Plan. Council’s consensus was also favorable for Bryson Manor to move forward with the filing of the preliminary plat as proposed.

No Action.

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.

Owner, Mr. John Sims, filed a building permit and Site Plan application to restore his uncle's "Curtis Garage" located at 707 W. Main in the Core Historic District of downtown Ovilla. The owner requested to completely replace the entire shell with new corrugated metal (example was displayed as powder coated, commercial grade) 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, stated in Chapter 14, Section 11.3, as listed in the Code's land use table. Chapter 14, Section 24 encourages the preservation of the historic integrity of existing and future developments, specifically within the Historic District. City Manager Dennis Burn shared various excerpts (Chapter 14, Sections 24.1, 24.4, and 24.4 F & H) from the Ovilla Code of Ordinances, including the Land Use Table (Section 11.3).

Planning and Zoning Commission Chair MS Lynch spoke in favor of the request as it was a step into the revitalization of the downtown area and Curtis Garage carries historic value to Ovilla.

PL5 Oberg moved that Council approve 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, seconded by Mayor Pro Tem Hunt. *No oppositions, no abstentions.*

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

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.

Mr. Kenneth Govan of Oncor delivered an Agreement to City Manager Dennis Burn, stating that even though the City had been paying the streetlight invoices, Ovilla had no agreement in place.

PL3 Griffin moved that Council approve 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, 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 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.

Chapter 1, Article 1, Section 1.02.002 of the Ovilla Code of Ordinances, in compliance with Section 52.004 of the Local Government Code states a municipality shall declare an official newspaper annually for required publications. The Waxahachie Daily Light is the city's current newspaper on file.

Mayor Pro Tem Hunt moved that Council approve Ordinance 2015-025 of the City of Ovilla, Texas amending Chapter 1, Section 1.02.002 of the Code of Ordinances declaring the Waxahachie Daily Light as the official city newspaper and declaring an effective date, seconded by PL1 Huber. *No oppositions, no abstentions.*

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

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.

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

3

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

City Manager Dennis Burn presented (1) The Performance Assessment and Pay Plan Progression Process, (2) Annual and Part Time Salary Form and (3) Salary Survey for Council review and consideration. He explained that the new Assessment Plan was a document that all Department Directors will use to perform annual evaluations of their employees. City Manager Dennis Burn 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 information was collected from area municipalities and included survey information conducted by the Waters Group. Council opinion was divided on the presented information. Mayor Pro Tem Hunt wanted to see actual salaries and include years of experience from low to high.

PL2 Stevenson moved that Council approve 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, seconded by PL1 Huber. Mayor Pro Tem Hunt and PL5 Oberg voted in opposition.

VOTE: The motion to approve carried 3-2.

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.

MS Laura Beattie, 748 Cockrell Hill Road, spoke to Council regarding her personal unpleasant fence situation. Staff was instructed to visit with the City prosecutor.

City Manager Dennis Burn brought this agenda item to Council to review and recommend clarifications/revisions to the Ovilla Code of Ordinances (fences) with regard to various sections in Chapter 3 (graphic outline) and Chapter 14 Zoning Ordinance. Staff recommended that Council consider the following revisions to the fence 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.
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.
3. 35.3 D. 1. Delete the second sentence. This is redundant and is already included in 35.3 A.
4. 35.3 D. 2. This becomes 35.3 D.1.
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.

No Action.

ITEM 7. DISCUSSION – Review and discuss park safety compliance and direct staff as necessary.

City Manager Dennis Burn shared the current 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. The Public Works Department is concentrating on the Cindy Jones Park, as it appears to have the greatest activity. PL5 Oberg asked that staff return in January with a completion date.

No Action.

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.

Mayor Dormier allowed Mr. Phil Lynch to address Council. Mr. Lynch complimented Code Officer Mike Dooly with the arduous task in dealing with issues related to this item. Additionally, compliments were given to the City Manager and Ovilla's City Attorney in assisting with drafting a sample ordinance.

A proposed draft ordinance was presented to Council that focused 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 agenda item was presented for Council review comments. The consensus of the Council was positive with the presented ordinance. Staff was instructed to return next month with the ordinance in proper form for approval.

No Action.

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.

Mayor Dormier addressed this item stating changes in the law with regard to the placement of 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 control of the number of political signs that could be posted, but there can be other reasonable regulations concerning the time, manner and place of such signs. A proposed draft ordinance was presented with options from City Attorney Ron MacFarlane for additional restrictions. Mayor Dormier offered to compose a map as an exhibit for the placement of signs. Staff will return in January with the presented document in ordinance form.

No Action.

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.

Mayor Dormier and Council convened into Executive Session pursuant to Section 551.074, Personnel Matters at 8:45 p.m. City Manager Dennis Burn was called into Executive Session approximately 45 minutes later.

Council reconvened into Open Session at 10:03 p.m. Mayor Dormier announced that no action had occurred during Executive Session.

PL3 Griffin to increase the salary of City Manager Dennis Burn by 7%, seconded by PL5 Oberg.

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 Discuss the 50/50 sidewalk policy
- 3. PL3 Griffin Would like to see a fund balance update
- 4. Mayor Pro Tem Hunt None
- 5. PL5 Oberg Parks safety and completion date
- 6. Mayor None

ADJOURNMENT

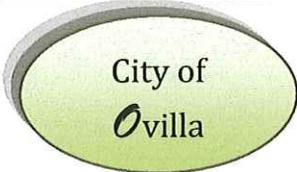
There being no further business, Mayor Dormier adjourned the meeting at 10:12 p.m.

ATTEST:

Richard A. Dormier, Mayor

Pamela Woodall, City Secretary

Approved January 11, 2016



Ovilla City Council

AGENDA ITEM REPORT

Item: 1

Meeting Date: January 11, 2016

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:

Ordinance 2016-001

Agenda Item / Topic:

ITEM 1. **DISCUSSION/ACTION** – Consideration of and Action on Ordinance 2016-001 of the City of Ovilla, TX, 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.

Discussion / Justification:

At the December 14, 2015 City Council meeting a new Chapter 8, Article 8.02 related to nuisances was presented to the City Council as a discussion item. The City Council responded favorably to the new ordinance, offered no revisions/modifications and directed staff to place the item on the January 11, 2016 City Council meeting.

As a reminder, the City Attorney did review and approve the Ordinance.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

I move that Council approves/denies Ordinance 2016-001, of the City of Ovilla, TX, 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.

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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.

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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

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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

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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.

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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: 2

Meeting Date: January 11, 2016

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:

Ordinance 2016-002

Agenda Item / Topic:

ITEM 2. **DISCUSSION/ACTION** - Consideration of and Action on Ordinance 2016-002, 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.

Discussion / Justification:

At the December 14, 2015 City Council meeting an amendment to Chapter 3, Article 3.06 Division 1, Section 3.06.003 (f) was presented. This amendment allows 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 100 feet from an outside door through which a voter may enter a polling place.

The City Council requested staff to bring this ordinance back with a map that shows Ovilla property ownership demonstrating where signs may be placed.

As a reminder the City Attorney has reviewed and approved this ordinance.

Recommendation / Staff Comments:

Staff recommends approval.

Sample Motion(s):

I move that Council approves/denies Ordinance 2016-002, 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.

ORDINANCE NO. 2016-002

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, Division 1, 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) 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

ORDINANCE NO. 2016-002

85.001 of the Texas Elections Code. A map labeling city property and the polling place is attached hereto as Exhibit A.

(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 _____, 2016.

Richard Dormier, Mayor

ATTEST:

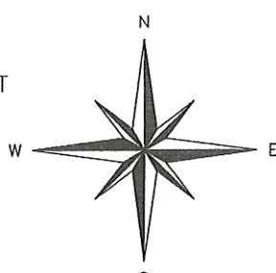
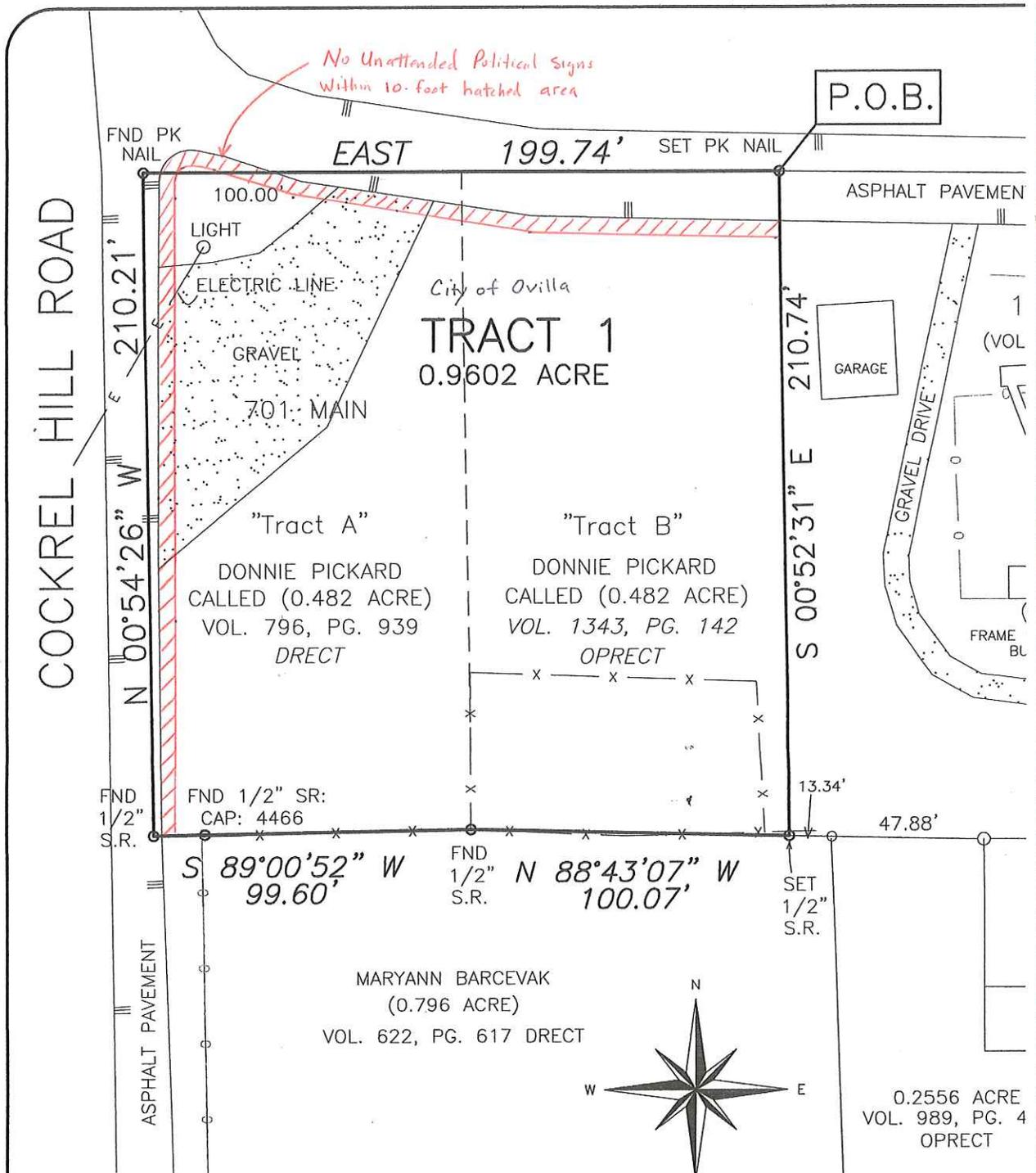
Pamela Woodall, City Secretary

ORDINANCE NO. 2016-002

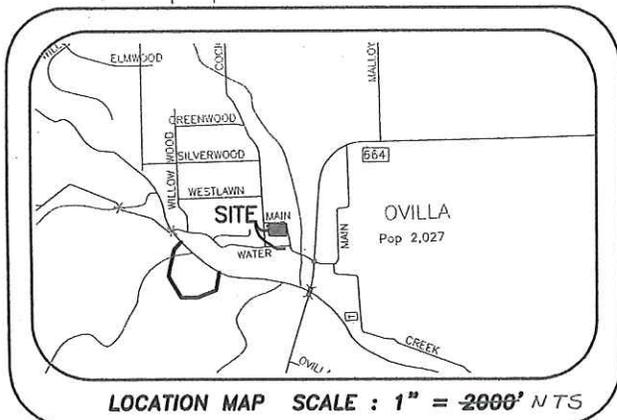
APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney

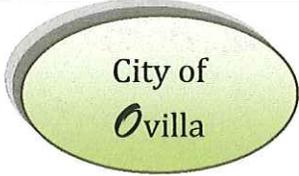
EXHIBIT A



1" = 40'
 NTS



- Notes:**
1. No unattended signs can be placed within 10 feet of pavement on Main Street or Cockrell Hill Rd, (hatched area).
 2. Unattended signs can be placed in grassed areas only.
 3. Signs cannot be attached to or supported by trees or shrubs.
 4. No signs to be located closer than 100 feet to the polling place as marked by the election judge.



Ovilla City Council

AGENDA ITEM REPORT

Item: 3

Meeting Date: January 11, 2016

Department: Fire and Police Departments

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

Fire and Police Department Chiefs

Attachments:	
Interlocal Agreement with Frisco	
Agenda Item / Topic:	
ITEM 3.	<i>DISCUSSION/ACTION</i> – Consideration of and Action on an Interlocal Agreement by and between the City of Frisco, Texas and the City of Ovilla, Texas, for the purchase of goods and services, effective upon execution and authorizing City Manager to execute said agreement.
Discussion / Justification:	
<p>The City of Frisco has developed this Interlocal Agreement so that other communities may participate in purchasing various items utilizing cooperative purchasing power. Ovilla will specifically use this agreement to purchase uniforms for the Police and Fire Departments. Frisco wears the same uniforms as we do therefore Ovilla will realize the same advantageous prices as Frisco does. This agreement will allow Ovilla to purchase uniforms at reduced prices thus stretching our budgeted dollars farther.</p> <p>This agreement has been reviewed and approved by the City Attorney and is prepared for the City Manager’s signature.</p>	
Recommendation / Staff Comments:	
Staff recommends approval of the agreement.	
Sample Motion(s):	
<i>I move that Council approves/denies an Interlocal Agreement by and between the City of Frisco, Texas and the City of Ovilla, Texas, for the purchase of goods and services, effective upon execution and authorizing City Manager to execute said agreement.</i>	

INTERLOCAL AGREEMENT

This Interlocal Agreement ("Agreement") is made and entered into this 11 day of January, 2016, by and between the CITY OF FRISCO, Texas (hereinafter called "CITY OF FRISCO"), and the CITY OF OVILLA, Texas (hereinafter called "OVILLA"), each acting by and through its duly authorized officials:

WHEREAS, CITY OF FRISCO and OVILLA are both governmental entities engaged in the purchase of goods and services, which is a recognized governmental function;

WHEREAS, CITY OF FRISCO and OVILLA wish to enter into this Agreement pursuant to Chapter 791 of the Texas Government Code (hereinafter "Interlocal Cooperation Act") to set forth the terms and conditions upon which CITY OF FRISCO and OVILLA may purchase various goods and services commonly utilized by each party;

WHEREAS, participation in an interlocal agreement will be highly beneficial to the taxpayers of CITY OF FRISCO and OVILLA through the anticipated savings to be realized and is of mutual concern to the contracting parties;

WHEREAS, CITY OF FRISCO and OVILLA have current funds available to satisfy any fees owed pursuant to this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises, covenants and obligations as set forth herein; CITY OF FRISCO and OVILLA agree as follows:

1. CITY OF FRISCO and OVILLA may cooperate in the purchase of various goods and services commonly utilized by the participants, where available and applicable, and may purchase goods and services from vendors under present and future contracts.
2. CITY OF FRISCO and OVILLA shall each be individually responsible for payments directly to the vendor and for the vendor's compliance with all conditions of delivery and quality of purchased items under such contracts. CITY OF FRISCO and OVILLA shall each make their respective payments from current revenues available to the paying party.
3. Notwithstanding anything herein to the contrary, participation in this Agreement may be terminated by any party upon thirty (30) days written notice to the other participating party(ies).
4. The undersigned officer and/or agents of the party(ies) hereto are duly authorized officials and possess the requisite authority to execute this Agreement on behalf of the parties hereto.
5. This Agreement may be executed separately by the participating entities, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

6. This Agreement shall become effective on the day and year first written above (the "Effective Date"). The primary term of this Agreement shall be for one (1) year, commencing on the Effective Date and terminating on January 11, 2017 and shall thereafter automatically renew for successive one-year terms, unless terminated according to the terms set forth in Paragraph 3.

7. To the extent allowed by law, each party agrees to release, defend, indemnify, and hold harmless the other (and its officers, agents, and employees) from and against all claims or causes of action for injuries (including death), property damages (including loss of use), and any other losses, demands, suits, judgments and costs, including reasonable attorneys' fees and expenses, in any way arising out of, related to, or resulting from its performance under this agreement, or caused by its negligent acts or omissions (or those of its respective officers, agents, employees, or any other third parties for whom it is legally responsible) in connection with performing this agreement.

8 The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement.

9. The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation having the force and effect of the law, the remaining portions of the Agreement shall be enforced as if the invalid provision had never been included.

10. This Agreement embodies the entire agreement between the parties and may only be modified in writing executed by both parties.

11. This Agreement shall be binding upon the parties hereto, their successors, heirs, personal representatives and assigns. Neither party will assign or transfer an interest in this Agreement without the written consent of the other party.

12. It is expressly understood and agreed that, in the execution of this Agreement, neither party waives, nor shall be deemed hereby to have waived any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the parties do not create any obligations, express or implied other than those set forth herein, and this Agreement shall not create any rights in parties not signatories hereto.

13. The declarations, determinations and findings declared, made and found in the preamble to this Agreement are hereby adopted, restated and made part of the operative provisions hereof.

EXECUTED hereto on the day and year first above written.

CITY OF FRISCO

CITY OF OVILLA

George Purefoy
City Manager

By: Dennis M. Burn
City Manager

STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the ___ day of _____, 2016, by George Purefoy, City Manager of the **CITY OF FRISCO, TEXAS**, a home-rule municipal corporation, on behalf of such corporation.

Notary Public in and for the
State of Texas

STATE OF TEXAS §

COUNTY OF ELLIS §

This instrument was acknowledged before me on the 11 day of January, 2016, by Dennis Burn of the **CITY OF OVILLA, TEXAS**, a general law municipal corporation, on behalf of such corporation.

Notary Public in and for the
State of Texas



Ovilla City Council

AGENDA ITEM REPORT

Item: 4

Meeting Date: January 11, 2016

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: Dennis Burn, CM

Amount: \$80 hourly (Not to exceed \$10,000)

Reviewed By: City Manager City Secretary City Attorney

Accountant Other

Attachments:
Agreement
Agenda Item / Topic:
ITEM 4. <i>DISCUSSION/ACTION</i> – Consideration of and Action on an Agreement by and between the City of Ovilla and Kim Dobbs, Consultant, to provide professional urban planning services to the City of Ovilla, effective upon execution and authorizing the Mayor to execute said agreement.
Discussion / Justification:
As I have previously told you, our current planner (The Town Planner, LLC) has been relieved from their agreement with Ovilla. Ovilla is still in need of a planner to assist us in development review (plats, site plans, subdivision and zoning) to insure that our ordinances are reviewed and implemented. There is also a need for assistance in review of our various ordinances to insure there are no gaps, inconsistencies or overlap between the various provisions. I have interviewed Ms. Kim Dobbs, based on the recommendation of our Mayor, and have found she is qualified and capable to provide the services we need. She has the educational qualifications and professional experience to be an asset to Ovilla. She will not be an employee of Ovilla but will provide services we need on an on-call basis. The agreement has been reviewed and approved by our attorney.
Recommendation / Staff Comments:
Staff recommends approval of the agreement.
Sample Motion(s):
<i>I move that Council approves/denies an Agreement by and between the City of Ovilla and Kim Dobbs, Consultant, to provide professional urban planning services to the City of Ovilla, effective upon execution and authorizing the Mayor to execute said agreement.</i>

**PLANNING CONSULTING SERVICES
AGREEMENT
CITY OF OVILLA
On-Call Planning Services**

Kim Dobbs (Consultant), agree to provide professional urban planning services to the City of Ovilla, Texas (City) on an on-call basis to support the City's administrative staff, and will serve on behalf of the City at meetings, public hearings or other events if so requested by the City.

All services will be conducted for the City on an as-needed and as-requested basis, and may include possible attendance at meetings with City staff, in front of the City's decision-making bodies, and with other entities as the City may direct. All services provided to the City will be billed on an hourly basis (or as may be set forth in a separate task-oriented scope of services, if applicable) plus any incurred expenses as set forth below.

ON-CALL PLANNING SERVICES: As the City directs, the Consultant shall provide the following professional services on an as-needed basis:

A. Development Review Services: As requested and assigned by the City, the Consultant will perform a professional planning review, in conjunction with the City's established development review processes, of plans for specific development projects (such as site plans, landscape plans, facade plans, plats, zoning requests, variances, etc.) that are prepared by others, and that are submitted by others for the City's approval (3-5 working days' lead time required, depending upon complexity of project; expedited processing, if requested by the City, may also be accommodated for certain projects if necessary). The Consultant will provide professional comments, suggestions and/or recommendations to City staff pursuant to these reviews, as the City requests for each development project, based upon the City's development codes, ordinances and master plans that are supplied to the Consultant for such review, but Consultant cannot and will not represent or certify such comments, suggestions and/or recommendations to be in absolute compliance with the City's development codes, ordinances and master plans that may be in place at the time these projects are reviewed. The sole purpose of the Consultant's reviews will be to assist City staff in evaluating their compliance with supplied City codes and ordinances, and to provide staff with professional opinions and suggestions regarding each development project on an advisory basis. Such opinions and suggestions supplied by the Consultant shall not in any way be deemed engineering or legal advice, and the City shall be responsible for utilizing its own engineering and legal resources for any related questions or issues that may arise. In conjunction with development review functions, the Consultant will:

1. Conduct an in-depth review of the City's development-related codes, ordinances, application and review procedures, and consideration/approval processes. The Consultant will also conduct initial reconnaissance to become familiar with the City's internal departmental team members as well as its external development partners (such as the Ovilla Economic Development Corporation, Chamber of Commerce, educational agencies, utility providers, NCTCOG, etc.). The purpose of these initial review tasks is for the Consultant to become thoroughly familiar with the City's development-related regulations, procedures and team members from the outset, which greatly facilitates the Consultant's ability to seamlessly "plug in" to the City's normal development review operating procedures during the processing of subsequently assigned projects.
2. Offer to the City suggestions on potential impacts governed by other City departments and by other regulatory agencies (such as the County, School District, TxDOT, etc.), as may be noticed during review of plans. Offer recommendations on input from these agencies, if applicable.
3. Deliver comments in redline and/or written format (as may be applicable or most efficient for

PLANNING CONSULTING SERVICES AGREEMENT

each development project) to the City for the subject plans. Based upon the Consultant's review, such comments shall be delivered in hard copy or electronic format, as may be applicable or most efficient for each project.

4. Correspond with developers' representatives, engineers or surveyors (as applicable) for implementation of the comments, if so directed by the City.
 5. Provide review of resubmitted application materials to verify that all comments have been addressed, and to verify that revisions do not cause internal conflicts or new issues.
 6. Prepare reports to the City's Planning & Zoning Commission, City Council and Board of Adjustment, if such assistance is desired by the City.
 7. Write and provide public hearing notices if such assistance is requested by the City (it is assumed that all notifications to development project applicants, publishing and mailing of all public hearing notices, and similar processing tasks would be the responsibility of, and performed by, City staff).
 8. Other related development review consultation or research tasks, as may be requested by the City.
- B. **Temporary Professional Planning Services:** As requested by the City, the Consultant will provide professional planning services on an interim basis, within the City's established interdepartmental development review team structure, during periods when the City's planning-related administrative staff is temporarily short-handed, or when development volumes increase such that planning review workloads are more intense than can be handled on a daily basis by existing City administrative staff. Such interim services may include periodic travel to the City and/or teleconferencing with development review team members, as appropriate and as deemed necessary by the City and as mutually agreed to by the City and the Consultant.
- C. **Special Projects:** As requested and assigned by the City, the Consultant will assist City staff with development-related ordinance amendments and other special projects (such as Zoning or Subdivision Ordinance amendments, Sign Ordinance amendments, special planning-related research projects, etc.) as requested by the City. Coordination, timing and anticipated budget estimates for such special projects, if applicable and if known in advance, shall be mutually agreed to between the City and the Consultant either on an hourly basis or under a separate task-oriented scope of services for each project, as preferred by the City.

REMUNERATION:

- A. All services provided under this agreement shall be billed at the rate of \$80.00 per hour, except that time devoted to expert witness testimony by the Consultant shall be billed at \$100.00 per hour.
- B. Any reimbursable/direct expenses (e.g., out-sourced document and color printing/copying/scanning, map plotting, delivery/courier services, travel/lodging/car rental expenses, etc.) incurred in providing services to the City are not included in the hourly rates shown above, and will be invoiced to the City at the actual incurred cost (i.e., no mark-up). Customary business expenses such as long distance and wireless phone usage, computer usage, auto mileage and office supplies are included and will not be billed to the City.
- C. If so desired by the City, the Consultant will not exceed an amount of \$10,000.00 under this agreement

PLANNING CONSULTING SERVICES AGREEMENT

without approval for continuation/extension of this agreement by the City.

- D. A review of this agreement and hourly rates may be requested by the Consultant after January 1, 2017, and on a semiannual basis thereafter. The City shall have final determination regarding any changes to this agreement upon such review request(s).

GENERAL TERMS:

- A. **Travel:** The Consultant will travel to the City's offices, when City staff indicates this need, for meetings with staff, City decision-making bodies, developers, stakeholders or other individuals or entities as directed by the City. Specific scheduling for all trips to the City will be determined and mutually agreed to by the City and the Consultant. All time spent at the City performing professional services, as well as travel time to the City (one-way), shall be billed under the scope of this agreement.
- B. **Liability:** The Consultant's liability for professional services rendered under this agreement, and for City decisions resulting from the Consultant's professional opinions and suggestions provided under this agreement, shall be limited to the amount paid to the Consultant for professional planning services for the particular project or development application that is involved, as of the date that such dispute is first made known to the Consultant, or as of the date that such decision is rendered by the City, as applicable.
- C. **Litigation and Expert Witness Testimony:** In the event that litigation arises in association with any project, or from any decision by the City on any development-related application, that the Consultant assists the City with under this agreement, the City shall be responsible for all legal counsel, and for any other professional services (such as engineering, surveying, fiscal analysis, etc.), necessitated by such litigation. At the City's request, the Consultant will continue assisting the City with litigation proceedings on the same hourly basis, except that time devoted to expert witness testimony by the Consultant shall be billed at 125% of the normal hourly rate (see Remuneration section above).
- D. **Ownership of Documents:** The City acknowledges that any maps, records, drawings, photographs, specifications or other documents prepared by the Consultant under this Agreement are instruments of professional service. Nevertheless, any such maps, records, drawings, photographs, specifications or other documents prepared under this Agreement shall become the property of the City upon completion of the Consultant's services and payment in full of all monies due to the Consultant. Any unauthorized use or unauthorized modification of the Consultant's documents by the City shall be without risk or liability to the Consultant.
- E. **Independent Contractor:** In the performance of work or services under this Agreement, the Consultant shall be deemed an independent contractor of the City, and any and all of Consultant's employees performing work or services hereunder shall be deemed to be employees of the Consultant or its contractors and not employees of the City. In no event shall this Agreement be deemed or interpreted as creating a principal-agent or joint venture relationship between the parties hereto.
- F. **Assignment:** This Agreement shall not be assignable in whole or in part without the written consent of the City.
- G. **Severability:** Should any word, phrase, sentence, paragraph or other provision or portion of this Agreement be construed to be unlawful or unenforceable by a court of competent jurisdiction, such circumstance shall not affect the validity of the remaining portions of this Agreement, which shall remain in full force and

**PLANNING CONSULTING SERVICES
AGREEMENT**

effect.

- H. **Binding Effect:** This Agreement shall be binding upon and ensure to the benefit of the parties hereto and their respective permitted successors and permitted assigns.
- I. **Governing Law & Venue:** This Agreement shall be governed by, and its provisions construed in accordance with, the laws of the State of Texas. Venue for any action arising from or related to this Agreement shall be the State District Courts of Ellis County, Texas.
- J. **Dispute Resolution:** THE CONSULTANT AND CITY AGREE THAT ALL DISPUTES ARISING FROM OR RELATED TO THIS AGREEMENT, INCLUDING BUT NOT LIMITED TO ANY AND ALL REPRESENTATIONS OR WARRANTIES, EXPRESSED OR IMPLIED, OR THE SERVICES OF CONSULTANT, WHICH CANNOT BE RESOLVED THROUGH INFORMAL NEGOTIATIONS, SHALL BE RESOLVED BY WAY OF A TRIAL BEFORE A JUDGE OF A COURT OF COMPETENT JURISDICTION. CONSULTANT AND CITY HEREBY WAIVE ANY AND ALL RIGHTS TO A TRIAL BY JURY. CONSULTANT AND CITY ACKNOWLEDGE AND REPRESENT THAT THEY HAVE KNOWINGLY AND VOLUNTARILY WAIVED THEIR RESPECTIVE RIGHTS TO A JURY TRIAL WITH RESPECT TO ANY LEGAL MATTER OR DISPUTE ARISING FROM OR RELATED TO THIS AGREEMENT.
- K. **Term of Agreement:** The City and the Consultant both have the ability to terminate this agreement at any time, for whatever reason such party deems appropriate, by sending to the other party written notice to that effect. Upon such notice, the Consultant will submit a final invoice to the City for professional services and/or expenses that have not been billed up to that point in time. Upon remittance by the City, the City's and the Consultant's obligations under this agreement will cease.
- L. **Entire Agreement:** This Agreement constitutes the entire agreement between the parties, and there exist no written or oral understandings, agreements or assurances with respect to any matters except as set forth herein. Unless expressly stated, this Agreement confers no rights to or upon any person or entity that is not a party hereto.

EXECUTED this ____ day of _____, 2016.

CONSULTANT:

Kim Dobbs

CITY OF OVILLA, TEXAS:

Richard A. Dormier, Mayor

ATTEST:

Pam Woodall, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney