

City of *OVILLA* City Council

Rachel Huber, Place One
Larry Stevenson, Place Two
David Griffin, Place Three, Mayor Pro Tem

Richard Dormier, Mayor

Doug Hunt, Place Four
Dean Oberg, Place Five
City Administrator, Vacant

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, February 09, 2015

6:30 P.M.

Council Chamber Room

AGENDA

NOTICE is hereby given of a **Regular Meeting** of the City Council of the City of Ovilla, to be held on **Monday, February 09, 2015 at 6:30 P.M.** in the Ovilla Municipal Building, Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items.

I. CALL TO ORDER

- Invocation
- Pledge of Allegiance

II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS & REPORTS

Council recognition of former Fire Chief Phillip Brancato for his years of service to the City of Ovilla.
Annual Spaghetti Benefit Dinner on Friday, February 20, 2015, 6:00 p.m.

▪ Citizen Comments

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

▪ Department Activity Reports / Discussion

- | | |
|---------------------------------------|---------------------------------|
| ● Police Department | Police Chief M. Moon |
| ○ Monthly Report | |
| ○ Tier 2 Annual reporting | |
| ● Fire Department | Interim Fire Chief B. Kennedy |
| ○ Monthly Report | |
| ● Public Works | Public Works Director B. Piland |
| ○ Monthly Report | |
| ● Finance Department | City Accountant L. Harding |
| ○ December 2014 Monthly Financials | |
| ● Administration | |
| ○ Monthly Municipal Court Report | City Secretary P. Woodall |
| ○ Monthly Code/Animal Control Reports | Code/AC Officer M. Dooly |

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. Minutes of the January 12, 2015 Briefing Session and Regular City Council Meeting
- C2. Minutes of the January 19, 2015 Special Council Meeting
- C3. Oncor Agreement
- C4. Committed Fund Balance
- C5. Quarterly Investment Report
- C6. December 2014 Financial Transactions over \$5,000
- C7. Resolution R2015-001, authorizing the Mayor to execute the Second Amendment to the Tower Lease Agreement by and between the City of Ovilla, Texas and T-Mobile West LLC.

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IV. PUBLIC HEARINGS AND CONSIDERATION

In accordance with the laws of the State of Texas, the City Council of the City of Ovilla conducts public hearings to receive public testimony and comments from all interested persons and parties of the properties described.

1. Case No. PZ15.02. **Receive** presentation and citizen comments on a request by Midlothian Independent School District for a change in zoning from RE (Single Family Residential District) to CG (General Commercial) on approximately 13.998 acres of land, more or less, located in the William Billingsley Survey, Abstract No 81, Ellis County, Texas and being generally located north of Shiloh Road and west of Bryson Lane in the Midlothian Independent School District, City of Ovilla, Texas, Extraterritorial Jurisdiction (ETJ).
 - a. **Presentation** of Request for change in zoning from Midlothian School District Representative(s).
 - b. **PUBLIC HEARING** to receive comments from the public regarding the request.
2. **Receive** presentation and citizen comments on Planned Development Application submitted by Clyde Hargrove: Consideration for a Planned Development, *Ovilla Retail Center*, being 129.043 acres, situated in the S. Clark Survey, A-212 & E. W. Blanton Survey, A-51, more commonly known to be a tract of land bordered by Ovilla Road 664, Malloy, Hosford and Westmoreland Roads. Zoning districts defined are: General Commercial, Residential, Senior Community and Park area.
 - a. **Presentation** of Request from the Developer.
 - b. **PUBLIC HEARING** to receive comments from the public regarding the request.
 - c. **DISCUSSION/ACTION – Consideration** of and action to approve the Planned Development, *Ovilla Retail Center*, being 129.043 acres, situated in the S. Clark Survey, A-212 and E.W. Blanton Survey, A-51, more commonly known to be a tract of land bordered by Ovilla Road 664, Malloy, Hosford and Westmoreland Roads.

V. REGULAR AGENDA

3. **DISCUSSION/ACTION – Consideration** of and action on Ordinance 2015-006 of the City of Ovilla, Texas, annexing the hereinafter described territory to the City of Ovilla and extending the boundary limits of the said City so as to include the hereinafter described property within the City limits of Ovilla, and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the City of Ovilla; and adopting a Service Plan.
4. **DISCUSSION/ACTION – Case No. PZ15-02. Receive** recommendation report from the Planning and Zoning Commission for the consideration of and action on the request submitted by Midlothian Independent School District for a change in zoning from RE (Single Family Residential District) to CG (General Commercial) on approximately 13.998 acres of land, more or less, located in the William Billingsley Survey, Abstract No 81, Ellis County, Texas and being generally located north of Shiloh Road and west of Bryson Lane in the Midlothian Independent School District, City of Ovilla, Texas, Extraterritorial Jurisdiction (ETJ).
5. **DISCUSSION/ACTION – Consideration** of and action on Ordinance 2015-007, providing for the amendment to the Zoning Ordinance of the City of Ovilla, Texas, that being Ordinance 2010.013, as heretofore amended; providing a zoning classification change from “RE” (Single Family Residential) to “CG” (General Commercial) on a 13.998 acre area of land described herein located within the William Billingsley Survey, Abstract No. 81, of the Deed Records of Ellis County; and providing for immediate effect.

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6. **DISCUSSION/ACTION – Consideration** of and action on Resolution R2015-002 of the City of Ovilla, Texas, authorizing the Mayor to execute an agreement/contract with Texas First Group Replacement Service, Inc. to provide personnel appropriate to handle Interim City Administrator responsibilities.
7. **DISCUSSION/ACTION – Consideration** of and action to review and revise duties and responsibilities of the City Administrator.
8. **DISCUSSION/ACTION – Consideration** of and action to define language for public notice for applications for City Administrator position and direct staff as necessary.
9. **DISCUSSION/ACTION – Consideration** of and action on the creation of a Council Review Board for City Administrator applicant review and direct staff as necessary.
10. **DISCUSSION/ACTION – Consideration** of and action on Resolution R2015-003 of the City of Ovilla, Texas, authorizing the Mayor to execute an Agreement between the North Central Texas Council of Governments and the City of Ovilla, Texas, providing a license agreement for assistance with a map-based information system to include the 2015 digital orthophotography and/or LiDAR and contour data for an amount of \$4,589.20

EXECUTIVE SESSION

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

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

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

VII. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the February 09, 2015 Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofovilla.com on the 6th day of February 2015 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.




Pamela Woodall, City Secretary

DATE OF POSTING: 2-6-2015 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.

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

To: Mayor Richard Dormier
 Ovilla City Council
 Cyndy Powell

Subject: Police Department Monthly Activity Report

Calls For Service	JAN 2015	JAN 2015 YTD	JAN 2014	JAN 2014 YTD
Accident	0	0	1	1
Alarms	15	15	19	19
Arrest	5	5	3	3
Assault	0	0	0	0
Assists: Agency/Unit:25 EMS/Fire:7 Motorist:3	35	35	18	18
Building / House Security Check	1413	1413	1299	1299
Burgulary	0	0	0	0
Burgulary of Motor Vehicle	0	0	0	0
Criminal Mischief	1	1	1	1
Disturbance	12	12	5	5
Neighborhood Check	1792	1792	1575	1575
Other Calls for Service	146	146	105	105
Suspicious Person	5	5	6	6
Suspicious Vehicle	18	18	11	11
Theft	1	1	2	2
Traffic Assignment	31	31	3	3
TOTAL CALLS FOR SERVICE	3474	3474	3048	3048

Reserve Officer Hours	20	20	72.5	72.5
Average Response Time (Minutes)	4.1	4.1	4.2	4.2
Traffic Stop (Warnings)	72	72	29	29
Traffic Stop (Citations)	42	42	18	18
Total Citations & Warnings Combined	114	114	47	47
PERCENT OF STOPS RECEIVING CITATIONS	36.8	36.8	38.3	38.3

OVILLA PD VEHICLE MILEAGE

January-15		February-15		March-15		April-15		May-15		June-15		July-15		August-15		September-15		October-15	
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100	88931	90026	1095	100				100				100				100			
102	91093	92394	1301	102				102				102				102			
103	104345	106623	2278	103				103				103				103			
104	66588.4	67413.5	825.1	104				104				104				104			
105	54522	56476	1954	105				105				105				105			
March-15		April-15		May-15		June-15		July-15		August-15		September-15		October-15					
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100			0	100			0	100			0	100			0	100			0
102			0	102			0	102			0	102			0	102			0
103			0	103			0	103			0	103			0	103			0
104			0	104			0	104			0	104			0	104			0
105			0	105			0	105			0	105			0	105			0
September-15		October-15																	
Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued	Unit #	Beginning	Ending	Accrued
100			0	100			0	100			0	100			0	100			0
102			0	102			0	102			0	102			0	102			0
103			0	103			0	103			0	103			0	103			0
104			0	104			0	104			0	104			0	104			0
105			0	105			0	105			0	105			0	105			0

TIER 2 REPORTING

FULL REPORTING

Check One

- No motor vehicle or audio equipment**
- We choose to fully report even though we qualify for the partial exemption**



**Racial Profiling Reporting
(Tier 2)**

Department Name	<u>Ovilla Police Department</u>
Agency Number	<u>TX0575500</u>
Chief Administrator Name	<u>Michael Moon</u>
Reporting Name	<u>Michael Moon</u>
Contact Number	<u>972-617-7262</u>
E-mail Address	<u>mmoon@cityofovilla.org</u>

Certification to Report 2.132 (Tier 2)

Police Requirements (2.132(b) CCP):

Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's complaint process;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and , if so, whether the individual detained consented to the search; and
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - (A) the Commission on Law Enforcement Officer Standards and Education; and
 - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

These policies are in effect


 Chief Administrator


 Date



**Racial Profiling Reporting
(Tier 2)**

(State of Texas Mandatory Form)

- Instructions: Please fill out all boxes. If zero use 0.**
1. Total on lines 3, 10, 13, 18, 21, 40, and 51 Must be equal
2. Total on lines 27 and 30 Must equal line 19

Gender:

1. 164 Female
2. 207 Male
3. 371 Total

Race or Ethnicity:

4. 60 African
5. 0 Asian
6. 251 Caucasian
7. 58 Hispanic
8. 2 Middle Eastern
9. 0 Native American
10. 371 Total

Race or Ethnicity known prior to stop?

11. 12 Yes
12. 354 No
5 Unknown/Not Specified
13. 371 Total

Reason for Stop:

14. 5 Violation of Law Other Than Traffic
15. 0 Pre-existing Knowledge (i.e. Warrant)
16. 366 Moving Traffic Violation
17. 0 Vehicle Traffic Violation (Equipment, Inspection or Registration)
18. 371 Total



Racial Profiling Reporting (Tier 2)

Search conducted?

19. 10 Yes
20. 361 No

21. 371 Total

Reason for search: (choose 1 for each search)

22. 4 Consent
23. 0 Contraband/Evidence in Plain Sight
24. 1 Probable Cause or Reasonable Suspicion
25. 0 Inventory Search Performed as Result of Towing
26. 5 Incident to Arrest/Warrant

27. 10 Total Must equal #19

Contraband discovered?

28. 3 Yes
29. 7 No

30. 10 Total Must equal #19

Description of Contraband (Chose only One)

31. 1 Illegal Drugs/Drug Paraphernalia
32. 0 Currency
33. 2 Weapons
34. 0 Alcohol
35. 0 Stolen Property
36. 0 Other

37. 3 Total Must equal #28

Arrest result of stop or search:

38. 6 Yes
39. 365 No

40. 371 Total



**Racial Profiling Reporting
(Tier 2)**

Arrest based on:

- 41. 4 Violation of the Penal Code
- 42. 0 Violation of a Traffic Law
- 43. 2 Violation of a City Ordinance
- 44. 0 Outstanding Warrant

Street address or approximate location of the stop:

- 45. 371 City Street
- 46. 0 US Highway
- 47. 0 County Road
- 48. 5 Private Property or Other

Written warning or a citation as a result of the stop:

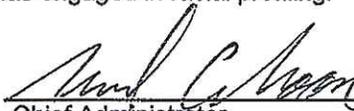
- 49. 366 Yes
- 50. 5 No

51. 371 Total

Please submit electronically the analysis in PDF format required by 2.134 CCP© which contains:

- (1) a comparative analysis of the information compiled under Article 2.133 to:
 - (A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; and
 - (B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and
- (2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

This analysis meets the above requirements

 01/05/15
 Chief Administrator Date

All five (5) pages will be entered via a TCLEOSE Web entry form and the analysis is to be uploaded to the website in PDF format

www.tcleose.state.tx.us

Pam Woodall

From: Mike Moon
Sent: Monday, January 05, 2015 11:04 AM
To: Cyndy Powell; Pam Woodall
Subject: Racial Profiling report for 2014
Attachments: Racial Profiling 2014.pdf

Good morning Ladies,

Attached you will find a copy of the Racial Profiling Report for the year 2014. State law requires this report be given to the governing body no later than the first City Council Meeting in March 2015. I'm not sure which agenda you would like presented to Council. No action is required other than documentation that the report was given to them in a timely manner.

This report can also be placed onto the City web page or any social media site. It is not protected under the "Open Records".

If you have any questions, let me know.

Thanx,

Michael Moon, FBI NA, LCC
Chief of Police
Ovilla Police Department
972-617-7262
www.cityofovilla.org

"The measure of a life is its service."
Sam Houston State University motto



Ovilla City Council Monthly Report for Fire Department - January 2014

City of Ovilla Calls for Service	2014 Totals		2015 Totals
Fire 10		Fire 3	
EMS 13	23	EMS 24	27
ESD #2 Calls for Service			
Fire 9		Fire 10	
EMS 7	16	EMS 12	22
ESD #4 Calls for Service			
Fire 2		Fire 1	
EMS 1	3	EMS 2	3
Mutual Aid Provided			
Fire 13		Fire 11	
EMS 1	14	EMS 1	12
Total Calls For Service / Month	56		64
Total Calls For Service / YTD	612		64

	Time from Notify to Time On Scene	Reaction Times
Average Response Times for City of Ovilla	5:25	
Average Response Times for ESD # 2	9:56	E-701 1:53
Average Response Times for ESD # 4	7:35	E-702 3:01

Fire Department News For the Month

1. Replaced tires on E-701
2. East Texas Medical Center - Emergency Medical Service is pulling out of Ellis County beginning March 1st, Careflight is set to take contract.



Date: February 3rd 2015

TO: Honorable Mayor and City Council Members

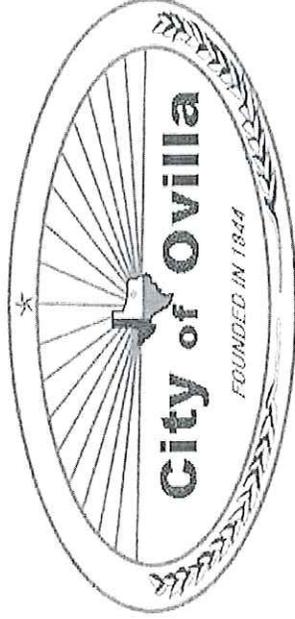
FROM: Brad Piland Public Works Director

TOPIC: Public Works Monthly Report for January

- Sewer Lift Station Repairs-
 - Pulled pump 1 at Highland Meadows Lift Station
 - Removed pump 1 from Cumberland
 - Replaced pump 2 Heritage park

 - Read water meters, serviced disconnects and reconnects
 - Replaced meters
 - 101 Brookwood,
 - Repaired potholes and shoulder on Shiloh Road and Johnson Ln, Cockrell hill
 - Removed Christmas light
 - Repaired and replaced 3 Street signs
 - Updated marquee as needed
 - 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
 - 112 Georgetown
 - 100 Blk Brookwood
 - Repaired sewer main at 406 Montpelier
 - ❖ Jimmy Bryan -
 - Serviced PD Units: 102,104,105
 - Service 2008 Chev public works truck
- **Flushed Hydrants**
- Collect water samples for TCEQ reporting
 - Water Maintenance – routine flushing mains and hydrant
 - Meter Box repair and replace lids as needed
- **Watered plants at City Hall and park**



DATE: 02-09-2015

TO: Honorable Mayor and Council Members

FROM: Linda Harding

**SUBJECT: Financial Statements for
Month Ending 12-31-14**

City of Ovilla General Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
				25%		
Revenues						
4000100 · Taxes						
4000105 · Ad Valorem, Current	754,326	853,822	1,309,020	(455,198)	65%	
4000110 · Ad Valorem, Delinquent	7,433	8,468	8,000	468	106%	
4000113 · Interest/Penalties - Prop Tax	4,455	4,772	6,800	(2,028)	70%	
4000120 · Sales Tax	10,981	38,187	198,200	(160,013)	19%	
4000125 · Sales Tax - Street Improvement	2,745	9,547	49,100	(39,553)	19%	
4000130 · Franchise Tax	3,262	6,007	150,000	(143,993)	4%	
Total 4000100 · Taxes	783,202	920,802	1,721,120	(800,318)	54%	
4000200 · Licenses and Permits						
4000208 · Building Permits						
4000210 · Residential Building Permits	9869	31237	60,000	(28,763)	52%	
4000213 · Fire Inspection Permits	1050	3150	8,250	(5,100)	38%	
4000214 · Misc Building Permits	868	4195	11,000	(6,805)	38%	
Total 4000208 · Building Permits	11,786	38,582	79,250	(40,668)	49%	
4000230 · Plan Review Fee	1871	6486	12,000	(5,514)	54%	
4000260 · Alarm Permits	60	240	2,400	(2,160)	10%	
4000270 · Animal Tag Fees	72	252	2,000	(1,748)	13%	
4000272 · Impound Fees	35	175	1,400	(1,225)	13%	
4000290 · Misc Licenses and Permits	10	165	1,000	(835)	17%	
Total 4000200 · Licenses and Permits	13,834	45,900	98,050	(52,150)	47%	
4000400 · Charges for Services						
4000325 · ESD #2	0	0	160,000	(160,000)	0%	
4000330 · ESD #4	0	0	18,745	(18,745)	0%	
4000411 · Copies and Maps	0	7	100	(93)	7%	
4000415 · Police Reports	6	12	150	(138)	8%	
4000420 · Park Lights	0	0	350	(350)	0%	
4000440 · Oak Leaf Animal Control	0	0	800	(800)	0%	

City of Ovilla General Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current			Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget	Budget		
					25%		
4000450 · Subdivision Fees	3,700	9,525	0	9,525	9,525	100%	
4000480 · Solid Waste (Garbage)	21,730	56,905	200,000	(143,095)	(143,095)	28%	
4000490 · Misc Charges for Services	531	755	2,500	(1,745)	(1,745)	30%	
Total 4000400 · Charges for Services	25,967	67,204	382,645	(315,441)	(315,441)	18%	
4000500 · Fines and Forfeitures							
4000535 · Omni Warrant Revenue	176	306	400	(94)	(94)	77%	
4000510 · Fines - Police	5631	15063	85,500	(70,437)	(70,437)	18%	
4000520 · Fines - Animal Control	244	244	1,000	(756)	(756)	24%	
4000525 · Fines - Code Enforcement	0	572	2,000	(1,428)	(1,428)	29%	
4000550 · Municipal Court Technology	107	275	0	275	275	100%	
4000551 · Municipal Court Security	80	206	0	206	206	100%	
4000590 · Misc Fines and Forfeitures	0	0	400	(400)	(400)	0%	
Total 4000500 · Fines and Forfeitures	6,239	16,667	89,300	(72,633)	(72,633)	19%	
4000800 · Other Revenue							
4000810 · Heritage Day	0	1085	9,000	(7,915)	(7,915)	12%	
4000818 · Lease Proceeds	0	0	1,165	(1,165)	(1,165)	0%	
4000820 · Water Tower Lease	8668	16025	92,000	(75,975)	(75,975)	17%	
4000840 · Interest Earned	324	965	5,500	(4,535)	(4,535)	18%	
4000870 · Insurance Proceeds	0	326	0	326	326	100%	
4000885 · Proceeds from Sale of Assets	0	84630	0	84,630	84,630	100%	
4000887 · HOA Revenue	0	249	1,015	(766)	(766)	25%	
4000890 · Misc Other Revenue	548	847	4,000	(3,153)	(3,153)	21%	
Total 4000800 · Other Revenue	9,539	104,127	112,680	(8,553)	(8,553)	92%	
4000900 · Transfers In							
4000925 · Admin.Rev. received from 4B-EDC	625	625	2,500	(1,875)	(1,875)	25%	
4000930 · Admin. Rev. Rec. From W&S Fund	29,661	29,661	125,361	(95,700)	(95,700)	24%	
4000940 · Admin.Rev. Rec. from MDD Fund	125	125	500	(375)	(375)	25%	

**City of Ovilla General Fund
Profit & Loss Budget Performance
October 2014 through December 2014**

	Current		Year to Date		\$ Over (Under)		% of Budget		
	December 2014		Oct 2014 - Dec 2014		Budget		Thru December		
	0	0	0	163,300	Budget	25%	0%		
4000990 · Reduction in Fund Balance									
Total Revenues	869,193	1,185,111	2,695,456	(1,510,345)			44%		
Gross Resources	869,193	1,185,111	2,695,456	(1,510,345)			44%		
Expenditures									
10 · Administration									
5101100 · Salaries & Wages									
5101110 · City Administrator	1585	14365	61,800	(47,435)			23%		
5101115 · City Secretary	1010	9092	39,397	(30,305)			23%		
5101117 · City Accountant	1006	8391	36,000	(27,609)			23%		
5101120 · Admin. Support	572	5044	21,653	(16,609)			23%		
5101180 · Merit Raises, Staff	0	0	4,800	(4,800)			0%		
Total 5101100 · Salaries & Wages	4,173	36,892	163,650	(126,758)			23%		
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	4,000	(4,000)			0%		
5102110 · Group Insurance	2520	7578	20,895	(13,317)			36%		
5102135 · TMRS	939	2804	15,000	(12,196)			19%		
5102160 · Worker's Compensation	0	176	610	(434)			29%		
5102170 · Payroll Taxes	234	700	3,140	(2,440)			22%		
5102180 · Unemployment Taxes	0	0	1,000	(1,000)			0%		
5102196 · Indiv. Membership Dues	0	175	1,500	(1,325)			12%		
Total 5102100 · Employee Benefits	3,694	11,433	46,145	(34,712)			25%		
5102200 · Special Services									
5102210 · Tax Assessing & Collecting Fees	0	0	1,570	(1,570)			0%		

City of Ovilla General Fund
Profit & Loss Budget Performance
October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
5102220 · Tax Appraisal Fee	13552	13737	14,000	(263)		98%
5102230 · Legal Fees	1853	2978	25,000	(22,023)		12%
5102240 · Audit	0	5050	7,605	(2,555)		66%
5102250 · Accounting	0	271	2,000	(1,729)		14%
5102260 · Engineering Fees	0	0	1,000	(1,000)		0%
Total 5102200 · Special Services	15,404	22,035	51,175	(29,140)		43%
5102300 · Contractual Services	3,176	4,033	20,000	(15,967)		20%
5102310 · Consultant Fees	3,176	4,033	20,000	(15,967)		20%
Total 5102300 · Contractual Services	3,176	4,033	20,000	(15,967)		20%
5102500 · Operating Services	265	795	3,600	(2,805)		22%
5102530 · Custodial Service Contract	265	795	3,600	(2,805)		22%
Total 5102500 · Operating Services	265	795	3,600	(2,805)		22%
5102600 · Special Expenses	0	0	850	(850)		0%
5102610 · Election - Payroll	0	0	850	(850)		0%
5102620 · Election - Supplies	0	0	2,500	(2,500)		0%
5102630 · Election Meeting Expense	0	0	100	(100)		0%
5102650 · Codification Book Update	0	0	3,300	(3,300)		0%
Total 5102600 · Special Expenses	0	0	6,750	(6,750)		0%
5103100 · General Supplies	883	1,499	6,000	(4,501)		25%
5103110 · Office Supplies	883	1,499	6,000	(4,501)		25%
5103140 · Uniforms	0	0	250	(250)		0%
Total 5103100 · General Supplies	883	1,499	6,250	(4,751)		24%
5103400 · Maintenance Supplies / Parts	70	70	1,200	(1,130)		6%
5103410 · Supplies - Custodial	70	70	1,200	(1,130)		6%
5103440 · Maintenance Agreement Expense	0	0	400	(400)		0%

**City of Ovilla General Fund
Profit & Loss Budget Performance
October 2014 through December 2014**

	Current		Year to Date		\$ Over (Under)	% of Budget
	December 2014	October 2014 - Dec 2014	Budget	Budget		
	12	12	100	12%		
5103460 · Miscellaneous	82	82	1,700	(1,618)		5%
Total 5103400 · Maintenance Supplies / Parts					(88)	12%
5104200 · Travel Expenses	0	0	500	(500)		0%
5104210 · Travel - Local	575	2523	5,000	(2,477)		50%
5104220 · Professional Development	0	252	1,200	(948)		21%
5104222 · Professional Develop - Council	0	0	1,200	(1,200)		0%
5104225 · City Council Meal Expense	0	0	200	(200)		0%
5104230 · Professional Develop - In-House	575	2,775	8,100	(5,325)		34%
Total 5104200 · Travel Expenses						
5105200 · Data Processing Expenses	2404	3282	6,000	(2,718)		55%
5105230 · Data Proc-Maintenance & Repair	10	2615	10,000	(7,385)		26%
5105240 · Data Processing - Software	2,414	5,897	16,000	(10,103)		37%
Total 5105200 · Data Processing Expenses						
5105300 · Printing Expense	921	1261	3,300	(2,039)		38%
5105310 · Copier Expense	783	783	4,400	(3,617)		18%
5105320 · Printing - Newsletters	0	0	1,000	(1,000)		0%
5105330 · Printing - Forms	0	428	500	(73)		86%
5105350 · Printing - Other	1,704	2,472	9,200	(6,728)		27%
Total 5105300 · Printing Expense						
5105400 · Utilities	109	327	1,400	(1,073)		23%
5105410 · Telephone	217	442	2,680	(2,238)		16%
5105415 · Cellular Phone	101	235	840	(605)		28%
5105417 · Internet	38	126	1,100	(974)		11%
5105420 · Wireless Cards	278	929	4,635	(3,706)		20%
5105450 · Electricity	743	2,058	10,655	(8,597)		19%
Total 5105400 · Utilities						

City of Ovilla General Fund
Profit & Loss Budget Performance
October 2014 through December 2014

	Current		Year to Date		\$ Over		% of Budget	
	December 2014	Oct 2014 - Dec 2014	Budget	Budget	(Under)	Budget	Thru December	25%
5105500 - Repairs & Bldg Improvements								
5105520 - Repairs - Buildings	28	55	3,000		(2,945)		2%	
5105540 - Repairs - Machinery & Equipment	0	0	500		(500)		0%	
5105590 - Repairs - Other	135	135	500		(365)		27%	
Total 5105500 - Repairs & Bldg Improvements	163	190	4,000		(3,810)		5%	
5105600 - Insurance								
5105610 - Insurance - Property	0	274	1,250		(976)		22%	
5105620 - Insurance - Liability	0	267	1,067		(800)		25%	
5105630 - Insurance - Fidelity Bond	300	300	300		0		100%	
5105635 - Public Officials Surety Bonds	0	0	900		(900)		0%	
Total 5105600 - Insurance	300	841	3,517		(2,676)		24%	
5105700 - Other Expenses								
5105705 - Postage	1,052	1,871	5,000		(3,129)		37%	
5105710 - Cash - Over/Short	0	0	10		(10)		0%	
5105725 - Records Management Expense	0	0	300		(300)		0%	
5105730 - City - Memberships	1,040	1,300	2,100		(800)		62%	
5105740 - Legal Notices/Advertisement	266	678	4,000		(3,322)		17%	
5105752 - Employment Screening	0	0	400		(400)		0%	
5105760 - Bank Service Charge	0	10	25		(15)		40%	
5105764 - Filing Fees	0	30	500		(470)		6%	
5105765 - Miscellaneous	55	647	2,000		(1,353)		32%	
Total 5105700 - Other Expenses	2,413	4,535	14,335		(9,800)		32%	
5106400 - Minor Capital Outlay								
5106440 - Machinery & Equipment	0	0	2,000		(2,000)		0%	
5106465 - Furniture	0	0	1,000		(1,000)		0%	
Total 5109000 - Reserves	0	0	64,469		(64,469)		0%	

**City of Ovilla General Fund
Profit & Loss Budget Performance
October 2014 through December 2014**

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
Total 10 · Administration	35,987	95,537	433,171	(337,634)		22%
20 · Police						
5201100 · Salaries & Wages						
5201120 · Police Chief	5208	15623	65,728	(50,105)		24%
5201143 · Command Staff	4110	12330	51,873	(39,543)		24%
5201150 · Certification Pay	185	554	2,400	(1,846)		23%
5201180 · Merit Raises - Staff	0	0	3,528	(3,528)		0%
Total 5201100 · Salaries & Wages	9,502	28,507	123,529	(95,022)		23%
5201400 · Support Salaries						
5201405 · Support Staff	1842	5525	23,234	(17,709)		24%
5201410 · Patrol	18966	53319	276,800	(223,481)		19%
5201415 · Certification Pay	242	242	5,100	(4,858)		5%
5201480 · Merit Raises	0	0	8,700	(8,700)		0%
5201490 · Overtime	321	3,274	7,200	(3,926)		45%
Total 5201400 · Support Salaries	21,371	62,361	321,034	(258,673)		19%
5202100 · Employee Benefits						
5202110 · Group Insurance	5741	16621	69,460	(52,839)		24%
5202135 · TMRS	1760	5199	27,000	(21,801)		19%
5202160 · Worker's Compensation	0	2090	8,650	(6,560)		24%
5202170 · Payroll Taxes	450	1322	7,400	(6,078)		18%
5202196 · Membership Dues	270	270	315	(45)		86%
Total 5202100 · Employee Benefits	8,220	25,502	112,825	(87,323)		23%
5202300 · Contractual Services						
5202355 · Contract Labor - Individual	80	80	500	(420)		16%
5202356 · Gingerbread House	0	1,000	1,000	0		100%
5202380 · Dispatch	0	6,938	13,875	(6,938)		50%

**City of Ovilla General Fund
Profit & Loss Budget Performance
October 2014 through December 2014**

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
5202385 · Jail Expense	0	0	1,000	(1,000)		0%
5202390 · Special Response Team	0	0	1,000	(1,000)		0%
5202395 · Contractual Services Other	0	0	1,000	(1,000)		0%
Total 5202300 · Contractual Services	80	8,018	18,375	(10,358)		44%
5202500 · Operating Services						
5202540 · Computer Maintenance	38	94	700	(606)		13%
5202560 · Internet Subscriptions	0	0	1,350	(1,350)		0%
Total 5202500 · Operating Services	38	94	2,050	(1,956)		5%
5202600 · Special Expenses						
5202675 · National Night Out	0	419	500	(81)		84%
Total 5202600 · Special Expenses	0	419	500	(81)		84%
5203100 · General Supplies						
5203110 · Office Supplies	0	646	1,500	(854)		43%
5203140 · Uniforms	380	1227	3,500	(2,273)		35%
5203170 · Evidence Gathering	17	35	700	(666)		5%
Total 5203100 · General Supplies	397	1,908	5,700	(3,792)		33%
5203400 · Maintenance Supplies & Parts						
5203410 · Supplies - Custodial	45	249	600	(351)		42%
Total 5203400 · Maintenance Supplies & Parts	45	249	600	(351)		42%
5204200 · Travel Expenses						
5204210 · Travel - Local	0	0	300	(300)		0%
5204220 · Professional Development	0	687	2,000	(1,313)		34%
5204225 · Professional Dev - LEOSE	375	675	1,165	(490)		58%
5204270 · Vehicle Expenses	1825	6065	24,000	(17,935)		25%
Total 5204200 · Travel Expenses	2,200	7,427	27,465	(20,038)		27%

City of Ovilla General Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
5205200 · Data Processing Expenses						
5205220 · Data Proc - Equipment Rental	0	0	400		(400)	0%
5205240 · Data Processing - Software	0	16,638	17,500		(862)	95%
Total 5205200 · Data Processing Expenses	0	16,638	17,900		(1,262)	93%
5205300 · Printing Expenses						
5205310 · Copier Expense	82	246	1,500		(1,254)	16%
5205330 · Printing - Forms	45	45	300		(255)	15%
5205350 · Printing - Other	13	58	400		(342)	14%
Total 5205300 · Printing Expenses	140	348	2,200		(1,852)	16%
5205400 · Utilities						
5205410 · Telephone	109	344	1,600		(1,256)	21%
5205415 · Cellular Phone	116	349	1,350		(1,001)	26%
5205417 · Internet - PD	101	268	1,475		(1,207)	18%
5205420 · Wireless Cards	228	684	2,350		(1,666)	29%
5205450 · Electricity	414	1056	4,120		(3,064)	26%
Total 5205400 · Utilities	967	2,701	10,895		(8,194)	25%
5205500 · Repairs & Building Improvements						
5205520 · Repairs - Building	0	300	1,517		(1,217)	20%
5205540 · Repairs- Machinery & Equipment	283	283	1,200		(917)	24%
5205550 · Repairs - Vehicles	341	1,065	7,500		(6,435)	14%
Total 5205500 · Repairs & Building Improvements	624	1,648	10,217		(8,569)	16%
5205600 · Insurance						
5205610 · Insurance - Property	0	408	1,641		(1,233)	25%
5205620 · Insurance - Liability	0	1284	5,140		(3,857)	25%
5205640 · Insurance - Vehicle	0	591	2,400		(1,809)	25%

City of Ovilla General Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
Total 5205600 · Insurance	0	2,282	9,181	(6,899)		25%
5205700 · Other Expenses	0	0	200	(200)		0%
5205742 · Public Relations	165	360	1,000	(640)		36%
5205752 · Employment Screening	548	552	1,619	(1,067)		34%
5205765 · Miscellaneous	713	912	2,819	(1,907)		32%
Total 5205700 · Other Expenses	689	1,753	1,150	603		152%
5206400 · Minor Capital Outlay	730	730	2,000	(1,270)		36%
5206440 · Machinery & Equipment	1,419	2,483	3,150	(667)		79%
5206445 · Personal Protective Equipment	45,717	161,495	668,440	(506,945)		24%
Total 20 · Police	440	1,320	6,000	(4,680)		22%
25 · Municipal Court	440	1,320	6,000	(4,680)		22%
5251100 · Salaries & Wages	2515	7546	31,740	(24,194)		24%
5251140 · Municipal Judge	0	0	200	(200)		0%
Total 5251100 · Salaries & Wages	510	1556	8,500	(6,944)		18%
5251400 · Support Staff	0	0	952	(952)		0%
5251405 · Support Staff	0	0	1,400	(1,400)		0%
5251420 · Jury Fees	3,025	9,102	42,792	(33,690)		21%
5251425 · City Prosecutor	630	1894	6,950	(5,056)		27%
5251480 · Merit Raises	143	430	2,200	(1,770)		20%
5251490 · Overtime						
Total 5251400 · Support Staff						
5252100 · Employee Benefits						
5252110 · Group Insurance						
5252135 · TMRS						

**City of Ovilla General Fund
Profit & Loss Budget Performance
October 2014 through December 2014**

	Current			Year to Date		\$ Over (Under) Budget	% of Budget Thru December 25%
	December 2014	Oct 2014 - Dec 2014	Budget	Oct 2014 - Dec 2014	Budget		
5252160 · Worker's Compensation	0	0	120		(120)	0%	
5252170 · Payroll Taxes	36	109	475		(366)	23%	
5252196 · Membership Dues	0	0	25		(25)	0%	
Total 5252100 · Employee Benefits	810	2,434	9,770		(7,336)	25%	
5252300 · Contractual Services	5,136	5,202	32,000		(26,798)	16%	
5252375 · Traffic Fines							
Total 5252300 · Contractual Services	5,136	5,202	32,000		(26,798)	16%	
5252500 · Operating Services	0	0	75		(75)	0%	
5252540 · Computer Maintenance							
Total 5252500 · Operating Services	0	0	75		(75)	0%	
5253100 · General Supplies	0	0	150		(150)	0%	
5253110 · Office Supplies							
5253140 · Uniforms							
Total 5253100 · General Supplies	0	0	200		(200)	0%	
5254200 · Travel Expenses	0	0	25		(25)	0%	
5254210 · Travel - Local							
Total 5254200 · Travel Expenses	0	0	25		(25)	0%	
5255200 · Data Processing Expenses	0	1,860	1,860		(0)	100%	
5255240 · Data Processing - SW Maint.							
Total 5255200 · Data Processing Expenses	0	1,860	1,860		(0)	100%	
5255300 · Printing Expense	179	179	800		(621)	22%	
5255350 · Printing - Other							
Total 5255300 · Printing Expense	179	179	800		(621)	22%	

City of Ovilla General Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
5255600 · Insurance						
5255620 · Insurance - Liability	0	79	315		(236)	25%
Total 5255600 · Insurance	0	79	315		(236)	25%
5255700 · Other Expenses						
5255765 · Miscellaneous	0	0	100		(100)	0%
5255768 · Collection Agency Fees	140	383	1,400		(1,017)	27%
5255770 · Warrant Fee State Comptroller	0	0	900		(900)	0%
5255772 · Warrant Fee - Omni	116	116	400		(284)	29%
Total 5255700 · Other Expenses	256	499	2,800		(2,301)	18%
Total 25 · Municipal Court	9,846	20,674	96,637		(75,963)	21%
30 · Fire						
5301100 · Salaries & Wages						
5301125 · Fire Chief	3278	9835	41,375		(31,540)	24%
5301140 · Fire Captains	4480	14041	100,723		(86,682)	14%
5301180 · Merit Raises - Staff	0	0	4,263		(4,263)	0%
Total 5301100 · Salaries & Wages	7,758	23,876	146,361		(122,485)	16%
5301400 · Support Salaries						
5301440 · Firefighters	19807	58162	223,060		(164,898)	26%
5301480 · Merit Raises	0	0	6,692		(6,692)	0%
5301485 · Volunteer Incentive Program	3253	5098	15,600		(10,502)	33%
Total 5301400 · Support Salaries	23,060	63,260	245,352		(182,092)	26%
5302100 · Employee Benefits						
5302135 · TMRS	187	561	2,000		(1,439)	28%
5302137 · Volunteer Retirement	0	108	500		(392)	22%
5302160 · Worker's Compensation	0	2034	8,350		(6,316)	24%

**City of Ovilla General Fund
Profit & Loss Budget Performance
October 2014 through December 2014**

	Current				Year to Date		\$ Over		% of Budget	
							(Under)		Thru December	
	December 2014	Oct 2014 - Dec 2014	Budget	Budget	Budget	Budget	Budget	Budget	25%	
5302170 · Payroll Taxes	1905	5739	27,000		(21,261)				21%	
5302196 · Membership Dues	555	555	1,900		(1,345)				29%	
Total 5302100 · Employee Benefits	2,647	8,997	39,750		(30,753)				23%	
5302300 · Contractual Services										
5302310 · Consultant Fees	0	13	1,500		(1,487)				1%	
5302380 · Dispatch	0	7,308	14,615		(7,308)				50%	
5302385 · Emergency Transport Service	0	15,890	66,257		(50,367)				24%	
Total 5302300 · Contractual Services	0	23,210	82,372		(59,162)				28%	
5302500 · Operating Services										
5302510 · Maintenance Agreements	857	1257	11,705		(10,448)				11%	
5302540 · Computer Maintenance	38	75	1,500		(1,425)				5%	
5302570 · Warning System Maintenance	0	0	780		(780)				0%	
5302580 · Generator Maintenance	0	780	2,120		(1,340)				37%	
Total 5302500 · Operating Services	894	2,112	16,105		(13,993)				13%	
5302600 · Special Expenses										
5302675 · National Night Out	0	253	253		(0)				100%	
Total 5302600 · Special Expenses	0	253	253		(0)				100%	
5303100 · General Supplies										
5303110 · Office Supplies	0	264	1,600		(1,336)				16%	
5303140 · Uniforms	176	1333	5,000		(3,667)				27%	
5303160 · Medical Supplies	1144	1697	5,000		(3,303)				34%	
5303165 · Medical Support	0	56	500		(444)				11%	
5303170 · Evidence Gathering	0	0	50		(50)				0%	
5303175 · Education Aids	0	0	50		(50)				0%	
Total 5303100 · General Supplies	1,321	3,350	12,200		(8,850)				27%	

City of Ovilla General Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget
	December 2014	Oct 2014 - Dec 2014	Oct 2014 - Dec 2014	Budget		
	Budget	Budget	Budget	25%		
5303400 · Maintenance Supplies & Parts						
5303410 · Supplies - Custodial	444	541	2,200	(1,659)	25%	
5303420 · Building Alarm Maintenance	0	0	420	(420)	0%	
Total 5303400 · Maintenance Supplies & Parts	444	541	2,620	(2,079)	21%	
5304200 · Travel Expenses						
5304220 · Professional Development	0	261	1,300	(1,039)	20%	
5304270 · Vehicle Expenses	590	5,356	10,000	(4,644)	54%	
Total 5304200 · Travel Expenses	590	5,617	11,300	(5,663)	50%	
5305200 · Data Processing Expenses						
5305230 · Data Proc-Maintenance & Repair	0	38	1,000	(963)	4%	
5305240 · Data Processing - Software	0	0	2,850	(2,850)	0%	
Total 5305200 · Data Processing Expenses	0	38	3,850	(3,813)	1%	
5305300 · Printing Expense						
5305310 · Copier Expense	470	701	3,100	(2,399)	23%	
5305330 · Printing - Forms	0	0	100	(100)	0%	
Total 5305300 · Printing Expense	470	701	3,200	(2,499)	22%	
5305400 · Utilities						
5305410 · Telephone	213	689	2,350	(1,661)	29%	
5305415 · Cellular Phone	0	0	525	(525)	0%	
5305417 · Internet - Fire Dept.	413	1247	3,600	(2,353)	35%	
5305430 · Natural Gas	274	388	2,400	(2,012)	16%	
5305450 · Electricity	365	1216	5,562	(4,346)	22%	
Total 5305400 · Utilities	1,265	3,539	14,437	(10,898)	25%	
5305500 · Repairs & Bldg Improvements						
5305520 · Repairs - Building	232	1336	2,800	(1,464)	48%	
5305540 · Repairs - Machinery & Equipment	48	3795	19,000	(15,205)	20%	

City of Ovilla General Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over		% of Budget	
	December 2014	Oct 2014 - Dec 2014	Budget	Budget	(Under)	Budget	Thru December	25%
5305545 · Repairs - Apparatus	390	390	12,000	(11,610)			3%	
5305550 · Repairs - Vehicles	1696	1949	3,500	(1,551)			56%	
Total 5305500 · Repairs & Bldg Improvements	2,366	7,471	37,300	(29,829)			20%	
5305600 · Insurance								
5305620 · Insurance - Liability	0	357	6,500	(6,144)			5%	
5305640 · Insurance - Vehicle	0	2,535	10,200	(7,665)			25%	
Total 5305600 · Insurance	0	2,891	16,700	(13,809)			17%	
5305700 · Other Expenses								
5305705 · Postage	7	7	50	(43)			14%	
5305752 · Employment Screening	16	32	165	(133)			19%	
5305765 · Flags & Miscellaneous	23	85	100	(15)			85%	
Total 5305700 · Other Expenses	46	125	315	(190)			40%	
5306400 · Minor Capital Outlay								
5306440 · Machinery & Equipment	248	1574	10,300	(8,726)			15%	
5306445 · Personal Protective Equipment	1899	1899	20,247	(18,349)			9%	
Total 5306400 · Minor Capital Outlay	2,147	3,472	30,547	(27,075)			11%	
Total 30 · Fire	43,007	149,450	662,662	(513,212)			23%	
40 · Community Services								
5401100 · Salaries & Wages								
5401135 · ACO/Code Enforcement Officer	3170	9548	40,000	(30,452)			24%	
5401180 · Merit Raises - Staff	0		1,200	(1,200)			0%	
5401190 · Overtime	297	862	2,850	(1,988)			30%	
Total 5401100 · Salaries & Wages	3,467	10,410	44,050	(33,640)			24%	
5402100 · Employee Benefits								
5402110 · Group Insurance	350	1050	6,960	(5,910)			15%	
5402135 · TMRS	200	601	2,800	(2,199)			21%	

**City of Ovilla General Fund
Profit & Loss Budget Performance
October 2014 through December 2014**

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
5402160 · Worker's Compensation	0	59	245	(187)		24%
5402170 · Payroll Taxes	56	168	600	(432)		28%
5402190 · License	0	150	625	(475)		24%
Total 5402100 · Employee Benefits	606	2,028	11,230	(9,202)		18%
5402300 · Contractual Services						
5402315 · Contract Building Inspections	4,918	18,236	46,800	(28,564)		39%
5402370 · Impound Fees	300	400	1,400	(1,000)		29%
Total 5402300 · Contractual Services	5,218	18,636	48,200	(29,564)		39%
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	0	143	500	(357)		29%
5403140 · Uniforms	0	145	350	(205)		41%
Total 5403100 · General Supplies	0	287	1,050	(763)		27%
5403400 · Maintenance Supplies & Parts						
5403460 · Miscellaneous	4	98	100	(2)		98%
Total 5403400 · Maintenance Supplies & Parts	4	98	100	(2)		98%
5404200 · Travel Expenses						
5404210 · Travel - Local	0	0	25	(25)		0%
5404220 · Professional Development	0	0	200	(200)		0%
5404270 · Vehicle Expenses	129	379	2,200	(1,821)		17%
Total 5404200 · Travel Expenses	129	379	2,425	(2,046)		16%

City of Ovilla General Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
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	0	150		(150)	0%
Total 5405300 · Printing Expense	0	0	150		(150)	0%
5405400 · Utilities						
5405415 · Cellular Phone	79	238	550		(312)	43%
Total 5405400 · Utilities	79	238	550		(312)	43%
5405600 · Insurance						
5405610 · Insurance - Property	0	2	8		(6)	25%
5405620 · Insurance - Liability	0	53	215		(162)	25%
5405640 · Insurance - Vehicle	0	66	300		(234)	22%
Total 5405600 · Insurance	0	121	523		(402)	23%
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	43	2,700		(2,657)	2%
Total 5406400 · Minor Capital Outlay	0	43	2,700		(2,657)	2%
Total 40 · Community Services	9,504	32,241	114,558		(82,317)	28%
45 · Solid Waste						
5455400 · Utilities	33,384	50,076	204,661		(154,585)	24%
5455465 · Solidwaste Pickup (Garbage)						

**City of Ovilla General Fund
Profit & Loss Budget Performance
October 2014 through December 2014**

	Current		Year to Date		\$ Over (Under)		% of Budget	
	December 2014	Oct 2014 - Dec 2014	Budget	Budget	Budget	Budget	Thru December	25%
Total 5455400 · Utilities	33,384	50,076	204,661	204,661	(154,585)	(154,585)	24%	24%
Total 45 · Solid Waste	33,384	50,076	204,661	204,661	(154,585)	(154,585)	24%	24%
50 · Streets								
5501400 · Support Staff								
5501415 · Maintenance Crew	1906	5616	24,044	24,044	(18,428)	(18,428)	23%	23%
5501480 · Merit Raises	0	0	721	721	(721)	(721)	0%	0%
5501490 · Overtime	107	482	1,575	1,575	(1,093)	(1,093)	31%	31%
5501500 · Streets - On Call	50	100	700	700	(600)	(600)	14%	14%
Total 5501400 · Support Staff	2,063	6,199	27,040	27,040	(20,841)	(20,841)	23%	23%
5502100 · Employee Benefits								
5502110 · Group Insurance	630	1894	6,960	6,960	(5,066)	(5,066)	27%	27%
5502135 · TMRS	118	359	1,700	1,700	(1,341)	(1,341)	21%	21%
5502160 · Worker's Compensation	0	324	1,340	1,340	(1,016)	(1,016)	24%	24%
5502170 · Payroll Taxes	29	89	360	360	(271)	(271)	25%	25%
5502190 · License	0	0	122	122	(122)	(122)	0%	0%
Total 5502100 · Employee Benefits	777	2,666	10,482	10,482	(7,816)	(7,816)	25%	25%
5502200 · Special Services								
5502280 · NCTCOG- SWMP Fees	100	1,556	6,400	6,400	(4,844)	(4,844)	24%	24%
Total 5502200 · Special Services	100	1,556	6,400	6,400	(4,844)	(4,844)	24%	24%
5502600 · Special Expenses								
5502620 · Emergency Clean Up	0	0	2,250	2,250	(2,250)	(2,250)	0%	0%
Total 5502600 · Special Expenses	0	0	2,250	2,250	(2,250)	(2,250)	0%	0%
5503100 · General Supplies								
5503110 · Office Supplies	0	0	100	100	(100)	(100)	0%	0%

**City of Ovilla General Fund
Profit & Loss Budget Performance
October 2014 through December 2014**

	Current		Year to Date		Budget	\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Oct 2014 - Dec 2014	Budget			
5503140 · Uniforms	0	425	425	500	(75)	85%	
Total 5503100 · General Supplies	0	425	425	600	(175)	71%	
5503400 · Maintenance Supplies & Parts							
5503405 · Drainage Maintenance	0	0	0	500	(500)	0%	
5503420 · Supplies - Street Signs	0	260	260	2,000	(1,740)	13%	
5503460 · Miscellaneous	0	0	0	300	(300)	0%	
Total 5503400 · Maintenance Supplies & Parts	0	260	260	2,800	(2,540)	9%	
5504200 · Travel Expenses							
5504220 · Professional Development	0	0	0	500	(500)	0%	
5504270 · Vehicle Expenses	64	513	513	6,500	(5,987)	8%	
Total 5504200 · Travel Expenses	64	513	513	7,000	(6,487)	7%	
5505300 · Printing Expense							
5505350 · Printing - Other	0	311	311	350	(39)	89%	
Total 5505300 · Printing Expense	0	311	311	350	(39)	89%	
5505400 · Utilities							
5505450 · Electricity	3599	11179	11179	45,000	(33,821)	25%	
Total 5505400 · Utilities	3,599	11,179	11,179	45,000	(33,821)	25%	
5505500 · Repairs & Bldg Improvements							
5405520 · Repairs - Building	0	0	0	500	(500)	0%	
5505540 · Repairs - Machinery & Equipment	0	38	38	3,500	(3,462)	1%	
5505550 · Repairs - Vehicles	0	0	0	2,400	(2,400)	0%	
5505560 · Repairs -Street Maint.& Repairs	539	2056	2056	50,000	(47,944)	4%	
5505565 · Repairs - Infrastruct Drainage	0	0	0	3,000	(3,000)	0%	
5505590 · Repairs - Other	0	0	0	1,500	(1,500)	0%	
Total 5505500 · Repairs & Bldg Improvements	539	2,094	2,094	60,900	(58,806)	3%	

**City of Ovilla General Fund
Profit & Loss Budget Performance
October 2014 through December 2014**

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
5505600 · Insurance						
5505620 · Insurance - Liability	0	285	1,140	(856)		25%
5505640 · Insurance - Vehicle	0	1,002	3,460	(2,458)		29%
Total 5505600 · Insurance	0	1,287	4,600	(3,313)		28%
5505700 · Other Expenses						
5505752 · Employment Screening	0	5	150	(145)		3%
Total 5505700 · Other Expenses	0	5	150	(145)		3%
5506400 · Minor Capital Outlay						
5506440 · Machinery & Equipment	0	0	3,000	(3,000)		0%
5506445 · Personal Protective Equipment	0	0	300	(300)		0%
5506490 · Other	0	0	850	(850)		0%
Total 5506400 · Minor Capital Outlay	0	0	4,150	(4,150)		0%
5507400 · Capitalized Assets						
5507440 · Machinery & Equipment	0	0	7,000	(7,000)		0%
5507460 · Infrastructure	0	7,500	313,200	(305,700)		2%
Total 5507400 · Capitalized Assets	0	7,500	320,200	(312,700)		2%
Total 50 · Streets	7,142	33,994	491,922	(457,928)		7%
60 · Parks						
5602400 · Rentals						
5602490 · Rental - Other	419	838	2,900	(2,062)		29%
Total 5602400 · Rentals	419	838	2,900	(2,062)		29%
5602600 · Special Expenses						
5602680 · Heritage Day	0	470	8,000	(7,530)		6%

City of Ovilla General Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
Total 5602600 · Special Expenses	0	470	8,000	(7,530)		6%
5603400 · Maintenance Supplies & Parts	0	0	300	(300)		0%
5603460 · Miscellaneous						
Total 5603400 · Maintenance Supplies & Parts	0	0	300	(300)		0%
5605400 · Utilities	624	1,959	8,300	(6,341)		24%
5605450 · Electricity	624	1,959	8,300	(6,341)		24%
Total 5605400 · Utilities	624	1,959	8,300	(6,341)		24%
5605500 · Repairs & Bldg Improvements	0	0	250	(250)		0%
5605520 · Repairs - Building	0	0	250	(250)		0%
5605530 · REPAIRS-IMP OTHER THAN BLDGS	220	220	1,000	(780)		22%
Total 5605500 · Repairs & Bldg Improvements	220	220	1,250	(1,030)		18%
5605600 · Insurance	0	28	115	(87)		25%
5605610 · Insurance - Property	0	28	115	(87)		25%
5605620 · Insurance - Liability	0	120	500	(380)		24%
5605640 · Insurance - Vehicle	0	55	240	(185)		23%
Total 5605600 · Insurance	0	204	855	(651)		24%
5605700 · Other Expenses	101	101	300	(199)		34%
5605765 · Miscellaneous	101	101	300	(199)		34%
Total 5605700 · Other Expenses	101	101	300	(199)		34%
5606400 · Minor Capital Outlay	0	0	500	(500)		0%
5606410 · Land Improvements	0	0	500	(500)		0%
5606440 · Machinery & Equipment	0	0	500	(500)		0%
Total 5606400 · Minor Capital Outlay	0	0	1,000	(1,000)		0%
5607400 · Capitalized Assets						

City of Ovilla General Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
5607440 · Machinery & Equipment	0	90	500	(410)		18%
Total 5607400 · Capitalized Assets	0	90	500	(410)		18%
Total 60 · Parks	1,364	3,882	23,405	(19,523)		17%
Total Expenditures	185,951	547,349	2,695,456	(2,148,107)		20%
Net Change in Fund Balance	683,242	637,762	0	637,762		100%

Ovilla W&S Utility Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
					Budget	25%
Resources						
4000400 · Charges for Services						
4000460 · Water Sales	75,461	276,980	930,000		(653,020)	30%
4000461 · Sewer Service	35,776	103,229	391,569		(288,340)	26%
4000465 · Water & Sewer Penalties	2,269	6,068	18,000		(11,932)	34%
4000471 · Reconnect Fees	348	1,282	5,000		(3,718)	26%
4000472 · Meters	1,150	1,725	1,000		725	173%
4000473 · Connect Fees	250	700	2,000		(1,300)	35%
4000478 · Infrastructure Improvement Fee	5,100	14,259	60,000		(45,741)	0
4000480 · Solid Waste Fees (Garbage)	(1,980)	(2,330)	0		(2,330)	100%
Total 4000400 · Charges for Services	118,374	401,914	1,407,569		(1,005,655)	29%
4000800 · Other Revenue						
4000880 · Capital Rec Fee	6,250	21,250	37,500		(16,250)	57%
4000840 · Interest Earned	264	777	2,600		(1,823)	30%
4000890 · Misc Other Revenue	0	1,500	1,000		500	150%
Total 4000800 · Other Revenue	6,514	23,527	41,100		(17,573)	57%
Total Resources	124,888	425,442	1,448,669		(1,023,227)	29%
Expense						
70 · Administration						
5701100 · Salaries & Wages						
5701110 · City Administrator	4,754	4,754	20,600		(15,846)	23%
5701115 · City Secretary	3,031	3,031	13,133		(10,102)	23%
5701117 · Finance Accountant	2,797	2,797	12,000		(9,203)	23%
5701120 · Part Time Admin. Support	1,716	1,716	7,218		(5,502)	24%
5701130 · Public Works Director	4,030	12,090	50,862		(38,772)	24%
5701180 · Merit Raises, Staff	0	0	3,200		(3,200)	0%
Total 5701100 · Salaries & Wages	16,327	24,387	107,013		(82,626)	23%

Ovilla W&S Utility Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over		% of Budget	
	December 2014	Oct 2014 - Dec 2014	Budget	Budget	(Under)	Budget	Thru December	25%
5702100 · Employee Benefits								
5702110 · Group Insurance	630	1,894	6,960		(5,066)		27%	
5702135 · TMRS	232	697	3,400		(2,703)		21%	
5702170 · Payroll Taxes	58	175	780		(605)		22%	
Total 5702100 · Employee Benefits	921	2,767	11,140		(8,373)		25%	
5702200 · Special Services								
5702230 · Legal Fees	0	0	1,000		(1,000)		0%	
5702240 · Audit	0	5,050	5,780		(730)		87%	
5702250 · Accounting	0	107	1,000		(893)		11%	
Total 5702200 · Special Services	0	5,157	7,780		(2,623)		66%	
5702300 · Contractual Services /Personnel								
5702310 · Consultant Fees	0	0	2,000		(2,000)		0%	
Total 5702300 · Contractual Services /Personnel	0	0	2,000		(2,000)		0%	
5703100 · General Supplies								
5703110 · Office Supplies	123	275	700		(425)		39%	
Total 5703100 · General Supplies	123	275	700		(425)		39%	
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	164	164	200		(36)		82%	
5704220 · Professional Development	0	0	750		(750)		0%	
Total 5704200 · Travel Expenses	164	164	950		(786)		17%	

Ovilla W&S Utility Fund
Profit & Loss Budget Performance
October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
5705200 · Data Processing Expenses						
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	0	250	(250)		0%
Total 5705300 · Printing Expense	0	0	250	(250)		0%
5705400 · Utilities						
5705410 · Telephone	109	327	1,350	(1,023)		24%
5705415 · Cellular Phone	74	223	450	(227)		50%
5705417 · Internet	101	235	825	(590)		28%
Total 5705400 · Utilities	284	785	2,625	(1,840)		30%
5705700 · Other Expenses						
5705705 · Postage	800	1,726	6,600	(4,874)		26%
5705740 · Advertising	0	0	300	(300)		0%
5705760 · Bank Service Charge	20	(115)	200	(315)		(57%)
5705765 · Miscellaneous	0	0	100	(100)		0%
5705775 · Credit Card Transaction Fee	424	1,399	3,000	(1,601)		47%
Total 5705700 · Other Expenses	1,244	3,010	10,200	(7,190)		30%
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	29,661	29,661	125,361	(95,700)		24%
5709002 · Capital Improv. Water Reserve	0	0	16,730	(16,730)		0%

Ovilla W&S Utility Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
5709003 · Capital Improv. Sewer Reserve	0	0	23,400	(23,400)	0%	
5709010 · Administrative Reserves	0	0	5,700	(5,700)	0%	
Total 5709000 · Reserve	29,661	29,661	171,191	(141,530)	17%	
Total 70 · Administration	48,723	66,205	314,949	(248,744)	21%	
75 · Water						
5751100 · Salaries & Wages						
5751133 · Superintendent	3,154	9,462	42,000	(32,538)	23%	
5751180 · Merit Raises - Staff	0	0	1,260	(1,260)	0%	
Total 5751100 · Salaries & Wages	3,154	9,462	43,260	(33,798)	22%	
5751400 · Support Salaries						
5751405 · Support Staff	470	6,716	29,702	(22,986)	23%	
5751415 · Maintenance Crew	2,378	7,863	51,350	(43,487)	15%	
5751430 · Seasonal Crew	0	0	3,000	(3,000)	0%	
5751450 · Certification Pay	69	208	1,200	(992)	17%	
5751480 · Merit Raises	0	0	2,432	(2,432)	0%	
5751490 · Overtime	0	206	4,000	(3,794)	5%	
5751500 · Water - On Call	0	0	1,000	(1,000)	0%	
Total 5751400 · Support Salaries	2,917	14,992	92,684	(77,692)	16%	
5752100 · Employee Benefits						
5752110 · Group Insurance	1,960	5,189	26,010	(20,821)	20%	
5752135 · TMRS	495	1,498	9,800	(8,302)	15%	
5752160 · Worker's Compensation	0	625	3,150	(2,525)	20%	
5752170 · Payroll Taxes	135	407	2,260	(1,853)	18%	
5752190 · Licenses	0	0	222	(222)	0%	
Total 5752100 · Employee Benefits	2,590	7,718	41,442	(33,724)	19%	
5752300 · Contractual Services/Personnel						

Ovilla W&S Utility Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current				Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014		Oct 2014 - Dec 2014		Budget	Budget		
	December 2014	561	1,688	1,500				
5752350 · Contract Labor - Company	0	4,505	10,270	(5,765)	44%			
5752380 · Dispatch	561	6,193	11,770	(5,577)	53%			
Total 5752300 · Contractual Services/Personnel								
5752400 · Rentals								
5752420 · Rental - Machinery & Equipment	0	0	500	(500)	0%			
Total 5752400 · Rentals	0	0	500	(500)	0%			
5752500 · Operating Services								
5752580 · Water Testing	116	573	4,000	(3,427)	14%			
5752590 · TCEQ Fees	0	2,614	3,000	(386)	87%			
Total 5752500 · Operating Services	116	3,187	7,000	(3,813)	46%			
5753100 · General Supplies								
5753140 · Uniforms	0	1,398	1,500	(102)	93%			
Total 5753100 · General Supplies	0	1,398	1,500	(102)	93%			
5753400 · Maintenance Supplies & Parts								
5753460 · Miscellaneous	0	11	300	(289)	4%			
Total 5753400 · Maintenance Supplies & Parts	0	11	300	(289)	4%			
5754200 · Travel Expenses								
5754220 · Professional Development	0	240	750	(510)	32%			
5754270 · Vehicle Expenses	679	2,868	9,000	(6,132)	32%			
Total 5754200 · Travel Expenses	679	3,108	9,750	(6,642)	32%			
5755200 · Data Processing Expenses								
5755230 · Data Proc-Maintenance & Repairs	371	371	1,300	(929)	29%			
5755240 · Data Processing - Software	0	3,434	4,200	(766)	82%			
Total 5755200 · Data Processing Expenses	371	3,805	5,500	(1,695)	69%			

Ovilla W&S Utility Fund
Profit & Loss Budget Performance
October 2014 through December 2014

	Current			Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014		Oct 2014 - Dec 2014	Budget	Budget		
	0	0	0	2,700	(2,700)	0%	
5755300 · Printing Expenses	0	0	0	2,700	(2,700)	0%	
5755310 · Copier Expense	0	0	0	2,700	(2,700)	0%	
5755350 · Printing - Other	0	767	767	1,500	(733)	51%	
Total 5755300 · Printing Expenses	0	767	767	4,200	(3,433)	18%	
5755400 · Utilities	106	319	319	1,500	(1,181)	21%	
5755415 · Cellular Phone	106	319	319	1,500	(1,181)	21%	
5755450 · Electricity	2,306	6,304	6,304	22,660	(16,356)	28%	
5755460 · Water, wholesale	21,949	92,330	92,330	360,500	(268,170)	26%	
Total 5755400 · Utilities	24,362	98,953	98,953	384,660	(285,707)	26%	
5755500 · Repairs & Building Improvements	0	2,010	2,010	5,000	(2,990)	40%	
5755540 · Repairs- Machinery & Equipment	0	2,010	2,010	5,000	(2,990)	40%	
5755550 · Repairs - Vehicles	83	218	218	2,000	(1,782)	11%	
5755570 · Inventory Expense	333	3,705	3,705	10,000	(6,295)	37%	
5755580 · Water Chemical Expense	30	30	30	8,000	(7,970)	0%	
5755590 · Repairs - Other	0	2,483	2,483	3,000	(517)	83%	
Total 5755500 · Repairs & Building Improvements	445	8,446	8,446	28,000	(19,554)	30%	
5755600 · Insurance	0	661	661	2,643	(1,982)	25%	
5755610 · Insurance - Property	0	661	661	2,643	(1,982)	25%	
5755620 · Insurance - Liability	0	402	402	1,750	(1,348)	23%	
5755640 · Insurance - Vehicle	0	154	154	1,600	(1,446)	10%	
Total 5755600 · Insurance	0	1,217	1,217	5,993	(4,777)	20%	
5755700 · Other Expenses	0	0	0	300	(300)	0%	
5755752 · Employment Screening	0	0	0	300	(300)	0%	
Total 5755700 · Other Expenses	0	0	0	300	(300)	0%	

Ovilla W&S Utility Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget
	December 2014	Oct 2014 - Dec 2014	Budget	25%		
5756400 · Minor Capital Outlay						
5756440 · Machinery & Equipment	0	0	500	(500)		0%
5756490 · Other	0	0	500	(500)		0%
Total 5756400 · Minor Capital Outlay	0	0	1,000	(1,000)		0%
5757400 · Capitalized Assets						
5757440 · Machinery & Equipment	0	0	2,200	(2,200)		0%
5757450 · Vehicles	23,770	23,770	23,770	0		100%
5757470 · Infrastructure - Water	0	0	6,000	(6,000)		0%
Total 5757400 · Capitalized Assets	23,770	23,770	31,970	(8,200)		74%
5757900 · Long-Term Debt						
5758225 · Admin. Expense to Debt Fund	30,900	30,900	124,930	(94,030)		25%
Total 5757900 · Long-Term Debt	30,900	30,900	124,930	(94,030)		25%
Total 75 · Water	89,864	213,926	794,759	(580,833)		27%
80 · Sewer						
5801400 · Support Salaries						
5801405 · Support Staff	2,667	2,667	9,900	(7,233)		27%
5801415 · Maintenance Crew	6,213	18,638	55,702	(37,064)		33%
5801450 · Certification Pay	69	208	1,210	(1,002)		17%
5801480 · Merit Raises	0	0	1,968	(1,968)		0%
5801490 · Overtime	359	1,365	2,650	(1,285)		52%
5801500 · Sewer - On Call	100	300	1,150	(850)		26%
Total 5801400 · Support Salaries	9,408	23,179	72,580	(49,401)		32%
5802100 · Employee Benefits						
5802110 · Group Insurance	1,260	3,789	15,650	(11,861)		24%

Ovilla W&S Utility Fund
Profit & Loss Budget Performance
October 2014 through December 2014

	Current		Year to Date		\$ Over		% of Budget	
	December 2014	Oct 2014 - Dec 2014	Budget	25%	(Under)	Budget	Thru December	25%
5802135 · TMRS	382	1,161	3,900	30%	(2,739)			
5802160 · Worker's Compensation-Sewer	0	625	2,730	23%	(2,105)			
5802170 · Payroll Taxes	95	290	980	30%	(690)			
5802190 · Licenses	0	0	222	0%	(222)			
Total 5802100 · Employee Benefits	1,737	5,865	23,482	25%	(17,617)			
5802300 · Contractual Services/Personnel	0	1,500	2,000	75%	(500)			
5802350 · Contract Labor - Company	0	1,500	2,000	75%	(500)			
Total 5802300 · Contractual Services/Personnel	0	1,500	2,000	75%	(500)			
5802500 · Operating Services	650	1,890	2,500	76%	(610)			
5802515 · Sardis Collection Expense	0	0	100	0%	(100)			
5802590 · TCEQ Fees - Sewer	650	1,890	2,600	73%	(710)			
Total 5802500 · Operating Services	650	1,890	2,600	73%	(710)			
5803100 · General Supplies	0	917	1,000	92%	(83)			
5803140 · Uniforms	0	917	1,000	92%	(83)			
Total 5803100 · General Supplies	0	917	1,000	92%	(83)			
5803400 · Maintenance Supplies & Parts	0	0	500	0%	(500)			
5803460 · Miscellaneous	0	0	500	0%	(500)			
Total 5803400 · Maintenance Supplies & Parts	0	0	500	0%	(500)			
5804200 · Travel Expenses	0	225	500	45%	(275)			
5804220 · Professional Development	66	160	1,500	11%	(1,340)			
5804270 · Vehicle Expense	66	385	2,000	19%	(1,615)			
Total 5804200 · Travel Expenses	170	574	2,781	21%	(2,207)			
5805400 · Utilities	37,332	149,330	216,000	69%	(66,670)			
5805450 · Electricity	37,502	149,904	218,781	69%	(68,877)			
5805463 · TRA Wastewater Treatment								
Total 5805400 · Utilities	37,502	149,904	218,781	69%	(68,877)			

Ovilla W&S Utility Fund
Profit & Loss Budget Performance
October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December 25%
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
5805500 · Repairs & Bldg Improvements						
5805510 · Repairs - Land Improvements	0	28	300		(272)	9%
5805540 · Repairs - Machinery & Equipment	0	21	6,500		(6,479)	0%
5805570 · Inventory Expense	1,006	1,017	2,000		(983)	51%
5805590 · Repairs - Other	0	499	500		(1)	100%
Total 5805500 · Repairs & Bldg Improvements	1,006	1,564	9,300		(7,736)	17%
5805600 · Insurance						
5805610 · Insurance - Property	0	14	93		(79)	15%
5805620 · Insurance - Liability	0	93	375		(282)	25%
5805640 · Insurance - Vehicle	0	10	50		(41)	19%
Total 5805600 · Insurance	0	116	518		(402)	22%
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	5,973	6,000		(27)	100%
Total 5807400 · Capitalized Assets	0	5,973	6,000		(27)	100%
Total 80 · Sewer	50,370	191,292	338,961		(147,669)	56%
Total Expense	188,958	471,424	1,448,669		(977,245)	33%
Change in Net Position	(64,070)	(45,983)	0		(45,983)	100%

Ovilla Debt Service
Profit & Loss Budget Performance
 October 2014 through December 2014

	Year to Date			\$ Over (Under)	% of Budget Thru December 25%
	Current December 2014	Oct 2014 - Dec 2014	Budget		
Revenues					
4000100 · Taxes					
4000107 · Ad Valorem, Current I & S	239,267	270,826	415,211	(144,385)	65%
4000111 · Ad Valorem, Delinquent I & S	2,904	3,271	3,570	(299)	92%
4000114 · Interest/Penalties - I & S	1,762	1,879	2,844	(965)	66%
Total 4000100 · Taxes	243,932	275,976	421,625	(145,649)	65%
4000800 · Other Revenue					
4000840 · Interest Earned	9	14	770	(756)	2%
4000900 · Reduction of Reserve Fund Bal.	-	-	28,500	(28,500)	0%
4000930 · Admin.Rev.Rec.Fr Water & Sewer	30,900	30,900	124,930	(94,030)	25%
Total 4000800 · Other Revenue	30,909	30,914	154,200	(123,286)	20%
Total Revenues	274,841	306,890	575,825	(268,935)	53%
Expenditures					
5157900 · Long-Term Debt					
5157930 · Paying Agent Fees	-	-	500	(500)	0%
51579349 · 2011 Bond Issue Principle	-	-	365,000	(365,000)	0%
5157940 · 2011 Bond Issue Interest	-	-	210,325	(210,325)	0%
Total 5157900 · Long-Term Debt	-	-	575,825	(575,825)	0%
Total Expenditures	-	-	575,825	(575,825)	0%
Net Change in Fund Balance	274,841	306,890	-	306,890	100%

City of Ovilla Capital Projects Fund
Profit & Loss Budget Performance
October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Oct 2014 - Dec 2014	Budget		
Revenues						
4000800 · Other Revenue						
4000845 · Interest Earned - Texstar	0	0	1	(1)		7%
4000850 · Interest Earned - Prosperity	22	43	255	(212)		17%
Total 4000800 · Other Revenue	22	43	256	(213)		17%
Total Revenues	22	43	256	(213)		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	22	43	0	43		100%

Ovilla Park Impact Fund
Profit & Loss Budget Performance
October 2014 through December 2014

	Current		Year to Date		\$ Over (Under) Budget	% of Budget Thru December 25%
	December 2014	Oct 2014 - Dec2014	Budget	Budget		
Revenues						
4000400 · Charges for Services						
4000460 · Park Impact	1,673	5,352	10,000		(4,648)	54%
Total 4000400 · Charges for Services	1,673	5,352	10,000		(4,648)	54%
4000800 · Other Revenue						
4000840 · Interest Earned	8	25	45		(20)	56%
Total 4000800 · Other Revenue	8	25	45		(20)	56%
Total Revenues	1,681	5,377	10,045		(4,668)	54%
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	3,500		(3,500)	0%
Total 5607400 · Capitalized Assets	0	0	3,500		(3,500)	0%
5609000 · Reserves						
5609035 · Park Impact Reserves	0	0	6,045		(6,045)	0%
Total 5609000 · Reserves	0	0	6,045		(6,045)	0%
Total Expenditures	0	0	10,045		(10,045)	0%
Net Change in Fund Balance	1,681	5,377	0		5,377	100%

Ovilla W&S Impact Fee Fund
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current			Year to Date		\$ Over (Under) Budget	% of Budget Thru December 25%
	December 2014	Oct 2014 -Dec 2014	Budget	Oct 2014 -Dec 2014	Budget		
Revenues							
4000400 · Charges for Services	2,140	4,976	2,610	2,610	2,366	191%	
4000477 · Sewer Impact Fee	2,140	4,976	2,610	2,610	2,366	191%	
Total 4000400 · Charges for Services							
4000800 · Other Revenue	31	31	195	195	(164)	16%	
4000840 · Interest Earned	0	0	73,505	73,505	(73,505)	0%	
4000880 · Transfer In - Water Impact	31	31	73,700	73,700	(73,669)	0%	
Total 4000800 · Other Revenue							
Total Revenues	2,171	5,007	76,310	76,310	(71,303)	7%	
Expense							
5755500 · Repairs	0	0	55,000	55,000	(55,000)	0%	
5755560 · Repairs - Water Lines	0	0	18,700	18,700	(18,700)	0%	
5755500 · Repairs - Other	0	0	73,700	73,700	(73,700)	0%	
Total 5755000 · Reserves							
5859000 · Reserves	0	0	2,610	2,610	(2,610)	0%	
5859030 · Sewer Impact Fees Reserve	0	0	2,610	2,610	(2,610)	0%	
Total 5859000 · Reserves							
Total Expense	0	0	76,310	76,310	(76,310)	0%	
Change in Net Position	2,171	5,007	0	5,007	5,007	100%	

Ovilla 4B Economic Development Corporation
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
Revenues						
4000100 · Taxes						
4000120 · Sales tax	5,491	19,093	98,500		(79,407)	19%
Total 4000100 · Taxes	5,491	19,093	98,500		(79,407)	19%
4000800 · Other Revenue						
4000840 · Interest Income	103	304	785		(481)	39%
Total 4000800 · Other Revenue	103	304	785		(481)	39%
Total Revenues	5,593	19,397	99,285		(79,888)	20%
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	504	1,000		(496)	50%
8104220 · Professional Development	250	950	2,300		(1,350)	41%
Total 8104200 · Travel Expense	250	1,454	3,300		(1,846)	44%

Ovilla 4B Economic Development Corporation
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget Thru December 25%
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
8105300 · - - Printing						
8105320 · Printing Expense	0	0	300	(300)	(300)	0%
Total 8105300 · - - Printing	0	0	300	(300)	(300)	0%
8105500 · - - Projects						
8105560 · Sewer Line	0	0	45,000	(45,000)	(45,000)	0%
Total 8105500 · - - Projects	0	0	45,000	(45,000)	(45,000)	0%
8105600 · Insurance						
8105620 · Insurance - Liability	0	73	295	(222)	(222)	25%
Total 8105600 · Insurance	0	73	295	(222)	(222)	25%
8105700 · Other Expenses						
8105705 · Postage	0	0	100	(100)	(100)	0%
8105730 · Memberships	0	0	165	(165)	(165)	0%
8105740 · Advertising	234	3,234	5,300	(2,066)	(2,066)	61%
8105765 · Business Expense	0	0	1,000	(1,000)	(1,000)	0%
Total 8105700 · Other Expenses	234	3,234	6,565	(3,331)	(3,331)	49%
8109000 · Reserves						
8109015 · Administrative Reserves	0	0	19,125	(19,125)	(19,125)	0%
8109215 · Admin. Expense to General Fund	625	625	2,500	(1,875)	(1,875)	25%
Total 8109000 · Reserves	625	625	21,625	(21,000)	(21,000)	3%
Total Expenditures	1,109	5,387	99,285	(93,898)	(93,898)	5%
Net Change in Fund Balance	4,484	14,011	0	14,011	14,011	100%

Ovilla Municipal Development District
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current		Year to Date		\$ Over (Under) Budget	% of Budget Thru December 25%
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
Revenues						
4000100 · Taxes						
4000120 · Sales tax	2,475	7,251	30,000		(22,749)	24%
Total 4000100 · Taxes	2,475	7,251	30,000		(22,749)	24%
4000800 · Other Revenue						
4000840 · Interest Income	28	79	160		(81)	50%
Total 4000800 · Other Revenue	28	79	160		(81)	50%
Total Revenues	2,502	7,330	30,160		(22,830)	24%
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	500		(500)	0%
Total 9102300 · Consultant Services	0	0	500		(500)	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
Profit & Loss Budget Performance
October 2014 through December 2014

	Current		Year to Date		\$ Over (Under)	% of Budget
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
9105600 · Insurance						
9105620 · Insurance - Liability	0	73	295	(222)	(222)	25%
Total 9105600 · Insurance	0	73	295	(222)	(222)	25%
9105700 · Other Expenses						
9105705 · Postage	0	0	25	(25)	(25)	0%
Total 9105700 · Other Expenses	0	0	25	(25)	(25)	0%
9109000 · Reserves						
9109015 · Administrative Reserves	0	0	26,390	(26,390)	(26,390)	0%
9109215 · Admin. Expense to General Fund	125	125	500	(375)	(375)	25%
Total 9109000 · Reserves	125	125	26,890	(26,765)	(26,765)	0%
Total Expenditures	125	198	30,160	(29,962)	(29,962)	1%
Net Change in Fund Balance	2,377	7,132	0	7,132	7,132	100%

Ovilla Employee Benefit Trust
Profit & Loss Budget Performance
 October 2014 through December 2014

	Current	Year to Date		\$ Over (Under)	% of Budget
		December 2014	Oct 2014 - Dec 2014		
Revenues					
4000991 · Insurance Contributions					
4000991 Insurance Contributions	1,595	25,189	0	25,189	100%
Total 4000991 · Insurance Contributions	1,595	25,189	0	25,189	100%
Total Revenues	1,595	25,189	0	25,189	100%
Expenditures					
5902110 · Benefit Premiums					
5902110 · Benefit Premiums	13,631	48,427	0	48,427	100%
Total 5902110 · Insurance	13,631	48,427	0	48,427	100%
Total Expenditures	13,631	48,427	0	48,427	100%
Net Change in Fund Balance	(12,036)	(23,238)	0	(23,238)	100%

Ovilla Fire Department Auxiliary
Profit & Loss Budget Performance
October 2014 through December 2014

	Current		Year to Date		\$ Over (Under) Budget	% of Budget Thru December 25%
	December 2014	Oct 2014 - Dec 2014	Budget	Budget		
Revenues						
4000800 - Other Revenue	1,660	1,660	500	1,160	1,160	332%
4000815 - Gifts						
4000830 - Vending Machines	0	0	500	(500)	(500)	0%
Total 4000800 - Other Revenue	1,660	1,660	1,000	660	660	166%
Total Revenues	1,660	1,660	1,000	660	660	166%
Expenditures						
5333400 - Maintenance Supplies and Parts						
5333460 - Supplies - Miscellaneous	833	888	1,000	(112)	(112)	89%
Total 5333400 - Maintenance Supplies and Parts	833	888	1,000	(112)	(112)	89%
Total Expenditures	833	888	1,000	(112)	(112)	89%
Net Change in Fund Balance	827	772	0	772	772	100%

Ovilla Police Department Special Fund
Profit & Loss Budget vs. Actual
 October 2014 through December 2014

	Current		Year to Date		Budget	\$ Over (Under)	\$ Over Budget	% of Budget Thru December
	December 2014	Oct 2014 -Dec 2014	Oct 2014 -Dec 2014	Oct 2014 -Dec 2014				
Revenues								
4000800 · Other Revenue	700	700	700	1000	1000	(300)		70.0%
4000815 · Gifts								
Total 4000800 · Other Revenue	700	700	700	1000	1000	(300)		70.0%
Total Revenues	700	700	700	1000	1000	(300)		70.0%
Expenditures								
5232600 · Special Expenses								
5232690 · Special Expenses - Other	0	0	0	50	50	(50)		0.0%
Total 5232600 · Special Expenses	0	0	0	50	50	(50)		0.0%
5235700 · Other Expense	231	231	231	231	231	0		100.0%
5235735 · Official Functions								
Total 5235700 · Other Expense	231	231	231	231	231	0		100.0%
5236400 · Minor Capital Outlay	719	719	719	719	719	0		100.0%
5236440 · Machinery and Equipment								
Total 5236400 · Minor Capital Outlay	719	719	719	719	719	0		100.0%
Total Expenditures	950	950	950	1000	1000	(50)		95.0%
Net Income	(250)	(250)	(250)	0	0	(250)		100%

Ovilla Municipal Court Report

FY-2014-2015		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	18	0	0	0	3	3	1	\$5,574.40	\$3,728.99	\$1,845.41	16	16
November	25	1	0	0	4	0	1	\$4,361.00	\$2,663.66	\$1,697.34	19	51
December	30	0	0	0	1	2	0	\$5,417.38	\$3,195.00	\$2,222.38	0	46
January	32	3	0	0	0	8	0	\$7,500.62	\$4,371.65	\$3,128.97	11	66
February												
March												
April												
May												
June												
July												
August												
September												
Totals	105	4	0	0	8	13	2	\$22,853.40	\$13,959.30	\$8,894.10	46	179

2013-2014 FY

December	19	1	0	0	1	3	0	\$5,496.15	\$3,373.87	\$2,122.28	10	
FY Totals	151	1	1	1	3	7	1	\$25,659.85	\$15,119.61	\$10,540.24	24	

FY-2014-2015		Total # of Warrants	Total Amount of Warrants	Warrants Cleared	Warrants Amount	Cleared Omni/ Collections	Amount Omni/ Collections
October	389	\$118,562.35	4	\$1,113.00	4	\$1,113.00	
November	405	\$124,725.78	3	\$1,068.40	3	\$1,068.40	
December	394	\$126,563.34	11	\$3,399.93	9	\$2,921.93	
January	399	\$132,488.90	6	\$1,163.80	6	\$1,163.80	
February							
March							
April							
May							
June							
July							
August							
September							
Totals			24	\$6,745.13	22	\$6,267.13	

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

To: Mayor Richard Dormier
 Ovilla City Council
 Pam Woodall

Subject: **Code Enforcement Monthly Report**

Calls For Service	Jan.2015	Jan 2015 YTD	Jan .2014	Jan.2014 YTD
Complaint (Nuis 14,Permit 18,Parking 12)	44	131	62	
Follow Up (Nuis 15, Permit-18, Parking-16)	49	151	74	
Door Notice (Nui -12, Permit-12, Parking-13)	37	131	27	
Mail Notice (Nuis-4, Parking-16 permit 8)	28	69	17	
Posted Property (Grass-3, Nuisance-4)	7	158	1	
Court (2 guilty)(344)	\$2	7	\$0.00	
Citizen Contacts	62	195	88	
Permits Reviewed	15	54	18	
Permits Issued	11	40	13	
Inspections	21	70	23	
Nuisance Abated by City (Grass)(Mosquito)	0	2	0	
Nuisance Signs (Garage sale-12, Business-21)	33	114	40	
Board Of Adjustment 3 approved	3	3	0	

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

To: Mayor Richard Dormier
 Ovilla City Council
 Pam Woodall

Subject: **Animal Control Monthly Report**

	JAN 2015	JAN . 2015 YTD	Jan 2014	Jan 2014 YTD
Calls For Service				
Complaint (Registration-10 At Large-12)	22	87	49	
Followups	33	123	55	
Door Notice (Registration-12, At Large-4)	16	74	19	
Impounded Animal (Dog4)	4	21	9	
Animal Welfare Check	18	49	22	
Impound Results (Return-3, Transport-1)	4	17	9	
Impound fee collected	\$180.00	\$320.00	165	
Court(1 Nuisance Guilty)	\$266.00	\$710.00	0	
Citizen Contacts	33	123	82	
Registration Tags Issued \$150	13	35	29	
Registration Reminder Mailed	18	50	18	
Nuisance Letter Mailed	1	5	4	
Animals released ()	0	0	1	
Deceased Removed	22	106	37	
Oak Leaf (dog/snake)	0	2	3	
Traps Checked Out	1	11	41	



Ovilla City Council

CONSENT ITEMS C1 - C7

Meeting Date: February 09, 2015

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted by: Staff

Amount: N/A

Attachments:	
C1.	Minutes of the January 19, 2015 Special Meeting
C2.	Minutes of the January 12, 2015 Briefing Session and Regular City Council Meeting
C3.	Oncor Agreement
C4.	Committed Fund Balance
C5.	Quarterly Investment Report
C6.	December 2014 Financial Transactions over \$5,000
C7.	Resolution R2015-001, authorizing the Mayor to execute the Second Amendment to the Tower Lease Agreement by and between the City of Ovilla, Texas and T-Mobile West LLC.
Discussion / Justification:	
Recommendation / Staff Comments:	
Staff recommends approval.	
Sample Motion(s):	
<i>I move to approve the consent items as presented.</i>	

CITY OF OVILLA MINUTES
Monday, January 19, 2015
Special City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Special Council Meeting of the Ovilla City Council to order at 6:30 P.M. The following City Council Members were present:

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

Mayor Dormier announced present Council members, thus constituting a quorum. Various department-heads and staff were also present.

Mayor Pro Tem Griffin gave the Invocation and PL2 Stevenson led the recitation of the Pledge of Allegiance.

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

Mayor Dormier announced that the scheduled Special Joint Meeting of the Ovilla City Council and the Planning and Zoning Commission to conduct a public hearing to receive citizen comments on a proposed rezoning request filed by the Midlothian Independent School District (MISD) on approximately 14 acres, known as the MISD tract generally located north of Shiloh Road and west of Bryson Lane in the City of Ovilla Extraterritorial Jurisdiction (ETJ) would not occur this evening and new dates for two separate public hearings were scheduled as listed:

1. Planning and Zoning Commission Regular Meeting date of February 02, 2015 at 6:00 p.m.
2. City Council Regular Meeting date of February 09, 2015 at 6:30 p.m.

▪ ***Citizens Comments / Citizens Forum:***

There were no citizen comments.

PUBLIC HEARING AND CONSIDERATION

In accordance with the laws of the State of Texas, the City Council of the City of Ovilla conducts public hearings to receive public testimony and comments from all interested persons and parties of the properties described.

Mayor Dormier opened the Public Hearing at 6:40 p.m.

1. Receive presentation and citizen comments on annexation request by Midlothian Independent School District: Proposed annexation proceedings to enlarge and extend the corporate boundary limits of the City. General Description of the Property: Approximately 14 acres, known as the Midlothian School District Tract generally located north of Shiloh Road and west of Bryson Lane in the City of Ovilla Extraterritorial Jurisdiction (ETJ).
 - a. Presentation of Request for Annexation from Midlothian School District Representative.

Mr. Ross Rivers, representative for the MISD gave a brief summary of the planned annexation and clarified a few comments and questions from citizens that attended the first public hearing.

1. Benefit to Ovilla?
 - a. Recent studies indicate that placement of an elementary school would best serve the overall population and reduce the distance required for attendance by a majority of Ovilla residents. This would also add a source of community pride for Ovilla.
2. What will boundary attendance be for the new school?

- a. Boundaries for attendance has not yet been determined, although Red Oak ISD will remain in Red Oak. Only students in MISD will be affected.
- 3. Why is MISD seeking a zoning change?
 - a. A zoning request from RE (Residential) to CG (General Commercial) has been filed for this exact property to allow a little more latitude with regard to height, setbacks and screening requirements, although plan for the school does fall well within the residential requirements.
 - b. PUBLIC HEARING to receive comments from the public regarding the request.

There was no one to speak at the public hearing.
Mayor Dormier closed the Public Hearing at 6:41 p.m.

EXECUTIVE SESSION

Mayor read the caption and announced Council would meet in closed session at 6:42 p.m.
DISCUSSION/ACTION - Closed meeting called pursuant to Texas Government Code Section 551.074. Personnel Matters - closed meeting to consider the evaluation and employment or dismissal of the City Administrator.

Mayor Dormier and Council reconvened into Regular Session at 7:07 p.m.
 Mayor announced that no action was taken in Executive Session. Any action taken would be reported in open session.
No Action.

REGULAR AGENDA

- 2. **DISCUSSION/ACTION** - Consider approving and authorizing the Mayor to execute and present to the City Administrator the proposed, written Severance Agreement and Release.

PL5 Oberg moved that Council approve and authorize the Mayor to execute and present to the City Administrator Cyndy Powell, the written Severance Agreement and Release, seconded by PL4 Hunt.
VOTE: The motion carried unanimously: 5-0.

REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS

- 1. PL1 Huber None
- 2. PL2 Stevenson None
- 3. PL3 Griffin Review parking ordinance
- 4. PL4 Hunt None
- 5. PL5 Oberg None
- 6. Mayor Items for Interim City Administrator and post for permanent position.

ADJOURNMENT

PL2 Stevenson moved to adjourn, seconded by PL5 Oberg. There being no further business, Mayor Dormier adjourned the meeting at 7:10 p.m.

Richard Dormier, Mayor

ATTEST:

Approved February 09, 2015

 Pamela Woodall, City Secretary

Executive Session sealed and filed separately.

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

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

CITY OF OVILLA MINUTES
Monday, January 12, 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 6:02 P.M. The following City Council Members were present:

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

Mayor Dormier announced present Council members, thus constituting a quorum. Various department-heads and staff were also present.

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

City Administrator Cyndy Powell shared brief synopses:

- a. Sewer customers water usage comparison for the first month of averaging for 2013 to 2014
- b. TRA Flow data
- c. Home Owner Association dues collection and contract renewal – new agreements will be brought to Council for consideration in March 2015.
- d. Sidewalk repairs – staff will work on a draft ordinance.
- e. Annual Fire Inspection fee, Foster Home Inspection fee – staff will work on a draft ordinance.
- f. Crime Control & Prevention District – Mayor Pro Tem asked staff to provide more information on holding an election for a CCPD; understanding that it offers additional equipment & supports law enforcement, and suspending the Municipal Development District (MDD). City Administrator shared differences between the CCPD and MDD, adding that MDD also collects from the ETJ as the CCPD would not. Something to consider next year.

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

Mayor Dormier and Council reviewed the 6:30 p.m. Public Hearing and Regular Meeting agenda items.

ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:22 p.m.

Richard Dormier, Mayor

Approved February 09, 2015

ATTEST:

Pamela Woodall, City Secretary

CITY OF OVILLA MINUTES

Monday, January 12, 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 6:32 P.M. The following City Council Members were present:

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

Mayor Dormier announced present Council members, thus constituting a quorum. Various department-heads and staff were also present.

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

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

▪ ***Citizens Comments / Citizens Forum:***

- **Presentation:** Recognition to Pam Woodall as recipient of the 2014 TMCA Yellow Rose Chapter Clerk of the Year. City Secretary was presented yellow roses, personalized vase and certificate from Yellow Rose Chapter President Vicki Collins, City Secretary, Mansfield, along with city secretaries from neighboring cities.

Mayor Dormier changed the order of the agenda and moved to the Public Hearings, addressing Item 1, reading the caption and opened the Public Hearing at 6:44 pm.

1. Receive presentation and citizen comments on annexation request by Midlothian Independent School District: Proposed annexation proceedings to enlarge and extend the corporate boundary limits of the City. General Description of the Property: Approximately 14 acres, known as the Midlothian School District Tract generally located north of Shiloh Road and west of Bryson Lane in the City of Ovilla Extraterritorial Jurisdiction (ETJ).

Mr. David Boswell, MISD, Mr. Ross Rivers, VLK Architects, and Mr. Mickey Thomas, MJ Thomas Engineering firm, were present. Mr. Rivers addressed the podium giving a presentation. The intentional use of the proposed annexed property would be the construction of an elementary school, housing approximately 750 students. Additionally, the MISD will be requesting a change in zoning from RE Residential to CG Commercial.

There were no comments in opposition or approval of the annexation but inquiries made by the following citizens:

1. Bob Betik, 601 Buckboard – How does this benefit Ovilla?
2. Jimmie Wade, 606 Creekview Circle – what impact on Ovilla students in MISD?
3. Ron Cox, 310 Shiloh Trail – why commercial?

Mayor Dormier advised that a second public hearing regarding the proposed annexation will be held on Monday, January 19, 2015, at 6:30 PM, in the Council Chamber of City Hall, located at 105 S. Cockrell Hill Road, Ovilla, Texas. Mayor Dormier closed the public hearing at 6:46 p.m.

Mayor Dormier read Item 2 caption and opened the Public Hearing at 6:50 p.m.

2. A replat request, filed by Mr. Mohamad Soueid, in the Ovilla Parc Phase 2 Addition, Lot 2R, Block H, Ovilla, TX 75154, proposing to divide one lot being 1.112 acres into two lots: Lot 2R1 and Lot 2R2, Block H, 22,137 sq. ft. and 26,312 sq. ft. respectively. If approved, both lots will meet the R-15 (Residential-15,000 sq. ft. lots) zoned requirements for Ovilla Parc.

Mr. Soueid was not present. There were no comments in favor or opposition regarding the replat. **Mayor Dormier closed the Public Hearing at 6:51 p.m.**

DISCUSSION/ACTION – Consideration of and action on the replat request filed by Mr. Mohamad Soueid to divide Lot 2R, Block H, Ovilla Parc Phase 2 Addition, into two lots: Lot 2R1 and Lot 2R2, Block H, as presented.

PL4 Hunt moved that Council approve the replat request filed by Mr. Mohamad Soueid to replat his property; dividing Lot 2R, Block H, 1.1122 acres in the Ovilla Parc Phase 2 Residential Subdivision into two lots, being Lot 2R1 and Lot 2R2, 22,137 sq. ft., and 26,312 sq. ft., as presented, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

Mayor Dormier read Item 3 caption and opened the Public Hearing at 6:55 p.m.

3. Receive presentation and citizen comments on Planned Development Application submitted by Clyde Hargrove: Consideration for a Planned Development, *Ovilla Retail Center*, being 129.043 acres, situated in the S. Clark Survey, A-212 & E. W. Blanton Survey, A-51, more commonly known to be a tract of land bordered by Ovilla Road 664, Malloy, Hosford and Westmoreland Roads. Zoning districts defined are: General Commercial-28.49 acres, RE Residential-10.20 acres, R15 Residential-66.74 acres, Senior Community-20.69 acres, Park area-3.87 acres.

Mr. Clyde Hargrove the developer of the property approached the podium, advising Council of his wishes to postpone consideration of the Planned Development until the February 09, 2015 Council Meeting to allow time to revise the plan based on comments received from citizens at the Planning and Zoning Commission Public Hearing the previous week. Having conducted a public hearing on January 05, 2015, on this Planned Development, *Ovilla Retail Center*, the Planning and Zoning Commission had forwarded a recommendation (5-1 vote) to deny the Planned Development.

Mayor Dormier announced that staff received a written request from Mr. Clyde Hargrove to postpone Council's consideration of the Planned Development listed under Item 3 and advised that Council was going to consider the requested extension, but would continue to allow speakers, but best if citizens waited to see the revisions Mr. Hargrove brings to the February 09, 2015 meeting.

There was no one to speak in favor of the Planned Development.

Those speaking in opposition of the Planned Development were:

1. Mr. Lloyd Parker, 605 Georgetown
2. MS Jimmie Wade, 606 Creekview Ct.
3. Mr. Archie Croom, 801 Hosford
4. Mr. Jeff Lindsey, 703 Buckboard
5. Mr. Bob Acker, 700 Buckboard

Mayor Dormier closed the Public Hearing at 7:04 p.m.

DISCUSSION/ACTION – *Receive* recommendation report from the Planning and Zoning Commission for the consideration of and action of a Planned Development *Ovilla Retail Center*, being 129.043 acres, situated in the S. Clark Survey, A-212 & E. W. Blanton Survey, A-51, more commonly known to be a tract of land bordered by Ovilla Road 664, Malloy, Hosford and Westmoreland Roads.

PL1 Huber moved that Council extend the Public Hearing of the Planned Development *Ovilla Retail Center*, being 129.043 acres, situated in the S. Clark Survey, A-212 & E. W. Blanton Survey, A-51, more commonly known to be a tract of land bordered by Ovilla Road 664, Malloy, Hosford and Westmoreland Roads until the February 09, 2015 Council Meeting, seconded by PL5 Oberg. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

Mayor Dormier called a recess at 7:05 pm and reconvened Regular Session at 7:10 pm.

Mayor Dormier returned to the regular order of the agenda.

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

• **Citizen Comments:**

1. Mr. Everett Spencer: He conveyed his support of and included on behalf of the Ovilla Fire Department, that Council back the City Administrator's appointment of Interim Fire Chief Brandon Kennedy and that Council name him as Fire Chief. Additionally, Mr. Spencer thanked the Ovilla Fire Department for their help, support and donations in the recent loss of his home from fire.
2. Michael Myers: Asked Council to consider reviewing and revising the residential parking ordinance related to vehicles, specifically commercial vehicles one-ton and under.

• **Department Activity Reports / Discussion**

Staff and Council shared discussion on the monthly reports.

- Police Department Police Chief M. Moon
 - Monthly Report
 - Gave conditional offer for part-time position
- Fire Department Interim Fire Chief B. Kennedy
 - Monthly Report
 - With support and recommendation from Council and the Fire Department, former Fire Chief Brancato will be recognized at the February 09, 2015 Council Meeting for his years of service to Ovilla.
 - Council congratulated Interim Chief Kennedy on the birth of his son this past week.
- Public Works Public Works Director B. Piland
 - Monthly Report
 - PW Director Piland responded to Council's inquiry that the new PW truck was on order.
 - Advised that Dallas County has not completed road work on Cockrell Hill.
 - Council advised that the 664 shoulder was washing away. Public Works Director Piland advised that TxDOT had been notified. Also, Winding Way needed road repair work.
- Finance Department City Accountant L. Harding
 - November 2014 Monthly Financials & Financial Transactions over \$5,000
 - Advised that the only "hic-ups" this month were the Home Owner's Association (HOA) and RevTrac (water billing software) reporting issues.
- Administration City Administrator C. Powell
 - Weekly activity report(s)
 - Shared the recent happenings of the Parks Board meetings and plans.

- Monthly Municipal Court Report City Secretary P. Woodall
- Advised of an upcoming multi-city “warrant roundup” with letters being mailed from the collection agency.
- Code Enforcement/Animal Control Code/A/C Officer M. Dooly

CONSENT ITEMS

- C1. Minutes of the December 08, 2014 Briefing Session and Regular City Council Meeting
 - Mayor Dormier moved to pull the Briefing Session minutes from the consent. Item (b) contained a scrivener’s error. (Minutes currently read EDC and needed correction to ESD)
- C2. Quarterly update of the Strategic Guide

PL4 Hunt moved that Council approve the Consent Items with the scrivener’s error correction as noted, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

REGULAR AGENDA

- 4. ***DISCUSSION/ACTION – Consideration*** of and action on Ordinance 2015-001 of the City of Ovilla, Texas, authorizing a general election to be held on May 9, 2015 for the purpose of electing Mayor and two Council Members, (places 2 & 4) for expired terms by the qualified voters of Ovilla; providing for the method of voting; providing for the appointment of the Early Voting Clerk, presiding Election Judge, Early Voting Ballot Board; providing for the lease of election equipment and providing for publication , in accordance with the Texas Election Code {EC §3.004, 3006, 4.001-008, 85.004, 85--.007} and providing an effective date.

DISCUSIÓN/ACCIÓN – Consideración de una acción sobre la Ordenanza 2015-001 de la Ciudad de Ovilla, Texas, que autoriza la realización de elecciones generales para el 9 de mayo de 2015 con el objeto de elegir Alcalde y dos Concejales (plazas 2 y 4), para los períodos concluidos y por parte de los votantes calificados de Ovilla; que estipula el método de votación; que estipula el nombramiento del Secretario Municipal para Voto Por Adelantado, del Juez de Elecciones que preside, de la Junta de Votación para Voto Por Adelantado; que estipula el arriendo de equipo para elecciones y establece la publicación, en conformidad con el Código de Elecciones de Texas {EC §3.004, 3006, 4.001-008, 85.004, 85--.007} y establece una fecha efectiva.

City Secretary advised the following: State Law requires the City Council to authorize the Order of General Election. May 09, 2015 is uniform Election Day. Early Voting begins on April 27, 2015, through May 05, 2015 at the Ovilla Municipal Building. State Law also requires that two of those days during early voting by personal appearance have extended hours from 7:00 A.M. to 7:00 P.M., on designated dates. The recommended two days for 12-hour early voting for the May 09, 2015 General Election are Monday, May 04, 2015 and Tuesday, May 05, 2015.

Mayor Pro Tem Griffin moved that Council approve Ordinance 2015-001 authorizing the Order of General Election for May 09, 2015 as presented, seconded by PL1 Huber. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

- 5. ***DISCUSSION/ACTION – Consideration*** of and action on Ordinance 2015-002 of the City of Ovilla, Texas, calling for a Special Election to be held on May 9, 2015 to determine whether the voters desire the continuation to impose a sales and use tax at the rate of one quarter of one percent (1/4%) to provide revenue for the maintenance and repair of existing municipal

streets; establishing procedures for the election; providing a severability clause: and providing an effective date.

Discusión/Acción – Considera una Ordenanza propuesto para Ordenar 2015-002 que una Elección Especial para la Ciudad de Ovilla para ser aguantada el 9 de mayo de 2015 para el propósito de la *reauthorization del impuesto local de ventas y uso en la ciudad de Ovilla a razon de la cuarta parte de un por ciento, para continuar y proporcionar renta para el mantenimiento y la reparacion de calles municipals.*

In compliance with Section 327 of the Tax Code, an election is required every four years to allow voters to reauthorize the sales tax. An election must be held on a uniform election day and called by ordinance. November 2007, Ovilla citizens first voted to approve a Local Sales and Use Tax at the rate of one-fourth of one percent for the maintenance and repair of municipal streets, canvassed by Resolution 08-005. In May 2011, Ovilla residents voted again, in a Special Election to reauthorize the Local Sales and Use Tax at one quarter of one percent (1/4%) to provide revenue for the maintenance and repair of existing municipal streets. Ovilla's adoption of the Local Sales and Use Tax for Street Maintenance and Repair expires May 2015.

PL5 Oberg moved that Council approve Ordinance 2015-002 of the City of Ovilla, Texas, calling for a Special Election to be held on May 9, 2015 to determine whether the voters desire the continuation to impose a Local Sales and Use Tax at the rate of one quarter of one percent (1/4%) to provide revenue for the maintenance and repair for existing municipal streets; establishing procedure for the election, providing a severability clause and providing an effective date as presented, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

6. **DISCUSSION/ACTION – Consideration** of and action on Ordinance 2015-003 of the City of Ovilla, Texas, amending Chapter 13, Article 13.04 of the Code of Ordinances of the City of Ovilla, Texas, by updating Land Use Assumptions and Capital Improvement Plans; providing for the assessment and collection of Impact Fees; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

Following the December 08, 2014 Council adoption of Resolution R2014-040 approving an amendment to the current water and wastewater impact fees, the City's engineering firm, Birkhoff, Hendricks, and Carter amended the *Five Year Water & Wastewater Impact Fee Review.*

PL4 Hunt moved that Council approve Ordinance 2015-003 of the City of Ovilla, Texas, amending Chapter 13, Article 13.04 of the Code of Ordinances of the City of Ovilla, Texas, by updating Land Use Assumptions and Capital Improvement Plans; providing for the assessment and collection of Impact Fees; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication, seconded by PL5 Oberg. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

7. **DISCUSSION/ACTION – Consideration** of and action on Ordinance 2015-004 of the City of Ovilla, Texas, amending Appendix A "Fee Schedule," Section A7.009 "Impact Fees," of the City of Ovilla Code of Ordinances, providing amended water and wastewater impact fees; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

Mayor Pro Tem Griffin moved that Council approve Ordinance 2015-004 of the City of Ovilla, Texas, amending Appendix A "Fee Schedule," Section A7.009 "Impact Fees," of the City of Ovilla Code of Ordinances, providing amended water and wastewater impact fees; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication, seconded by PL1 Huber. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

8. **DISCUSSION/ACTION – Consideration** of and action on Ordinance 2015-005 of the City of Ovilla, Texas, amending Appendix A "Fee Schedule," Section A4.001 "Building Permit Fees," of the City of Ovilla Code of Ordinances, providing a Fill-dirt/Grading Permit Fee; 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.

Pursuant to the approval of Ordinance 2014-034, adopting the national and international building codes, that included the 2009 International Building Code and local amendments, Council asked staff to add an additional local amendment for the requirement of a fill-dirt/grading plan and the issuance of a fill-dirt/grading permit.

PL5 Oberg moved that Council approve Ordinance 2015-005 of the City of Ovilla, Texas amending Appendix A "Fee Schedule," Section A4.001 "Building Permit Fees," of the City of Ovilla Code of Ordinances, providing a Fill-dirt/Grading Permit Fee; provide a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication, seconded by PL5 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

9. **DISCUSSION/ACTION – Consideration** of and action for Council appointments to the Municipal Development District.

The MDD By-Laws state the Board shall consist of five directors, each of whom shall be appointed by Council and must be a resident of either the City of Ovilla or its Extra Territorial Jurisdiction (ETJ). Each member shall be appointed to serve two years with a place number to coincide with even/odd years. Not less than two directors shall be persons who are not employees, officers of the City, or members of the Council.

Mayor Pro Tem Griffin moved to appoint the following to the MDD Board:

PL1 Rachel Huber

PL2 James Scivally (reappointment)

PL3 Richard Dormier

PL4 Ron Langenheder

PL5 Lisa Ware

Motion seconded by PL1 Huber. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

10. **DISCUSSION/ACTION – Consideration** of and action approving publication of the Request for Proposal for Bank Depository Services and setting a date and time for the City Council Finance Committee to review the qualifying proposals.

Staff recommended the Request for Proposals for Banking Depository Services be approved for publication and distribution on Wednesday, January 14, 2015. Proposal deadline is Friday, January 30, 2015 by 4:00 p.m. City Council will consider the Finance Committee's recommendation of the banking institution that

provides the best value to the City at the March 09, 2015, Regular Meeting. The City Council Finance Committee (Mayor Dormier, Mayor Pro Tem Griffin and PL4 Hunt) scheduled a meeting to review the qualifying proposals on February 19, 2015 at 5:00 pm.

PL2 Stevenson moved that Council approve publication of the Request for Proposal for Bank Depository Services and setting a date and time for the City Council Finance Committee to review the qualifying proposals on Thursday, February 19, 2015 at 5 o'clock p.m., seconded by PL1 Huber. *No oppositions, no abstentions. VOTE: The motion carried unanimously: 5-0.*

- 11. DISCUSSION/ACTION – Consideration** of and action on revising the Fire Chief position from part-time to a full-time classification and consider whether to post position externally.

Mayor Dormier acknowledged citizens that signed up to speak on this item.

1. Morris Gresham, 202 Brookwood Court: Supported the Interim Fire Chief and the continuation of keeping the position part-time. We have great service. *"It is time we stop letting previous citizens pull the strings of our City Council."*
2. Carol Lynch, 316 Shadowwood Trail: Supported keeping the position part-time.

PL4 Hunt commented that Ovilla was a growing city and personally saw a need for a full-time position, but acknowledged that Interim Fire Chief Kennedy was doing a great job. He stated that he did not understand the rationale of having a full-time police chief and a part-time fire chief. PL5 Oberg agreed with PL4 Hunt, but not at this time – in future years as new developments come in and the population grows. Service is impeccable now. PL4 Hunt questioned grant-writing and how a part-time position could secure one. Staff had previously visited with a resource for grant writing. City Administrator revised the job description for Council's review. PL2 commented that the Ovilla Fire Department was the best it has ever been right now and deserves Council's support.

PL5 Oberg moved to deny the revising the Fire Chief position from part-time to a full-time classification, seconded by PL2 Stevenson. PL4 Hunt voted in opposition. *No abstentions.*

VOTE: The motion carried: 4-1.

PL5 Oberg moved to deny posting the Fire Chief position externally, seconded by PL1 Huber. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

EXECUTIVE SESSION

- 12. DISCUSSION/ACTION** – The City Council will meet in closed session pursuant to Section 551.074 of the Texas Government Code for consultation and review pertaining to the appointment, employment, evaluation, reassignment or duties of the City Administrator.

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

Mayor Dormier acknowledged one citizen that signed up to speak on this item:

1. Morris Gresham, 202 Brookwood Court: Reminded Council that lot of unanswered questions regarding the city's finances and the budget process had occurred.

Mayor Dormier announced that Council would adjourn into Executive Session – time: 8:24 p.m.
Council reconvened into Regular Session at 9:32 p.m.

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

No Action.

REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS

ANNOUNCEMENT:

Interim Fire Chief B. Kennedy announced the complete loss of the Spencer home from fire. A fund has been set up to assist the family.

FUTURE ITEMS:

1. PL1 Huber None
2. PL2 Stevenson None
3. PL3 Griffin Review parking ordinance
4. PL4 Hunt Friday, February 20, 6:00 p.m. – Ovilla Service League Annual Benefit
Spaghetti Dinner at Ovilla Road Baptist Church.
5. PL5 Oberg Special meeting on January 19 at 6:30 p.m.
6. Mayor None

ADJOURNMENT

PL4 Hunt moved to adjourn, seconded by PL5 Oberg. There being no further business, Mayor Dormier adjourned the meeting at 9:36 p.m.

Richard Dormier, Mayor

Approved February 09, 2015

ATTEST:

Pamela Woodall, City Secretary

Executive Session sealed and filed separately.

SETTLEMENT AND RELEASE AGREEMENT

This Settlement and Release Agreement (the “Agreement”) is made and entered into as of December 30, 2014 (the “Effective Date”) by and between Oncor Electric Delivery Company LLC (“Oncor”) and the City of Ovilla, Texas_ (the “City”).

WHEREAS, Oncor and the City agree that Oncor and its predecessors in interest have been billing – either directly to the City prior to the start of retail competition in January 2002 or to retail electric providers serving the City since the start of retail competition in January 2002 – for providing service to unmetered street lights (the “Street Lights”) for which the City is the end-use customer; and

NOW, THEREFORE, in order to fully and finally resolve all disputes and claims arising out of or related to the billings by Oncor, Oncor’s predecessors in interest, the City’s retail electric providers, and the affiliated companies of each, for electricity consumed by the Street Lights, and for the mutual covenants set forth in this Agreement, the adequacy and sufficiency of which is acknowledged, Oncor and the City agree as follows:

1. SETTLEMENT PAYMENT

Based on the results from the streetlight audit, the streetlight field inventory records were corrected and now match the billing information being submitted to your Retail Electric Provider. The settlement calculations reflect a credit balance of (\$94.60) that is due to Oncor. Oncor elects to, and hereby does, release the City from this debt, and thus neither Oncor nor the City owes any amount to the other under this Agreement.

2. RELEASE OF ONCOR AND ITS AFFILIATES, AND OF RETAIL ELECTRIC PROVIDERS WHO PROVIDED STREET LIGHT SERVICE TO THE CITY

The City, on behalf of itself and its successors and assigns and any and all persons, entities or municipalities claiming by, through or under them, hereby **RELEASES, DISCHARGES AND ACQUITS**, forever and for all purposes, Oncor, its predecessors in interest, and each of their respective agents, employees, officers, directors, shareholders, partners, insurers, attorneys, legal representatives, successors, and assigns, as well as all affiliated companies, including TXU Energy Company LLC and its subsidiaries, as well as all retail electric providers from whom the City has taken retail electric service, from and against any and all liability which they now have, have had, or may have, and all past, present and future actions, causes of action, claims, demands, damages, costs, expenses, compensation, losses, and

fees of any kind or nature whatsoever, whether known or unknown, fixed or contingent, in law or in equity, whether asserted or unasserted, whether now existing or accruing in the future, arising out of or related to the calculation, reporting, billing or invoicing of charges to the City for electric service for Street Lights through December 30, 2014.

3. AGREEMENT AS TO ACCURACY OF CURRENT STREET LIGHT BILLING INFORMATION

City does not dispute and agrees not to dispute that the current Street Light billing information being used by Oncor for the City's Street Lights, including but not limited to the number, types and sizes of Street Lights, as detailed on Attachment A, is accurate as of December 30, 2014.

4. WARRANTY AS TO AUTHORITY

Oncor and the City each warrant that the person executing this Agreement on their behalf has the authority to bind the entity for whom such person signs this Agreement.

5. MISCELLANEOUS PROVISIONS

A. The parties acknowledge and agree that the terms of this Agreement are all contractual and not mere recitals.

B. The parties acknowledge that they have read this Agreement in its entirety, understand its terms, and that this Agreement is entered into voluntarily, without duress, and with full knowledge of its legal significance.

C. This Agreement may not be modified in any manner, nor may any rights provided for herein be waived, except in an instrument in writing signed by each party.

D. This Agreement shall be construed in accordance with the laws of the State of Texas.

E. This Agreement and any amendment hereto, may be executed in one or more counterparts. All of such counterparts shall constitute one and the same agreement. The parties expressly agree that any counterparts signed and delivered by electronic copy or facsimile shall be deemed original document and shall legally bind the parties to the same extent as originals.

IN WITNESS THEREOF, each party, by its duly authorized representative, has executed this Agreement as of the applicable date set forth below, and by such execution, giving the Agreement full force and effect as of the Effective Date.

ONCOR ELECTRIC DELIVERY COMPANY LLC

By: _____

Its: Vice President

STATE OF TEXAS §

COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 2014, by _____, of Oncor Electric Delivery Company LLC, on behalf of said entity.

Notary Public, State of Texas

THE CITY OF _____, TEXAS

By: _____

Its: _____

STATE OF TEXAS §

COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____,
2014, by _____, on behalf of the City of _____, Texas.

Notary Public, State of Texas

ATTACHMENT A

CITY OF OVILLA STREET LIGHTING BILLING TABLE AS OF DECEMBER 30, 2014

Account	Description		Count	Last Run	Wattage	Type	Schedule
6000302	OVILLA, CITY OF	(100,HP,A)	185	12/30/2014	100	HP	A
4407746	OVILLA, CITY OF	(175,MV,A)	21	12/30/2014	175	MV	A
4407777	OVILLA, CITY OF	(250,HP,A)	4	12/30/2014	250	HP	A



City of Ovilla - Oncor Streetlight Audit Summary 2014

Inventory Counts				
Pre-Survey Light Total	Lights Surveyed	Lights Correct	Total Errors	Post-Survey Light Total
204	204	201	3	210
(10/15/2014)	100.00%	98.53%	1.47%	(12/30/2014)

Audit Findings				
Record Errors	Wattage	Removes	New Adds to Existing Premises	New Adds, Not in Billing System
3	2	0	1	5
100.00%	66.67%	0.00%	33.33%	

Settlement Calculations						
Adds - Lights in Field		Removes - Light not in Field		Net	Unit Settlement	Extended Amount
4	100-HP,A	0	100-HP,A	-4	\$71.60	(\$286.40)
2	175-MV,A	0	175-MV,A	-2	\$80.29	(\$160.58)
0	250-HP,A	0	250-HP,A	0	\$0.00	\$0.00
6		0		-6		(\$446.98)

Wattage Correction Changes	\$352.38
----------------------------	----------

Total Settlement to be Paid	(\$94.60)
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City of Ovilla

Line #	GLN	Qty	Original Light Type	Action Taken	Correct Qty	Correct Light Type	Audit Time Stamp	Record Notes	Unit Settlement
--------	-----	-----	---------------------	--------------	-------------	--------------------	------------------	--------------	-----------------

Lights Added to Existing Premises

1	3956181-3509394	0	No Light	OVL A^Add	1	100-HP	10/16/2014 1:45:38 PM	Added 100-hp	
		0			1				

Line #	GLN	Qty	Original Light Type	Action Taken	Correct Qty	Correct Light Type	Audit Time Stamp	Record Notes	Unit Settlement
--------	-----	-----	---------------------	--------------	-------------	--------------------	------------------	--------------	-----------------

Lights Removed

		0			0				
--	--	---	--	--	---	--	--	--	--

Line #	GLN	Qty	Original Light Type	Action Taken	Correct Qty	Correct Light Type	Audit Time Stamp	Record Notes	Unit Settlement
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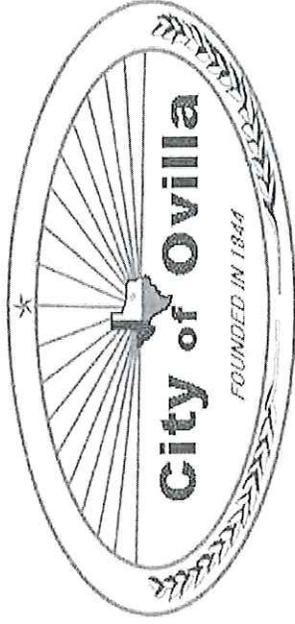
Wattage Change

1	3958594-3509099	1	175-MV	OVL A^Edit	1	100-HP	10/16/2014 1:52:48 PM	Changed 175-mv to 100-hp	\$176.19
2	3959372-3505591	1	175-MV	OVL A^Edit	1	100-HP	10/16/2014 12:00:54 PM	Changed 175-mv to 100-hp	\$176.19
		2			2				\$352.38

Oncor Audit Results - New Adds

2014

Line #	Lat	Log	Location	Qty	Owner	Light Type	Description	Audit Time Stamp
New Lights Added, Not in Billing System								
1	32.526860123183	-96.8736970424652	625 Cardinal Drive	1	Oncor	100-HP	WOOD POLE. OH FEED. NE CNR OF CARDINAL DR	10/16/2014 11:51:10 AM
2	32.5254127667039	-96.8736970424652	625 Meadowlark Drive	1	Oncor	100-HP	WOOD POLE. OH FEED. NE CNR OF MEADOWLARK DR	10/16/2014 11:56:41 AM
3	32.5475185946008	-96.8836534023285	202 Lariat Trail	1	Oncor	100-HP	FRONT OF 202 LARIAT TRL.	10/16/2014 2:10:40 PM
4	32.5260912179566	-96.8853163719177	706 East Main Street	1	Oncor	175-MV	WOOD POLE. OH FEED. SW CNR OF E.MAIN ST	10/16/2014 12:06:25 PM
5	32.5295648081041	-96.8935024738312	114 Westlawn Drive	1	Oncor	175-MV	WOOD POLE. OH FEED.NE CNR OF WILLOWWOOD LN	10/16/2014 12:55:18 PM
				5				



DATE: 02-09-2015

TO: Honorable Mayor and Council Members

FROM: Linda Harding

**SUBJECT: Committed Fund Balance Report for
Quarter Ending 12-31-14**

City of Ovilla
Committed Fund Balance
as of December 31, 2014

Description	Account Number	2014-2015 Budget Amount
Total General Fund 2014-2015 Budget		2,695,456
Capital Outlay - Buildings	5107420	0
Capital Outlay - Land	5107425	0
Capital Outlay - Machinery and Equipment	5107440	0
Capital Outlay - Vehicles	5207450	0
Capital Outlay - Other	5207490	0
Capital Outlay - Machinery and Equipment	5307440	0
Capital Outlay - Building	5507420	0
Capital Outlay - Machinery and Equipment	5507440	(7,000)
Capital Outlay - Vehicles	5507450	0
Capital Outlay - Infrastructure	5507460	(313,200)
Capital Outlay - Machinery and Equipment	5607440	(500)
Total Budget Less Capital or one time Expenditures		<u>2,374,756</u>
Less Contingency Reserve	5109001	0
		<u>2,374,756</u>
		25%
Committed Fund Balance		\$ 593,689.00
Total Reserve Bank Value Accounts		
Prosperity Bank CD (Acct. #670010608)	1012290	\$ 55,623.81
Prosperity Money Market Reserve (Acct. #9307583)	1012250	\$ 127,426.82
Prosperity CD (Acct. #670010694)	1012260	\$ 244,637.07
Texstar Reserves (Acct.#07017-1112)	1011525	\$ 928.82
Total Reserve Cash		<u>\$ 428,616.52</u>
Total undesignated cash reserves (Acct. #9307605)	1012520	\$ 229,160.33
Total Reserve Cash & Designated Cash		<u>\$ 657,776.85</u>
Number of Days in Current Reserve	\$ 6,506.18	<u>101.10</u>
Unassigned Fund Balance from 2012-2013 Audit		\$ 1,407,803.00
Less Approved Road Work on Cockrell Hill Rd. 5-28-13		<u>\$ (228,953.00)</u>
Balance Left in Current Unassigned GF Balance		\$ 1,178,850.00

City of Ovilla

Water Sewer Fund Committed Fund Balance as of December 31, 2014

Description	Account Number	2014-2015 Budget Amount
Total W&S Fund 2014-2015 Budget		1,448,669
Capital Outlay -Machinery & Equipment	5757440	2,200
Capital Outlay -Infrastructure Water	5757470	6,000
Capital Outlay - Machinery and Equipment	5807440	6,000
Total Budget Less Capital or one time Expenditures		1,462,869
Less Contingency Reserve	5709001	0
		1,462,869
		25%
Committed Fund Balance		\$ 365,717.25
 Total Reserve Bank Value Accounts		
Prosperity Bank (Acct. #6602109445)	1021500	\$ 785,513.94
Texstar(Acct.#07017-0535)	1021525	\$ 1,144.77
Prosperity Bank (Acct. #4547531)	1021800	\$ 138.19
Prosperity Bank (Acct.#18004323)	1020500	\$ 188,137.14
Total Reserve Cash		\$ 974,934.04
Total Reserve Cash & Designated Cash		\$ 974,934.04
 Number of Days in Current Reserve	 \$ 4,007.86	 243.26
 Unassigned Fund Balance from 2012-2013 Audit		 \$ 611,347.64
Committed Fund Balance		\$ 365,717.25
Current Unassigned WS Balance		\$ 245,630.39



DATE: 02-09-2015

TO: Honorable Mayor and Council Members

FROM: Linda Harding

SUBJECT: Quarterly Investment Report for

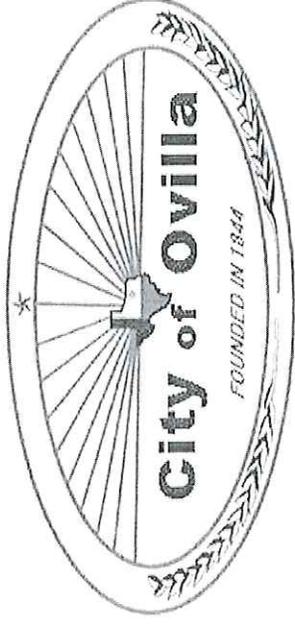
Quarter Ending 12-31-14

City of Ovilla
Investment Report
For Quarter Ending December 31, 2014

Fund	Bank	Investment Type	Description	Bank Account Number	Quick Books Account #	Inception Date	Maturity Date	Rate	Beginning Market Value 10-1-2014	Activity During Quarter	Ending Market Value 12/31/2014	Book Value 12/31/2014	Difference
GENERAL FUND													
GF	Prosperity Bank	Operating	General	6602109437	1012500	N/A	N/A	0.3200%	\$ 914,723.42	Interest Earned \$ 743.42 Net Deposit \$ 1,366,692.30 Net Withdrawals \$ 688,146.69 Ending Balance	\$ 1,595,603.47	\$ 1,595,603.47	(\$1,591.02)
GF	Texstar Investment		Pool	07017-1111	1012525	N/A	N/A	0.0390%	\$ 3,724.36	Interest Earned \$ 0.32 Withdrawal \$ - Ending Balance	\$ 3,724.68	\$ 3,724.68	\$ 0.00
GF	Prosperity Bank		Money Market	9307605	1012520	3/2/11	N/A	0.2000%	\$229,044.84	Interest Earned \$ 115.49 Withdrawal \$ - Ending Balance	\$ 229,160.33	\$ 229,160.33	\$ 0.00
GF	Texstar Investment		Pool	07017-1112	1011525	N/A	N/A	0.0390%	\$ 928.82	Interest Earned \$ 0.00	\$ 928.82	\$ 928.82	\$ 0.00
GF	Prosperity Bank		Money Market	9307583	1012250	N/A	N/A	0.2000%	\$ 127,362.61	Interest Earned \$ 64.21 Net Deposit \$ - Net Withdrawals \$ - Ending Balance	\$ 127,426.82	\$ 127,426.82	\$ 0.00
GF	Prosperity Bank		CD	670010694	1012260	2/25/14	2/25/15	0.0350%	\$ 244,421.44	Interest Earned \$ 215.63 Net Deposit \$ - Net Withdrawals \$ - Ending Balance	\$ 244,637.07	\$ 244,637.07	\$ 0.00
GF	Prosperity Bank		CD	670010608	1012290	10/17/12	10/17/13	0.3000%	\$ 55,623.81	Interest Earned \$ 42.06	\$ 55,665.87	\$ 55,665.87	(\$0.00)
Total General Fund										Total General Fund Balance	\$ 2,255,556.04	\$ 2,257,147.06	(\$1,591.02)
DEBT SERVICE													
Debt	Prosperity Bank	Savings Account	Sinking Fund	6606020291	1010000	N/A	N/A	0.1500%	\$ 21,529.02	Interest Earned \$ 13.76 Deposits \$ 275,976.23 Deductions \$ - Ending Balance	\$ 297,519.01	\$ 297,648.32	(\$129.31)
Water & Sewer Utility Fund													
W&S	Prosperity Bank	Operating	Utility	6602109445	1021500	N/A	N/A	0.3200%	\$ 786,367.07	Interest Earned \$ 682.50 Net Deposit \$ 473,007.57 Net Withdrawals \$ 470,704.54	\$ 786,367.07	\$ 786,367.07	\$ 0.00

City of Ovilla
Investment Report
For Quarter Ending December 31, 2014

Fund	Bank	Investment Type	Description	Bank Account Number	Quick Books Account #	Inception Date	Maturity Date	Rate	Beginning Market Value 10-1-2014	Activity During Quarter	Ending Market Value 12/31/2014	Book Value 12/31/2014	Difference		
W&S	Texstar Investment		Pool	07017-0535	1021525	N/A	N/A	0.0390%	\$ 1,144.77	Interest Earned \$ - Net Deposit \$ - Withdrawals \$ - Ending Balance \$ 1,144.77	\$789,352.80	\$785,513.94	\$3,838.86		
W&S	Prosperity Bank		Utility	4547531	1021800	N/A	N/A	0.3500%	\$ 138.07	Interest Earned \$ 0.12 Net Deposit \$ - Net Withdrawals \$ -	\$138.19	\$138.19	\$0.00		
W&S	Prosperity Bank		Money Mkt.	18004323	1020500	N/A	N/A	0.2000%	\$ 188,042.33	Interest Earned \$ 94.81 Net Deposit \$ - Net Withdrawals \$ -	\$ 188,137.14	\$188,137.14	(\$0.00)		
Total W&S Utility Fund													\$978,772.70	\$974,934.04	\$3,838.66
CAPITAL PROJECTS															
CP	Texpool Investment	Construction Funds	Pool	78761	1023000	N/A	N/A	0.0362%	\$ 308.16	Interest Earned \$ - Deposits \$ - Withdrawals \$ - Ending Balance \$ 308.16	\$308.16	\$308.16	\$0.00		
CP	Texstar Investment		Pool	07017-0534	1023500	N/A	N/A	0.0390%	\$ 1,395.41	Interest Earned \$ 0.07 Deposits \$ - Withdrawals \$ - Ending Balance \$ 1,395.48	\$1,395.48	\$1,395.48	\$0.00		
CP	Prosperity Bank		Money Market	9307648	1024000	N/A	N/A	0.2000%	\$129,793.85	Interest Earned \$ 65.44 Deposits \$ - Withdrawals \$ - Ending Balance \$ 129,859.29	\$129,859.29	\$129,859.29	\$0.00		
Total Capital Projects													\$131,562.93	\$131,562.93	\$0.00
W&S IMPACT FEE															
W&S Impact	Prosperity Bank	Water Impact		6604032322	8510100	N/A	N/A	0.2000%	\$ 76,673.93	Interest Earned \$ 13.03 Net Deposit \$ - Net Withdrawals \$ - Ending Balance \$ 76,686.96	\$76,712.60	\$76,712.60	(\$25.64)		
W&S Impact	Texstar Investment	Sewer Impact		07017-1354	8520155	N/A	N/A	0.0390%	\$ 3,151.67	Interest Earned \$ 0.16 Net Deposits \$ - Net Withdrawals \$ - Ending Balance \$ 3,151.83	\$3,151.83	\$3,151.83	\$0.00		
W&S Impact	Prosperity Bank	Sewer Impact		301668699	8520160	N/A	N/A	0.2000%	\$35,251.75	Interest Earned \$ 17.78 Net Deposit \$ 1,218.00 Net Withdrawals \$ - Ending Balance \$ 36,487.53	\$36,487.53	\$36,487.53	\$0.00		
Total W&S Impact Fund													\$116,326.32	\$116,351.96	(\$25.64)
PARK IMPROVEMENT															



DATE: 02-09-2015

TO: Honorable Mayor and Council Members

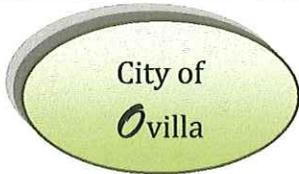
FROM: Linda Harding

**SUBJECT: Expenditures over \$5,000.00 for
Month Ending 12-31-14**

**City of Ovilla Expenditures Over \$5,000
for the Month of December 2014**

General Fund				Amount
Date	Check#	Payee	Description	
12/4/2014	ACH	Quick Books Payroll Service	Payroll	\$39,819.12
12/5/2014	43172	T.M.R.S.	Retirement	\$9,714.96
12/5/2014	43179	Bureau Veritas North America	Inspections	\$8,862.45
12/10/2014	43155	US Treasury	Payroll Taxes	\$7,932.18
12/12/2014	43179	Brindlee Mountain Fire Apparatus, LLC	Broker sale of 2006 F650 Fire Rescue/Pump	\$6,370.00
12/18/2014	ACH	Quick Books Payroll Service	Payroll	\$41,738.45
12/23/2014	43266	Yeldell, Wilson, & Co	Audit - split GF & WS	\$5,050.00
12/24/2014	43215	US Treasury	Payroll Taxes	\$7,966.50
12/31/2014	ACH	Quick Books Payroll Service	Payroll	\$40,320.49
Total General Fund Transactions \$5,000 and Over				\$167,774.15

Water & Sewer Fund				Amount
Date	Check#	Payee	Description	
12/5/2014	15707	City of Ovilla General Fund	Payroll 12/5/14	\$10,482.11
12/12/2014	15705	City of Ovilla General Fund	Garbage Fee Transfer November 2014	\$17,378.67
12/12/2014	15699	Odessa Pumps	Repair Myers Grinder Pump	\$5,972.85
12/12/2014	15701	City of Dallas	Water Purchase	\$21,949.44
12/12/2014	15696	Trinity River Authority of Texas	Water Treatment December	\$18,666.00
12/19/2014	15710	Calwell County Chev	Truck	\$23,770.00
12/19/2014	15711	City of Ovilla General Fund	Payroll 12/19/14	\$11,124.93
12/23/2014	15722	Yeldell, Wilson & Co	Audit - split GF & WS	\$5,050.00
12/31/2014	15740	City of Ovilla General Fund	Garbage Fee Transfer December 2014	\$2,173.27
Total Water & Sewer Fund Transactions \$5,000 and Over				\$116,567.27



Ovilla City Council

CONSENT ITEM C7

Meeting Date: February 09, 2015
Submitted By: Staff

Department: Administration

Attachments:	
1. Resolution R2015-001	
2. Second Amendment to the Tower Lease Agreement	
3. Original Lease Agreement	
Agenda Item / Topic:	
C7.	<i>DISCUSSION/ACTION – Consideration</i> of and action on Resolution R2015-001 of the City of Ovilla, Texas, authorizing the Mayor to execute the Second Amendment to the Tower Lease Agreement by and between the City of Ovilla, Texas and T-Mobile West LLC.
Discussion / Justification:	
T-Mobile notified staff of their desires to install new equipment and update current equipment on the city’s water tower. They currently occupy the available space on the upper mounting array and the addition of the new equipment should not interfere with any other leases.	
Our current Lease of June 1, 2014 and the five-year extension dated April 2014, remains in effect through May 31, 2019. T-Mobile will increase the current lease payment an additional \$750 monthly for the term of the Lease. There will be no changes in the terms or conditions set forth.	
Recommendation / Staff Comments:	
Sample Motion(s):	
<i>If pulled from consent agenda:</i>	
<i>I move to approve/deny Resolution R2015-001</i> of the City Council of the City of Ovilla, Texas, authorizing the Mayor to execute, for an on behalf of the City of Ovilla, Texas, a second amendment to the Tower Lease Agreement, by and between the City of Ovilla and T-Mobile West LLC.	

RESOLUTION NO. R2015-001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY OF OVILLA, TEXAS, A SECOND AMENDMENT TO TOWER LEASE AGREEMENT, BY AND BETWEEN THE CITY OF OVILLA, TEXAS, AND T-MOBILE WEST LLC.

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

Section 1. The City Council of the City of Ovilla and T-Mobile desires to modify and amend certain provisions of the current Lease Agreement.

Section 2. The City Council of the City of Ovilla hereby authorizes the Mayor to execute the Second Amendment to the Lease Agreement, by and between the City of Ovilla, Texas, and T-Mobile on the premises of 105 S. Cockrell Hill Road, in an additional amount of \$750 per month, for terms and conditions having the same such terms given in the Lease dated June 1, 2004, to commence on February _____, 2015.

Section 3. A copy of said Contract/Agreement is attached hereto as Exhibit "A" and made a part hereof for all purposes.

PASSED, APPROVED, AND RESOLVED this ____ day of _____ 2013.

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

APPROVED: _____
Richard Dormier, **MAYOR**

SECOND AMENDMENT TO TOWER LEASE AGREEMENT

THIS AMENDMENT TO TOWER LEASE AGREEMENT ("Amendment") is made and entered into by and between the City of Ovilla, Texas, ("Landlord"), and T-Mobile West LLC, a Delaware corporation ("Tenant").

Recitals

The parties hereto recite, declare and agree as follows:

A. Landlord and Tenant (or as applicable, their respective predecessors in interest) entered into a Tower Lease Agreement dated June 1, 2004 (including any prior amendments, the "Lease"), with respect to Premises located at 105 S Cockrell Hill Road, Ovilla, Texas.

B. Landlord and Tenant desire to enter into this Amendment in order to modify and amend certain provisions of the Lease.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord and Tenant covenant and agree as follows:

1. Effective as of _____, 20__, (a) Tenant will have the right to modify its Antenna Facilities as described and depicted on Exhibit A, which is attached hereto and by this reference incorporated herein, and Landlord hereby consents to and approves of the modifications described and depicted on Exhibit A in all respects, and (b) in accordance with Section 5 (c) of the Tower Lease Agreement, Rent that Tenant pays Landlord will be increased by Seven Hundred Fifty Dollars (\$750.00) per month.

2. The parties' notice addresses in the Lease are deleted in their entirety and replaced with the following:

If to Tenant:

T-Mobile USA Inc.
Attn: Lease Compliance/Site No.DA01646A
12920 SE 38th Street
Bellevue, WA 98006

If to Landlord:

City of Ovilla
105 S. Cockrell Hill Road, Suite 2
Ovilla, Texas 75154
Attn: City Administrator

3. The terms and conditions of the Lease are incorporated herein by this reference, and capitalized terms used in this Amendment shall have the same meanings such terms are given in the Lease. Except as specifically set forth herein, this Amendment shall in no way modify, alter or amend the remaining terms of the Lease, all of which are ratified by the parties and shall remain in full force and effect. To the extent there is any conflict between the terms and conditions of the Lease and this Amendment, the terms and conditions of this Amendment will govern and control.

4. Landlord represents and warrants to Tenant that the consent or approval of no third party, including, without limitation, a lender, is required with respect to the execution of this Amendment, or if any such third party consent or approval is required, Landlord has obtained any and all such consents or approvals.

Site # DA01646A
Market: Dallas

IN WITNESS WHEREOF, the parties have executed this Amendment effective as of the date of execution by the last party to sign.

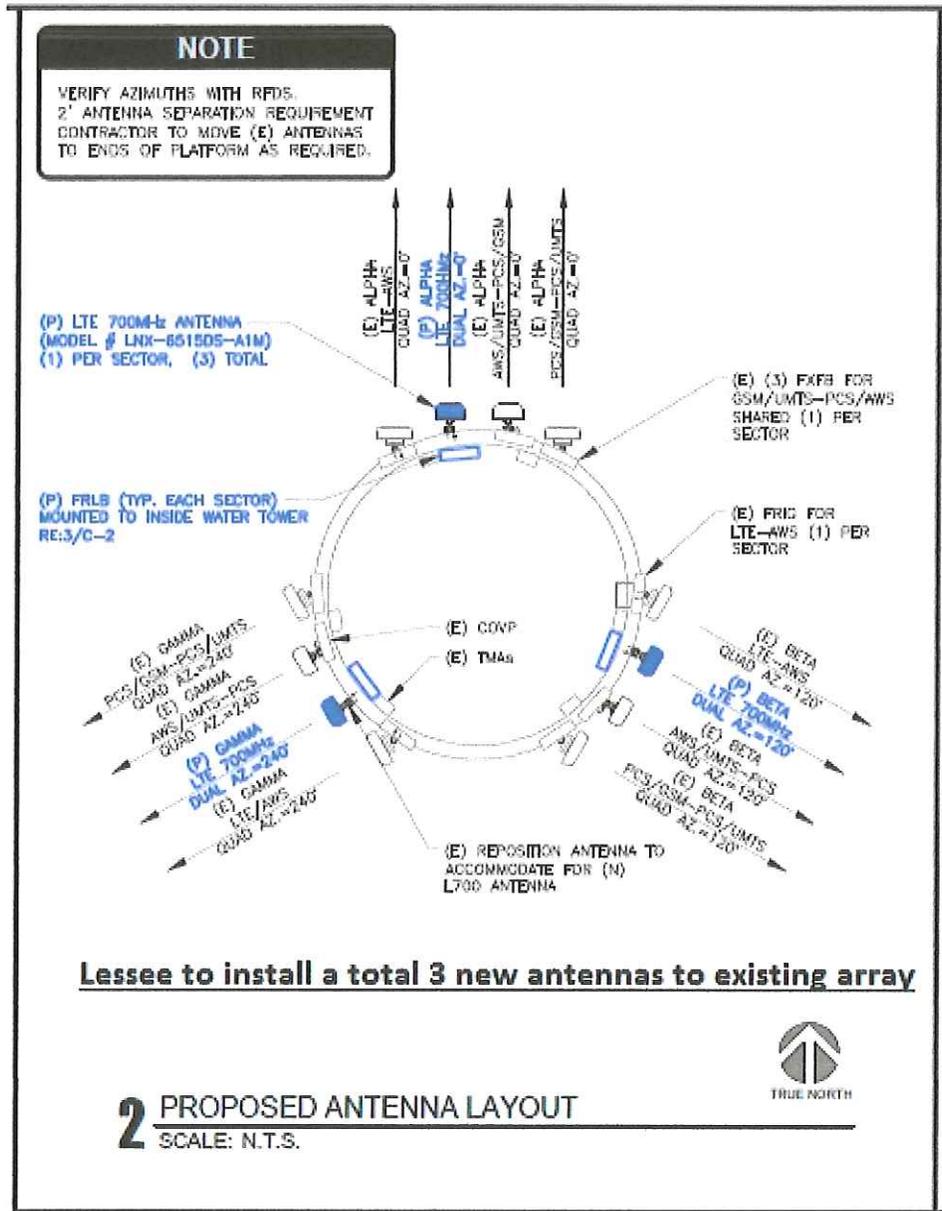
City of Ovilla

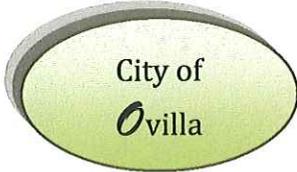
T-Mobile West LLC.

By: _____
Name: _____
Title: _____
Date: _____

By: _____
Name: _____
Title: _____
Date: _____

EXHIBIT A





Ovilla City Council

PUBLIC HEARING Item 1

Meeting Date: February 09, 2015

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: N/A

Reviewed By: City Administrator

City Secretary

City Attorney

Accountant

Other: Staff

Attachments:

1. Item report presented to Planning & Zoning
2. Letter of request and verification documentation
3. Diagram of property
4. Ovilla Code - Land Use Table & description of General Commercial

Agenda Item / Topic:

- ITEM 1. Case No. PZ15.02. Receive presentation and citizen comments on a request by Midlothian Independent School District for a change in zoning from RE (Single Family Residential District) to CG (General Commercial) on approximately 13.998 acres of land, more or less, located in the William Billingsley Survey, Abstract No 81, Ellis County, Texas and being generally located north of Shiloh Road and west of Bryson Lane in the Midlothian Independent School District, City of Ovilla, Texas, Extraterritorial Jurisdiction (ETJ).
- a. Presentation of Request for change in zoning from Midlothian School District Representative(s).
 - b. PUBLIC HEARING to receive comments from the public regarding the request.

Discussion / Justification:

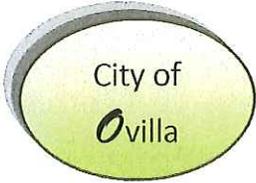
Staff received a request from representatives from the Midlothian Independent School District (MISD) for a change in zoning to the same property considered for annexation under Item 3 of the Regular Agenda. Two Public Hearings for the rezoning of approximately 13.998 acres known as the Midlothian Independent School District Tract, generally located north of Shiloh Road and west of Bryson Lane, were held on Monday, February 02 by the Planning and Zoning Commission and this date Monday, February 09, 2015, held by the City Council.

Recommendation / Staff Comments:

Following the presentation from the MISD representative(s), the Public Hearing will be opened to receive comments from the public regarding the zoning request.

Sample Motion(s):

No motion on this item.



Ovilla Planning & Zoning

AGENDA ITEM REPORT

Item(s): 1

Meeting Date: February 02, 2015

Department: Administration

Discussion Action

Zoned: Res. Commercial

Attachments:

1. Letter of Request for Rezoning
2. Letter of Verification of Ownership and Authorization of Representative
3. Diagram of Property for Rezoning
4. Ovilla Code – Land Use Table and description of General Commercial

Agenda Item / Topic:

PUBLIC HEARING

Public Hearing & Discussion – Receive Presentation and Citizen Comments on the proposed Rezoning Request

Case No. PZ15.02. A zoning change request filed by Midlothian Independent School District for a **change in zoning** from RE (Single Family Residential District) to CG (General Commercial) on approximately 13.998 acres of land, more or less, located in the William Billingsley Survey, Abstract No 81, Ellis County, Texas and being generally located north of Shiloh Road and west of Bryson Lane in the Midlothian Independent School District, City of Ovilla Texas, Extraterritorial Jurisdiction (ET).

- a. Presentation of Request for Rezoning from Midlothian School District Representative.
- b. **PUBLIC HEARING** to receive comments from the public regarding the request.

INDIVIDUAL CONSIDERATION

ITEM I. DISCUSSION/ACTION – Case No. PZ15-02. Consider the request submitted by Midlothian Independent School District for a **change in zoning** from RE (Single Family Residential District) to CG (General Commercial) on approximately 13.998 acres of land, more or less, located in the William Billingsley Survey, Abstract No 81, Ellis County, Texas and being generally located north of Shiloh Road and west of Bryson Lane in the Midlothian Independent School District, City of Ovilla Texas, Extraterritorial Jurisdiction (ET) and forward recommendation to the Ovilla City Council for consideration at their February 09, 2015 meeting.

OWNER(S): Midlothian Independent School District
ENGINEERING FIRM: Thomas Engineering, LLC
DATE FILED WITH CITY: 10/29/2015
LOCATION: North of Shiloh Road and West of Bryson Lane
ACRES: 13.998 acres
CURRENT ZONING: RE (after proposed annexation – Ordinance to be presented to Council on February 09, 2015)
PROPOSED ZONING: General Commercial
PROPOSED LAND USE: Elementary School
NOTIFICATIONS: Legal notice in newspaper and abutting property owners
COMPREHENSIVE PLAN: This property is listed as residential.

Discussion / Justification:

Mr. Todd Hemphill, Board President with the MISD (having authorization to apply) and Mr. Mickey Thomas, P.E. from Thomas Engineering, LLC, representative, filed petition to request a change in zoning (after annexation of same property) from RE to General Commercial for the purpose of building an educational facility (elementary school) on the property listed above, being 13.998 acres. MISD Representatives' justification for General Commercial was based on height, screening and setback requirements.

Recommendation / Staff Comments:

N/A

Sample Motion(s):

*I move that the Planning & Zoning Commission **APPROVES / DENIES** the zoning change submitted by Midlothian Independent School District from RE (Single Family Residential District) to CG (General Commercial) on approximately 13.998 acres of land, more or less, located in the William Billingsley Survey, Abstract No 81, Ellis County, Texas and being generally located north of Shiloh Road and west of Bryson Lane in the Midlothian Independent School District, City of Ovilla Texas, Extraterritorial Jurisdiction (ET) and forward recommendation to the Ovilla City Council for consideration at their February 09, 2015 meeting.*



MIDLOTHIAN ISD
100 Walter Stephenson Rd.
Midlothian, TX 76065
972-775-8296
midlothian-isd.net

October 14, 2014

Reference: Rezoning Authorization for Applicant to File on Owner's Behalf
13.998 Acres, William Billingsley Survey, Abst. 81, Ellis County, Texas
Midlothian ISD

To Whom It May Concern:

The Midlothian Independent School District has hired VLK Architects and their Civil sub-consultant, MJ Thomas Engineering, to represent our request to rezone the subject property. The subject property is currently outside of the city limits of the City of Ovilla. However, we are applying for annexation as a part of this process. We would like to request the proposed zoning to be General Commercial as suggested by city staff in association with the annexation of this property.

Respectfully,

A handwritten signature in black ink, appearing to read 'Todd Hemphill', with a long horizontal flourish extending to the right.

Mr. Todd Hemphill
Board President
Midlothian Independent School District

APPOINTMENT OF AGENT

The Midlothian Independent School District as owners of the Property described in Exhibit A attached hereto (the "Property"), fully authorizes MJ Thomas Engineering, LLC to act as its Agent to represent the Midlothian ISD before the City of Ovilla, Texas, in any matters, formal or informal, and to receive all official correspondence as it relates to the zoning or rezoning of the Property.

Agent hereby accepts this appointment. Agent shall perform diligently and in the best interest of the Midlothian ISD. Agent shall serve without compensation.

Midlothian ISD agrees to cooperate and execute any documents necessary to complete any re-zoning of said property.

This appointment as Agent may be revoked at any time by the Midlothian ISD upon written notice being mailed to Agent at the address below. Notice of revocation will also be delivered to the City of Ovilla, Texas. No other rights are intended to be granted by this appointment

Signed this 20th day of October, 2014.

Jerome Stewart
Dr. Jerome Stewart, Superintendent
Midlothian ISD

Mickey Thomas
Mickey Thomas, P.E.
MJ Thomas Engineering, LLC

Address: 3973 W Vickery Blvd, Ste 103
Fort Worth, TX 76107

THE STATE OF TEXAS *
COUNTY OF ELLIS *

Before me, the undersigned authority, a Notary Public, on this day personally appeared Dr. Jerome Stewart, known to me to be the person and officer whose name is subscribed to the foregoing instruction and acknowledged to me that the same was the act of the Midlothian ISD, and that he executed the same as the act of such agency for the purposes and consideration therein expressed, and in the capacity there instated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 20th day of October, 2014.

Theda Chantil McGrew
Notary Public in and for the State of Texas
My Commission Expires May 1, 2016

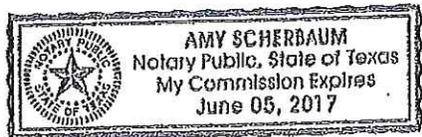


THE STATE OF TEXAS *
COUNTY OF ELLIS *

Before me, the undersigned authority, a Notary Public, on this day personally appeared Mickey Thomas, known to me to be the person and officer whose name is subscribed to the foregoing instruction and acknowledged to me that the same was the act of the MJ Thomas Engineering, LLC, and that he executed the same as the act of such agency for the purposes and consideration therein expressed, and in the capacity there instated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 28th day of October, 2014.

Amy Scherbaum
Notary Public in and for the State of Texas
My Commission Expires June 5, 2014



APPOINTMENT OF AGENT

The Midlothian Independent School District as owners of the Property described in Exhibit A attached hereto (the "Property"), fully authorizes MJ Thomas Engineering, LLC to act as its Agent to represent the Midlothian ISD before the City of Ovilla, Texas, in any matters, formal or informal, and to receive all official correspondence as it relates to the zoning or rezoning of the Property.

Agent hereby accepts this appointment. Agent shall perform diligently and in the best interest of the Midlothian ISD. Agent shall serve without compensation.

Midlothian ISD agrees to cooperate and execute any documents necessary to complete any re-zoning of said property.

This appointment as Agent may be revoked at any time by the Midlothian ISD upon written notice being mailed to Agent at the address below. Notice of revocation will also be delivered to the City of Ovilla, Texas. No other rights are intended to be granted by this appointment

Signed this 20th day of October, 2014.


Dr. Jerome Stewart, Superintendent
Midlothian ISD

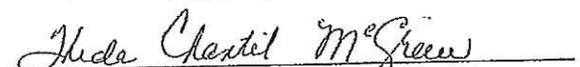

Mickey Thomas, P.E.
MJ Thomas Engineering, LLC

Address: 3973 W. Vickery Blvd, Ste 103
Fort Worth, TX 76107

THE STATE OF TEXAS *
COUNTY OF ELLIS *

Before me, the undersigned authority, a Notary Public, on this day personally appeared Dr. Jerome Stewart, known to me to be the person and officer whose name is subscribed to the foregoing instruction and acknowledged to me that the same was the act of the Midlothian ISD, and that he executed the same as the act of such agency for the purposes and consideration therein expressed, and in the capacity there instated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 20th day of October, 2014.

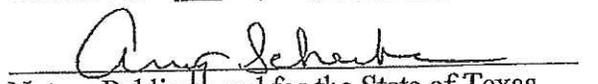

Notary Public in and for the State of Texas
My Commission Expires May 1, 2016

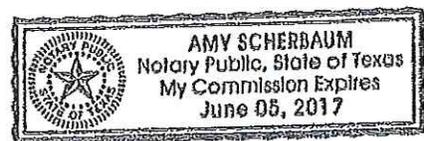


THE STATE OF TEXAS *
COUNTY OF ELLIS *

Before me, the undersigned authority, a Notary Public, on this day personally appeared Mickey Thomas, known to me to be the person and officer whose name is subscribed to the foregoing instruction and acknowledged to me that the same was the act of the MJ Thomas Engineering, LLC, and that he executed the same as the act of such agency for the purposes and consideration therein expressed, and in the capacity there instated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 28th day of October, 2014.


Notary Public in and for the State of Texas
My Commission Expires June 5, 2014



AFFIDAVIT OF TODD HEMPHILL

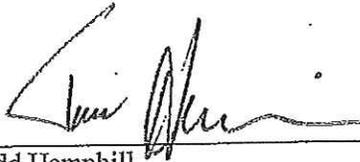
THE STATE OF TEXAS §

COUNTY OF ELLIS §

Before me the undersigned authority on this day personally appeared Todd Hemphill, known to me to be the person whose name is subscribed below, being by me duly sworn, on his oath, stated the following:

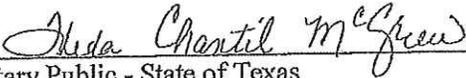
1. My name is Todd Hemphill.
2. I am the Board President of Midlothian Independent School District, and acting in that capacity.
3. I hereby attest and affirm that the Midlothian Independent School District purchased, through a voluntary sale or condemnation, real property located in Ellis County, Texas.
4. The Midlothian Independent School District is a political subdivision of the State of Texas, and a legally constituted Independent School District located within Midlothian, Ellis County, Texas and a taxing entity. Accordingly, under the Texas Property Code § 12.002(e)(2), the Midlothian Independent School District is not required to attach an original tax certificate with the play which is being recorded in the Office of the County Clerk, of Ellis County, Texas.

FURTHER, AFFIANY SAYETH NOT.



Todd Hemphill
Board President

SUBSCRIBED AND SWORN TO before me this 20th day of October, 2014, to certify which witness my hand and seal of office.



Notary Public - State of Texas

City of Ovilla Land Use Table											
Residential							Land Use Descriptions	Nonresidential			Conditions
R-C	R-E	R-22	R-15	R-D	MF	MH		CR	CG	I	
Educational Uses											
							School, Business College		P	P	a, g
							School, College or University		P	P	a, g
							School, Commercial Instruction		P	P	g
							School, Commercial Trade		P	P	g
P	P	P	P	P	P	P	School, Home				
S	S	S	S	S	S	S	School, Home Day				b
							School, Institution, Rehabilitation & Training Center	P	P	P	g
					P		School, Nursery	P	P	P	g
P	P	P	P	P	P	P	School, Primary or Secondary	P	P	P	a, g
							School, Vocational	P	P	P	a, g

A. A site plan will be required in accordance with [Section 26](#) Site Plan Requirements.

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

Section 22 - "CG" General Commercial District

22.1 PURPOSE

The purpose of the "CG" General Commercial district is to provide for land, building, and structure uses primarily oriented to a variety of indoor and outdoor general business activities of a mixed and diversified nature which supply the needs of the community and to some degree that of the immediate regional area, including regional and community shopping centers. The general character of the "CG" General Commercial district comprises a broad range of retail and service uses, entertainment uses, community facilities, and general office uses. The "CG" General Commercial district is most appropriately located at major thoroughfare and highway intersections, and as a transitional district between industrial districts and more restrictive commercial districts and high density residential districts.

22.2 PERMITTED USES

Uses permitted in the "CG" General Commercial district are listed in [Table 11.A](#), Permitted Uses.

22.3 DENSITY, AREA, YARD, HEIGHT, AND LOT COVERAGE REQUIREMENTS

The requirements regulating the minimum lot size, minimum yard sizes, maximum building height, and maximum percent of lot coverage by buildings, as pertains to the "CG" district, shall conform to the provisions provided in Table 22.A, Area Requirements for the "CG" Zoning District.

Table 22.A	
"CG" Zoning District Area Requirements	
Minimum Lot Area	8,000 sq. ft.
Minimum Lot Width	80 ft.
Minimum Lot Depth	100 ft.
Minimum Front Yard	0 ft., subject to Section 22.5 below
Table 22.A	
"CG" Zoning District Area Requirements	
Minimum Side Yard	25 ft. if adjacent to property zoned or used for a residential use,

	0 ft. to other districts.
Minimum Side Yard adjacent to street (corner lot)	15 ft.
Minimum Rear Yard	25 ft. if adjacent to property zoned or used for a residential use, 0 ft. to other districts.
Maximum Building Height	70 ft.

 **22.4 OFF-STREET PARKING AND LOADING REQUIREMENTS**

Off-street parking and loading requirements pertaining to uses allowed in the “CG” district shall conform with the provisions of [Section 33](#) Off-street Parking and Loading Requirements.

 **22.5 ADDITIONAL FRONT YARD REQUIREMENTS**

A. Front yards in CG District Intersections. Where the entire frontage on both sides of the street between two (2) intersecting streets is located within the “CG” General Commercial zoning district, there shall be a front yard having a minimum depth of twenty-five (25) feet.

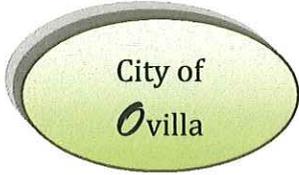
B. Frontage in Two Districts. Where the frontage on one (1) side of the street between two (2) intersecting streets is located partly in the “CG” General Commercial zoning district and a residentially zoned district, the front yard shall conform to the residentially zoned district regulations for a distance of not less than three hundred (300) feet from the district boundary.

C. Adjacent Residentially Zoned Property. Where a front yard is required along the frontage on one (1) side of a street, the front yard requirements of the property directly opposite shall not apply where property in the residentially zoned property backs-up to the street.

D. Parking in CG District Front Yards. No parking, storage, or similar use shall be allowed in the required front yards in the “CG” General Commercial zoning district.

 **22.6 LANDSCAPING**

Landscaping shall comply with the regulations set forth in [Section 36](#) Landscape Regulations.



Ovilla City Council

PUBLIC HEARING & ITEM REPORT Item 2

Meeting Date: February 09, 2015

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: N/A

Reviewed By: City Administrator

City Secretary

City Attorney

Accountant

Other: Staff

Attachments:

1. Item report presented to Planning & Zoning and recommendation report
2. Resident letter submitted to P&Z and Council
3. Zoning Map 2007
4. *Ovilla Retail Center* Concept Plan with Exhibit B

Agenda Item / Topic:

- ITEM 2.** Receive presentation and citizen comments on Planned Development Application submitted by Clyde Hargrove: Consideration for a Planned Development, *Ovilla Retail Center*, being 129.043 acres, situated in the S. Clark Survey, A-212 & E. W. Blanton Survey, A-51, more commonly known to be a tract of land bordered by *Ovilla Road 664*, *Malloy*, *Hosford* and *Westmoreland Roads*. Zoning districts defined are: General Commercial, Residential and a Senior Community.
- a. **Presentation** of Request from the Developer.
 - b. **DISCUSSION** - Receive recommendation report from the Planning and Zoning Commission for the consideration of and action on a Planned Development *Ovilla Retail Center*, being 129.043 acres, situated in the S. Clark Survey, A-212 & E. W. Blanton Survey, A-51, more commonly known to be a tract of land bordered by *Ovilla Road 664*, *Malloy*, *Hosford* and *Westmoreland Roads*.
 - c. **PUBLIC HEARING** to receive comments from the public regarding the request.

Discussion / Justification:

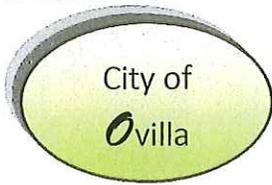
The Developer of this project, Mr. Clyde Hargrove submitted a proposed concept Plan for an *Ovilla Retail Center* in the area known as the *Hosford Tracts*, approximately 129 acres bordering *Ovilla Road FM664*, *Hosford* and *Westmoreland Roads*. The first public hearing was held by the P&Z on January 5, 2015. The second public hearing was set before Council on January 12, 2015, however Mr. Hargrove asked for a postponement/continuation until Council's February 09 Regular Meeting to allow time to revise the Plan along *Hosford Road* and *Malloy Lane*, changing from R-15 to R-22 sf lots, which is the current zoning for that area. The remaining zoning includes general commercial for retail or restaurant sites bordering *FM664*, including residential providing for 21.08 acres of R-15 (15,000) sf lots home sites and a residential senior community of approximately 20 acres.

Recommendation / Staff Comments:

Following the presentation from the Developer, the Public Hearing will be opened to receive comments from the public regarding the Developer's request for the Planned Development designation.

Sample Motion(s):

I move that Council approve/deny the Planned Development, Ovilla Retail Center, being 129.043 acres situated in the S. Clark Survey, A-212 & E.W. Blanton Survey, A-51, more commonly known to be a tract of land bordered by Ovilla Road 664, Malloy, Hosford and Westmoreland Roads and direct staff to return such in ordinance form.



Ovilla Planning & Zoning

P&Z AGENDA ITEM REPORT & RECOMMENDATION

Meeting Date: January 05, 2015

Department: Administration

Discussion Action

Zoned: Res. Commercial

Attachments:

1. Application for planned development
2. Special warranty deeds
3. Legal Description of property for planned development
4. Zoning Map of property for planned development

Agenda Item / Topic:

ITEM 1. Case No. PZ15-01. Consider a request submitted by Todd Winters, Engineering Concepts & Designs, LP, for a **planned development**, *Ovilla Retail Center*, being 129.043 acres, situated in the S. Clark Survey, A-212 & E. W. Blanton Survey, A-51, more commonly known to be a tract of land bordered by Ovilla Road 664, Malloy, Hosford and Westmoreland Roads. Zoning districts defined are: General Commercial-28.49 acres, RE Residential-10.20 acres, R15 Residential-66.74 acres, Senior Community-20.69 and forward reports and recommendation of findings to the Ovilla City Council.

Discussion / Justification:

NAME: OVILLA RETAIL CENTER

AUTHORIZED AGENT OF RECORD: Clyde Hargrove

ENGINEER/PLANNER: Todd Winters, Engineering Concepts

ORIGINAL DATE FILED WITH CITY: 12/08/2014

LOCATION: Bordered by Ovilla Rd., Malloy, Hosford & Westmoreland

UTILITIES: City Water/Sewer

ZONING: General Commercial and Residential

PROPOSED LAND USE: Planned Development

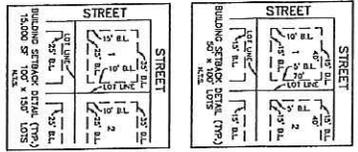
MAJOR THOROUGHFARE: Highway 664 Ovilla Road

Applicant proposes the use of 129.043 acres for a Planned Development with zoning districts of General Commercial, RE and R15, including a Senior Community.

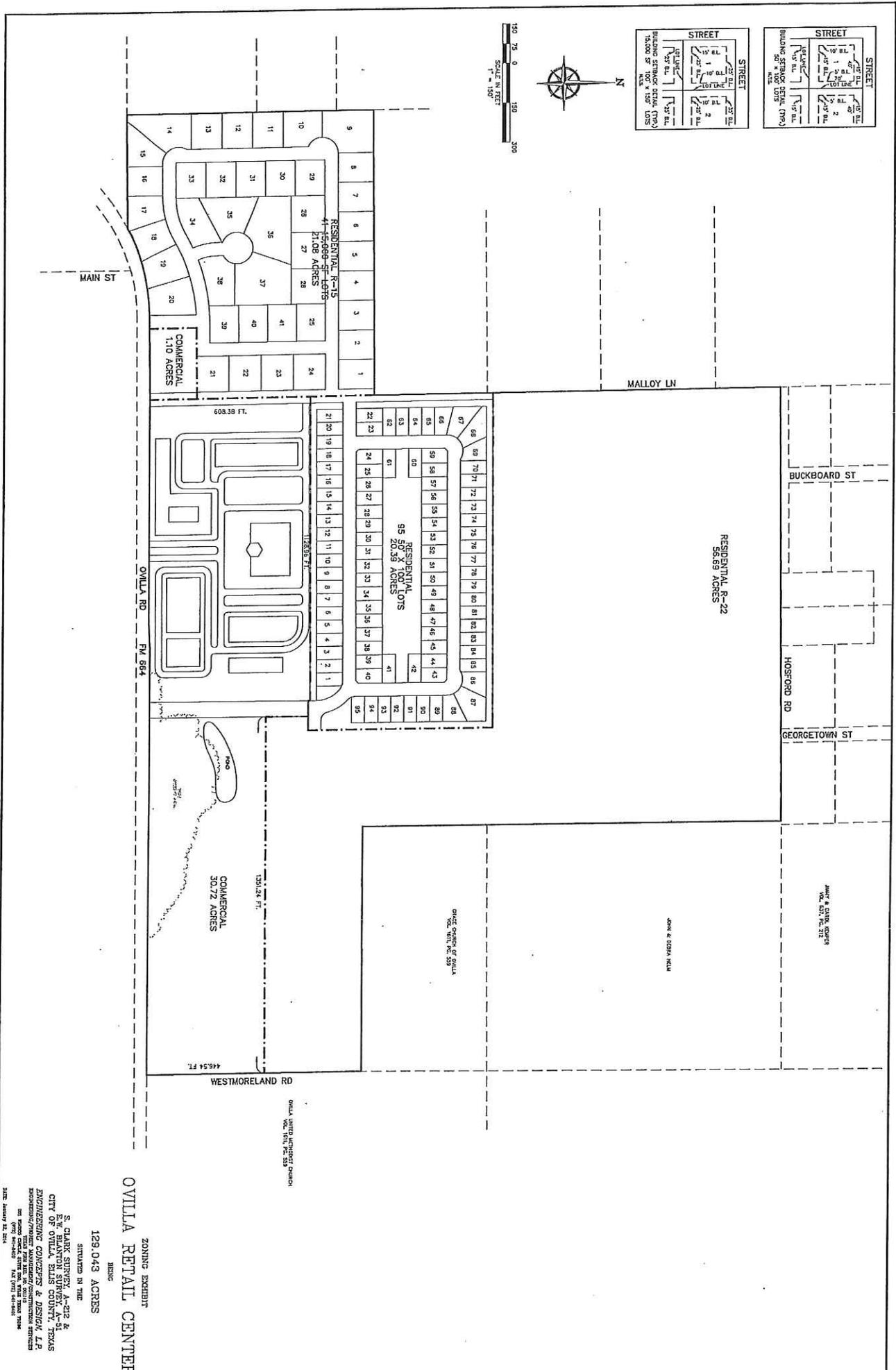
Recommendation / Staff Comments:

Sample Motion(s):

*I move that the Planning & Zoning Commission send a report to **RECOMMEND / NOT RECOMMEND TO THE OVILLA CITY COUNCIL** for a proposed **planned development**, *Ovilla Retail Center*, being 129.043 acres, situated in the S. Clark Survey, A-212 & E.W. Blanton Survey, A-51, more commonly known to be a tract of land bordered by Ovilla Road 664, Malloy, Hosford and Westmoreland Roads. Zoning districts defined are: General Commercial-28.49 acres, RE Residential-10.20 acres, R15 Residential-66.74 acres, Senior Community-20.69.*



0 75 150 300
 SCALE IN FEET
 1" = 150'



ZONING EXHIBIT
OVILLA RETAIL CENTER
 129.043 ACRES
 S. CLARK SURVEY A-312 &
 E.W. BLANTON SURVEY A-51
 CITY OF OVILLA, BULLS COUNTY, TEXAS
 ENGINEERING CONCEPTS & DESIGN, L.P.
 200 WEST 10TH STREET, SUITE 100
 DENVER, COLORADO 80202
 303.733.8888
 DATE: JANUARY 22, 2014

Exhibit "B"

Planned Developed - 1 (PD-1) Conditions

For Purposes of defining the uses permitted in PD-1 of the area of the zoning districts as shown on Exhibit "A" shall be defined as follows: Tract 4, Senior Community (5,000 sf lot) – 20.69 acres

Permitted Uses and Regulations:

Tract 4 – Senior Community – Homes in this district shall be designed and explicitly restricted for occupants of ages 55 and older. Said age restrictions shall be governed by Planned Development Ordinance and separate Deed Restrictions filed by Developer.

Lot Area Regulations

- A. Minimum Lot Size shall be 5,000 square feet
- B. Minimum Lot Depth – 100 feet
- C. Minimum Lot Width – 50 feet
- D. Minimum Yards – Front yard – 10 feet, side yard – 5 feet (10 feet for corner lots), rear yard – 20 feet

Dwelling Area Regulations

The minimum dwelling area of each main dwelling unit, excluding any attached garage, porch area, or other similar non-living area shall not be less than 1,500 square feet

Garages

All garages in this district shall be two car, front entry garages

All other requirements pertaining to dwelling construction standards shall comply with the City of Ovilla

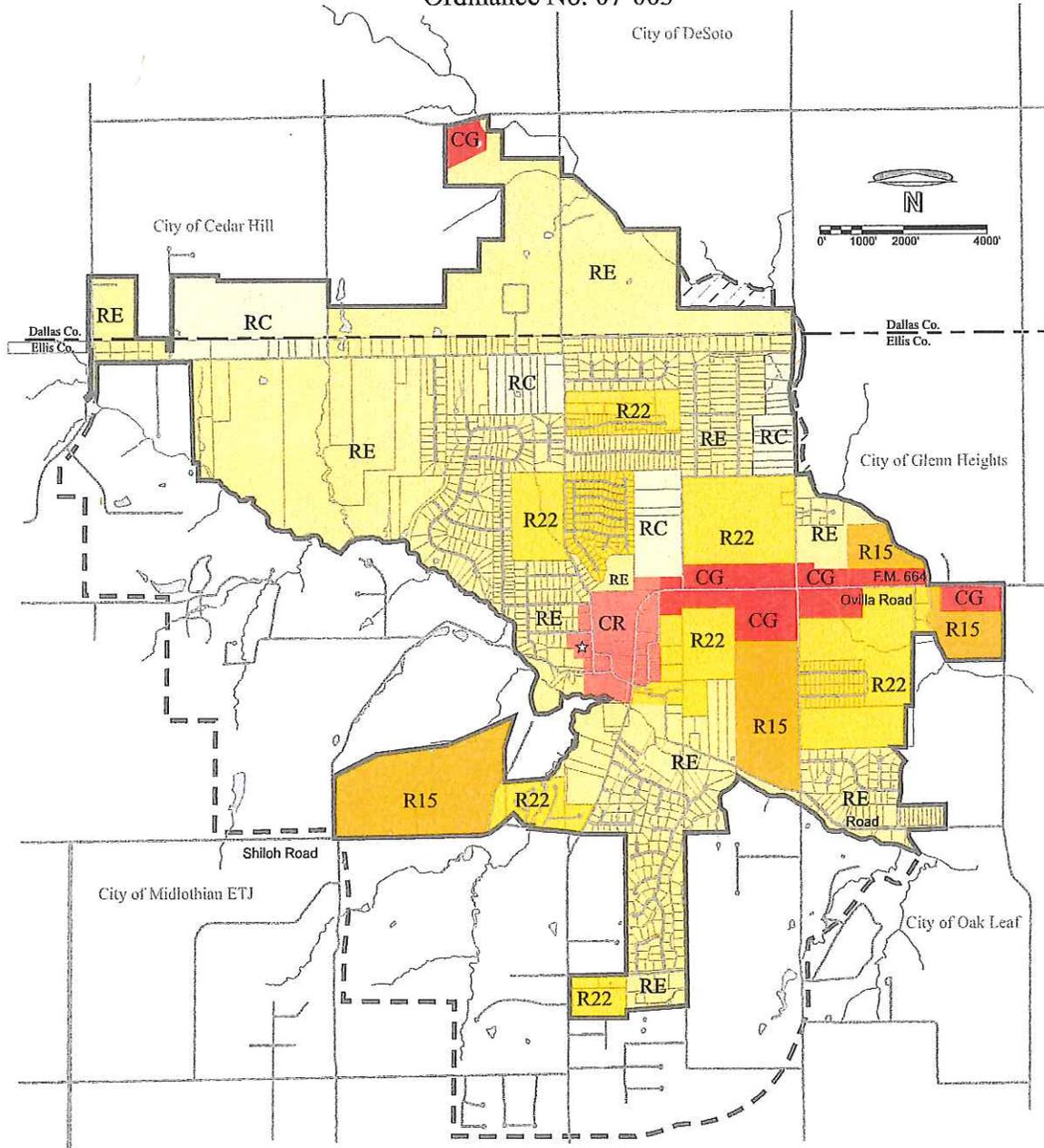
Private Gated Community

This area shall be gated at the two entrances shown on exhibit. It will be governed by a separate Homeowners Association managed by a separate management company. It will be responsible to maintain all streets and street lights. There shall be a six foot brick wall constructed on the west and south boundaries of the district with landscaped entry ways. The northern and eastern boundaries of the district shall be screened by a uniform stained cedar fence with steel poles. This fence shall be constructed at the time Senior Community is developed, unless preceded by development of Tract 3, in which case it will be a requirement by this Ordinance and Deed Restrictions of Tract 3, that builders be required to construct the same uniform fence as outlined above. There will be a clubhouse and open space park constructed as shown on exhibit and maintained by the Homeowners Association.

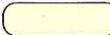
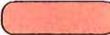
Zoning Map

City of Ovilla, Texas

Ordinance No. 07-003



Zoning Map Legend

 RC Residential (5 Ac.)	 MH HUD-Code Manufactured Home
 RE Residential (1 Ac.)	 CR Restricted Commercial
 R22 Residential (22,000 sf)	 CG General Commercial
 R15 Residential (15,000 sf)	 I Industrial
 RD Two Family Residential	 PD Planned Development
 MF Multi-Family	

Map Key

	City Hall
	Street / Road
	County Line
	City Limit
	ETJ
	Stream / Creek

February 26, 2007

P & Z Public Hearing held on January 05, 2015:

Planned Development

19 speakers

- 18 in opposition
- 1 in favor

One letter was received in opposition prior to meeting

Two emails received prior to meeting in opposition of front-facing garages in senior community and park location

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

ITEM 1. Case No. PZ15-01. Consider and recommend to the Ovilla City Council an ordinance for a change in zoning for planned development, *Ovilla Retail Center*, being 129.043 acres, situated in the S. Clark Survey, A-212 & E. W. Blanton Survey, A-51, more commonly known to be a tract of land bordered by Ovilla Road 664, Malloy, Hosford and Westmoreland Roads. Zoning districts defined are: General Commercial – 28.49 acres, RE Residential – 10.20 acres, R15 Residential – 66.74 acres, Senior Community – 20.69 acres, Park area 3.87 acres.

**VOTE: 5 in favor to DENY recommendation of the Planned Development.
1 in favor to APPROVE recommendation of the Planned Development.
1 absent.**

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

PL 1 Jungman <u>Absent</u>	PL5 Percy <u>Not recommended</u>
PL2 Yordy <u>Not recommended</u>	PL6 Hart <u>Not recommended</u>
PL3 Lynch <u>Recommended</u>	PL7 Zimmermann <u>Not recommended</u>
PL4 Whittaker <u>Not recommended</u>	

RECOMMEND

DO NOT RECOMMEND APPROVAL OF PD

ABSTAIN

C. Lynch
CHAIR- Planning & Zoning

1-5-2015
Date

P. Whittaker
Board Secretary

1-5-2015
Date

received
12.29.2014 PM

City of Villa

12/24/14

ATTN: Pam Madell, City Secretary
105 S. Cockrell Hill Rd.
Villa TX 75754

Re: Planned Development, Villa Retail Center on
129.043 ac situated in the S. Clark Survey
A-212 & E.W. Stanton Survey A-51 bordering
Hwy 604, Malloy, Hasford & Westmoreland Rds

To: Planning & Zoning Commission of Villa
and City Council

We live at 601 Buckboard Trail and we strongly
object to the current proposed Planned Development,
as it is presented attached to the certified letter
dated 12-16-14. We moved to Villa and chose
this subdivision due to restricted lot size of 1 acre
to enjoy country living vs those who choose to live
in crowded housing developments with small lot size.

This subdivision we live in is unique as each
home consists of 1 acre up to 10 acres many residents
own cattle, horses, poultry, wild birds to
include raising & training of pure bred bird dogs.

Roads: Malloy, Hasford, Westmoreland
Not addressed in letter

(2)

* 245 homesites x average 2 cars per household = 490
additional vehicles

Q? Has a traffic study been done for these additional
homesites for alleviating congestion?

* Will above referenced streets be completed before
construction of planned development?

* Who will pay for widening + concrete?

* During development (heavy trucks, tractor
trailers) will tear up current roads of Malloy,
Hayford + Westmoreland (City already paid thousands
for current upgrade)

* Buckboard + Seergedown will be in continuous
quicksack during construction)

* Decrease property value

Power, sewer, water:

* not addressed in letter

* electricity goes off-on all the time for their
subdivision

Q? what about the additional 245 homesites being
added

* (1-10 acre lots are on septic systems) - will the
new proposed 1 acre lots be on septic systems?

* Water pressure now is very low

* what about water usage being based on
contract capacity (surcharge for extra gallons used)
will all current residents have increase in usage?

(5)

* who will pay for adding city sewer to the planned new development?

Senior community:

- * lot size does not fit with surrounding homes on Malloy, Buckboard, Hasford, Georgetown & Westmoreland roads.
- * restricted needs - who will do code enforcement?
- * 65 year old residents get tax freeze - will not add to city funds
- * Senior community adds to city services, greater demand for ambulance, EMT's, fire department
- * No "Front entry" garage per city code, shall not be considered, as an "exception" as all other citizens within the new developments must comply with current codes (should show favoritism)
- * 93 small lots x 2 people = 186 seniors looking for increased services from the city, (would impact community)
- * access to Hwy 1064 would be at constant gridlock

Villa Retail center:

- * will there be any restrictions as to the "type" of business to occupy space?
- * who will market/advertise to get new business?
- * who will pay for hook-up to city sewer & water?
- * Tract 1 - corner of Malloy & Hwy 1064 shows only 1 acre lot for commercial, why?

(4)

* what type of business would occupy 1 acre?

In closing:

* Opposed to proposed planned development lots should be no less than 1 acre lots to conform to surrounding homes

* Senior community does NOT fit in this subdivision, would be better suited in another area to provide them with healthcare services, etc. and away from heavy traffic area

* Retail center would be considered if type of business fits with Villa culture and mandated by city restricted to keep occupancy of 100 - 90% - not less

Barbara Betik
Bella A. Betik



Ovilla City Council

AGENDA ITEM REPORT

Item 3

Meeting Date: February 09, 2015

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: City Staff

Amount: N/A

Reviewed By: City Administrator City Secretary City Attorney

Accountant

Other: Staff

Attachments:	
1. Ordinance 2015-006 Annexing the Midlothian Independent School District Tract	
Agenda Item / Topic:	
ITEM 3.	<i>DISCUSSION/ACTION</i> - consideration of and action on Ordinance 2015-006 an Ordinance of the City of Ovilla, Texas, annexing the hereinafter described territory to the City of Ovilla and extending the boundary limits of the said City so as to include the hereinafter described property within the City Limits of Ovilla, and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the City of Ovilla; and adopting a Service Plan.
Discussion / Justification:	
City received a request and petition for the annexation from the Midlothian Independent School District on October 23, 2014.	
Two Public Hearings for the annexation of approximately 13.998 acres known as the Midlothian Independent School District Tract, generally located north of Shiloh Road and west of Bryson Lane, were held on Monday, January 12, 2015 and Monday, January 19, 2015.	
Recommendation / Staff Comments:	
Sample Motion(s):	
<i>I move to approve/deny Ordinance 2015-006 an Ordinance of the City of Ovilla, Texas, annexing the hereinafter described territory to the City of Ovilla and extending the boundary limits of the said City so as to include the hereinafter described property within the City Limits of Ovilla, and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of the City of Ovilla; and adopting a Service Plan.</i>	

ORDINANCE NO. 2015-006

**AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, ANNEXING THE
HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF OVILLA AND
EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE
THE HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS OF
OVILLA, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY
ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING
SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS,
AND REGULATIONS OF THE CITY OF OVILLA; AND ADOPTING A SERVICE
PLAN.**

WHEREAS, Section 43.028 of the Texas Local Government Code authorizes municipalities, upon petition of area landowners, to annex areas that are one-half mile or less in width, that are contiguous to the annexing municipality, and that are vacant and without residents or on which fewer than three qualified voters reside; and

WHEREAS, the City of Ovilla received a request and petition from the Midlothian Independent School District to annex the territory described in Exhibit A, attached hereto and incorporated herein for all purposes, pursuant to the provisions of Section 43.028 of the Texas Local Government Code; and

WHEREAS, City Council of the City of Ovilla finds and determines that the requirements and procedures set forth in Section 43.028 and 43.103 of the Texas Local Government Code have been met and followed.

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

1. That the territory and property described in Exhibit A, is hereby annexed to the City of Ovilla, Ellis County, Texas, and that the boundary limits of the City of Ovilla be, and hereby are, extended to include the said territory within the city limits of the City of Ovilla, and the same shall hereafter be included within the territorial limits of the City of Ovilla, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the City of Ovilla and they shall be bound by the acts, ordinances, resolutions, and regulations of the City of Ovilla.

2. A service plan for the area is hereby adopted and attached as Exhibit B.

3. The City Secretary is hereby directed to file with the Clerk of Ellis County, Texas, a certified copy of this ordinance.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2014.

Richard A. Dormier, Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney

**Municipal Service Plan
Annexation of Midlothian ISD Tract
of Approximately 13.998 Acres
City of Ovilla, Texas
Ordinance 2015-06
EXHIBIT "B"**

Description of the area: 13.998 Acre tract, generally known as the "Midlothian ISD Tract", a residual of 200.1 acres (residual of 170 acres second tract) Vol. 483, Pg. 330 DRECT, on the northwest corner of Shiloh Road and Bryson Lane, of the William Billingsley Survey, ABST. 81, and located adjacent to the Ovilla City Limits.

The following is a plan whereby the City of Ovilla will provide municipal services as defined in Section 43.056 of the Texas Local Government Code utilizing methods by which it extends services to any other equivalent area in the City.

Municipal facilities and services will be provided to the annexed area at the following levels and in accordance with the following schedule:

1. POLICE PROTECTION

Upon the effective date of annexation, the City of Ovilla will provide police protection to the newly annexed area in the same or similar level of service now being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed area. The Police Department will have the responsibility to respond to all dispatched calls for service or assistance within the newly annexed area.

2. FIRE PROTECTION and EMERGENCY MEDICAL SERVICES

Upon the effective date of annexation, the City of Ovilla will provide fire protection services and emergency medical services to the newly annexed area in the same or similar level of service now being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed area.

3. MAINTENANCE OF WATER AND WASTEWATER FACILITIES

The City of Ovilla is not aware of the existence of any publicly owned water and wastewater facilities in the newly annexed area.

4. SOLID WASTE SERVICE

The City of Ovilla contracts with a provider for the collection of solid waste, recycling, and refuse within the corporate limits of the City. Solid waste and recycling collection will be provided, within ninety (90) days after the effective date of annexation, to citizens in the newly annexed area at the same or similar level of service now being provided to other areas of the City with like topography, land use and density as those found within the newly annexed area.

5. ROADS AND STREETS/ STREET LIGHTING

Any and all public roads, streets, alleyways or street lighting shall be maintained to the same degree and extent that other public roads, streets, alleyways, and street lighting are maintained in areas of the City with like topography, land use and density as those found within the newly annexed area. Roads that are privately owned will remain under private ownership and as such maintained by the individual owner(s).

6. MAINTENANCE OF PARKS AND PLAYGROUNDS

The City of Ovilla is not aware of the existence of any publicly owned parks or playgrounds now located in the proposed annexed area. In the event any such parks or playgrounds do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to the other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed area. Private facilities that are privately owned will remain under private ownership and as such maintained by the individual owner(s).

7. MAINTENANCE OF ANY PUBLICLY OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE

The City of Ovilla is not aware of the existence of any publicly owned facility, building or other municipal service now located in the proposed area of annexation. In the event any publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

8. OTHER SERVICES

The City of Ovilla finds and determines that such services as planning, code enforcement, animal control, parks and recreation, court and general administration will be made available upon the effective date of annexation at the same or similar level of service now being provided to other areas of the City with similar topography, land use and density as those found within the newly annexed area.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE COMPLETED WITHIN 2 ½ YEARS.

1. POLICE AND FIRE PROTECTION AND SOLID WASTE COLLECTION

The City of Ovilla finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of annexation of the particular annexed area for the purpose of providing police protection, fire protection, or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Ovilla with like topography, land use and population density as those found with the newly annexed areas.

**Municipal Service Plan
Annexation of Midlothian ISD Tract
of Approximately 13.998 Acres
City of Ovilla, Texas
Ordinance 2015-06
EXHIBIT "B"**

2. WATER FACILITIES

The City of Ovilla finds and determines it is not necessary to acquire or construct any capital improvements for water services to this property as it is served by the Sardis Lone Elm Water Supply Corporation. Construction of any capital improvements for water service to the newly annexed area will be developed pursuant to the Sardis Lone Elm Water Supply Corporation capital improvement plan and policies.

3. WASTEWATER FACILITIES

The City of Ovilla finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed area for wastewater services. Thereafter construction of any capital improvements for wastewater services to the newly annexed area will be developed pursuant to the City's capital improvement plan and policies. This property is served by the Trinity River Authority, Red Oak Creek Regional Wastewater Treatment Plant.

4. ROADS AND STREETS

The City of Ovilla finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed area. Thereafter, construction of any roads and streets will be developed pursuant to the City's Thoroughfare Standards and in accordance with the City's Code of Ordinances.

5. MAINTENANCE OF PARKS AND PLAYGROUNDS AND ANY OTHER PUBLICLY OWNED FACILITY, BUILDING OR SERVICE.

The City of Ovilla finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed area for the purpose of parks maintenance, playgrounds, and other publicly owned facility, building or service.

SPECIFIC FINDINGS

The City of Ovilla finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the area being considered for annexation that were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation area's topography, land utilization and population density, the service levels to be provided in the newly annexed area will be equivalent to those provided to other areas of the City with similar characteristics.

TERMS

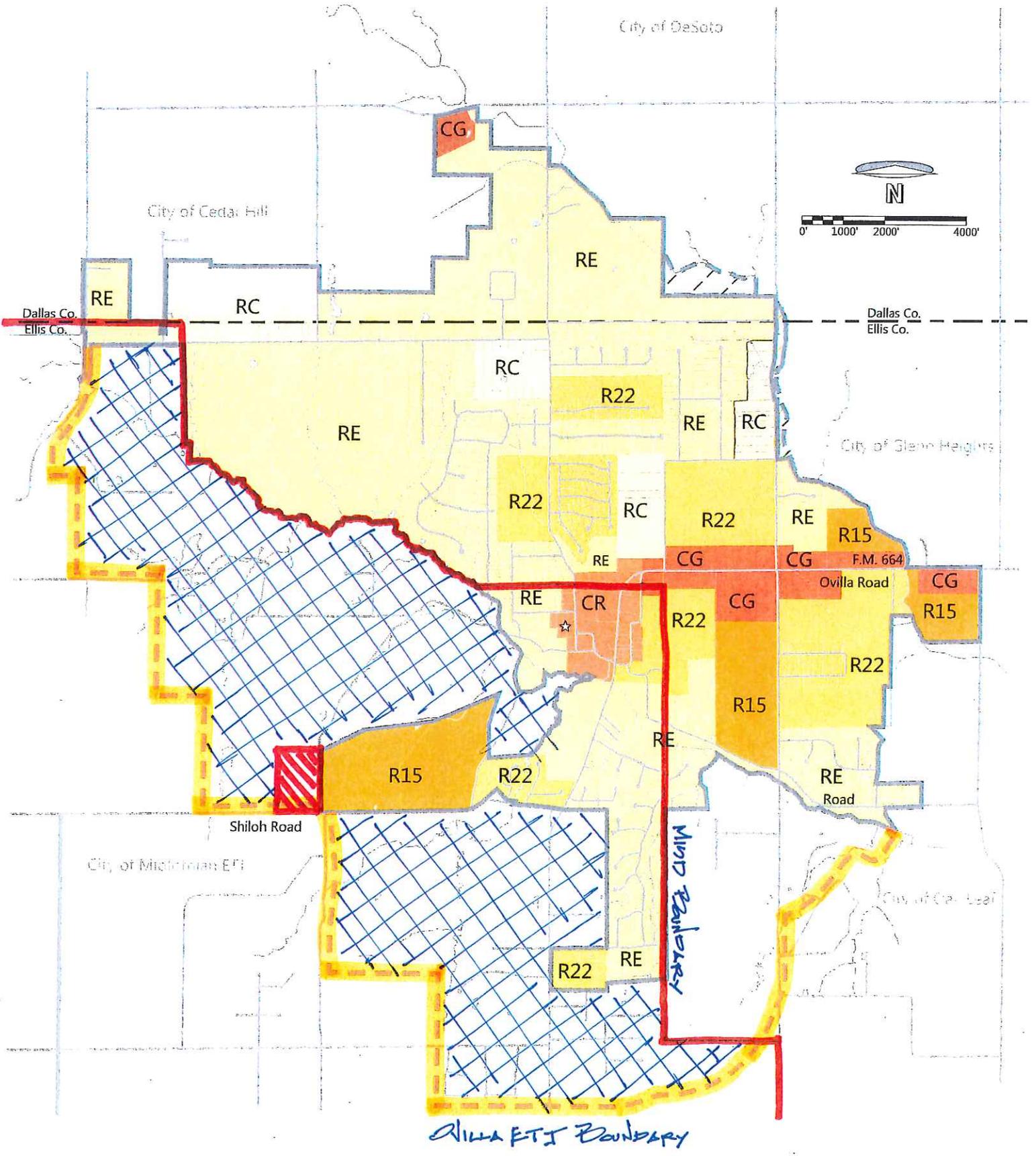
This plan shall be valid for a term of ten (10) years. Renewal of the Municipal Service Plan is at the discretion of the City of Ovilla.

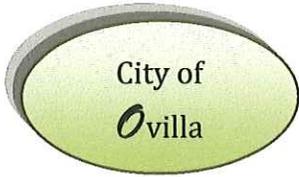
LEVEL OF SERVICE

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

AMENDMENTS

The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.





Ovilla City Council

AGENDA ITEM REPORT Item 4

Meeting Date: February 09, 2015

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: N/A

Reviewed By: City Administrator City Secretary City Attorney

Accountant

Other: Staff

Attachments:	
1. Recommendation report from Planning & Zoning Commission	
Agenda Item / Topic:	
ITEM 4.	DISCUSSION/ACTION – Case No. PZ15-02. Receive recommendation report from the Planning and Zoning Commission for the consideration of and action on the request submitted by Midlothian Independent School District for a change in zoning from RE (Single Family Residential District) to CG (General Commercial) on approximately 13.998 acres of land, more or less, located in the William Billingsley Survey, Abstract No 81, Ellis County, Texas and being generally located north of Shiloh Road and west of Bryson Lane in the Midlothian Independent School District, City of Ovilla, Texas, Extraterritorial Jurisdiction (ETJ).
Discussion / Justification:	
The Planning and Zoning Commission (P&Z) held a public hearing on this item during their regular meeting of February 02, 2015 at 6:00 p.m. All posted notices and mailed notification letters (33) were completed in accordance to state statute. Staff did not receive any written comments or phone inquiries from the public prior to the public hearing. During the P&Z public hearing there was no one to speak in opposition or approval of the change in zoning. One resident inquired about the traffic study and impact the increased traffic may have to the residential areas. Following the public hearing and discussion, the P&Z's consideration for the change in zoning was a unanimous vote to recommend approval of MISD's request to the Ovilla City Council.	
Recommendation / Staff Comments:	
Sample Motion(s):	
<i>I move that Council accept and approve / deny the Planning & Zoning Recommendation Report to approve a request by MISD for a change in zoning from RE (Single Family Residential District) to CG (General Commercial) on approximately 13.998 acres of land, more or less, located in the William Billingsley Survey, Abstract No. 81, Ellis County, and being generally located north of Shiloh Road and west of Bryson Lane in the Midlothian Independent School District, City of Ovilla, Texas, Extraterritorial Jurisdiction (ETJ).</i>	

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

ITEM I. Case No. PZ15-02. Consider the request submitted by Midlothian Independent School District for a **change in zoning** from RE (Single Family Residential District) to CG (General Commercial) on approximately 13.998 acres of land, more or less, located in the William Billingsley Survey, Abstract No 81, Ellis County, Texas and being generally located north of Shiloh Road and west of Bryson Lane in the Midlothian Independent School District, City of Ovilla Texas, Extraterritorial Jurisdiction (ETJ) and forward recommendation to the Ovilla City Council for consideration at their February 09, 2015 meeting.

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

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

PL5 Percy ABSENT
PL6 Hart AYE
PL7 Zimmermann AYE

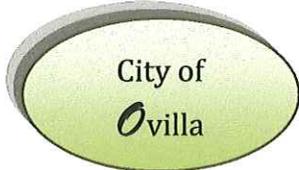
- RECOMMEND**
- DO NOT RECOMMEND**
- ABSTAIN**

C. Lynch
CHAIR- Planning & Zoning

2/2/15
Date

J. Miller
Board Secretary

2/2/2015
Date



AGENDA ITEM REPORT

Item 5

Meeting Date: February 09, 2015

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: N/A

Reviewed By: City Administrator City Secretary City Attorney

Accountant

Other: Staff

Attachments:

- 1. Ordinance 2015-007 zoning change in the Midlothian Independent School District Tract

Agenda Item / Topic:

ITEM 5. *DISCUSSION/ACTION* – *Consideration* of and action on Ordinance 2015-007, providing for the amendment to the Zoning Ordinance of the City of Ovilla, Texas, that being Ordinance 2010.013, as heretofore amended; providing a zoning classification change from “RE” (Single Family Residential) to “CG” (General Commercial) on a 13.998 acre area of land described herein located within the William Billingsley Survey, Abstract No. 81, of the Deed Records of Ellis County; and providing for immediate effect.

Discussion / Justification:

Staff received a request from representatives from the Midlothian Independent School District (MISD) for a change in zoning to the same property considered for annexation under Item 3 of the Regular Agenda. Two Public Hearings for the rezoning of approximately 13.998 acres known as the Midlothian Independent School District Tract, generally located north of Shiloh Road and west of Bryson Lane, were held on Monday, February 02 by the Planning and Zoning Commission and this date Monday, February 09, 2015, held by the City Council.

Recommendation / Staff Comments:

Sample Motion(s):

I move to approve/deny Ordinance 2015-007, providing for the amendment to the Zoning Ordinance of the City of Ovilla, Texas, that being Ordinance 2010.013, as heretofore amended; providing a zoning classification change from “RE” (Single Family Residential) to “CG” (General Commercial) on a 13.998 acre area of land described herein located within the William Billingsley Survey, Abstract No. 81, of the Deed Records of Ellis County; and providing for immediate effect, as presented.

ORDINANCE NO. 2015-007

AN ORDINANCE PROVIDING FOR THE AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF OVILLA, TEXAS, THAT BEING ORDINANCE 2010.013, AS HERETOFORE AMENDED; PROVIDING A ZONING CLASSIFICATION CHANGE FROM "RE" (SINGLE FAMILY RESIDENTIAL) TO "CG" (GENERAL COMMERCIAL) ON A 13.998 ACRE AREA OF LAND DESCRIBED HEREIN LOCATED WITHIN THE WILLIAM BILLINGSLEY SURVEY, ABSTRACT NO. 81, OF THE DEED RECORDS OF ELLIS COUNTY; AND PROVIDING FOR IMMEDIATE EFFECT.

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

WHEREAS, the City of Ovilla, Texas, previously adopted its comprehensive zoning ordinance, Ordinance No. 2010.013; and

WHEREAS, the City Council deems it necessary to amend the zoning ordinance to provide for a change in zoning to a particular tract of land designated herein from "RE" (Single Family Residential) to "CG" (General Commercial); and

WHEREAS, a public hearing was held by the Planning and Zoning Commission of the City on the 5th day of January, 2015, at 6:00 P.M. and a public hearing was held by the City Council on the 9th day of February, 2015, at 6:30 P.M. with respect to the proposed change in zoning.

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

SECTION 1. The legal description of the property zoned herein is described as that 13.998 ACRE LOT, TRACT OR PARCEL OF LAND BEING PART OF THE WILLIAM BILLINGSLEY SURVEY, ABSTRACT NO. 81, AND BEING ART OF A CALLED 200.1 ACRE TRACT DESCRIBED IN VOLUME 483, PAGE 330 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS.

SECTION 2. The zoning classification of the above described property is hereby changed from "RE" (Single Family Residential) to "CG" (General Commercial) and the Zoning Map is amended to reflect such change as shown in Exhibit "A" attached hereto and incorporated herein.

SECTION 3. The zoning classification will take immediate effect after the approval and adoption of this Ordinance by the City Council of the City of Ovilla, Texas.

PASSED, ADOPTED AND APPROVED by the City Council of Ovilla, Texas on this the _____ day of _____, 2015.

Richard Dormier, Mayor

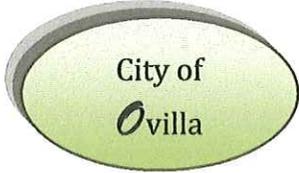
ORDINANCE NO. 2015-007

ATTEST:

Pamela Woodall, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney



Ovilla City Council

AGENDA ITEM REPORT Item 6

Meeting Date: February 09, 2015

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: \$52 per hour

Reviewed By: City Administrator City Secretary City Attorney

Accountant

Other: Mayor

Attachments:	
1. Resolution R2015-002 & Agreement	
Agenda Item / Topic:	
ITEM 6.	<i>DISCUSSION/ACTION – Consideration of and action on Resolution R2015-002 of the City of Ovilla, Texas, authorizing the Mayor to execute an agreement/contract with Texas First Group Replacement Service, Inc., to provide appropriate personnel to handle Interim City Administrator responsibilities.</i>
Discussion / Justification:	
This agreement will provide qualified personnel to manage the responsibilities of Interim City Administrator while Council determines the process to search, review applicants, and fill the vacancy permanently.	
Recommendation / Staff Comments:	
Sample Motion(s):	
<i>I move to approve/deny Resolution R2015-002 of the City of Ovilla, Texas, authorizing the Mayor to execute an agreement/contract with Texas First Group Replacement Service, Inc., to provide personnel appropriate to handle Interim City Administrator responsibilities.</i>	

RESOLUTION NO. R2015-002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY OF OVILLA, TEXAS, AN AGREEMENT FOR INTERIM CITY ADMINISTRATOR SERVICES, BY AND BETWEEN THE CITY OF OVILLA, TEXAS, AND TEXAS FIRST GROUP REPLACEMENT SERVICE, INC., IN THE AMOUNT OF \$52 PER HOUR, EFFECTIVE FEBRUARY 09, 2015.

*** * * * ***

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

Section 1. The City Council of the City of Ovilla hereby authorizes the Mayor to execute an Agreement for Interim City Administrator by and between the City of Ovilla, Texas, and Texas First Group Replacement Service, Inc., Jaqueline Lee, to handle Interim City Administrator responsibilities during the term of this Agreement.

Section 2. A copy of said Agreement for Interim City Administrator is attached hereto as Exhibit "A" and made a part hereof for all purposes.

PASSED, APPROVED, AND RESOLVED this 09 day of February 2015.

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

APPROVED: _____
Richard Dormier, **MAYOR**

AGREEMENT FOR INTERIM CITY ADMINISTRATOR

State of Texas

Counties of Ellis & Dallas

For good and valuable consideration, the receipt and sufficiency of which is hereby conclusively acknowledged, this agreement is made by and between the City of Ovilla, Texas, a Texas Municipal Corporation (hereinafter referred to as the "City") and Texas First Group Replacement Service, Inc., (hereinafter referred to as "Texas First Group").

Texas First Group shall provide personnel appropriate to handle the responsibilities of Interim City Administrator of the City. As an incident to such responsibilities, the person or persons assigned by Texas First Group shall have all powers and duties as set forth in City Ordinances, City Policy, State law, and as further delegated by the City Council. The parties anticipate that Jackie Lee shall initially handle the Interim City Administrator responsibilities during the term of this agreement. The parties agree and acknowledge that Texas First Group, Jackie Lee, and any other individual assigned by Texas First Group to provide services under this agreement may continue professional consultation work for other clients during the term of this agreement, and further agree and acknowledge that time spent on such consultation will not be billed to the City.

Texas First Group acknowledges that its provision of services is at the discretion of the City Council and that the City Council may terminate this agreement at their discretion at any time, with or without cause. The hours of the work week for the Interim City Administrator shall be determined by the City Council.

Texas First Group may assign personnel other than Jackie Lee to act as Interim City Administrator only with the prior express consent of the City.

In consideration of its agreement, the City shall 1) Pay to Texas First Group the sum of \$ 52.00 per hour for its services, with a minimum billing increment of thirty (30) minutes; 2) Reimburse Texas First Group for any direct expenses incurred by the Interim City Administrator in connection with providing services performed for the City at City's request; 3) Pay automobile mileage (at the current IRS rate) for daily commuting to/from Ovilla and her home in Desoto, as well as for the use of her car for City business. If an individual other than Jackie Lee is assigned to act as Interim City Administrator, as provided above, any similar reimbursement will be as agreed by the parties.

Texas First Group will provide a billing statement to the City on a bi-weekly basis and such billing statement will be due and payable upon receipt thereof by the City.

In the event that the City permanently hires the person placed by Texas First Group to perform the services pursuant to this agreement for the position described in this agreement or within sixty (60) days of the termination of the agreement, the City agrees to pay an additional consulting fee to Texas First Group in an amount equal to ten percent (10%) of the annualized salary of the full time position being filled by the person performing interim services pursuant to this agreement.

The parties agree that the person named above to handle the Interim City Administrator duties for the City, or any other individual serving in that capacity with the City through Texas First Group, will be serving in the capacity of a public official for the City. To the extent permitted by law, the City hereby agrees to indemnify and hold harmless Jackie Lee, and/or Texas First Group, and its owners, Kerry Sweatt and Don Davis, and/or any other individual serving as the Interim City Administrator under this agreement from and against any and all claims, causes of action, damages, losses, and/or costs, including reasonable attorneys' fees and expenses, resulting from or arising out of the services provided to the City pursuant to this agreement to the extent such liability or costs are covered under any existing insurance policy or coverage under an interlocal agreement providing liability coverage to the City officials and employees while acting within the scope of their employment with the City. City agrees to obtain an endorsement to its insurance policy or interlocal agreement to provide coverage for the Texas First Group, and its owners, Kerry Sweatt and Don Davis. Nothing in this paragraph shall be construed as to waive governmental immunity or any defenses under Texas law.

To the extent permitted under its workers' compensation coverage, City will provide workers' compensation coverage for the Interim City Administrator while in the scope of performing services under this agreement.

Notices to the parties shall be directed as follows:

To the City: Richard Dormier, Mayor
105 Crockrell Hill Rd.
Ovilla, TX 75154-1492

To Texas First Group: Don Davis, Partner
Texas First Group
786 Shin Oak Way
Kerrville, TX 78028

The parties specifically reserve the right to designate other addresses for notices in writing from time to time.

This agreement constitutes the full and complete agreement of the parties, and all other prior and/or contemporaneous agreements between the parties have been merged herein. Any future amendment of this agreement shall be in writing and shall require the written consent of both parties.

This agreement is governed by and is to be construed and enforced in accordance with the laws of the State of Texas and of the United States.

The parties agree and consent to the jurisdiction of and venue in the District Court of Ellis County, Texas, and of the United States District Court for the Northern District of Texas and acknowledge that such courts shall constitute proper and convenient forums for the resolution of any actions among the parties with respect to the subject matter hereof.

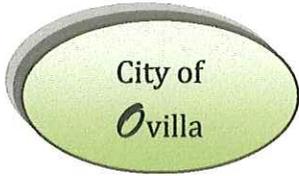
The parties further agree that such courts shall be the exclusive forums for the resolution of any actions among the parties with respect to the subject matter hereof.

EXECUTED in duplicate originals to be effective on the _____ day of _____, 2015.

Richard Dormier, Mayor
City of Ovilla, Texas

Don Davis, Partner
Texas First Group

Attest: _____
Pamela Woodall, City Secretary
City of Ovilla, Texas



AGENDA ITEM REPORT
Item 7

Meeting Date: February 09, 2015

Department: Administration

[X] Discussion [X] Action

Budgeted Expense: [] YES [X] NO [] N/A

Submitted By: Staff

Amount: N/A

Reviewed By: [] City Administrator [X] City Secretary [] City Attorney

[] Accountant

[] Other: Staff

Attachments:
1. Current written job description
2. Codified version of job duties
Agenda Item / Topic:
ITEM 7. DISCUSSION/ACTION - Consideration of and action to revise duties and responsibilities of the City Administrator.
Discussion / Justification:
PL5 Oberg asked to review the job description of the city administrator and possibly propose revisions.
Recommendation / Staff Comments:
Sample Motion(s):
I move to _____.

Job Title: City Administrator

Job Location: Ovilla, TX 75154

Job Type: Full-Time Exempt

Compensation: Salary commensurate with experience, Medical, Life, TMRS Retirement

Job Classification: Management

Job Category: City Administrator

Job Description:

Reports to City Council; works closely with the City Council, various boards and commissions, and the general public. Directly supervises department heads and has overall responsibility for all City staff. Makes recommendations to the City Council on hiring and dismissal of director level positions.

Position appointed by the City Council. The City Administrator serves as the administrative officer of the City and shall be responsible to the Mayor and Council for the proper administration of all affairs of the City.

Duties include, but are not limited to the following:

Prepares or approves the agendas in conjunction with the City Secretary or other city staff for all meetings of the City. Directs the preparation and implementation of the annual budget and serves as investment officer;

Provides planning and ensures all planning and development activities are conducted in accordance with the City's adopted codes and or plans;

Develops and implements plans for personnel, financial, and program aspects of city operations in accordance with the budget and other policies as established by the City Council;

Keeps the City Council informed of the progress of all departments and on any and all pertinent matters relating to city operations to enable them to make informed policy decisions;

Recommends to the City Council adoption of such measures, ordinances, and resolutions as may be necessary for the health, safety and welfare of the community, the improvement of administrative services, or the provisions of city services;

Works with developers and builders within the City to ensure proper compliance with the zoning and subdivision regulations established within the Code of Ordinances and policies set forth by the City Council;

Represents the City before a variety of groups in making formal or informal presentations, actively participates in civic activities in the community, interacts with governmental agencies and officials at all levels of government, and with media;

Responsible for the development of a five-year plan with input from staff, City Council and citizens by conducting a Town Hall Meeting. Such plan shall be updated and approved by the City Council in June of each year.

Performs such other duties that may be assigned by the City Council.

Job Requirements

Education, training, experience:

Bachelor's degree in public administration or business administration or a related field. Master's Degree MPA preferred. At least three years of full-time experience working for a city in Texas, Type A General Law or larger, with at least two years in supervisory position. City Manager level experience preferred. Experience in municipal planning, and budgeting required; experience in economic development and long range strategic planning desired.

Possession of a valid Texas Driver's license.

Proven and demonstrated computer skills including working in a windows environment with PC's. Software includes but not limited to Microsoft Word, Excel, Outlook and Intuit Quick Books.

ARTICLE 9.03 CITY OFFICERS[†]

Division 1. Generally

Secs. 9.03.001–9.03.030 Reserved

Division 2. City Administrator

Sec. 9.03.031 Office created

The office of city administrator is hereby created. (1989 Code, ch. 8, sec. 9.01)

Sec. 9.03.032 Appointment; qualifications; term

The city administrator shall be selected by a majority vote of the governing body. The city administrator shall be chosen solely on the basis of executive and administrative qualifications, with special reference to actual experience in, or knowledge of, accepted practice in respect to the duties of the office hereinafter set forth. The term of the office may be for an indefinite period. At the time of appointment, he or she need not be a resident of the city or the state, nor shall he or she need to be a resident of the city during tenure of office. No councilmember shall receive such appointment during the term for which he or she shall have been elected nor within one (1) year after the expiration of the term. Any qualified person that is presently a department head may also be nominated to hold the position of city administrator. (1989 Code, ch. 8, sec. 9.02)

State law reference—Residence of municipal employees, V.T.C.A., Local Government Code, sec. 150.021.

Sec. 9.03.033 Removal

The city administrator may be removed from office by the governing body for cause or without cause in the same manner as any other officer of the city. The position of city administrator may be eliminated at any time that a majority of the city council votes to terminate the position. (1989 Code, ch. 8, sec. 9.03)

Sec. 9.03.034 Powers and duties

The city administrator shall be the administrative officer of the city. He or she shall be responsible to the governing body of the city for the proper administration of all affairs of the city. To that end, he or she shall be empowered and shall be required to:

- (1) Prepare job descriptions for all officers and employees of the city, and fill budgeted positions on the city staff, other than department heads. Recommend to the mayor and city council the appointment of department heads. He or she shall be empowered to suspend department heads and recommend their termination to the mayor and city council. He or she shall direct and supervise the day-to-day activities of all employees through department heads.

- (2) Prepare the budget draft annually in conjunction with the heads of departments, and submit it to the governing body together with a message describing the important features and be responsible for the administration of the adopted body [budget].
- (3) Prepare and submit to the governing body, with the assistance of the heads of departments, at the end of the fiscal year, a complete report on the finances and administrative activities of the city for the preceding year.
- (4) Keep the governing body advised of the financial condition and future needs of the city, and make such recommendations as may be deemed desirable. Make proposals for applications for federal grants and make required reports for such grants as may be applicable and desirable for city needs.
- (5) Keep the governing body informed on a timely basis of the significant activities of the city, with special emphasis on the expansion projects associated with the growth of the city.
- (6) Recommend to the governing body a standard schedule of pay for each appointive office and position in the service, including minimum, intermediate and maximum rates.
- (7) Recommend to the governing body (from time to time) adoption of such measures, ordinances, and resolutions as may be deemed necessary or expedient for the health, safety or welfare of the community or for the improvement of administrative services.
- (8) Attend all meetings of the governing body unless excused therefrom, and be prepared to answer questions that may be asked.
- (9) Supervise the purchase of all materials, supplies and equipment for which funds are provided in the budget; and purchase materials and supplies necessary for operation or maintenance of city services for amounts up to and including two thousand dollars (\$2,000.00), and up to and including four thousand nine hundred ninety-nine and 99/100 dollars (\$4,999.99) with the proper approval of the governing body to the extent funds have been provided in the budget. No purchase shall be made, contract let or obligation incurred which exceeds the current budget appropriation without a supplemental appropriation by the governing body. No contract shall be let except by the mayor and the city council. The city administrator may issue such rules governing procedures for purchasing within the administrative organization as the governing body shall approve.
- (10) Transfer any unneeded surplus in the amount budgeted from one account to another account in which a deficiency exists, if and when, in the judgment of the city administrator, actual or probable receipts are less than the amount estimated and therein appropriated for expenditures of the several departments. The city

administrator may authorize the transfer of funds by department heads among major account divisions within department budgets.

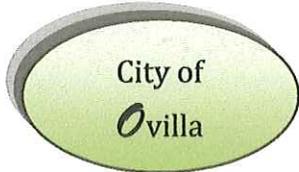
(11) See that all laws and ordinances are duly enforced and see that all franchises, permits and privileges granted by the city are faithfully observed.

(12) Investigate the affairs of the city, or any department or division thereof. Investigate all complaints in relation to matters concerning the administration of the governing of the city, and regarding service maintained by the public utilities in the city, and see that the quality of service be maintained by the public works department.

(1989 Code, ch. 8, sec. 9.04)

(13) Responsible for the development of a five-year plan with input from staff, city council and citizens by conducting a town hall meeting. Such plan shall be updated and approved by the city council in June of each year. (Ordinance 2013-001 adopted 1/14/13)

(14) Perform such other duties as may be required by the governing body not inconsistent with the law or ordinances of the city. (1989 Code, ch. 8, sec. 9.04)



Ovilla City Council

AGENDA ITEM REPORT

Item 8

Meeting Date: February 09, 2015

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: N/A

Reviewed By: City Administrator City Secretary City Attorney

Accountant

Other: Mayor

Attachments:	
1. 2013 posted notice	
Agenda Item / Topic:	
ITEM 8.	<i>DISCUSSION/ACTION</i> – Consideration of and action to define language for public notice for applications for City Administrator position and direct staff as necessary.
Discussion / Justification:	
The posted notice from the 2013 city administrator search is attached. This notice was listed in the local newspaper, on the city's website and with the Texas Municipal League online service. Staff needs precise language for the notice and direction for the postings.	
Recommendation / Staff Comments:	
Sample Motion(s):	
<i>I move to approve/deny the presented public notice for the city administrator position and direct staff to _____.</i>	
OR	
<i>I move to approve/deny a revised public notice for the city administrator position and direct staff to _____.</i>	

JOB POSTING**PUBLICATION UPDATE: February 07, 2013****CLOSING DATE: Open Until Filled****Job Title:** City Administrator**Job Location:** Ovilla, TX 75154**Job Type:** Full-Time Exempt**Compensation:** Salary commensurate with experience, Medical, Life, TMRS Retirement**Job Classification:** Management**Job Category:** City Administrator**Job Description:**

Reports to City Council; works closely with the City Council, various boards and commissions, and the general public. Directly supervises department heads and has overall responsibility for all City staff. Makes recommendations to the City Council on hiring and dismissal of director level positions.

Position appointed by the City Council. The City Administrator serves as the administrative officer of the City and shall be responsible to the Mayor and Council for the proper administration of all affairs of the City.

Duties include, but are not limited to the following:

Prepares or approves the agendas in conjunction with the City Secretary or other city staff for all meetings of the City. Directs the preparation and implementation of the annual budget and serves as investment officer;

Provides planning and ensures all planning and development activities are conducted in accordance with the City's adopted codes and or plans;

Develops and implements plans for personnel, financial, and program aspects of city operations in accordance with the budget and other policies as established by the City Council;

Keeps the City Council informed of the progress of all departments and on any and all pertinent matters relating to city operations to enable them to make informed policy decisions;

Recommends to the City Council adoption of such measures, ordinances, and resolutions as may be necessary for the health, safety and welfare of the community, the improvement of administrative services, or the provisions of city services;

Works with developers and builders within the City to ensure proper compliance with the zoning and subdivision regulations established within the Code of Ordinances and policies set forth by the City Council;

Represents the City before a variety of groups in making formal or informal presentations, actively participates in civic activities in the community, interacts with governmental agencies and officials at all levels of government, and with media;

JOB POSTING

PUBLICATION UPDATE: February 07, 2013

CLOSING DATE: Open Until Filled

Responsible for the development of a five-year plan with input from staff, City Council and citizens by conducting a Town Hall Meeting. Such plan shall be updated and approved by the City Council in June of each year.

Performs such other duties that may be assigned by the City Council.

Job Requirements

Education, training, experience:

Bachelor's degree in public administration or business administration or a related field. Master's Degree MPA preferred. At least three years of full-time experience working for a city in Texas, Type A General Law or larger, with at least two years in supervisory position. City Manager level experience preferred. Experience in municipal planning, and budgeting required; experience in economic development and long range strategic planning desired.

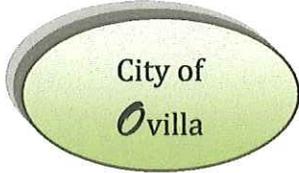
Possession of a valid Texas Driver's license.

Proven and demonstrated computer skills including working in a windows environment with PC's. Software includes but not limited to Microsoft Word, Excel, Outlook and Intuit Quick Books.

The City of Ovilla is an Equal Opportunity Employer and does not unlawfully discriminate based on race, sex, color, religion, national origin, veteran status, age or disability in hiring, conditions of employment or termination of employment.

CITY OF O VILLA

972.617.7262 / FAX: 972.515.3221



Ovilla City Council

AGENDA ITEM REPORT

Item 9

Meeting Date: February 09, 2015

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

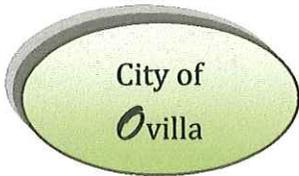
Amount: N/A

Reviewed By: City Administrator City Secretary City Attorney

Accountant

Other: Mayor

Attachments:	
1. None	
Agenda Item / Topic:	
ITEM 9.	<i>DISCUSSION/ACTION - Consideration of and action on the creation of a Council Review Board for City Administrator applicant review and direct staff as necessary.</i>
Discussion / Justification:	
Council shall create a Review Board consisting of the Mayor and two council persons to review and assess qualified applicants.	
Recommendation / Staff Comments:	
Sample Motion(s):	
<i>I move to approve/deny the creation of a Council Review Board with the appointment of Mayor and two Council persons:</i>	
1. _____	
2. _____	
<i>To review and assess city administrator applicants.</i>	



Ovilla City Council

AGENDA ITEM REPORT Item 10

Meeting Date: February 09, 2015

Department: Administration

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: Staff

Amount: \$4,589.20

Reviewed By: City Administrator City Secretary City Attorney

Accountant

Other: Staff

Attachments:	
1. Resolution R2015-003 & NCTCOG Agreement	
Agenda Item / Topic:	
ITEM 10.	<i>DISCUSSION/ACTION</i> – Consideration of and action on Resolution R2015-003 of the City of Ovilla, Texas, authorizing the Mayor to execute an Agreement Between the North Central Texas Council of Governments and the City of Ovilla, Texas, providing a license agreement for assistance with a map-based information system to include the 2015 digital orthophotography and/or LiDAR and contour data for an amount of \$4,589.20
Discussion / Justification:	
The annual agreement with NCTCOG will assist the city with aerial mapping and contour data. The cost is budget approved and funded through the Economic Development Corporation.	
Recommendation / Staff Comments:	
Sample Motion(s):	
<i>I move to approve/deny Resolution R2015-003 of the City of Ovilla, Texas, authorizing the Mayor to execute an agreement between the North Central Texas Council of Governments and the City of Ovilla, Texas, providing a license agreement for assistance with a map-based information system to include the 2015 digital orthophotography and/or LiDAR and contour data for an amount of \$4,589.20 as presented.</i>	

RESOLUTION NO. R2015-003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY OF OVILLA, TEXAS, AN AGREEMENT, BETWEEN THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS AND THE CITY OF OVILLA, TEXAS, PROVIDING A LICENSE AGREEMENT FOR ASSISTANCE WITH A MAP-BASED INFORMATION SYSTEM TO INCLUDE THE 2015 DIGITAL ORTHOPHOTOGRAPHY AND/OR LIDAR AND CONTOUR DATA FOR AN AMOUNT OF \$4,589.20 FOR THE FISCAL YEAR 2015-16, EFFECTIVE FEBRUARY 09, 2015.

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

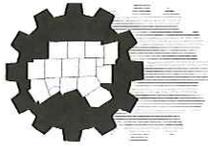
Section 1. The City Council of the City of Ovilla hereby authorizes the Mayor to execute an Agreement by and between the City of Ovilla, Texas, and the North Central Texas Council of Governments for a license agreement to provide data products with respect to a map-based information system.

Section 2. A copy of said Agreement is attached hereto as Exhibit "A" and made a part hereof for all purposes.

PASSED, APPROVED, AND RESOLVED this 09 day of February 2015.

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

APPROVED: _____
Richard Dormier, **MAYOR**



North Central Texas Council of Governments

AGREEMENT BETWEEN THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS AND CITY OF OVILLA

WHEREAS, the North Central Texas Council of Governments (NCTCOG) has an interest in assisting local governments in providing information for planning, engineering, public safety, and municipal management;

WHEREAS, the **CITY OF OVILLA** (Entity), wishes to have its map-based information system include the 2015 digital orthophotography and/or LiDAR and contour data and has determined that the creation of this resource provides information for a multitude of uses throughout the Entity and thus serves a valid public purpose;

WHEREAS, the Entity requires this information to accomplish this purpose and has determined that NCTCOG can fulfill this need, and NCTCOG is willing to reciprocate; and

NOW THEREFORE, the parties, Entity and NCTCOG, agree to the following terms and conditions regarding the creation of digital aerial photography.

I. LICENSE AGREEMENT

The personnel specified in Appendix A will serve as points of contact for their respective organizations. The following provisions are a license agreement between NCTCOG and the Entity with respect to data products that are identified in section II. NCTCOG is the owner of and has the right to grant a license to use the said data products free of all liens, claims, encumbrances, and other restrictions and without otherwise violating any rights of any third party, including any patent, copyright, trade secret, or other proprietary rights.

The NCTCOG data product may be distributed to the Entity on CD-ROM, DVD, or portable hard drive. The Entity will need to install and operate the NCTCOG data product on properly configured and compatible computer equipment running third party system and application software supplied by the Entity. The Entity will also need to insure that any required data not supplied by NCTCOG is in proper format and no other software or equipment having an adverse impact on the NCTCOG product is present.

A. *Licensed Operating Environment*

- (1) Operating Equipment. In exchange for monetary consideration listed in section III, the Entity will be granted an exclusive operation license to install, store, load, execute, and

display (collectively, "Use") the NCTCOG data product on as many local area networks and/or end-user workstations as the Entity reasonably needs in support of its own operation (the "Licensed Operating Environment"). Any software components of the NCTCOG data product are provided in machine-readable executable format only.

- (2) Authorized Users. Unless otherwise agreed in writing, the NCTCOG data product will be used by Entity officials, officers, employees, and authorized contractors only ("Authorized Users"). A contractor shall be deemed authorized to Use the data products by the Entity or NCTCOG if such Use is incidental to a larger relationship between the contractor and the Entity, and is used for purposes no greater than reasonably needed to achieve the objectives of an actual project undertaken in connection with that relationship. The contractor must agree in writing to be bound by the provisions of this Agreement.

B. Permitted Uses

- (1) Use of NCTCOG Products. The Entity's Authorized Users may Use the NCTCOG data product in the Licensed Operating Environment for any use that furthers the Entity's internal operations or in furtherance of the Entity's mission.
- (2) Use of Generated Output or Other Data. Except as stated, the Entity will own all original works of authorship it may independently create. Digital output from the Entity's Use of the NCTCOG Data Product may be resized as desired and printed on black and white, color printers, or map plotters. Such printed hardcopies may be distributed to the Entity's officers, employees, citizens, contractors, or other persons in the regular course of business for their internal use or in connection with an actual transaction. Such printed output may be further copied, photographed, or reproduced digitally on the Internet. The Entity may charge a fee for such hardcopy printouts that exceed the actual direct cost of production. Without the prior written consent of NCTCOG, the Entity may not otherwise provide copied, digitized, reproduced, transmitted or disseminated, in whole or in part, any of the original digital data product in any form.

II. OBLIGATIONS

Upon delivery of the products, NCTCOG shall invoice the Entity for the stipulated amounts listed below.

Coverage Area: CITY OF OVILLA
 Total Square Miles: 6

Product	Amount
2015 Orthophotography - 3 inch	\$1,761.20
2015 0.5m LiDAR	\$1,008.00
2015 2' Contours	\$1,820.00
2015 Cooperative Project Total	\$4,589.20

You have agreed to the payment terms listed below and have secured the total amount with purchase order (PO) number _____ (Please enter a PO number if blank. If you have not yet secured a PO, please enter 9999).

Invoice Date

Fiscal Year or **After Delivery**

Payment Years

FY 2015

If a payment term has not been specified, please select **FY 2015** or **FY 2015-16**

If your payment is spread across two fiscal years you will be invoiced 50% of the total amount each year. Upon receipt of the first invoice, the Entity had thirty (30) days to review the products and pay said invoice or the remaining amount owed to the North Central Texas Council of Governments (NCTCOG).

III. TERMINATION

The parties agree that the Entity may terminate this Agreement by providing thirty (30) days written notice to NCTCOG. Such notice shall be given to NCTCOG at the address set forth under its signature below. In the event of such termination, NCTCOG shall reimburse to the Entity pro-ratable portion of the contracted amount for services rendered. The Entity would also reimburse NCTCOG for staff time billed to the project up to termination.

IV. AFFIDAVIT OF PROHIBITED INTEREST

NCTCOG acknowledges and represents it is aware of the laws, City Charter, and City Code of Conduct regarding prohibited interests and that the existence of a prohibited interest at any time will render this Agreement null and void.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS



01.20.2015

Mike Eastland
Executive Director
616 Six Flags Drive, Suite 200
Arlington, Texas 76011

Date

CITY OF OVILLA

Signature _____ Date _____

Name: _____

Title: _____

Street Address: _____

City, State, Zip: _____

APPROVED AS TO FORM:

APPENDIX A

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS

	MAIN CONTACT		ADDITIONAL CONTACT	
Name:	Shelley Broyles		David Raybuck	
Title:	GIS Project Coordinator		Chief Technology Officer	
Department	Research and Information Services		Research and Information Services	
Organization:	NCTCOG		NCTCOG	
Street Address:	616 Six Flags Drive, Suite 200		616 Six Flags Drive, Suite 200	
City, State, Zip	Arlington, Texas 76011		Arlington, Texas 76011	
Phone/Fax:	(817) 695-9156	(817) 640-4428	(817) 608-2357	(817) 640-4428
E-mail:	sbroyles@nctcog.org		draybuck@nctcog.org	