

# *City of Ovilla City Council*

*Rachel Huber, Place One*

*Dean Oberg, Place Two*

*David Griffin, Place Three, Mayor Pro Tem*

*Richard Dormier, Mayor*

*Doug Hunt, Place Four*

*Michael Myers, Place Five*

*John R. Dean, Jr. City Manager*

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

**Monday, May 13, 2019**

**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, May 13, 2019** 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
- US. Pledge of Allegiance and TX Pledge

**II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS**

- **Presentation:** Official results of the May 04, 2019 General Election and Special Election.
  - a. Certificates of Election issued to Mayor Richard Dormier, Council Member Place 2 Dean Oberg and Council Member Place 4 Doug Hunt (all three positions unopposed).
  - b. Judge Kurth will conduct the Oaths and Statements of Office.
- **Presentation:** Recognition of Brad Piland, Director of Public Works Department
- **Presentation:** Proclamations:
  1. EMS
  2. Municipal Clerks Week
  3. Peace Officer Memorial Week
  4. Public Works Week
- **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.*

**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 on the regular agenda during this meeting.*

- C1. Quarterly Investment Report
- C2. Committed Fund Balance Report ended as of March 31, 2019
- C3. Resolution R2019-06 ONCOR (deny increased distribution rates within the City)
- C4. Minutes of the April 08, 2019 Briefing Session and Regular Meeting.
- C5. Ordinance 2019-09 Amending Culverts Authorized for Streets and Driveways
- C6. Resolution R2019-07 authorizing and approving the appointment of a Municipal Court Judge for a two-year term effective immediately.
- C7. Purchase of Electronic Ticket Writers for use by the Police Department and Code Enforcement.
- C8. Consideration of and action on Ordinance 2019-10 of the City of Ovilla, amending Appendix "A" (Fee Schedule), Section A7.006 (Utility Account Setup; Connection, and Reconnection Fees) of the City of Ovilla Code of Ordinances, providing amended reconnection 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.

# *City of OVILLE City Council*

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**C9** Receive recommendation from the Economic Development Corporation for amending the Economic Development Corporation FY2018-2019 Budget in the amount \$150,000 to fund a wastewater line to Founders Park.

## **IV. REGULAR AGENDA**

**ITEM 1.** ***DISCUSSION/ACTION*** – Consideration of and action on Resolution R2019-08 of the City Council of the City of Ovilla, Declaring and Canvassing the Results of the May 04, 2019 Sales and Use Tax Special Election, reauthorizing the sales and use tax in the City of Ovilla at the rate of one quarter of one-percent to continue providing revenue for the maintenance and repair of existing municipal streets.

**ITEM 1.** ***DISCUSIÓN/ACCIÓN*** - Consideración y acción sobre la Resolución R2019-08 del Concejo Municipal de la Ciudad de Ovilla, declaración y escrutinio de los resultados de la Elección Especial del Impuesto sobre las Ventas y Uso del 4 de mayo de 2019, reautorizando el impuesto sobre las ventas y el uso en la ciudad de Ovilla a razón de un cuarto del uno por ciento para continuar proporcionando ingresos para el mantenimiento y reparación de las calles municipales existentes.

**ITEM 2.** ***DISCUSSION/ACTION*** – Consideration of and action on nomination(s) and an appointment of Mayor Pro Tem.

### **ITEM 3. PUBLIC HEARING**

PRESENTATION of request for zoning classification change filed by Mr. & Mrs. Flores, owners of said property.

- a.** *PUBLIC HEARING to receive comments from the public regarding the request.*
- b.** *DELIBERATION and questions with applicant.*
- c.** *RECEIVE recommendation from the Planning and Zoning Commission*

***DISCUSSION/ACTION*** – Consideration of and action on Case PZ19-01, a request for a **Zoning Classification Change** filed by Juan and Alicia Flores (Flores Homes, Inc) owners of said property, to change the zoning of said property from "R-C" Single Family Residential 5-acres to "R-E" Single Family Residential 1-acre, on approximately a 12-acre tract of land. Legal Description being E W Banton, Abstract 51, Ovilla, Ellis County, Texas, more commonly known as 611 Malloy Road, Ovilla Texas 75154.

**ITEM 4.** ***DISCUSSION/ACTION*** – Consideration of and action on Resolution R2019-09 accepting the Annual Financial Audit Report prepared by Yeldell, Wilson, Wood and Reeve, P.C., for the year ended September 30, 2018.

**ITEM 5.** ***DISCUSSION*** – Review and discuss current contract with Community Waste Disposal (CWD) representatives.

**ITEM 6.** ***DISCUSSION/ACTION*** – Receive annual report and consider and act on volunteer board reappointments to serve another term on the Board of Adjustment and direct staff to solicit for new applicants.

**ITEM 7.** ***DISCUSSION/ACTION*** – Receive annual report and consider and act on volunteer board appointments and/or reappointments to serve a term on the Economic Development Corporation (EDC) and direct staff to solicit for new applicants.

# *City of OILLA City Council*

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**ITEM 8.** ***DISCUSSION/ACTION*** – Consideration of and action on volunteer committee appointment(s) to serve on the temporary board, Municipal Facilities Improvement Committee, and/or direct staff to continue solicitation for new applicants.

**ITEM 9.** ***DISCUSSION/ACTION*** – Receive annual report and consider and act on volunteer committee appointments and/or reappointments to serve a term on the Municipal Development District Board (MDD) and direct staff to solicit for new applicants.

**ITEM 10.** ***DISCUSSION/ACTION*** – Receive annual report and consider and act on volunteer committee appointments and/or reappointment(s) to serve a term on the Ovilla Park Board Advisory Committee and direct staff to solicit for new applicants.

**ITEM 11.** ***DISCUSSION/ACTION*** – Receive annual report and consider and act on volunteer board appointment and/or reappointments to serve a term on the Planning and Zoning Commission and direct staff to solicit for new applicants.

**ITEM 12.** ***DISCUSSION/ACTION*** – Consideration of and action on ORDINANCE 2019-11 of the City of Ovilla, TX, amending the Fiscal Year 2018-2019 Annual Budget and Program of Services in accordance with Chapter 1, Article 1.05, Section 1.05.038 of the Ovilla Code of Ordinances pursuant to the Mid-Year Budget Review.

**ITEM 13.** ***DISCUSSION/ACTION*** – Consideration of and action on Resolution R2019-10 amending the meeting schedule of the Ovilla City Council.

**ITEM 14.** ***DISCUSSION*** – Discussion on Section 35.3.D.1. (Fences in Residential Districts) of the Ovilla Code of Ordinances.

**ITEM 15.** ***DISCUSSION*** – Discussion on Resolution R2016-10 adopting the United States Consumer Product Safety Commission's publication entitled Public Playground Safety Handbook as the City's official reference and guideline for consideration in the City's acquisition, installation, operation, use and maintenance of playground equipment and playground surfacing.

**ITEM 16.** ***DISCUSSION/ACTION*** – Consideration of and action to appoint a City Council Member to serve on the Finance Committee to review and evaluate RFQ responses for audit services.

**ITEM 17.** ***DISCUSSION/ACTION*** – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

## **V. DEPARTMENT REPORTS**

- **Department Activity Reports / Discussion**
  - Police Department
    - 1. Monthly Report
  - Fire Department
    - 1. Monthly Report
  - Public Works
    - 1. Monthly Report
    - 2. Monthly Park Maintenance Reports
  - Finance Department
    - 1. March 2019 Financials and transactions
    - 2. Bank Balances through May 08, 2019
  - Administration

Chief B. Windham

Chief B. Kennedy

Director B. Piland

Accountant L. Harding

# *City of OVILLE City Council*

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1. Monthly Code/Animal Control Reports
2. Monthly Municipal Court Report
3. City Manager Reports

- Code/AC Officer M. Dooley
- City Secretary P. Woodall
- City Manager, John R. Dean, Jr.

## **VI. 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).*

Closed session called pursuant to Section §551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property.

- A. *Convene into Executive Session.*
- B. *Reconvene into Regular (Open) Session*
- C. Consideration of and action on the purchase of real property Identified as Ellis CAD Property ID: 194181.

Closed session pursuant to Section §551.074 of the Texas Government Code to deliberate the position of Public Works Director.

- A. *Convene into Executive Session.*
- B. *Reconvene into Regular (Open) Session*
- C. Consideration of and action on the position of Public Works Director (Interim).

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

## **VIII. ADJOURNMENT**

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF THE May 13, 2019 Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, [www.cityofovilla.org](http://www.cityofovilla.org), on the 10<sup>th</sup> day of May 2019 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



Pamela Woodall, City Secretary

DATE OF POSTING: 5-10-2019 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 CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.

NOTICE OF CANVASS OF ELECTION AT THE  
REGULAR CITY COUNCIL MEETING  
CITY OF OVILLA, TEXAS

MONDAY, MAY 13, 2019  
6:30 P.M.

AVISO DE ESCRUTINIO DE ELECCIÓN EN LA  
REUNIÓN REGULAR DEL CONCEJO MUNICIPAL  
CIUDAD DE OVILLA, TEXAS

LUNES 13 DE MAYO DE 2019.  
6:30 PM.

Notice is hereby given that the Canvass of the May 4, 2019 Special Election will be held at a Regular meeting of the Ovilla City Council, on Monday, May 13, 2019 at 6:30 p.m., at City Hall, 105 S. Cockrell Hill Road, Ovilla, Texas 75154.

Por la presente se comunica que el Escrutinio de la Elección Especial de la Ciudad del 4 de mayo de 2019 se celebrará en una reunión regular del Concejo Municipal de la Ciudad de Ovilla, el lunes 13 de mayo de 2019 a las 6:30 pm, en el Ayuntamiento, 105 S. Cockrell Hill Road, Ovilla, Texas 75154.

C E R T I F I C A T I O N

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Ovilla, Texas, a place readily accessible to the general public at all times, on the 9th day of May 2019 by 4:30 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

C E R T I F I C A C I Ó N

Por la presente certifico que el aviso anterior de la reunión se publicó en el tablero de anuncios del Ayuntamiento de la Ciudad de Ovilla, Texas, un lugar de fácil acceso para el público en general en todo momento, el día 9 de mayo de 2019 a las 4:30 pm y permaneció publicado durante al menos 72 horas continuas antes de la hora programada de dicha reunión.

  
\_\_\_\_\_  
Pamela Woodall  
City Secretary / Secretaria Municipal

DATE OF POSTING: 5-10-2019 TIME: 10:00 am/pm  
FECHA DE PUBLICACIÓN: 5-10-2019 HORA: 10:00 am/pm  
DATE TAKEN DOWN: \_\_\_\_\_ TIME: \_\_\_\_\_ am/pm  
FECHA DE RETIRO: \_\_\_\_\_ HORA: \_\_\_\_\_ am/pm



This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (972) 617-7262 or FAX (972) 515-3221 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT [www.cityofovilla.org](http://www.cityofovilla.org).

Esta instalación está adaptada para sillas de ruedas y hay lugares disponibles de estacionamiento. Las solicitudes de adaptaciones o servicios de interpretación deben realizarse 48 horas antes de esta reunión. No dude en comunicarse con la oficina de la Secretaria Municipal llamando al (972) 617-7262 o FAX (972) 515-3221 para obtener más información. LAS AGENDAS TAMBIÉN PUEDEN VERSE EN LÍNEA EN [www.cityofovilla.org](http://www.cityofovilla.org).





Dallas & Ellis Counties  
Ovilla, TX

**MAY 04, 2019 GENERAL ELECTION  
FOR MAYOR  
PLACE 2 & PLACE 4 COUNCIL MEMBERS  
(General Election Canceled)**

**Special Election PROPOSITION A  
OFFICIAL TABULATION**

**\* DENOTES WINNER or PASSED**

<u>Mayor</u>	*Richard Dormier Uncontested / Declared Elected	Early	Election Day	
<u>Place 2</u>	*Dean Oberg Uncontested / Declared Elected	Early	Election Day	
<u>Place 4</u>	*Douglas Hunt Uncontested / Declared Elected	Early	Election Day	

**\*PROPOSITION A:**

**THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX  
IN THE CITY OF OVILLA AT THE RATE OF ONE FOURTH OF  
ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR  
MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.**

**FOR: 175**

**AGAINST: 40**

114	Early Voting Ballots Cast
107	Election Day Ballots Cast
<b>221</b>	<b>Total Ballots Cast</b>
216	Registered Voters (Dallas Co.)
2,978	Registered Voters (Ellis Co.)
<b>3,194</b>	<b>Total Registered Voters</b>
6.92%	Voter Turnout

Canvass conducted  
**MAY 13, 2019 6:30 PM**

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Pamela Woodall, City Secretary

**PROCLAMATION**  
*City of Ovilla*  
Designating the week of May 19 - 25, 2019, as  
Emergency Medical Services Week

**WHEREAS**, emergency medical services is a vital public service; and

**WHEREAS**, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

**WHEREAS**, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

**WHEREAS**, emergency medical services have grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

**WHEREAS**, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

**WHEREAS**, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

**WHEREAS**, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

**THEREFORE, I RICHARD A. DORMIER, MAYOR OF THE CITY OF OVILLA in  
recognition of this event do hereby proclaim the week of May 19 - 25, 2019, as  
EMERGENCY MEDICAL SERVICES WEEK**

With the theme, **EMS Strong: Always in Service**, I encourage the community to observe this week with appropriate programs, ceremonies and activities.

***Proclaimed this 13<sup>th</sup> day of May 2019.***

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Richard A. Dormier, Mayor



# *Proclamation*

*50<sup>th</sup> ANNIVERSARY OF MUNICIPAL CLERKS WEEK*  
*May 5 - 11, 2019*

*Whereas*, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

*Whereas*, The Office of the Municipal Clerk is the oldest among public servants, and

*Whereas*, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

*Whereas*, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

*Whereas*, The Municipal Clerk serves as the information center on functions of local government and community.

*Whereas*, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

*Whereas*, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

*Now, Therefore*, I, Richard Dormier, Mayor of Ovilla, Texas, do recognize the week of May 5 through May 11, 2019, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerks, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 13 day of MAY 2019

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Richard Dormier  
Mayor

Attest: \_\_\_\_\_

# **PROCLAMATION**

## **NATIONAL POLICE WEEK 2019**

To recognize National Police Week 2019 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

**WHEREAS**, there are more than 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Ovilla Police Department;

**WHEREAS**, there have been 58,627 assaults against law enforcement officers in 2016, resulting in approximately 16,677 injuries;

**WHEREAS**, since the first recorded death in 1786, more than 21,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty;

**WHEREAS**, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.;

**WHEREAS**, 371 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 158 officers killed in 2018 and 213 officers killed in previous years;

**WHEREAS**, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 31<sup>th</sup> Annual Candlelight Vigil, on the evening of May 13, 2019;

**WHEREAS**, the Candlelight Vigil is part of National Police Week, which takes place this year on May 12-18;

**WHEREAS**, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

**THEREFORE, BE IT RESOLVED** that the City Council for the City of Ovilla, Texas formally acknowledges May 12-18, 2019, as Police Week in the City of Ovilla, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

***IN WITNESS WHEREOF, I have set my hand and caused the Seal of the City to be affixed this 13 day of MAY in the year 2019.***

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**RICHARD A. DORMIER  
MAYOR OF OVILLA**

**COUNCIL PLACE 1 RACHEL HUBER \* COUNCIL PLACE 2 DEAN OBERG \*  
COUNCIL PLACE 3 MAYOR PRO TEM DAVID GRIFFIN  
COUNCIL PLACE 4 DOUG HUNT \* COUNCIL PLACE 5 MICHAEL MYERS**



# PROCLAMATION

## PUBLIC WORKS WEEK

**WHEREAS**, public works services provided in our community are an integral part of our citizen's everyday lives; and

**WHEREAS**, the support of an understanding and informed public is vital to the efficient operation of public works systems and programs including water, sewer, streets, public buildings, solid waste collection, landfill, wastewater disposal, code enforcement and engineering to provide these essential services to our citizens; and

**WHEREAS**, the health, safety and comfort of this community greatly depends on these facilities and services; and

**WHEREAS**, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skills of public works officials; and

**WHEREAS**, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding the importance of the work they perform.

**NOW, THEREFORE**, I, Richard Dormier, Mayor of the City of Ovilla, do hereby proclaim the week of May 19-25, 2019 as

## Public Works Week "Building for Today, Planning for Tomorrow"

in the City of Ovilla, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Ovilla to be affixed this 13 day of May 2019.

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**RICHARD DORMIER, Mayor**

**COUNCIL PLACE 1 RACHEL HUBER \* COUNCIL PLACE 2 DEAN OBERG  
COUNCIL PLACE 3 MAYOR PRO TEM DAVID GRIFFIN  
COUNCIL PLACE 4 DOUG HUNT \* COUNCIL PLACE 5 MICHAEL MYERS**

## CONSENT ITEMS C1 – C9

Meeting Date: May 13, 2019

Discussion Action

Submitted By: Staff

Reviewed By:  City Manager

City Secretary

City Attorney

Accountant

Other: Deputy City Secretary

Department: Administration/UB

Budgeted Expense:  YES  NO  N/A

### Attachments:

- C1. Quarterly Investment Report
- C2. Committed Fund Balance Report ended as of March 31, 2019
- C3. Resolution R2019-06 ONCOR (deny increased distribution rates within the City)
- C4. Minutes of the April 08, 2019 Briefing Session and Regular Meeting.
- C5. Ordinance 2019-09 Amending Culverts Authorized for Streets and Driveways
- C6. Resolution R2019-07 authorizing and approving the appointment of a Municipal Court Judge for a two-year term effective immediately.
- C7. Purchase of Electronic Ticket Writers for use by the Police Department and Code Enforcement.
- C8. Consideration of and action on Ordinance 2019-10 of the City of Ovilla, amending Appendix "A" (Fee Schedule), Section A7.006 (Utility Account Setup; Connection, and Reconnection Fees) of the City of Ovilla Code of Ordinances, providing amended reconnection 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.
- C9. Receive recommendation from the Economic Development Corporation for amending the Economic Development Corporation FY2018-2019 Budget in the amount \$150,000 to fund a wastewater line to Founders Park.

### Recommendation / Staff Comments:

Staff recommends approval.

### Sample Motion(s):

I move to approve the consent items as presented.

05.13.2019

## Consent C1

To  
**Honorable Mayor  
and Council**

Comments:

From  
**Linda Harding,  
Accountant**

BACKGROUND AND JUSTIFICATION: The Council shall review the investment report quarterly.  
The presented report is through March 31, 2019.

CC  
**John R. Dean, Jr.**

**Re: Quarterly  
Investment Report**

**City of Ovilla**

**Tel 972-617-7262**

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

**[www.cityofvilla.org](http://www.cityofvilla.org)  
jdean@cityofvilla.org**





DATE: May 13, 2019

TO: Honorable Mayor and Council Members

FROM:  
Linda Harding, Accountant

SUBJECT: Investment Report for Quarter Ending March 31, 2019

**City of Ovilla**  
**Investment Report**  
For Quarter Ending MARCH 31, 2019

Fund	Bank	Investment Type	Description	Bank Account Number	Quick Books Account #	Inception Date	Maturity Date	Rate	Beginning Market Value 12-31-2018	Activity During Quarter	Ending Market Value 3/31/2019	Book Value 3/31/2019	Difference
<b>GENERAL FUND</b>													
<b>Operating</b>													
GF	Prosperity Bank	General	6602109437	1012500	N/A	N/A	0.4000%	\$ 657,073.26	Interest Earned \$ 905.00 Net Deposit \$ 2,387,636.95 Net Withdrawals \$ 704,667.03 Ending Balance	\$ 1,682,969.92	\$1,682,969.92	\$0.00	
GF	Texstar Investment	Pool	701711110	1012525	N/A	N/A	2.306900%	\$ 3,844.74	Interest Earned \$ 21.53 Withdrawal \$ - Ending Balance	\$ 3,866.27	\$3,866.27	\$0.00	
GF	Prosperity Bank	Money Market	9307605	1012520	3/2/11	N/A	0.8500%	\$232,211.76	Interest Earned \$ 496.95 Withdrawal \$ - Ending Balance	\$232,708.71	\$232,708.71	\$0.00	
GF	Texstar Investment	Pool	701711120	1011525	N/A	N/A	2.306900%	\$ 958.46	Interest Earned \$5.62	\$964.08	\$964.08	\$0.00	
GF	Prosperity Bank	Money Market	9307583	1012250	N/A	N/A	0.8500%	\$ 129,123.56	Interest Earned \$ 277.60 Net Deposit \$ - Net Withdrawals \$ - Ending Balance	\$ 129,401.16	\$129,401.16	\$0.00	
GF	Prosperity Bank	Leose		1012510	N/A	N/A	0.0000%	\$ 1.79	Interest Earned Net Deposit \$ - Net Withdrawal \$ -	\$ 1.79	\$1.79	\$0.00	
GF	Prosperity Bank	CD	670010694	1012260	2/25/14	2/25/15	0.9000%	\$ 250,103.11	Interest Earned \$ 566.07 Net Deposit \$ - Net Withdrawals \$ - Ending Balance	\$ 250,669.18	\$250,669.18	\$0.00	
GF	Prosperity Bank	CD	670010608	1012290	10/17/12	10/17/13	0.6500%	\$ 56,512.56	Interest Earned \$ 92.59	\$56,605.15	\$56,605.15	\$0.00	
GF	Prosperity Bank	Bryson Manor	216188662	1012295	6/25/15	n/a	0.4000%	\$ 299,517.79	Interest Earned \$ 302.00 Net Deposit \$ - Total General Fund Balance	\$ 299,819.79	\$299,819.79	\$0.00	
<b>DEBT SERVICE</b>													
Debt	Prosperity Bank	Savings Account	Sinking Fund	6606020291	1010000	N/A	N/A	0.4100%	\$ 46,875.17	Interest Earned \$ 88.15 Deposits \$ - Deductions \$ - Ending Balance	\$46,963.32	\$46,963.32	\$0.00
<b>Water &amp; Sewer Utility Fund</b>													
W&S	Prosperity Bank	Operating	Utility	6602109445	1021500	N/A	N/A	0.8500%	\$ 1,037,458.13	Interest Earned \$ - Net Deposit \$ - Net Withdrawals \$ -	\$1,037,458.13	\$1,037,458.13	\$0.00

**City of Ovilla  
Investment Report  
For Quarter Ending MARCH 31, 2019**

**City of Ovilla  
Investment Report  
For Quarter Ending MARCH 31, 2019**

05.13.2019

## Consent C2

To  
Honorable Mayor  
and Council

Comments:

From  
Linda Harding,  
Accountant

BACKGROUND AND JUSTIFICATION: The Council shall review the committed fund balance quarterly. The presented is through March 31, 2019

CC  
John R. Dean, Jr.

Re: Committed Fund  
Balance Report

**City of Ovilla**

Tel 972-617-7262

105 S. Cockrell Hill Road  
Ovilla, Texas 75154

[www.cityofvilla.org](http://www.cityofvilla.org)  
jdean@cityofvilla.org





DATE: May 13, 2019

TO: Honorable Mayor and Council Members

FROM:  
Linda Harding, Accountant

SUBJECT: Committed Fund Balance Report as of March 31, 2019

**Committed Fund Balance Report  
for General Fund for FY 2018-2019**

	Account Number	General Fund 2018-2019 Budget
<b>FY 2018-2019 Budget</b>		<b>3,649,994</b>
<b>CAPITAL ASSETS and RESERVE ACCOUNTS:</b>		
Machinery and Equipment	5106440	3,900
Furniture	5106465	(3,000)
Audio and Visual Equipment	5106470	0
Buildings	5107420	0
Machinery and Equipment	5107440	0
Reserve for Contingency	5109001	0
Reserve for PD and FD Radios	5109015	0
Machinery and Equipment	5206440	(8,100)
Personal Protective Equipment	5206445	(2,600)
Capital Outlay - Vehicles	5206450	0
Machinery and Equipment	5306440	(10,300)
Personal Protective Equipment	5306445	(20,247)
Capital Outlay - Vehicles	5307450	0
Machinery and Equipment	5406440	(1,500)
Capital Outlay - Vehicles	5407450	0
Machinery and Equipment	5506440	(2,500)
Personal Protective Equipment	5506445	(300)
Minor Capital Outlay	5506490	(850)
Land Improvements	5606410	6,800
Machinery and Equipment	5606440	(2,000)
Transfer from 4B EDC	5607410	(75,000)
Machinery and Equipment	5607440	(6,000)
Total 2018-2019 Budget Less Capital Assets and Reserve		<b>3,528,297</b>
<b>Resolution Number 2013-002</b>		<b>25%</b>
<b>REQUIRED UNASSIGNED FUND BALANCE IN GENERAL FUND</b>		<b>\$ 882,074.25</b>

<b>ALL G/F BANK ACCOUNT BALANCES AS OF 3/31/2019</b>		
Prosperity Bank (Operating Acct 9437)	1012500	\$ 1,682,969.92
Prosperity Money Market (Acct #9307605)	1012520	\$ 232,708.71
TexStar Reserves ( Acct. #07017-1110)	1012525	\$ 2,866.27
TexStar Money Market (Acct 1112)	1011525	\$ 964.08
Prosperity Money Market Reserve (Acct. #9307583)	1012250	\$ 129,401.16
Prosperity CD (Acct. #670010694)	1012260	\$ 250,868.18
Prosperity Bank CD (Acct. #670010608)	1012290	\$ 56,605.15
ALL BANK ACCOUNTS Total Unassigned Fund Balance in General Fund		<b>\$ 2,356,383.47</b>
<b>REQUIRED UNASSIGNED FUND BALANCE IN GENERAL FUND</b>		<b>\$ 882,074.25</b>
<b>Excess in Unassigned Fund Balance in ALL ACCOUNTS</b>		<b>\$ 1,474,309.22</b>

To  
**Honorable Mayor  
and Council**

From  
**John R. Dean, Jr. CM,**

CC  
**Staff**

Re: **R2019-06**

Comments:

**BACKGROUND AND JUSTIFICATION:**

**BACKGROUND/HISTORY:** MODEL STAFF REPORT REGARDING ONCOR'S DISTRIBUTION COST RECOVERY FACTOR FILING  
ON APRIL 8, 2019, ONCOR ELECTRIC DELIVERY COMPANY LLC ("ONCOR" OR "COMPANY") FILED AN APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVER FACTOR ("DCRF") TO INCREASE DISTRIBUTION RATES WITH EACH OF THE CITIES IN THEIR SERVICE AREA. IN THE FILING, THE COMPANY ASSERTS THAT IT IS SEEKING AN INCREASE IN DISTRIBUTION REVENUES OF \$29,433,804.

The resolution authorizes the City to join with the Steering Committee of Cities Served by Oncor ("OCSC") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

**Purpose of the Resolution:** The purpose of the Resolution is to deny the DCRF application proposed by Oncor.

**Explanation of "Be It Resolved" Paragraphs:**

1. This section authorizes the City to participate with OCSC as a party in the Company's DCRF filing, PUC Docket No. 49427.

2. This section authorizes the hiring of Lloyd Gosselink Rochelle and Townsend, PC and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates. Additionally, it authorizes OCSC to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

3. This paragraph finds that the Company's application is unreasonable and should be denied.

4. This section states that the Company's current rates shall not be changed.

5. The Company will reimburse Cities for their reasonable rate case expenses.

Legal counsel and consultants approved by OCSC will submit monthly invoices that will be forwarded to Oncor for reimbursement.

6. This section recites that the Resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.

7. This section provides that Oncor and counsel for OCSC will be notified of the City's action by sending a copy of the approved and signed Resolution to counsel.

**Findings/Current Activity:** City Attorney Ron MacFarlane has reviewed and approved this resolution.

**Financial Impact:** Increase in distribution revenues of \$29,433,804

**STAFF RECOMMENDATION:** Approve Resolution R2019-06

**City of Ovilla**

Tel 972-617-7262

105 S. Cockrell Hill Road  
Ovilla, Texas 75154

[www.cityofovilla.org](http://www.cityofovilla.org)  
jdean@cityofovilla.org



## RESOLUTION NO. R2019-06

A RESOLUTION OF THE CITY OF OVILLA, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of OVILLA, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the City is a member of the Steering Committee of Cities Served by Oncor ("OCSC" or "Cities"), a membership of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

WHEREAS, on or about April 8, 2019 Oncor filed with the City an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF"), PUC Docket No. 49427, seeking to increase electric distribution rates by approximately \$29,433,804; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, Cities are coordinating its review of Oncor's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and

WHEREAS, Cities' members and attorneys recommend that members deny the DCRF.

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

Section 1. That the City is authorized to participate with OCSC in PUC Docket No. 49427.

Section 2. That subject to the right to terminate employment at any time, the City of OVILLA hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

Section 3. That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 4. That the Company shall continue to charge its existing rates to customers within the City.

Section 5. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of presentation of an invoice to Oncor.

## RESOLUTION NO. R2019-06

Section 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 7. That a copy of this Resolution shall be sent to Matthew C. Henry, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Legal Counsel to OCSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

PASSED AND APPROVED this 13 day of MAY 2019.

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Mayor

ATTEST:

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City Secretary

APPROVED AS TO FORM:

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City Attorney

ONCOR CITIES THAT HAVE CEDED ORIGINAL JURISDICTION

Abbott	Crowley	Jewett
Alma	Cumby	Jolly
Alvarado	Cushing	Josephine
Alvord	Dawson	Joshua
Angus	Dean	Justin
Anna	Dorchester	Kaufman
Annetta North	Dublin	Keene
Annetta South	Ector	Kemp
Annona	Edgecliff Village	Kerens
Appleby	Edgewood	Knollwood
Argyle	Edom	Krum
Athens	Elgin	Ladonia
Aurora	Elkhart	Lake Bridgeport
Bangs	Emhouse	Lake Dallas
Barry	Enchanted Oaks	Lakeside City
Bartlett	Eureka	Latexo
Bellevue	Eustace	Lavon
Blanket	Everman	Leona
Blooming Grove	Forney	Leroy
Boyd	Frost	Lindsay
Brownsboro	Garrett	Lipan
Buckholts	Gholson	Lorena
Buffalo	Godley	Lovelady
Burke	Golinda	Lowry Crossing
Bynum	Goodlow	Lucas
Caddo Mills	Gorman	Mabank
Cameron	Grandfalls	Malakoff
Campbell	Grandview	Malone
Caney City	Granger	Marquez
Canton	Grapeland	McGregor
Carbon	Gun Barrel City	Melissa
Centerville	Gunter	Mertens
Chico	Hebron	Milano
Chireno	Hewitt	Mildred
Clarksville	Hickory Creek	Milford
Cockrell Hill	Hideaway	Millsap
Collinsville	Holland	Mobile City
Comanche	Honey Grove	Moody
Como	Hubbard	Morgan's Point Resort
Cool	Hudson	Mount Calm
Corinth	Huntington	Murchison
Corsicana	Hutto	Mustang
Crandall	Italy	Nacogdoches
Crockett	Itasca	Navarro

ONCOR CITIES THAT HAVE CEDED ORIGINAL JURISDICTION

Nevada	Streetman
New Chapel Hill	Taylor
New Fairview	Terrell
Newark	Thorndale
Neylandville	Thorntonville
Northlake	Thrall
Oak Grove	Tira
Oak Leaf	Tool
Oak Valley	Trinidad
Oakwood	Valley View
Oglesby	Van Alstyne
Ovilla	Venus
Payne Springs	Weir
Pecan Gap	Wells
Pecan Hill	West
Penelope	Westbrook
Pflugerville	Wickett
Pleasant Valley	Wills Point
Ponder	Windom
Post Oak Bend	Wolfe City
Powell	Yantis
Poynor	Zavalla
Princeton	
Pyote	
Quinlan	
Ranger	
Reno - Lamar County	
Reno - Parker County	
Retreat	
Rhome	
Rice	
Richland	
Rockdale	
Rogers	
Rosser	
Roxton	
Royse City	
Runaway Bay	
Sadler	
Savoy	
Shady Shores	
Southmayd	
Springtown	
St. Paul	

05.13.2019

## Consent C4

To  
**Honorable Mayor  
and Council**

Comments:

From  
**John R. Dean, CM**

Current Activity: April 2019 Briefing Session and Regular Meeting Minutes.

CC  
**Staff**

Re  
**Minutes of April 2019**

05.13.2019

**City of Ovilla**

Tel 972-617-7262

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Ovilla, Texas 75154

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# CITY OF OVILLA MINUTES

*Monday, April 08, 2019  
City Council Briefing Session  
105 S. Cockrell Hill Road, Ovilla, TX 75154*

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Mayor Dormier, called the Council Briefing Session of the Ovilla City Council to order at 6:00 p.m., with notice of the meeting duly posted. Mayor Dormier made the following public announcement asking all individuals to be cognizant of the two signs at the entrance to the Council Chamber room referencing Sections 30.06 and 30.07 of the *Penal Code, persons licensed under Subchapter H, Chapter 411, Government Code may not enter this property with a concealed handgun nor enter this property with a handgun that is carried openly.*

---

The following City Council Members were present:

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

Mayor Dormier announced that all Council members were present, thus constituting a quorum. City Manager John R. Dean, Jr., department directors, and various staff were also present.

## CALL TO ORDER

**CONDUCT A BRIEFING SESSION to review and discuss agenda items for the 6:30 p.m. regular meeting.**  
Mayor Dormier and City Manager John Dean gave a brief review of each item on the agenda. City Manager John Dean answered any questions.

## ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:08 p.m.

ATTEST:

Pamela Woodall, City Secretary

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Richard Dormier, Mayor

*Approved April 08, 2019*

# CITY OF OVILLA MINUTES

**Monday, April 08, 2019**

**Regular City Council Meeting**

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

---

Mayor Dormier called the Regular Council Meeting of the Ovilla City Council to order at 6:30 p.m., with notice of the meeting duly posted. Mayor Dormier made the following public announcement asking all individuals to be cognizant of the two signs at the entrance to the Council Chamber room referencing Sections 30.06 and 30.07 of the *Penal Code, persons licensed under Subchapter H, Chapter 411, Government Code may not enter this property with a concealed handgun nor enter this property with a handgun that is carried openly.*

The following City Council Members were present:

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

Mayor Dormier noted that all remaining Council members were present, thus constituting a quorum. City Manager John R. Dean, Jr., department directors and various staff were also present.

## **CALL TO ORDER**

PL2 Oberg gave the invocation. PL1 Huber led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

## **PRESENTATIONS, ANNOUNCEMENTS & COMMENTS**

**Presentation:** Service League presentation to the Police Department.

- Ovilla Service League representatives presented the Ovilla Police Department proceeds from the recent Spaghetti Dinner Fund Raiser in the amount of \$19,200.

**Presentation:** TxDOT representatives to share information on the future FM 664 project.

- Mr. Nelson Underwood, Project Manager with TxDOT shared the future plans for the FM664 Project and answered questions. Certain items addressed:
  - Completion time is unknown.
  - Noise study will be considered.
  - Exhibit Trader (business on 664) will be displaced.
  - Ovilla Auto will be damaged but not displaced.
  - Vertical Church and Ovilla Vet Clinic will not be touched.
  - Concerns for the protection of trees along Red Oak Creek Road.
  - Will coordinate with Ovilla (when time comes) on median plans.

## **Citizen Comments**

1. MS Dani Muckelroy, 608 Green Meadows Lane: Voiced appreciation to Council for their volunteer efforts and remarkable jobs in the past 4-6 years. She praised their conscientious attention to the budget.
2. MS Tamara Bryant, 713 W. Main Street: Introduced herself as a new business in Ovilla that offered branding, embroidery work and screen-printing.

## **CONSENT AGENDA**

- C1. Water Service Disconnection Agreement between the City of Ovilla and Sardis Lone Elm Water Supply.
- C2. Minutes of the March 25, 2019 Special Council Meeting
- C3. Minutes of the March 11, 2019 Briefing Session and Regular Meeting.

PL5 Myers moved to approve the consent items as presented, seconded by PL2 Oberg.  
 No oppositions, no abstentions.

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

**REGULAR AGENDA**

**ITEM 1. DISCUSSION/ACTION** – Receive recommendation from the Planning and Zoning Commission to consider and act on Case PZ19-02, a Final Plat application filed by owner, Pamilee Koval located at 121 Water Street, Ovilla, Texas 75154.

A final plat request was submitted by owner MS Pamilee Koval. Staff presented pertinent information. The property has not been platted and owner desired for two separate lots for a possible future addition of another residence, which is permissible under RC zoning. This property is located in the Core Historic District. The Planning and Zoning approved the plat application during their regular meeting on April 01, 2019 and forwarded their recommendation. P&Z Chair Carol Lynch was available for Council inquiries as was the owner, MS Koval.

OWNER NAME:	PAMILEE KOVAL
APPLICATION DATE:	03/22/2019
LOCATION:	121 Water Street
UTILITIES:	Ovilla water/Septic System
CURRENT ZONING:	CR Restricted Commercial
MAJOR THOROUGHFARE:	Cockrell Hill Road

PL2 Oberg moved move to approve Case PZ19-02, a Final Plat application filed by owner, Pamilee Koval located at 121 Water Street, Ovilla, Texas 75154,seconded by PL4 Hunt.

No oppositions, no abstentions.

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

**ITEM 2. DISCUSSION/ACTION** – Consideration of and action to authorize the City Manager to advertise for Request for Qualifications for Professional Auditing Services.

The City's current Agreement with Yeldell, Wilson & Co., P.C. is entering the final year of a five-year term that began in 2015. Meaning there is one-year left (2020) as an optional extension. The Government Finance Officers Association (GFOA) recommends the best practice of a five-year contract with the fourth and fifth year as optional one-year extensions. Ovilla has used the current firm for more than a decade. City Manager John Dean, Jr. recommended that the City not stay with one firm for more than five consecutive years. Local government statutes do not require the City to rotate auditors but does require the selection of a Professional Auditor be made through the process of Request for Qualifications (RFQ) when so desired. City Manager John Dean, Jr. recommended that the City advertise for RFQ for auditing services.

PL4 Hunt moved to approve authorizing the City Manager to move forward with the process to advertise for Request for Qualifications for Professional Auditing Services, seconded by PL1 Huber.

No oppositions, no abstentions.

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

**ITEM 3. DISCUSSION/ACTION** – Consideration of and action on volunteer board appointment(s) to serve a term on the Planning and Zoning Commission and/or direct staff to continue solicitation for new applicants.

Place 5 position of the Planning and Zoning Commission has been vacant for months. Place 2 on the P&Z has been recently vacated with the resignation of Michael Yordy. Place 2 expires in 2020 and Place 5 expires in 2019.

EDC Director Ron Sims requested to move to serve on the P&Z Commission which would fill one vacancy. New applicant, Joseph Alexander, Jr. ,submitted his application to serve a term, with his first preference being on the Planning and Zoning Commission.

PL4 Hunt moved to approve the appointment of Ron Sims to serve the term of Place 2 on the Planning and Zoning Commission, and the appointment of Joseph Alexander, Jr. to serve the term of Place 5 on the Planning and Zoning Commission, seconded by Mayor Pro Tem Griffin.

*No oppositions, no abstentions.*

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

**ITEM 4. DISCUSSION/ACTION** – Consideration of and action on a volunteer board appointment to serve a term on the Park Board Advisory Committee and/or direct staff to continue solicitation for new applicants.

Place 2 Monna Yordy resigned last month, leaving her term (exp 2020) vacant. Mr. Lewis submitted an application in February. Council put his appointment on hold, pending this expected vacancy.

PL1 Huber moved approve the appointment of Josh Lewis to serve the term of Place 2 on the Park Board Advisory Committee, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

**ITEM 5. DISCUSSION/ACTION** – Consideration of and action on volunteer board appointment(s) to serve on the temporary board, Municipal Facilities Improvement Committee, and/or direct staff to continue solicitation for new applicants.

Following the Special Meeting of March 25 and Council's approval and direction to create a Committee to review the facility needs of Ovilla, staff created and mailed a postcard asking for volunteers. Staff received verbal desires from residents to serve and is now accepting applications. Staff will return in May, hopefully with new applications for appointments.

*No Action.*

**ITEM 6. DISCUSSION/ACTION** – Consideration of and action on Briefing Sessions.

Mayor Dormier asked to place this on the agenda to determine the necessity of the Briefing Session. The consensus of the Council was to discontinue the Briefing Session and see how it goes.

Mayor Pro Tem Griffin moved to discontinue the Briefing Session, seconded by PL2 Oberg.

*No oppositions, no abstentions.*

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

Mayor Dormier moved the order of the agenda to address Item 8.

**ITEM 8. DISCUSSION** – Discuss concerns of Council Member Hunt regarding Ovilla Auto.

PL4 Hunt lead the discussion, voicing his concerns that the Ovilla Auto's outside appearance needed to be cleaned up. According to Code Enforcement Officer Mike Dooly, the Auto shop was compliant with Codes advising that there were just a lot of cars parked there in need of repair. Council questioned whether or not a "work order" section was missing from the Ovilla Code, which would allow the City to make 90-day inspections to the outside appearance. Council believed this "work-order" section of the Code was established in 2015. Staff was directed to research and present the Ordinance approved from that time in 2015.

***Discussion Only. No Action.***

Mayor Dormier called for a short recess at 8:25 pm.

Mayor Dormier and Council resumed the Council meeting at 8:33 pm.

Mayor Dormier returned to the regular order of the Agenda.

**ITEM 7. DISCUSSION/ACTION** – Consideration of and action to amend certain sections of Chapter 3.05 Fences, and 35.3 Fences in Residential Districts, directing staff as necessary.

Staff and Council reviewed this item during the March Council meeting and directed staff to return for more discussion and consideration for changes to the section of the Code regarding fences. This section of the Code was discussed, and the consensus was to add the proposed definition of adjacent but not prepare an Ordinance until there had been further discussion. PL2 Oberg's stance was that the City Manager should not have authority to intercede or circumvent any procedures with regard to fences and to make sure the sections of the Code refer an applicant directly to the Board of Adjustment. PL4 Hunt wanted to assure that the "smooth side out" remained on the fence regulation.

PL2 Oberg moved to direct staff to return with an Ordinance to amend Section 3.05.012 removing appeals going to Council as it was currently worded and sending appeals to the Board of Adjustment, seconded by PL4 Hunt.

Following the motion, there was further discussion and the key word "adjacent" previously discussed in the March meeting was not included in the motion or addressed. Additionally, the current motion as stated would remove any authority the City Manager would have on the case files for fences prior to going to the Board of Adjustment. Council shared mixed opinions. PL4 Hunt disagreed.

*PL4 Hunt voted in opposition. No abstentions.*

***VOTE: The motion to move forward with amending Section 3.05.012 (removing appeals going to Council as it was currently worded and sending appeals to the Board of Adjustment) passed 4-1.***

**ITEM 9. DISCUSSION** – Discuss water variance report and customer notification process.

Staff brought this item back from the March Council meeting to share with Mayor Pro Tem Griffin who was absent at the March Council meeting. Staff again shared a document that was currently used as a water variance report and advised that it was used to check for abnormalities on water accounts. However, notification to the customer if any were found on the customer's account, was already "after the fact," therefore delayed. The new system will assist in catching customer account issues earlier.

***Discussion Only. No Action.***

**ITEM 10. DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

N/A

**DEPARTMENT REPORTS**

- Department Activity Reports / Discussion
  - Police Department

Chief B. Windham

*Richard Dormier, Mayor  
Rachel Huber, Place One  
Dean Oberg, Place Two*

*Doug Hunt, Place Four  
David Griffin, Place Three  
Michael Myers, Place Five*

- Monthly Report reviewed.
  - 1. Reviewed house-check procedures.
  - 2. HB 78 Legislature limits use of neighborhood cameras.
- Fire Department Chief B. Kennedy
- Monthly Report reviewed.
- Public Works Director B. Piland
- Monthly Report
  - 1. Monthly Park Maintenance Reports reviewed.
  - 2. Tracking water usage better by synchronizing billing cycles with DWU.
  - 3. Remove swings from Cindy Jones Park
- Finance Department Accountant L. Harding
  - February 2019 Financials and transactions reviewed.
  - Bank Balances through April 04, 2019 reviewed.
  - Auditors are finished in-house.
- Administration
  - Monthly Code/Animal Control Reports Code/AC Officer M. Dooly
  - Monthly Municipal Court Report City Secretary P. Woodall
  - City Manager Report City Manager John R. Dean, Jr.
    - 1. Mayor Pro Tem asked to check the cleaning of culverts.

#### **EXECUTIVE SESSION**

Mayor Dormier announced that Council would meet in closed session at 9:08 pm, pursuant to authorization by the TX Government Code:

**ITEM 11.** ***DISCUSSION/ACTION*** – Closed session called pursuant to Section §551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property.

Mayor Dormier and Council resumed into Regular Session at 9:16 pm. Mayor Dormier advised that no action was taken in Executive Session. There was no action or discussion in Regular Session. **No Action.**

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

There was none.

#### **ADJOURNMENT**

PL2 Oberg moved to adjourn the meeting of April 08, 2019, seconded by PL4 Hunt. There being no further business, Mayor Dormier adjourned the meeting at 9:18 p.m.

---

Richard Dormier, Mayor

ATTEST:

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Pamela Woodall, City Secretary

*Approved May 13, 2019*

Attachment: Citizens Forum sheets

To <b>Honorable Mayor and Council</b>	<b>Comments:</b>
From <b>John R. Dean, CM</b>	<b>BACKGROUND AND JUSTIFICATION:</b>  <b>Background/History:</b> The Mayor has recommended that Section 10.02.125 "Construction and street and driveway standards" of the Code of Ordinances be modified to only include the use of reinforced concrete pipe:
CC <b>Brad Piland, PW Director</b>	<b>Findings/Current Activity:</b> Our standards currently either reinforced concrete pipe or hot dipped galvanized corrugated steel pipe.
Re <b>Ordinance to Modify Sanitary Sewer System Engineering Design Standard Details and Notes</b>	<b>Financial Impact:</b> N/A  <b>STAFF RECOMMENDATION:</b>  <b>Options/Recommendation:</b> Staff recommends adopting these design standards by Ordinance.
	<b>Sec. 10.02.125 Construction and street and driveway standards</b>  (c) All residential drive approaches that connect the public street to the driveways shall be constructed of concrete, and meet the following requirements:  (1) Minimum eighteen-inch (18") diameter reinforced concrete pipe <del>or hot dipped galvanized corrugated steel pipe</del> installed in drainage easement. Culverts shall extend a minimum of five (5) feet beyond edge of driveway. All culverts shall include a Texas Department of Transportation type CH-11-B headwall on each end. Headwalls shall be constructed with NCTCOG class F concrete. A larger diameter culvert may be required in areas of increased drainage. Driveways that contain, abut, or cross drainage ditches or creeks may require additional evaluation to determine the need for added culverts, bridges, or other drainage mechanisms as determined by the public works director.

ORDINANCE NO. 2019-09

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING Section 10.02.125(c)(1) OF THE OVILLA CODE OF ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR IMMEDIATE EFFECT; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City Council of the City of Ovilla, Texas, adopted culverts suitable for use for streets and driveways within the City of Ovilla; and

WHEREAS, the City Council finds and determines that it is in the best interest of the health, safety and welfare of the citizens of the City of Ovilla to amend the culverts suitable for use for streets and driveways in the City of Ovilla, Texas.

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

**SECTION 1. ADOPTION OF STANDARD CONSTRUCTION DETAILS**

The City Council of the City of Ovilla hereby amends the *City of Ovilla, Texas Code of Ordinances* Section 10.02.125(c)(1) to the following:

(1) Minimum eighteen-inch (18") diameter reinforced concrete pipe installed in drainage easement. Culverts shall extend a minimum of five (5) feet beyond edge of driveway. All culverts shall include a Texas Department of Transportation type CH-11-B headwall on each end. Headwalls shall be constructed with NCTCOG class F concrete. A larger diameter culvert may be required in areas of increased drainage. Driveways that contain, abut, or cross drainage ditches or creeks may require additional evaluation to determine the need for added culverts, bridges, or other drainage mechanisms as determined by the public works director.

**SECTION 2. SAVINGS CLAUSE**

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

**SECTION 3. SEVERANCE CLAUSE**

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

**SECTION 4. EFFECTIVE DATE**

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

**ORDINANCE NO. 2019-09**

**SECTION 5. PUBLICATION**

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

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

13 day of May 2019.

---

Richard Dormier, Mayor

**ATTEST:**

---

Pamela Woodall, City Secretary

To  
Honorable Mayor  
and Council

From  
John R. Dean, CM

CC  
Staff

Re  
Resolution R2019-07,  
Judge Appointment

**Comments:** Consider and act on Resolution R2019-07 authorizing and approving the appointment of a Municipal Court Judge for a two-year term effective immediately.

### BACKGROUND AND JUSTIFICATION:

**Background/History:** In accordance to Chapter 7 of the Ovilla Code of Ordinances:

#### Sec. 7.01.004 Judge

(a) The municipal court of record shall be presided over by a municipal judge who shall be appointed by the city council for a term of two (2) years, which term shall be coextensive with the term of the mayor of the city. The municipal judge must be a licensed attorney in good standing in the state and must have two or more years of experience in the practice of law in the state. The judge must be a citizen of the United States and of the state. (Ordinance 07-010, sec. 4, adopted 5/15/07)

**Findings/Current Activity:** Ovilla is a court of record and Mr. Scott Kurth, a licensed attorney, has served as Ovilla Municipal Court Judge since May 2007.

**Financial Impact:** N/A

### STAFF RECOMMENDATION:

**Options/Recommendation:** Staff recommends the appointment of Judge Kurth with the approval of Resolution R2019-07.

## City of Ovilla

Tel 972-617-7262

105 S. Cockrell Hill Road  
Ovilla, Texas 75154

[www.cityofovilla.org](http://www.cityofovilla.org)  
jdean@cityofovilla.org



**RESOLUTION NO. R2019-07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS AUTHORIZING AND APPROVING THE APPOINTMENT OF SCOTT KURTH AS THE OVILLA MUNICIPAL JUDGE FOR A TWO-YEAR TERM, EFFECTIVE May 13, 2019.**

\*\*\*\*\*

**Whereas**, pursuant to Chapter 7, Section 7.01.004 of the Ovilla Code of Ordinances the municipal court of record shall be presided over by a municipal judge who shall be appointed by the city council for a term of two (2) years, which term shall be coextensive with the term of the mayor of the city.

**Whereas**, the municipal judge must be a licensed attorney in good standing in the state, and must have two or more years of experience in the practice of law in the state. The judge must be a citizen of the United States and of the state.

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

Section 1.

The City Council of the City of Ovilla hereby appoints Scott Kurth as the Ovilla Municipal Court Judge for a term of (2) years, to commence on May 13, 2019.

PASSED, APPROVED, AND RESOLVED this 13<sup>th</sup> day of May 2019.

**ATTEST:** \_\_\_\_\_

Pamela Woodall, CITY SECRETARY

**APPROVED:** \_\_\_\_\_

Richard Dormier, MAYOR

## **Pam Woodall**

---

**From:** Scott Kurth  
**Sent:** Monday, April 22, 2019 6:06 PM  
**To:** Pam Woodall  
**Cc:** Jessica Foresman  
**Subject:** Reappointment as Presiding Judge

Ms. Woodall: I respectfully request that I be reappointed by the City Council for an additional two (2) year term as the Presiding Judge of the Ovilla Municipal Court.

Respectfully,

Judge Scott Kurth

To  
**Honorable Mayor  
and Council**

Comments:

From  
**Brian Windham,  
Police Chief**  
CC  
**John Dean Jr. , City  
Manager &  
Municipal Court**

Re: **Ticket Writers**

**BACKGROUND AND JUSTIFICATION:**

**Background/History:** During the 2018-2019 budget, Council authorized the purchase of electronic ticket writers for issuing citations. During the following months, the chosen vendor failed to deliver the technology. It has been uncovered that the vendor provided an inaccurate quote. The difference in the previous quote and the current quote one-time fee is \$9910. The difference in the recurring fees is \$10,186 a year. New quotes have been received and are attached. For price and customer service, the preferred vendor is digiTICKET.

**Findings/Current Activity:** Citations are currently hand-written.

**Financial Impact:**

The preferred source, digiTICKET, has two options:

1. Total purchase of 4 units at a 5-year cost of \$50,104
  - A. \$37,304 one-time fee
  - B. Recurring yearly fee, \$2,560 x 5=\$12,800
  - C. Fees for paper. Hardware and costs belong to city.
  
2. Total rental of 4 units at a five-year total cost \$73,200
  - A. Monthly fee per unit \$305.
  - B. 4 units at \$1,220 a month, per year \$14,640
  - C. No charge for paper. Hardware belongs to vendor.

**STAFF RECOMMENDATION:** digiTicket technology

**City of Ovilla**

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jdean@cityofovilla.org

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4 Unit Panasonic FZM1 Tablet Price Quote for the:

## City of Ovilla Police Department

Chief Brian Windham



May 1, 2019

**SALTUS**  
TECHNOLOGIES

Proposal Prepared by:  
Shawn Sicking  
[shawn.sicking@saltustechnologies.com](mailto:shawn.sicking@saltustechnologies.com)  
918.392.3904 office  
918.691.8066 mobile

Saltus Technologies  
907 South Detroit, Suite 820



May 1, 2019

Chief Brian Windham  
Ovilla Police Department

**RE: digiTICKET® 4 Unit Price Quote**

Dear Chief Windham,

Thank you for your interest in digiTICKET. I appreciate your time yesterday during our discussion about the Ovilla PD and eCiations. I have included the pricing that you requested for 4 digiTICKET tablet units.

- This pricing includes configuration, hardware, software, training, deployment, and ongoing support.
- Tablets included in this quote are the Panasonic FZM1 (Windows 10 Tablet). This is a rugged tablet with increased memory, processor speed, and a larger user interface.
- The solution includes:
  - The recently upgraded 4" RJ4230 Brother thermal printers with LED operation.
  - Exports to your Crimes and FAST software applications. I mistakenly left out the FAST export in the purchase option. I have added the \$2,000 fee for a second export in the purchase option of this version (see the pricing table). The second export was correctly included in the SaaS option. Please confirm availability of data import and related fees with other third-party vendors.
  - Scofflaw/repeat offender alerts and night mode capability (tablet only).

Saltus has one of the best reputations in the industry when it comes to customer service and we are proud to claim **EVERY** customer as a reference.

I'm pleased to provide you with the attached quote for our digiTICKET electronic ticketing solution. Saltus offers digiTICKET as a customized, turnkey solution and is the only eCitation vendor to offer their solution as a "Service". This quote provides two pricing options:

1. **digiTICKET Solution as a Service (dSaaS)** – with this option, there is zero up front cost and the agency simply pays a monthly usage fee. All digiTICKET costs are included in the monthly fee – hardware, software, implementation services, maintenance and support, paper, hosting, even new hardware. If additional units are needed over time the monthly fee can simply be adjusted as necessary based on quantity (tiered pricing applies). With this option, Saltus owns the hardware and is responsible for managing warranties, etc. *The dSaaS option has no contract term. There are no limits to the number of users or tickets written. The entire solution can be returned to Saltus without penalty with a 60-day written notice.*
2. **Standard Purchase** – the agency can purchase the hardware and implementation services and license the digiTICKET software from Saltus. This option requires ongoing costs associated with software maintenance and support, new hardware when needed, hosting and paper costs. Saltus provides a money back guarantee on purchases. If within the first 12 months, the agency is not satisfied, all digiTICKET hardware can be returned for a full refund.

The following document provides a price quote for a 4 unit tablet solution and expires 60 days from the date above. I appreciate your interest in digiTICKET and look forward to working with you to assist in your decision process. If you have any questions or need any additional information, please don't hesitate to contact me directly.

Sincerely,

Shawn Sicking | Saltus Technologies | Mobile:918-691-8066 | [shawns@saltustech.com](mailto:shawns@saltustech.com)



## About Saltus Technologies, LLC

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Saltus Technologies, LLC (Saltus) is solely focused on developing and marketing our electronic ticketing solution digiTICKET®. Saltus' mission is to help our customers increase productivity and gain efficiencies through the use of digiTICKET. 'Saltus' is Latin, for "to jump forward". Our customers, through the implementation of digiTICKET, can expect to take a big leap forward in productivity and cost reductions.

After spinning off from another mobile software development company in early 2010, Saltus has grown its customer base to over 200 agencies in 17 states. Customers range from the 500 Kansas Highway Patrol Troopers using digiTICKET on laptop computers to small Police Departments sharing 2 handheld units. Overall, Saltus customers issue over 80,000 citations per month combined.

Saltus is the only eCitation company to offer their solution as a service. Initially launched as a procurement option in early 2011, the "digiTICKET as a Service" procurement option has been successful with both large and small agencies. Through this model, agencies can typically use expense budgets instead of going through the lengthy capital budget approval process.

### **Why digiTICKET, Why Saltus?**

We believe digiTICKET provides distinct advantages to our customers:

**Efficiency** – digiTICKET eliminates handwriting errors and reduces the amount of time required to process tickets by utilizing barcode scanners and data exports to RMS and Court systems.

**Ease of use** – digiTICKET was designed with the assistance of law enforcement personnel. Saltus' philosophy is to include end users in the software design process, to focus on their needs and create buy-in from those individuals. Couple this philosophy with the latest technologies available and you end up with a solution that ***we believe to be the most user-friendly on the market today.*** Additionally, digiTICKET has been developed using "best of breed" technologies that are easy to maintain and provide a much more satisfactory user experience than other solutions.

**Highly Configurable** – digiTICKET is built on the latest Microsoft .NET technologies to be as flexible and configurable as possible. This means ***digiTICKET can be configured to exactly match your agency's current processes*** and tickets can be designed to match your agency's requirements. Interfaces can be built to the specifications of your RMS or Court system. To date, Saltus has deployed interfaces to over 30 different systems.

**Customer Service** – Saltus has earned the best customer service reputation in the eCitation market. We encourage you to contact ANY Saltus customer to discuss our responsiveness and customer service capabilities. We stand behind our product and services so strongly that we guarantee your satisfaction. If for any reason your agency is not satisfied with digiTICKET or our level of service we will fully refund all digiTICKET costs – including software, hardware and services within the first 12 months of deployment.

**Focus** - The last, but possibly one of the most important reasons why digiTICKET makes the most sense for your agency is because ***Saltus is focused solely on electronic ticketing.*** As a result, we are not distracted by developing and marketing other products to other industries.

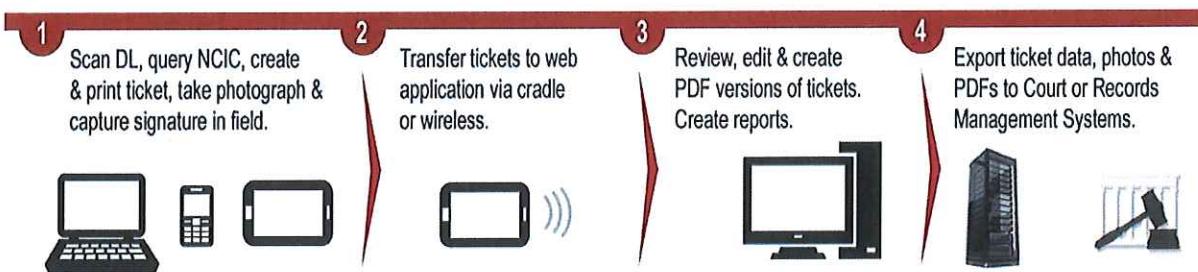
**Experience** – Saltus has developed strong relationships with hardware manufacturers, records management and court system vendors and has an excellent track record with a diverse, growing customer base across the United States.

## digiTICKET Solution Overview

digiTICKET is a mobile software application that automates the process of writing and processing citations for law enforcement agencies. digiTICKET mobile software can run on laptops or tablets. The hand-held ticket writers are rugged computers that can be shared among officers. digiTICKET is built on "best of breed" technologies that have been proven in the field for many years.

### *How digiTICKET Works*

The digiTICKET solution utilizes a barcode scanner to scan violator driver licenses, capture vehicle information and assign violations to the violator. Saltus also offers the option of interfacing to various RMS mobile applications to access NCIC/NLETS queries, or the ability to perform queries directly from digiTICKET software running on a laptop. Once tickets have been completed they are printed on a mobile thermal printer and given to the violator. Handhelds and tablets offer the ability to capture an electronic signature, photograph, GPS coordinates and voice notes. Tickets are then synchronized to the digiTICKET server via a network connection. Once on the digiTICKET server, tickets can be managed and reproduced in PDF format, reports can be generated and ticket data can be electronically moved to Court and Records Management System(s) eliminating manual, redundant data entry. The server application is web based and can be accessed from any PC with an internet/network connection.



### *Benefits of digiTICKET*

**Improved Officer Safety** - More law enforcement officers die in traffic-related incidents than from any other single cause of death. digiTICKET can reduce the amount of time required to issue tickets by more than 50% reducing officer exposure to roadside hazards.

**Higher Productivity** - Officers who utilize electronic ticketing can "free up" more than 50% of their time. This means more patrol time and improved public safety.

**Increased Revenue by Reducing Ticket Errors** - An estimated 5-10% of all tickets are dismissed due to errors in the ticket writing process. digiTICKET can reduce or eliminate illegible and uncollectable citations.

**Automate the Ticketing Processes** - Agency and court ticket processes rely on officers submitting fully completed tickets within required time frames. digiTICKET helps agencies automate problem areas.



## **digiTICKET Price Quotes**

*Please refer to Appendix A: digiTICKET Solution Scope for a detailed description of the proposed solution.*

### **Option 1: Standard Purchase**

The purchase price for the digiTICKET solution includes digiTICKET software licenses, implementation and training services, custom configuration services (if applicable), required hardware, paper and hosting fees (if applicable). This option requires ongoing costs associated with maintenance and support, new hardware when needed, hosting and paper.

<b>digiTICKET Purchase Price Quote</b>				
	<b>Software License Fees</b>	<b>Units</b>	<b>Fee</b>	<b>Total</b>
digiTICKET Server License - includes 1 RMS/Court Export	1	\$ 5,000	\$	5,000
digiTICKET Mobile Client Licenses	4	\$ 700	\$	2,800
Additional RMS / Court Export License	1	\$ 2,000	\$	2,000
Software License Fees		see above	\$	9,800
<b>Total Software License Fees</b>			\$	<b>9,800</b>
Standard Implementation and Training Services *	1	\$ 8,500	\$	8,500
Hardware (handhelds, printers, warranties, etc) **	4	\$ 4,451	\$	17,804
Thermal Paper Cost (50 roll minimum w/ pre-printed back)	50	\$ 12	\$	600
Hosting Services (annual fee)	12	\$ 50	\$	600
<b>Total Purchase Price (Year 1):</b>			\$	<b>37,304</b>
* Includes travel and living expenses for two onsite trainers.				
** See detailed hardware quote with line item descriptions on following pages.				
<b>Recurring Annual Fees</b>				
	<b>Component</b>	<b>Units</b>	<b>Fee</b>	<b>Totals</b>
Annual Maintenance and Support Fee (fees begin in year 2)		20%	\$	1,960
Hosting Services (annual fee)	1	\$ 600	\$	600
<b>Total Annual Recurring Fees (beginning year 2):</b>			\$	<b>2,560</b>
<b>Optional Capabilities</b>				
	<b>Component</b>	<b>Units</b>	<b>Fee</b>	<b>Totals</b>
Custom Report(s) - 1st report is free	0	\$ 500	\$	-
Setup of multiple printed ticket formats (per additional format)	0	\$ 1,500	\$	-
Setup of multiple mobile environments (laptop & handheld)	0	\$ 2,000	\$	-
Onsite Server Installation	0	\$ 2,500	\$	-
Custom Ticket Back Setup Fee	1	\$ 500	Included	
Mobile to Mobile Client License Fee (per client)	0	\$ 150	\$	-
Mobile to Mobile Interface Configuration Fee	0	\$ 7,500	\$	-
Custom Development Services (per hour)	0	\$ 125	\$	-



### **Explanation of Purchase Fees:**

The following components make up the pricing provided above.

#### **Software Licenses Fees:**

- digiTICKET Server Software – 1 license is required regardless of the number of client licenses
  - Includes one RMS or Court System Export license
- digiTICKET Mobile Client Software – 1 license is required for each device running digiTICKET
- digiTICKET Mobile to RMS Mobile Interface – 1 license is required for each device using the interface

**NOTE:** This interface enables digiTICKET to pull person and vehicle queries from RMS mobile query software applications. This interface requires that the agency provide multiple sample person and vehicle returns from the RMS software. Saltus developers utilize these sample returns to parse the returns and pull individual data elements to be used in the digiTICKET forms. The standard interface includes in-state returns and 2 additional states to be determined by the agency. Additional states can be added for an additional fee.

- Additional Exports – 1 license is required for each additional data export (per instance of the 3<sup>rd</sup> party software)

**NOTE:** Fees charged by RMS or Court system vendors are not included as part of this proposal and will need to be negotiated separately between the agency and each respective vendor.

#### **Professional Services:**

- Standard Implementation and Training Services include project management, requirements gathering, basic system configuration, quality assurance testing, user acceptance software testing, end user training and the deployment of digiTICKET. Travel and living expenses associated with onsite training for two trainers are included in this fee.
- Other services related to non-standard configuration tasks, are included based on our knowledge of your requirements. They include:
  - None noted

#### **Hardware:**

- Hardware items such as rugged tablet computers, USB barcode scanners, thermal printers and associated warranties, cables, etc.
  - See line item hardware quote on following page for specifics related to quote above.

**NOTE:** The use of existing tablet computers, barcode scanners and/or printers must be approved by Saltus. If approved, customer must provide a minimum of two of each existing device types for system configuration and testing purposes.

**NOTE:** Saltus does NOT provide hardware installation services. The Customer is responsible for installing all hardware.

#### **Paper:**

- digiTICKET prints to thermal printers. Saltus provides premium thermal paper with high temperature ratings and extended archive-ability (typically 10 to 20 years).
- 4" wide paper is sold by the roll. Each roll contains 60 to 75 pages per roll (depending on the length of the ticket)
  - Standard deployments include pre-printing the back of the ticket with violator instructions. This is an optional capability requiring a one-time setup fee.
  - Pre-printed ticket paper has a 50 roll minimum order quantity.



**Hosting:**

- The server application is web based. Saltus utilizes Rackspace to provide hosting services. See additional information on following pages. Hosting fees are paid annually and are considered part of ongoing maintenance and support fees.
  - Hosting can be performed by the customer but requires an onsite server and additional implementation services fees. No hosting fees would apply.

**Recurring Annual Fees:**

- Annual Maintenance and Support fees are paid annually beginning in year 2 and are a percentage of the total software license fees.
  - The percentage is greater if the customer hosts the server application on site.



**Hardware Included in Quote:**

<b>DETAILED HARDWARE QUOTE</b>				
Item Name	Qty	Unit Price	Total	
<b>Rugged Mobile Computers</b>				
<b>Panasonic FZ-M1 7" Tablet</b>				
PANASONIC,TOUGH PAD,Win10 Pro, Intel Core m5-6Y57 1.10GHz, vPro, 7.0" WXGA 10-pt Gloved Multi Touch, 8GB, 256GB SSD, Intel WiFi a/b/g/n/ac, TPM, Bluetooth, 4G LTE Multi Carrier (EM7355), Webcam, 8MP Cam, Bridge Battery., 2D Bar Laser (EA30), ANSI Haz Loc, Toughbook Preferred, FZ-SVCTPNF3YR - Protection Plus Warranty - Tablet PC (Years 1, 2 & 3), CF-SVCPDEP3Y - INCLUDES AC ADAPTER AND 3 YEAR PROTECTION PLUS	4	\$ 3,377.62	\$ 13,510.48	
PANASONIC US, ACCESSORY, AC ADAPTOR FOR CF-S9, CF-H1, CF-H2 MK1, MK2, CF-19 MK4, FZ-E1/X1 UNIT & SINGLE-BAY CHARGER, FZ-M1 MK1 (unit comes with AC charger)	0	\$ 43.64	\$ -	
PANASONIC US, ACCESSORY, LIND 120 WATT 12-32 VOLT INPUT CAR CHARGER, CF-30/31, CF-53/54/, FZ-G1, FZ-M1	4	\$ 122.69	\$ 490.76	
Rotating Hand-Strap	4	\$ 60.47	\$ 241.88	
Additional Warranty to enhance the 3 year warranty that comes with the unit	4	Included	Included	
<b>Thermal Ticket Printers</b>				
<b>Brother RuggedJet 4230 Bluetooth Thermal Printer</b>				
RuggedJet 4230BL Kit: 4" DT Printer w/USB, Serial & Bluetooth MiFi - Includes Printer, Li-ion battery, 2 Year Premier Warranty, belt clip & CPCL	4	\$ 667.06	\$ 2,668.24	
RuggedJet 4 - 3 year warranty; 1-Year Premium Service (initial service plus 1 additional year)	4	\$ 47.01	\$ 188.04	
RuggedJet 4 - 4 year warranty; 2-Year Premium Service (initial service plus 2 additional year)	0	\$ 95.29	\$ -	
RuggedJet 4 - 5 year warranty; 3-Year Premium Service (initial service plus 3 additional year)	0	\$ 142.31	\$ -	
Vehicle Power Adapter (cigarette lighter)	4	\$ 17.79	\$ 71.16	
<b>Carrying Case</b>				
Taylor Made work board carrying cases for FZM1/RJ4230	4	\$ 147.06	\$ 588.24	
SUB TOTAL: \$ 17,758.80				
SHIPPING/HANDLING: \$ 45.00				
TOTAL: \$ 17,803.80				
PRICE PER UNIT: \$4,451.0				



### ***Option 2: digiTICKET Solution as a Service (dSaaS)***

The digiTICKET system requires software, hardware and implementation and training services.

The following quote includes the same scope and discounts (if applicable) as described above in the purchase option.

<b>"digiTICKET Solution as a Service" Price Quote</b>					
		<b>Item Description</b>	<b>Units</b>	<b>Per Unit</b>	<b>Total Per Month</b>
	Tablet Units		4	\$ 305	\$ 1,220
				Monthly Subtotal:	\$ 1,220
				Total Monthly Fee:	\$ 1,220
<hr/>					
Server and Client Software License Fees <b>Included</b>					
All Interface License Fees <b>Included</b>					
RMS and Court System Export Fees <b>Included</b>					
System Configuration and Implementation Fees <b>Included</b>					
All On-site Training and Travel and Living Fees <b>Included</b>					
All Additional Configuration Items (if applicable) <b>Included</b>					
All Required Hardware (devices, cables, docks, mounts, etc.) <b>Included</b>					
All Ticket Paper and other Consumables <b>Included</b>					
Web Application Hosting Fee <b>Included</b>					
Annual Software Maintenance and 24/7 Support Fee <b>Included</b>					

#### ***Explanation of the digiTICKET Solution as a Service Procurement Option:***

The dSaaS option is not a lease, but a "pay for use" model. It offers the following benefits:

- **Zero up-front cost** for hardware, software and implementation and training services – after training and deployment Saltus will invoice after deployment
  - Custom interfaces, reports and other functionality can also be rolled into the monthly service pricing
- The law enforcement agency pays a per-unit, per-month fee – annual or semi-annual pre-payment discounts are available. If the agreement is canceled before the end of the pre-payment period, Saltus will refund the appropriate amount based on the cancelation date.

**NOTE:** Saltus offers a 2% discount for 6-month pre-payments and a 4% discount on annual pre-payments.
- Saltus owns the hardware – the law enforcement agency does not have to manage devices, warranties or ongoing variable costs.
  - Saltus will replace defective equipment at no additional cost.
  - Saltus will refresh old equipment as its useful life ends – as jointly agreed upon by Saltus and the customer.
  - The customer is responsible for lost, damaged or stolen equipment. In the event of a loss, Saltus will provide the customer with new equipment and invoice the customer for the depreciated value of the hardware based on an estimated useful life of 48 months.



**NOTE:** The use of existing tablet computers, barcode scanners and/or printers must be approved by Saltus. If approved, customer must provide a minimum of two of each existing device types for system configuration and testing purposes.

**NOTE:** Saltus does NOT provide hardware installation services. The Customer is responsible for installing all hardware.

- **No contract term obligation** – if the customer is dissatisfied at any point with Saltus or digiTICKET you can provide a 60-day written notice and return all hardware with no penalty.
- **Additional units can be added or subtracted at any time with a simple adjustment to the monthly invoice.**
- If the customer chooses to implement under the dSaaS option now, and then purchase the system at a later date, a portion of dSaaS payments received will be applied to the purchase price – percentages vary depending on number of Service payments made. 25% of total payments will be applied after 6 months. 50% of payments will be applied after 12 months.
- Saltus agrees to abide by the basic terms of this services agreement for a term of five (5) years from the date of execution.

## Software Overview:

### Mobile Client Software

- Configured to match the agency's requirements/process.
- Extremely easy to use, runs on laptops or tablets
- Tickets can be issued in a disconnected state – no data connection is required
- Capable of writing ticket using multiple ticket formats – traffic, parking, code enforcement, city or state tickets
- All officer, court and violation information automatically updated upon secure login by officer, allowing for the sharing of devices between officers
- Includes an electronic book of tickets that have been issued to the officer from the digiTICKET server web application
- Includes an up-to-date electronic list of municipal ordinances and state offenses – including a “favorites” list for fast data entry
- “Lookup” tool for violations not included in favorites list
- Can issue as many as 8 violations on one screen – configurable to meet the agency's guidelines
- Ticket numbering can be handled multiple ways to meet the agency's guidelines
- Designate individual violations as warnings or flag as other types of violations such as “Grant” tickets
- Database of street addresses to ensure uniform locations on tickets
- Easy to use step by step procedure to create tickets
- Drop down menus ensure accurate data entry
- Scans barcodes or magnetic strips on driver licenses and military IDs from across the United States, Mexico and Canada
- Captures photo and electronic signature of violator
- Save in process tickets and finish later
- Copy information from a previous ticket to start another
- Automatic notification of repeat offenders (scofflaw)
- Captures GPS coordinates of each stop
- Provides officers with ability to make notes after a traffic stop – available to, or hidden from, court personnel
- Ticket information can be customized to meet each agency's needs and processes
- Printed ticket is easily customized to exactly match agency's requirements
- Includes software for remote diagnostics and updates
- Training typically takes less than 2 hours for novice computer users
- Optional capabilities include NCIC/NLETS queries (real time data connectivity is required) and interfaces to RMS mobile software field reporting applications



Figure 1 - digiTICKET on a Panasonic FZ-M1 Tablet



Figure 2 - digiTICKET on a Panasonic CF31

## Server Software

- Web based software that can be accessed from any PC with Internet/network access
- Secure login and data transfer and multiple levels of user authorizations
- Dashboard reporting of ticketing activity
- Review, edit, approve, void or decline tickets
- Search for tickets or warnings by officer, shift, squad, violator, court date, ticket date and many more.
- Reproduce exact copies of tickets in PDF format with signatures, court disposition information, and photos
- Print PDFs on standard office printers or store and send electronically
- View a map of stop locations (captured using GPS capable devices)
- Edit, create or deactivate municipal ordinances and state statutes
- Issue tickets to officers or run audit reports of assigned ticket numbers
- View, print or export reports of specific ticket data (custom reports available)
- Export citation data to Records Management or Court systems through web-based utility – optionally include PDF copies of tickets, pictures, etc.
- Automatically export data and deliver to the RMS in a predefined location, or interface to 3<sup>rd</sup> party systems through web services – optional capability
- Manage court dates for multiple court types for up to a year in advance
- Set court date rules such as docket size or lead time – for all or individual court dates/types
- Create an unlimited number of user types with a very detailed user-based permissions system – based on user type (i.e. officer, supervisor, prosecutor, court clerk, etc.)
- Group users by troop, shift, squad, division, etc.



Figure 3 - digiTICKET Dashboard Management Tools

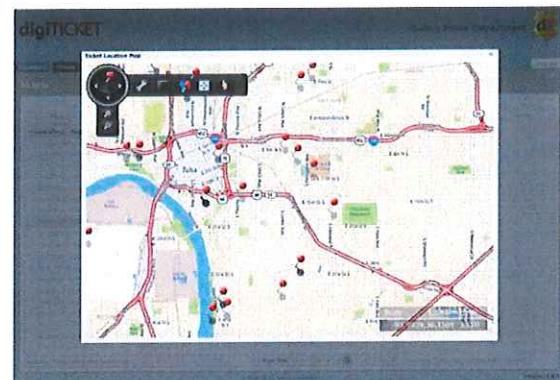


Figure 4 - digiTICKET Incident Mapping

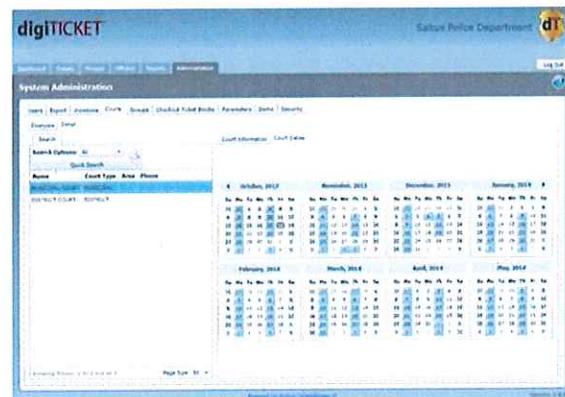


Figure 5 - digiTICKET Court Scheduling Tool

## Data Synchronization

- The digiTICKET solution requires an internet/network connection to synchronize tickets to the server. This is typically a full-time connection located where the units are maintained. The units do not require a connection when they are in use in the field.

### ***Recommended Hardware***

Saltus has designed digiTICKET to be “device agnostic” – meaning that we purchase “off the shelf” hardware and load the software on the devices. digiTICKET can be configured to utilize any number of computers and printers. Typically, digiTICKET is deployed on a Windows 7/10 laptop or tablet with the proper data capture capabilities (barcode/magnetic stripe scanner, Bluetooth communication, touchscreen, etc.). Tickets can be printed on any type of mobile printer – thermal or otherwise.

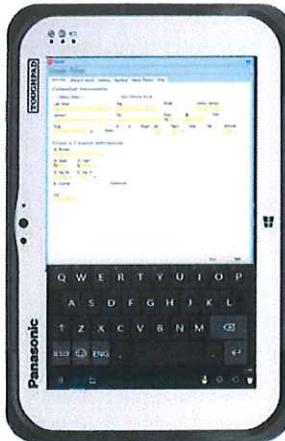
### ***Server Configuration***

The digiTICKET web application runs on a Microsoft Server with an SQL Server database. digiTICKET is typically hosted by Saltus (through a 3<sup>rd</sup> party hosting provider – more information found below) who provides maintenance, storage, backups and SQL licensing. However, it can also be hosted by the agency. Specific server and connectivity requirements can be supplied upon request.

The following hardware configuration is recommend based on Saltus’ current understanding of your agency’s needs:

#### ***Panasonic FZ-M1 7" Rugged Tablet Computer***

- Dedicated GPS, Wi-Fi, NFC, UHF RFID, Bluetooth® v4.0 and optional 4G LTE integrated mobile broadband (Multi-carrier)
- Intel Core Processor, Windows 7 or 10 OS
- Rugged computer designed for outdoor use and exposure to the elements
- MIL-STD-810G, 5-foot drop and all-weather IP65 dust and water-resistant design
- Barcode Scanner (1D/2D)
- 2MP Color Camera w/flash
- Wi-Fi, Bluetooth data communications
- 500 nit screens, and touch screen suitable for capturing signatures
- Stand-alone GPS functionality
- Indoor and vehicle charging with extended battery life (1-2 days when placed in standby mode)
- On-screen QWERTY keyboard
- FIPS and TAA Compliant



**Brother RuggedJet 4230**

- Fast print speed of up to 5 inches per second
- Tough Construction - IP54 certification and 6 ft. drop protection mean that water, dust, or drops won't affect the printer's operation under normal conditions
- Versatile Functionality - Prints on labels and receipts from 2 inches wide to 4 inches wide
- Two year, "bumper-to-bumper" warranty \* – Brother will fix the problem or provide a replacement printer
- Ergonomic design – Easy to load media and intuitive interface controls
- Low maintenance costs – Highly reliable direct thermal technology uses fewer moving parts than other printing technologies
- Low consumable costs – There are no ink or ribbons to replace
- Wide range of connectivity options – USB, Serial, and Bluetooth®
- 203 dpi resolution
- Support for 1D and 2D barcodes



**Taylor Made Custom Work Boards/Holsters**

- Custom made for Saltus to hold the MC67 handheld computer and Bluetooth thermal printers
- Work boards enable officers to easily store and transport ticket writers and printers – includes multiple mounting options
- Taylor Made provides custom work boards and holsters made from durable ballistic materials and stainless-steel clips and D-rings.
- These cases can be custom designed to meet specific vehicle requirements.



**RAM VPR-106 Printer Cradle (optional)**

- Integrated cable management
- Insert new paper roll while mounted
- Can be surface mounted or used with RAM pedestal
- Quick release for easy removal and insertion



### Printed Ticket Sample

Saltus designs tickets to look as much like traditional handwritten tickets as possible. This maintains a level of comfort with officers, court administrators as well as violators.

- Ticket fronts and backs are customized based on agency requirements.
- Tickets can be printed in 4" wide or full 8 1/2 x 11" formats. 4" tickets can be deployed with pre-printed backs containing violator instructions. 8.5 x 11" tickets can be printed with the entire citation on the front side (similar to the Court's PDF copy below).
- Tickets can also be printed on a standard printer from the digiTICKET web application. These can include signatures, pictures, and Court disposition information (see sample below).

Ticket data and layout can be customized for each agency

Up to 8 charges and warnings can be listed on one citation

Includes signatures for both the officer and defendant

PDF copies of the ticket (from web application) can include a photo taken at the scene and the Court disposition information

**State of Oklahoma**  
**COUNTY OF SALTUS**  
**CITY OF SALTUS**  
**COMPLAINT INFORMATION**  
The undersigned, being duly sworn, upon his oath deposes and says that:  
on or about (date) at (24 hour time) at or near (location)  
11/12/2013 14:30 ESE W ADH  
County Number 18 05 East + North Location +  
Contractor  
Name (last, first, middle) Phone Number  
SARAH CARA  
Address →  
200 MERO  
City FRANKFORT State KY Zip Code 40601  
Birthdate (mo./day/yr) Height Weight Rate Sex Class Hair Eyes Enclose  
4/18/1990 5'8" 112 W D BLN BLU  
Driver License Number CDL W Insurance Month/Year State KY  
2004004823 02/01  
Employer V/H Did Operator Face Cover  
1GNLCCED4B345728 Unusually    
Vehicle Make Year Body Style - Color Tag Number Year ST  
2011 4D - BLU 254P0B 2014 AR  
Commercial Motor N Has Mat Placard ACCIDENT: PD PI FATALITY  
Vehicle and did then and there commit the following offense:  
SPEEDING 45 MPH 56 MPH Zone Actual 46 MPH Pace Radar Learner  
Cover Violation:  
E000009681 - Statute/Ordinance # 47 O.S. 11-601  
1 TO 10 MPH OVER LIMIT Fine: \$39.00

**Contrary to Statute/Ordinance:**  
I, the undersigned issuing officer, hereby certify and swear that I have read the foregoing information and know the facts and contents thereof and that the facts supporting the criminal charge stated therein are true.

*Sample*  
Signature of Officer B12212 Badge No. 12  
Court Appearance: 11/14/2013 at 09:00 AM Distinct No. (DPS USE)  
  
If you are calling about credit or debit card payments, please call 877-691-4788 or visit www.myfnpayment.com  
Court Clerk Phone:  
Address: Mail: Addr: PO BOX 123 DEMO OK 123456  
Court: DEMO OK 123456  
Phys. Addr: 123 MUNICIPAL ST DEMO OK 123456  
  
NOTE: Fines are imposed for non-compliance based on a signed written promise to appear. Non-compliance is considered a failure to appear for arraignment shall result in the suspension of the arrested person's driver's license in Oklahoma, or in the nonresident's home state pursuant to the Nonresident Violator Compact.

WITHOUT ADMITTING GUILT, I promise to appear in said court and said time and place.

**SIGNATURE:**  
*Sample*  
  
**NOTE:** I CHECK ONLY ONE BOX)  
 I am Personal Recognizable  I am Juvenile or Guardian  Bond Affd  Other  
Name of Parent  
  
**Officers Remarks**  
**NOTES**  
  
**AREA:**  business  school  residential  farm  other  
**HIGHWAY TYPE**  1 lane  2 lane  3 lane  Undivided  Divided  on/off ramp  other

**ABSTRACT OF COURT RECORD**  
**FORWARD TO ACCIDENT RECORDS, DEPARTMENT OF PUBLIC SAFETY**  
P.O. Box 11416, Oklahoma City, OK 73129-4416

Case No. Docket No. Page No.

Arraignment Continued to:

**ENTRY OF APPEARANCE AND PLEA**

I, the undersigned, do hereby enter my appearance in the cause of the offense charged on the date and at the time of this summary. I have been informed of my rights to be provided by law.

I do hereby waive my rights to a hearing by court or jury and PLEAD GUILTY to said offense as charged. I further agree to pay the penalty prescribed for my offense.

I do hereby waive my rights to a hearing by court or jury and PLEAD NOLO CONTENDERE (No Contest) to said offense as charged. I further agree to pay the penalty prescribed for my offense.

I do hereby PLEAD NOT GUILTY to said offense as charged, paying amount designated below as my cost for appearance in court.

Signature of Defendant \_\_\_\_\_ Date \_\_\_\_\_

**PROSECUTOR'S ENDORSEMENT**

The within complaint has been examined and there is probable cause for filing the same. Complainant \_\_\_\_\_

Signature (Prosecuting Attorney, D.A., A.D.A., etc.) Date \_\_\_\_\_

**COURT ORDERS**

On (Date): \_\_\_\_\_

Charge Amended to \_\_\_\_\_

**Non Conviction Based Upon:**

Court (Jury) Acquittal  Court Dismissal No Fine/Costs  
 Deferred to Date \_\_\_\_\_  Court Dismissal With Fine/Costs

Date of Order \_\_\_\_\_

**Conviction Based Upon:**

Bond Forfeiture  Plea of Guilty  
 Plea of Nolo Contendere  Court (Jury) Conviction

Conviction Date \_\_\_\_\_

The Court, therefore, enters the following order:

Fine: \$ \_\_\_\_\_ Costs: \$ \_\_\_\_\_

Jailed \_\_\_\_\_ days in \_\_\_\_\_

School \_\_\_\_\_ days; Probation \_\_\_\_\_ days; Defendant notified of his rights \_\_\_\_\_

Appeal Bond of \$ \_\_\_\_\_ filed \_\_\_\_\_

Appeal to \_\_\_\_\_ Court \_\_\_\_\_

I Certify This To Be A True And Correct Abstract Of Court Record

Signature of \_\_\_\_\_

Judge  Clerk  Deputy Clerk

Confidential | The Ovilla Police Department  
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Page 15



### ***Implementation and Support Services***

The Saltus Solution Delivery Methodology is used for all solution deployments. This is a structured process that ensures that all possible issues and all requirements are jointly identified by Saltus and customer resources and all system configuration changes are approved by the customer prior to any work being performed by Saltus engineers. This process ensures that Saltus and the customer are always on the same page and that expectations are being met throughout the entire process.

The activities contained within this methodology are as follows:

- **Requirements Definition:** Saltus will facilitate a workshop with subject matter experts from various customer departments to ensure that the solution is configured specifically the way the customer wants it.
- **System Configuration:** Once all requirements are documented, digiTICKET is then configured to meet the customer's specific needs. This includes the setup of all ordinances, user roles and permissions, printed ticket formatting, mobile client configuration, report development, interface creation and testing, etc.
- **User Acceptance Testing:** Once configured, Saltus will then facilitate a User Acceptance Testing session in a classroom setting with key customer personnel. This session is conducted to ensure that the system is configured as requested by the customer.
- **Training Programs**  
Saltus offers complete training services, documentation, and on-going training support.
  - Customized User Guides (printed and on-line)
  - Training sessions are customized to meet each customer's needs
  - digiTICKET Trainers have extensive experience working in the field with users of mobile software, hardware, and web-based applications
  - Training approaches include Train the Trainer, Groups, and one-on-one instruction
  - Sessions can be scheduled around shifts with follow-up training completed as required
  - Personal Web-based video training is also available
  - Training and travel are included in the pricing we have provided
  - Satisfaction with training is guaranteed for each agency
- **Support and Maintenance Programs**
  - Saltus provides tier 1 technical support for software and hardware
  - digiTICKET configuration and installation is completed by Saltus (we can also provide installation of Wi-Fi access points).
  - Standard support responses generally result in a resolution within the same day
  - 24/7/365 phone and email support are available at no extra charge
  - Each agency has access to Web-based customer portal for issue tracking and knowledge base
- **Device Management**
  - Complete Maintenance and Warranty programs are available for hardware
  - Saltus provides turnkey management of devices and offers replacement units if a device is out of service for maintenance
  - Utilization of remote device management software for upgrades and support
- **Deployment**
  - After training, the solution is deployed and Saltus then provides end user support and system maintenance and updates for the life of the maintenance and Support Agreement.

### *digiTICKET Hosting Infrastructure*

Saltus partners with one of the largest managed hosting providers in the world: Rackspace. By partnering with Rackspace, Saltus has elevated our expertise and support well beyond those of other providers. With more than 6,000 servers currently running Microsoft SQL, Rackspace has established itself as the expert in database servers. Being awarded the Microsoft Hosting Provider of the Year three times reaffirms their standing. Your entire hosting environment—from hardware, to network, OS and databases are monitored and supported by the leaders in IT hosting. Hosted services ensure that users can access digiTICKET and eliminate the costs associated with maintaining a server.



In over five years of hosting digiTICKET production environments, Rackspace has never had an unscheduled outage. In partnership with Rackspace, Saltus offers the highest level of security and dependability:

#### *Server Access and Security:*

- Tier 1 datacenter/Physical Security: Data center access limited to data center technicians; Biometric scanning for controlled data center access; Security camera monitoring at all data center locations; 24x7 onsite staff provides additional protection against unauthorized entry; Unmarked facilities to help maintain low profile; Physical security audited by an independent firm
- System Security: System installation using hardened, patched OS; System patching configured to provide ongoing protection from exploits; Dedicated firewall and VPN services to help block unauthorized system access; Data protection with managed backup ; Dedicated intrusion detection devices to provide an additional layer of protection against unauthorized system access; Distributed Denial of Service (DDoS) mitigation services; ISO17799-based policies and procedures, regularly reviewed as part of SAS70 Type II audit process; Systems access logged and tracked for auditing purposes; Secure document-destruction policies for all sensitive information; Fully documented change-management procedures; Independently audited disaster recovery and business continuity plans in place

#### *Data Maintenance & Integrity*

- FIPS compliant data encryption is used throughout the digiTICKET system. SSL 128-bit encryption is used for all communication between mobile devices such as handheld and laptops and the servers. It is also used between the browser and the servers.
- Select data elements are encrypted on the server with AES 128-bit encryption.
- Data Logging: The digiTICKET web application logs all activity as it occurs within the system. digiTICKET logs what was changed, when it was changed and who changed it (based on user id). This information can be used to generate reports and can be accessed by Saltus support resources as necessary.
- Backups:
  - digiTICKET's standard database backup plans provide a full daily backup which can be upgraded to hourly, incremental backups.
  - digiTICKET is built on Windows 2008 Server Standard 64-bit and SQL Server 2008 R2. It supports all RAID levels supported by these technologies. Windows 2008 Server provides RAID levels 0, 1, and 5 implemented within the operating system software itself.



### digiTICKET Solution Scope Checklist

<b>Agency:</b> The Ovilla Police Department <b>Date:</b> 4/22/2019 <b>Type:</b> Purchase or SaaS			
<b>Type of Solution</b> <b>Answer /Qty.</b> <b>Type</b> <b>Description</b>			
Handheld			
Laptop			
Tablet	4	FZM1	Panasonic rugged Windows 10 Tablet
<i>Solution to be shared among officers?</i>			
<b>Hardware Provided by Saltus</b> <b>Answer /Qty.</b> <b>Type</b> <b>Description</b>			
Tablet	4	Panasonic	Panasonic rugged Windows 10 Tablet
<i>Vehicle chargers required?</i>	4		
<i>Single or Multi Dock Chargers with Power supply</i>	0	0	
4" Printers (please note options MSR, Bluetooth, Battery)	4	Brother RJ4230	Rugged, thermal printers
<i>Carrying case or mounts?</i>	4	Taylormade	Rugged, ballistic case
Full Page 8 1/2 x 11 Printers	0		
<i>Vehicle charger type (hard wired or cigarette lighter)?</i>	0		
<i>AC chargers required?</i>	0		
<i>Type of vehicle mounts (console, overhead, case, etc.)?</i>	0		
Barcode Scanners	0		
Any other hardware	0		
<b>Existing Hardware Provided by Customer</b> <b>Answer /Qty.</b> <b>Type</b> <b>Description</b>			
Handhelds	0		
4" Printers (please note options MSR, Bluetooth, Battery)	0		
Full Page 8 1/2 x 11 Printers	0		
Laptops/Tablets	0		<Windows version>
<i>New hardware certification (i.e. tablet) required?</i>	0		
Barcode Scanners	0		
Cases/ Mounts	0		
Any other hardware	0		
<b>Connectivity</b> <b>Answer /Qty.</b> <b>Type</b> <b>Description</b>			
Wi-Fi	TBD		
MiFi	TBD		
<i>Cellular (if yes, please note network)</i>	TBD		
<b>Exports / Interfaces</b> <b>Answer /Qty.</b> <b>Type</b> <b>Description</b>			
Case Management / Court System	FAST	CMS	Please confirm availability of import and related fees
Records Management / Law Enforcement System	Crimes	RMS	Please confirm availability of import and related fees
Other Interfaces (State system, Payment, etc.)	None noted		
<b>Mobile Software Configuration</b> <b>Answer /Qty.</b> <b>Type</b> <b>Description</b>			
Multiple printed ticket formats (per additional format)?	1 format	Uniform Citation	Texas uniform citation
Multiple mobile environments (laptop and handheld)?	Tablet		Tablet only
Mobile query to digiTICKET mobile (person/vehicle parsing)?	None noted		
Racial Profiling Data Capture	Yes		
<b>Web Application Configuration</b> <b>Answer /Qty.</b> <b>Type</b> <b>Description</b>			
Configuration of Process Tab	Yes		Workflow for approval of tickets
Configuration of Groups Functionality	None noted		
Number of agencies to use the solution	1		
Custom Reports	TBD		1 included with this solution
Hosted or On-Premise Server Installation	Hosted		Server hosted by Saltus
Special Court Date Requirements	TBD		
<b>Ticket Types / Formats</b> <b>Answer /Qty.</b> <b>Type</b> <b>Description</b>			
State Violations	Yes		
Municipal / Ordinance Violations	Yes		
Parking Violations	TBD		
Code Enforcement, other	Yes		
Special Ticket Numbering Format	TBD		
Pre-printed Paper Back Required (4" printer)	Yes		
<b>Training Requirements</b> <b>Answer /Qty.</b> <b>Type</b> <b>Description</b>			
On-Site Training	Yes		
Web based Training	Yes		Available if needed
Training format (train the trainer, or end-user)	TBD		
Size of the training group	TBD		Typical training is "train the trainer" in small groups
<b>Custom Development Requests</b> <b>Answer /Qty.</b> <b>Type</b> <b>Description</b>			
None noted			
<b>Other Notes</b> <b>Answer /Qty.</b> <b>Type</b> <b>Description</b>			
Please submit a copy of the current ticket(s) for review	In Process		

05.13.2019

## Consent C8

To  
**Honorable Mayor  
and Council**

From  
**John Dean, City  
Manager**

CC  
**Staff**

**Re: Fee schedule  
update**

**Comments:** Consideration of and action on Ordinance 2019-10 of the City of Ovilla, amending Appendix "A" (Fee Schedule), Section A7.006 (Utility Account Setup; Connection, and Reconnection Fees) of the City of Ovilla Code of Ordinances, providing amended reconnection 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.

**BACKGROUND AND JUSTIFICATION:** The agreement with Sardis-Lone Elm SUD establishes the City's cost to be \$50.00 for the reconnection service. The current Reconnect fee during normal hours is \$25 and the fee for reconnection after hours is set at \$50. The current fees were set in September of 2011.

**STAFF RECOMMENDATION:** Approval of the Ordinance 2019-10 amending Appendix A (fee schedule), Section A7.006, effective immediately.

**City of Ovilla**

Tel 972-617-7262

105 S. Cockrell Hill Road  
Ovilla, Texas 75154

[www.cityofovilla.org](http://www.cityofovilla.org)  
jdean@cityofovilla.org



AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING APPENDIX "A" (FEE SCHEDULE), SECTION A7.006 (UTILITY ACCOUNT SETUP; CONNECTION, and RECONNECTION FEES), OF THE CITY OF OVILLA CODE OF ORDINANCES, PROVIDING AMENDED RECONNECTION 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.

WHEREAS, the City of Ovilla provides water, wastewater, and garbage services to customers; and

WHEREAS, the City has established reconnection fees for delinquent water, wastewater, and garbage services accounts; and

WHEREAS, the City has established a reconnection fee of \$50.00 through a contractual agreement with Sardis-Lone Elm Special Utility District; and

WHEREAS, the City finds and determines that it is necessary and in the best interests of the health, safety and welfare of the citizens of the City of Ovilla to amend the City's reconnection fees as set forth herein.

\* \* \*

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

**SECTION 1. AMENDMENT OF APPENDIX A, SECTION A7.001 OF THE OVILLA CODE OF ORDINANCES**

Appendix A, Section A7.006 of the Ovilla Code of Ordinances is hereby amended in part to read as follows:

**Section A7.006 Utility account setup; connection, and reconnection fees**  
(b) Reconnection after disconnection for nonpayment: \$50.00.  
(c) Reconnection outside normal business hours: \$75.00.

**SECTION 2. SAVINGS CLAUSE**

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

**SECTION 3. SEVERANCE CLAUSE**

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

**SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES**

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

ORDINANCE NO. 2019-10

**SECTION 5. EFFECTIVE DATE**

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

**SECTION 6. PUBLICATION**

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

**PASSED, ADOPTED AND APPROVED** by the City Council of Ovilla, Texas on this the 13th day of May, 2019.

---

Richard Dormier, Mayor

**ATTEST:**

---

Pamela Woodall, City Secretary

**APPROVED AS TO FORM:**

---

Ron G. MacFarlane, Jr., City Attorney

05.13.2019

## Consent C9

To  
Honorable Mayor  
and Council

From  
John R. Dean, CM

CC  
Staff

Re  
Wastewater line

**Comments:** Receive recommendation from the Economic Development Corporation for amending the Economic Development Corporation FY2018-2019 Budget in the amount \$150,000 to fund a wastewater line to Founders Park.

**BACKGROUND/HISTORY:** During the EDC meeting of April 15, 2019, directors approved a budget amendment and recommendation for the funding of the wastewater line to Founders Park not to exceed \$150,000.

This extension provides the ability to enhance Founders Park by removing the city facilities from an aerobic septic system to increase the land available for use at Founders Park.

The engineers estimate the probable cost to be \$172,185. During their March 25 Special Council meeting, the governing body adopted Resolution R2019-04, for the project after having two separate readings. The EDC agreed to fund an amount not to exceed \$150,000, approved by Council.

### Current Activity:

**City of Ovilla**

Tel 972-617-7262

105 S. Cockrell Hill Road  
Ovilla, Texas 75154

[www.cityofovilla.org](http://www.cityofovilla.org)  
jdean@cityofovilla.org



RESOLUTION NO. R2019-04

**A RESOLUTION AUTHORIZING THE OVILLA ECONOMIC DEVELOPMENT CORPORATION TO FUND A WASTEWATER LINE PROJECT IN AN AMOUNT NOT TO EXCEED \$150,000.00 TO THE VICINITY OF FOUNDERS PARK TO SERVE THE PARK AND ADJACENT PROPERTIES.**

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

**WHEREAS**, the Ovilla Economic Development Corporation is a Type-B corporation created in accordance with the provisions of Chapter 505 of the Texas local Government Code; and

**WHEREAS**, the Ovilla Economic Development Corporation has determined that the wastewater line project is an acceptable project in accordance with Section 505.152 of the Texas Local Government Code; and

**WHEREAS**, the Ovilla Economic Development Corporation posted legal notice of the public hearing on the City website, Waxahachie Daily Light and the City bulletin board; and

**WHEREAS**, the Ovilla Economic Development Corporation held a public hearing in accordance with Section 505.159 of the Texas Local Government Code on February 19, 2019 to receive public comment on the project; and

**WHEREAS**, the Ovilla City Council is required to adopt a resolution authorizing a Type B corporation expenditure of more than \$10,000.00 after giving the resolution at least two separate readings in accordance with Section 505.158 of the Texas Local Government Code.

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

**SECTION 1.**

That the City Council hereby authorizes the "Wastewater Line Project" by the Ovilla Economic Development Corporation in an amount not to exceed \$150,000.00.

**SECTION 2.**

That this Resolution shall take effect immediately and it is so Resolved.

**PASSED AND APPROVED on this 25th day of March 2019.**

---

Richard A. Dormier, MAYOR

ATTEST:

---

Pamela Woodall, CITY SECRETARY

## AGENDA ITEM REPORT

### Item 1

Meeting Date: May 13, 2019

Discussion  Action

Submitted By: Staff

Reviewed By:  City Manager

City Secretary

City Attorney

Accountant

Other: Staff

#### Attachments:

1. Official Results of May 04, 2019 Election for Ovilla
2. Resolution R2019-08

#### Agenda Item / Topic:

ITEM 1. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2019-08 of the City Council of the City of Ovilla, Declaring and Canvassing the Results of the May 04, 2019 Sales and Use Tax Special Election, reauthorizing the sales and use tax in the City of Ovilla at the rate of one quarter of one-percent to continue providing revenue for the maintenance and repair of existing municipal streets.

TEMA 1. **DISCUSIÓN/ACCIÓN** - Consideración y acción sobre la Resolución R2019-08 del Concejo Municipal de la Ciudad de Ovilla, declaración y escrutinio de los resultados de la Elección Especial del Impuesto sobre las Ventas y Uso del 4 de mayo de 2019, reautorizando el impuesto sobre las ventas y el uso en la ciudad de Ovilla a razón de un cuarto del uno por ciento para continuar proporcionando ingresos para el mantenimiento y reparación de las calles municipales existentes.

#### Discussion / Justification:

Results of the 2019 Ovilla General Election and Special Elections:

During the March 11, 2019 Council meeting, the governing body approved Ordinance 2019-07 declaring unopposed candidates and canceling the General Election.

Ovilla did hold a Special Election, Proposition A on the Ballot for the reauthorization of the sales and use tax in the City of Ovilla at the rate of one quarter of one-percent to continue providing revenue for the maintenance and repair of existing municipal streets, which is required every 4-years. Results from the election revealed the proposition passed. With the approval of Resolution R2019-08 staff will submit to the State to continue receiving the sales and use tax in the City.

#### Recommendation / Staff Comments:

Staff recommends approval.

#### Sample Motion(s):

I move to approve Resolution R2019-08 of the City Council of the City of Ovilla, Declaring and Canvassing the Results of the May 04, 2019 Sales and Use Tax Special Election, reauthorizing the sales and use tax in the City of Ovilla at the rate of one quarter of one-percent to continue providing revenue for the maintenance and repair of existing municipal streets.



Dallas & Ellis Counties  
Ovilla, TX

**MAY 04, 2019 GENERAL ELECTION  
FOR MAYOR  
PLACE 2 & PLACE 4 COUNCIL MEMBERS  
(General Election Canceled)**

**Special Election PROPOSITION A  
UNOFFICIAL TABULATION**

**\* DENOTES WINNER or PASSED**

<u>Mayor</u>	*Richard Dormier Uncontested / Declared Elected	Early	Election Day	
<u>Place 2</u>	*Dean Oberg Uncontested / Declared Elected	Early	Election Day	
<u>Place 4</u>	*Douglas Hunt Uncontested / Declared Elected	Early	Election Day	

**\*PROPOSITION A:**

**THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX  
IN THE CITY OF OVILLA AT THE RATE OF ONE FOURTH OF  
ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR  
MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.**

**FOR: 175**

**AGAINST: 40**

114	Early Voting Ballots Cast
107	Election Day Ballots Cast
221	Total Ballots Cast (6 undervotes)
216	Registered Voters (Dallas Co.)
2,978	Registered Voters (Ellis Co.)
3,194	Total Registered Voters
6.92%	Voter Turnout

Canvass will be conducted  
MAY 13, 2019 6:30 PM

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

## RESOLUTION R2019-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA CANVASSING THE RESULTS OF THE MAY 04, 2019 SALES & USE TAX SPECIAL ELECTION REAUTHORIZING THE SALES AND USE TAX IN THE CITY OF OVILLA AT THE RATE OF ONE QUARTER OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR THE MAINTENANCE AND REPAIR OF EXISTING MUNICIPAL STREETS.

WHEREAS, Chapter 327 of the Texas Tax Code authorizes the voters of a municipality to approve the adoption of a sales and use tax at the rate of one fourth of one percent to provide revenue for the maintenance and repair of existing municipal streets; and

WHEREAS, The City of Ovilla held a special election on November 06, 2007 and the citizens voted to approve and impose a sales and use tax at the rate of one quarter of one percent to provide revenue for the maintenance and repair of existing municipal streets, canvassed by Resolution R08-005; and

WHEREAS, Chapter 327 of the Texas Tax Code states the street maintenance sales tax expires four years after it takes effect unless voters vote to continue it in an election held for that purpose; and

WHEREAS, on May 14, 2011, an election was held in accordance with Chapter 377 of the Texas Local Government Code for the purpose of re-authorization for the local sales and use tax at the rate of one quarter of one percent for the continuation to provide revenue for the maintenance and repair of existing municipal streets, canvassed by Resolution R2011-014.

WHEREAS, on May 09, 2015, an election was held in accordance with Chapter 377 of the Texas Local Government Code for the purpose of re-authorization for the local sales and use tax at the rate of one quarter of one percent for the continuation to provide revenue for the maintenance and repair of existing municipal streets, canvassed by Resolution R2015-014.

WHEREAS, May 04, 2019 is a uniform election date; and

WHEREAS, state law requires that the City Council of the City of Ovilla canvass this election; and

WHEREAS, the canvass showed the following results:

PROPOSITION A	EARLY VOTING	ELECTION DAY	TOTALS
FOR	92	83	175
AGAINST	19	21	40

Proposition A	For	Against
*	175	40
The reauthorization of the local sales and use tax in the City of Ovilla at the rate of one quarter of one percent to continue providing revenue for the maintenance and repair of existing municipal streets.		
	114	Early Voting Ballots Cast
	107	Election Day Ballots Cast
	221	Total Ballots Cast (6 undervotes)

## RESOLUTION R2019-08

216	Registered Voters (Dallas Co.)
2,978	Registered Voters (Ellis Co.)
3,194	Total Registered Voters
6.92%	Voter Turnout

Therefore, the reauthorization of the local sales and use tax in the City of Ovilla at the rate of one quarter of one percent to continue providing revenue for the maintenance and repair of existing municipal streets is approved. The total number of votes cast in the election for the sales tax was 215. The number of votes for the proposition was 175 and the number of votes against the proposition was 40. The number of votes by which the proposition was approved was 175.

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

### SECTION 1.

The City Council of the City of Ovilla finds that the results of the election as set forth above are correct and the canvass of votes is hereby approved.

### SECTION 2.

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

**PASSED AND APPROVED THIS 13 DAY OF May 2019.**

CITY OF OVILLA, TEXAS

Richard Dormier, Mayor

ATTEST:

\_\_\_\_\_  
Pam Woodall, City Secretary

**Summary Results Report  
2019 Joint Election  
May 4, 2019**

**UNOFFICIAL RESULTS  
Ellis County, Texas**

**Midlothian Mayor, Unex Term**

Vote For 1

	<b>TOTAL</b>	<b>VOTE %</b>	<b>Election Day</b>	<b>EV In-Person</b>	<b>Provisional</b>	<b>Absentee</b>
Ed VanderVeen	613	24.11%	193	416	1	3
Cammy Jackson	621	24.42%	199	420	0	2
Richard Reno	1,260	49.55%	418	840	1	1
David Capehart, Jr.	49	1.93%	11	38	0	0
<b>Total Votes Cast</b>	<b>2,543</b>	<b>100.00%</b>	<b>821</b>	<b>1,714</b>	<b>2</b>	<b>6</b>

**Milford Members of Council**

Vote For 2

	<b>TOTAL</b>	<b>VOTE %</b>	<b>Election Day</b>	<b>EV In-Person</b>	<b>Provisional</b>	<b>Absentee</b>
Fadys Gates	48	19.05%	48	0	0	0
Curtis Kaloi	84	33.33%	78	6	0	0
Doug Davis	69	27.38%	63	6	0	0
Alan Singleton	51	20.24%	51	0	0	0
<b>Total Votes Cast</b>	<b>252</b>	<b>100.00%</b>	<b>240</b>	<b>12</b>	<b>0</b>	<b>0</b>

**Ovilla Proposition A**

Vote For 1

	<b>TOTAL</b>	<b>VOTE %</b>	<b>Election Day</b>	<b>EV In-Person</b>	<b>Provisional</b>	<b>Absentee</b>
For	175	81.40%	83	90	0	2
Against	40	18.60%	21	19	0	0
<b>Total Votes Cast</b>	<b>215</b>	<b>100.00%</b>	<b>104</b>	<b>109</b>	<b>0</b>	<b>2</b>

**Venus Mayor (Ellis Co portion ONLY)**

Vote For 1

	<b>TOTAL</b>	<b>VOTE %</b>	<b>Election Day</b>	<b>EV In-Person</b>	<b>Provisional</b>	<b>Absentee</b>
James L. Burgess	3	27.27%	1	2	0	0
Laurna M. Guidry-Shaw	8	72.73%	4	4	0	0
<b>Total Votes Cast</b>	<b>11</b>	<b>100.00%</b>	<b>5</b>	<b>6</b>	<b>0</b>	<b>0</b>

## AGENDA ITEM REPORT

### Item 2

Meeting Date: May 13, 2019

Discussion  Action

Submitted By: Staff

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other: Staff

#### Attachments:

1. Copy of excerpt from LGC 22.037

#### Agenda Item / Topic:

ITEM 2. **DISCUSSION/ACTION** – Consideration of and action on nomination(s) and an appointment of Mayor Pro Tem.

#### Discussion / Justification:

Section 22.037 of the Local Government Code states that the Mayor Pro-Tem is a council member that performs the mayor's duties in the event of the mayor's incapacity or absence. The Mayor-Pro-Tem is selected by majority vote of the council from among its own governing body. The Mayor-Pro-Tem's term renews annually following the municipal election and retains the right to vote on all matters before the Council while performing the duties of the mayor.

#### Recommendation / Staff Comments:

N/A

#### Sample Motion(s):

I move that Council appoints \_\_\_\_\_ to serve as Mayor Pro-Tem for the City of Ovilla following the canvass of the May 2019 general election for a term through the May 2020 Uniform Election Date.

LOCAL GOVERNMENT CODE

TITLE 2. ORGANIZATION OF MUNICIPAL GOVERNMENT

SUBTITLE B. MUNICIPAL FORM OF GOVERNMENT

CHAPTER 22. ALDERMANIC FORM OF GOVERNMENT IN TYPE A GENERAL-LAW  
MUNICIPALITY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 22.037. MAYOR AS PRESIDING OFFICER; PRESIDENT PRO  
TEMPORE. (a) The mayor shall preside at all meetings of the  
governing body of the municipality and, except in elections, may  
vote only if there is a tie.

(b) At each new governing body's first meeting or as soon  
as practicable, the governing body shall elect one alderman to  
serve as president pro tempore for a term of one year.

(c) If the mayor fails, is unable, or refuses to act, the  
president pro tempore shall perform the mayor's duties and is  
entitled to receive the fees and compensation prescribed for the  
mayor.

(d) If the mayor and the president pro tempore are absent,  
any alderman may be appointed to preside at the meeting.

• • •

## AGENDA ITEM REPORT

### Item 3

Meeting Date: May 13, 2019

Discussion  Action

Submitted By: Staff

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other: Staff

#### Attachments:

1. Application documents
2. Receive P&Z recommendation

#### Agenda Item / Topic:

ITEM 3. PUBLIC HEARING

PRESENTATION of request for zoning classification change filed by Mr. & Mrs. Flores, owners of said property.

- a. *PUBLIC HEARING* to receive comments from the public regarding the request.
- b. *DELIBERATION* and questions with applicant.
- c. *RECEIVE* recommendation from the Planning and Zoning Commission

*DISCUSSION/ACTION* – Consideration of and action on Case PZ19-01, a request for a Zoning Classification Change filed by Juan and Alicia Flores (Flores Homes, Inc) owners of said property, to change the zoning of said property from “R-C” Single Family Residential 5-acres to “R-E” Single Family Residential 1-acre, on approximately a 12-acre tract of land. Legal Description being E W Banton, Abstract 51, Ovilla, Ellis County, Texas, more commonly known as 611 Malloy Road,

#### Discussion / Justification:

NAME: JUAN & ALICIA FLORES  
APPLICATION DATE: 02/26/2019  
LOCATION: 611 Malloy Road, Ovilla  
UTILITIES: Ovilla water / septic system  
CURRENT ZONING: RC 5-ACRE MINIMUM  
PROPOSED ZONING: RE 1-ACRE MINIMUM  
PROPOSED LAND USE: RESIDENTIAL  
MAJOR THOROUGHFARE: Cockrell Hill Road

The Flores currently resided on a portion of their property. Their desire is to change the zoning in order to create 8 one-acre residential lots for eventual development. The Planning and Zoning Commission met on May 06 and approved an affirmative recommendation to Council by a vote of 4-1.

#### Recommendation / Staff Comments:

N/A

#### Sample Motion(s):

I move that Council approves/denies the zoning classification change filed by Juan and Alicia Flores, changing said property from R-C Single Family Residential 5-acres to R-E Single Family Residential 1-acre as presented.



## City of OVILLA Planning & Zoning Commission Recommendation to the City Council

An application of request was filed for consideration on a  
Zoning Classification Change.

**ITEM I.** Case No. PZ19.01 – Consider request for a **Zoning Classification Change** filed by Juan and Alicia Flores (Flores Homes, Inc.) owners of said property, to change the zoning of said property from "R-C" Single Family Residential 5 – acres to "R-E" Single Family Residential 1 – acre, on approximately a 12 acre tract of land. Legal Description being E W Banton, Abstract 51, Ovilla, Ellis County, Texas, more commonly known as 611 Malloy Road, Ovilla, Texas 75154.

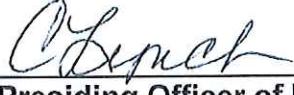
\*\*\*\*\*

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

PL 1 Jungman ABSENT  
PL2 Sims AYE  
PL3 Lynch AYE  
PL4 Whittaker NAY

PL5 Alexander ABSENT  
PL6 Hart AYE  
PL7 Zimmermann AYE

4 **FOR**  
1 **AGAINST**  
0 **ABSTAIN**

\*\*\*\*\*  
  
Presiding Officer of P&Z

  
\_\_\_\_\_  
Board Secretary

5/7/19  
Date

5/7/19  
Date

## CITY OF OVILLA REZONING SUBMITTAL LIST

The initial submittals for any rezoning review request must contain the following items:

### I. SUBMITTAL CHECKLIST

Letter of request outlining the listed:

- Signed statement certifying ownership and/or authorization for applicant to file on owner's behalf.
- Current Zoning / Proposed Zoning
- Acreage for rezoning *10.414*
- Current survey plat / metes bounds description of the boundary of the property.  
(Prepared by a state-registered surveyor) 2 originals
- Tract Number / Lot, Block / Addition Name
- Certification of paid taxes from Tax Office

Application Fees to be paid upon submittal of request:

### II. As listed in Sec. A8.003 of the Code: Zoning fees

- (1) Cost as detailed plus 100% if any and of all legal and engineering costs associated with request.
- (2) Request for zoning change/amendment (other than planned development):
  - (A) 0 - 5 acres: \$200.00.
  - (B) 5.1 - 20 acres: \$300.00.
  - (C) 20.1 acres or greater: \$400.00.
  - Made payable to the City of Ovilla and is non-refundable.





Zoning Change Request Submittal Guidelines  
Proposal to Amend the Ovilla Zoning Ordinance  
**APPLICATION FOR CHANGE OF ZONING**

**PRESENT ZONING** (circle one)

R-C   R-E   R-22   R-15   MF   CR   CG   PD   ID

**REQUESTED ZONING** (circle one)

R-C    R-E   R-22   R-15   MF   CR   CG   PD   ID

Location of Property: 611 Malloy Lane

Legal Description: \_\_\_\_\_

1. Is property part of a recorded plat? If yes skip items 2 & 3.
2. Description of unplatte property: Acres \_\_\_\_\_, Survey \_\_\_\_\_  
Abstract Number \_\_\_\_\_, Tract Number \_\_\_\_\_
3. Is a metes and bounds description of the unplatte property attached?  
Yes        No       . The description is required and must be a clean, legible original, printed  
on 8 1/2" x 11" or 8 1/2" x 14" bond paper. Fax copies will not be accepted.

Subdivision Name: \_\_\_\_\_

Area in Subdivision: 10 Total Acres    8 Number of Lots    1 acre Average Lot size

**APPLICANT INFORMATION:**

- I, the Applicant or my representative or I will be present at the Planning and Zoning  
Commission meeting and City Council Meeting to present this request to them.

Signature of Applicant

Juan Carlos Flores

Print Name

Mailing Address:

611 malloy Lane

Ovilla TX 75154

Telephone: 214-288-4805

Fax: \_\_\_\_\_

E-mail: FloresF123@att.net

Information listed below to be completed by City Staff:

Case No. #

Received By:

Fee Paid: \$

Cash or Check #:

Probable Date - P&Z Hearing:

Probable Date - CC Hearing:

# ZONING CHANGE APPLICATION

CASE NO. \_\_\_\_\_

PRESENT ZONING (circle one)

R-C      R-E      R-22      R-15      MF      CR      I      PD

REQUESTED ZONING (circle one)

R-C       R-E      R-22      R-15      MF      CR      I      PD

PRESENT USE: \_\_\_\_\_ PROPOSED USE: \_\_\_\_\_

PROPERTY DESCRIPTION (Please Print)

1. Is property part of a recorded plat? If yes, skip to line four below.

2. Description of unplatting property: Acres \_\_\_\_\_, Survey \_\_\_\_\_

Abstract Number \_\_\_\_\_, Tract Number \_\_\_\_\_

3. Is a metes and bounds description of the unplatting property attached? Yes \_\_\_\_\_ No \_\_\_\_\_.

The description is required and must be a clean, legible original, printed on 8 1/2" x 11" or

8 1/2" x 14" bond paper. Fax copies will not be accepted.

4. Description of platted property: Lot number \_\_\_\_\_, Block Number \_\_\_\_\_, Subdivision or Addition including Phase and/or Section \_\_\_\_\_

APPLICANT INFORMATION (Please Print)

1. Is the applicant the owner of the property described above? Yes  No \_\_\_\_\_

2. If the applicant is not the property owner, a completed Property Owner Representation Form must be attached.

Name of Applicant: Juan Carlos Flores Company Name Flores homes INC

Address: 611 Malloy Lane

Phone: 214-288-21805 Fax: \_\_\_\_\_ Cell: \_\_\_\_\_

E-mail Address: Flores F123 att. NET

Juan Carlos Flores  
Applicant

Signature

Date

2-26-19

TODD A. MASHAW AND  
LORA J. MASHAW  
INSTRUMENT NO. 1220150  
OP.R.E.C.T.

10' X 200'  
ONCOR ELECTRIC  
DELIVERY EASEMENT

N 89° 05' 12" E 1077.18'

ASHBURN GLEN EST ADDN

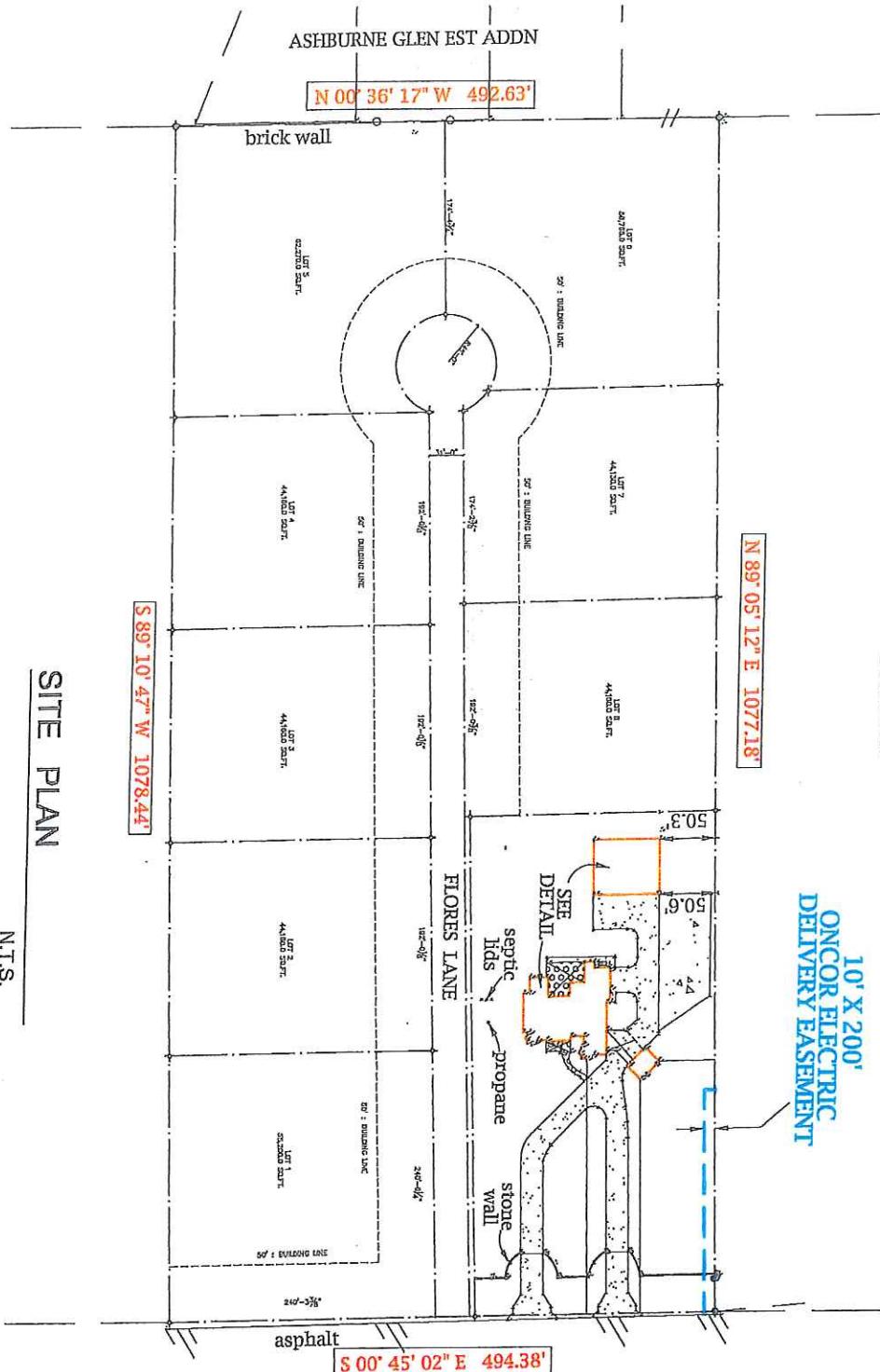
N 00° 36' 17" W 492.63'

brick wall

S 89° 10' 47" W 1078.44'

Z.T.S.

## SITE PLAN



*MALLOY ROAD*  
(VOL. 2700, PG. 1261)



HOMES

SQUARE FOOTAGE  
HOUSING UNITS NEVER FORWARDED  
INTERSTATE OR OUTSIDE STATE.

GENERAL NOTES

MARTINEZ DESIGN , LLC

Tel: 707-531-4169  
Fax: 707-531-4159

## LEGEND

B.L. = BUILDING LINE  
M.E. = MAINTENANCE EASEMENT  
D.E. = DRAINAGE EASEMENT  
D.U.E. = DRAINAGE & UTILITY EASEMENT  
S.S.E. = SANITARY SEWER EASEMENT  
S.E. = SEWER EASEMENT  
U.E. = UTILITY EASEMENT  
P.O.S.E. = PUBLIC OPEN SPACE EASEMENT  
P.A.E. = PUBLIC ACCESS EASEMENT

CM = CONTROL MONUMENT  
 R.O.W. = RIGHT OF WAY  
 I.P.F. = IRON PIPE FOUND  
 I.R.F. = IRON ROD FOUND  
 I.R.S. = IRON ROD SET  
 WOOD FENCE = ———//  
 CHAIN LINK FENCE = ———○  
 WROUGHT IRON FENCE = ———□  
 BARBWIRE FENCE = ———×

FP = FENCE POST  
 ( ) = REFERENCE BEARING BASIS  
 R.W. = RETAINING WALL  
 OHE = OVER HEAD ELECTRIC LINE  
 GM = GAS METER  
 ET = ELECTRIC TRANSFORMER  
 A/C = AIR CONDITIONER  
 EM = ELECTRIC METER  
 (W) = WATER METER

- = FIRE HYDRANT
- = LIGHT POLE
- = POWER POLE
- = STONE
- = BRICK
- = CONCRETE
- = WOOD
- = TELEPHONE PEDESTAL
- = ELECTRIC PEDESTAL

TODD A. MASHAW AND  
LORA J. MASHAW  
INSTRUMENT NO. 1220150  
O.P.R.E.C.T.

10' X 200'  
ONCOR ELECTRIC  
DELIVERY EASEMENT

## POINT OF BEGINNING

**MALLOY ROAD**  
(VOL. 2700, PG. 1261)

CLYDE L. HARGROVE AND  
LOUIS H. LEBOWITZ  
VOL 2335, PG. 1106  
O.P.R.E.C.T.

50.0'  
0.00  
BUILDING  
50.1'

**DETAIL:**  
(not to scale)

## BUILDING

DETAIL:  
(not to scale)

**DETAILS**  
(not to scale)

PURCHASER \_\_\_\_\_

<u>ADDRESS:</u>	<u>611 MALLOY ROAD</u>
<u>G.F. NO:</u>	<u>N/A</u>
<u>DATE:</u>	<u>04-03-2018</u>

I hereby certify that this plat is true and correct to the best of my knowledge and belief as surveyed by me or under my direct supervision. This survey was done without a title search and shows only easements on the recorded subdivision plat and does not include other easements of record which may affect this property.

An octagonal seal for a Texas registered professional surveyor. The outer border is red with white stars. The words "STATE OF TEXAS" are at the top, "REGISTERED" is on the left, "WAYNE JOHNSON" is in the center, "5424" is at the bottom, and "PROFESSIONAL SURVEYOR" is on the right.

## FINAL SURVEY

## LEGAL DESCRIPTION

SEE LEGAL

<b>FIELD CREW:</b>	DB
<b>DRAFTER:</b>	LDS
<b>SCALE:</b>	1" = 200'

# LEGAL

Being a 12.211 acres of land situated in the E.W. BANTON SURVEY, Abstract No. 51, Ellis County, Texas, and being a tract of land described in deed to Juan Carlos Flores and Alicia Flores recorded in, Instrument No. 1613198, Official Public Records, Ellis County, Texas, being more particularly described by the following:

BEGINNING at a 1 1/2" iron rod found in Malloy Road being at the northeast corner of the herein described tract and the southeast corner of that certain tract of land described in deed to Todd A. Mashaw and Lora J. Mashaw recorded in Volume 2650, Page 206, Instrument No. 1220150, Official Public Records, Ellis County, Texas, and being in the west line of that certain tract described in deed to SLJ Cornerstone II, LTD, recorded in Volume 2115, Page 2065, Instrument No. 051066, recorded in Official Public Records, Ellis County, Texas;

THENCE, S 00°45' 02" E, along the common line of said Flores and SLJ Cornerstone II, LTD. tracts and generally along Malloy Road, a distance of 494.38 feet;

THENCE, S 89°10' 47" W, along the common line of said Flores Tract and a tract of land conveyed to Clyde L. Hargrove and Louis H. Lebowitz deed recorded in Volume 2335, Page 1106 and Instrument Number 0725755, Official Public Records, Ellis County, Texas, passing at a distance of 29.98 feet a found 1/2" iron rod in all a total of 1078.44 feet to a found 1/2" iron rod.

THENCE, N 00°36' 17" W, along the west line of said Flores Tract a distance of 492.63 feet to a found 1/2" iron rod.

THENCE, N 89°05' 12" E, along the common line of said Mashaw Tract and said Flores Tract, passing at a distance of 1047.21 a found 1/2" iron rod continuing for a total of 1077.18 feet to the POINT OF BEGINNING and containing 12.211 acres of land.

PURCHASER \_\_\_\_\_  
PURCHASER \_\_\_\_\_

ADDRESS:	611 MALLOY ROAD
G.F. NO:	N/A
DATE:	04-03-2018

I hereby certify that this plat is true and correct to the best of my knowledge and belief as surveyed by me or under my direct supervision. This survey was done without a title search and shows only easements on the recorded subdivision plat and does not include other easements of record which may affect this property.

*Wayne Johnson*  
WAYNE JOHNSON  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 5424  
SURVEYED ON GROUND MARCH 26, 2018  
LDS SURVEYING LLC  
4101 W. GREEN OAKS BLVD  
ARLINGTON, TEXAS 76016 (882) 400-8181



FIELD CREW:	DB	
DRAFTER:	LDS	
SCALE:	1" = 200'	

TAX CERTIFICATE



JOHN BRIDGES RTA, CTA, CSTA  
ELLIS COUNTY TAX OFFICE TAX ASSESSOR - COLLECTOR  
P.O. DRAWER 188 109 S. JACKSON RM T125  
WAXAHACHIE, TX 75168

Issued To:

ALICIA FLORES  
611 MALLOY  
OVILLA, TX 75154

Legal Description

51 E W BANTON 12.208 ACRES

Fiduciary Number: 27219755

Parcel Address: 611 MALLOY RD

Legal Acres: 12.2080

<--

-->

Account Number: 179748

Print Date: 02/25/2019 10:52:32 AM

Certificate No: 238306055

Paid Date: 02/25/2019

Certificate Fee: \$10.00

Issue Date: 02/25/2019

CREDIT

Operator ID: TALICIA

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 AND 11.43(i) OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2018. ALL TAXES ARE PAID IN FULL.

Exemptions:

OPEN SPACE 1-D-1

Certified Owner:

FLORES JUAN C & ALICIA  
5306 PHEASANT PARK  
DALLAS, TX 75236

2018 Value:	681,590
2018 Levy:	\$13,496.07
2018 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

Certified Tax Unit(s):

70 ELLIS COUNTY  
170 LTRD  
211 RED OAK ISD  
362 CITY OF OVILLA

DUE TO ITS ASSIGNED USAGE, THE ABOVE LEGAL PROPERTY MAY HAVE RECEIVED SPECIAL VALUATION, AND ADDITIONAL ROLLCBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL VALUATION.

Reference (GF) No: N/A

Issued By: *John Bridges*  
JOHN BRIDGES RTA, CTA, CSTA

ELLIS COUNTY TAX OFFICE TAX ASSESSOR - COLLECTOR

**NOTICE**

DRIVING AND PARKING  
ARE PROHIBITED  
AT THIS LOCATION  
A PARKING VIOLATION WILL BE  
ISSUED FOR PARKING HERE  
SIXTY (60) DAY FEE

972-617-7262

3 6 2019 16 19



3 6 2019 15 19



3 6 2019 16 17



3.6.2019 16 17

## AGENDA ITEM REPORT

### Item 4

Meeting Date: May 13, 2019

Discussion Action

Submitted By: Staff

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other: Staff

#### Attachments:

1. Resolution R2019-09
2. Annual Financial Report FY2017-2018.

#### Agenda Item / Topic:

ITEM 4. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2019-09 accepting the Annual Financial Audit Report prepared by Yeldell, Wilson, Wood and Reeve, P.C., for the year ended September 30, 2018.

#### Discussion / Justification:

Danny Strunc, with Yeldell, Wilson, Wood and Reeve, P.C., will present, review and answer questions on the Annual Financial Report for the City's fiscal year ended September 30, 2018.

#### Recommendation / Staff Comments:

N/A

#### Sample Motion(s):

I move that Council approves Resolution R2019-09, accepting the Annual Financial Audit Report for the year ended September 30, 2018, prepared by Yeldell, Wilson, Wood and Reeve, P.C.

RESOLUTION NO. R2019-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS ACCEPTING THE ANNUAL FINANCIAL AUDIT REPORT FOR THE YEAR ENDED SEPTEMBER 30, 2018, PREPARED BY YELDELL, WILSON, WOOD AND REEVE, P.C.

WHEREAS, Section 103.001. of the Local Government Code requires a municipality to have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit, and;

WHEREAS, Section. 1.05.003. Audit of City Funds. The Code of Ordinances of the City of Ovilla in accordance to the Local Government Code, Section 103.001, requires the city audit to be performed by a licensed certified public accountant and filed with the city secretary within one hundred and twenty (120) days after the last day of each fiscal year.

WHEREAS, the City of Ovilla has an agreement with Yeldell, Wilson, Wood and Reeve, PC, to conduct and manage their annual audits and prepare financial statements.

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

Section 1.

The City Council of the City of Ovilla hereby approves and accepts the Annual Financial Audit Report for the year ended September 30, 2018, prepared by Yeldell, Wilson, Wood and Reeve, P.C.

Section 2.

A copy of the said Annual Financial Audit Report is attached hereto as Exhibit "A" and made a part hereof for all purposes.

*PASSED, APPROVED, AND RESOLVED this 13 day of May 2019.*

APPROVED: \_\_\_\_\_

Richard Dormier, MAYOR

ATTEST: \_\_\_\_\_

Pamela Woodall, CITY SECRETARY

AGENDA ITEM REPORT  
Item 5

Meeting Date: May 13, 2019

Discussion  Action

Submitted By: John R. Dean, Jr. CM

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other: Staff

Attachments:

1. N/A

Agenda Item / Topic:

ITEM 5. **DISCUSSION** – Review and discuss current contract with Community Waste Disposal (CWD) representatives.

Discussion / Justification:

This Item was placed on the agenda to address the quality of service being provided by CWD and for CWD to brief the Council on the Annual clean-up event.

Recommendation / Staff Comments:

N/A

Sample Motion(s):

Discussion Only.

## AGENDA ITEM REPORT

### Item 6

Meeting Date: May 13, 2019

Discussion  Action

Submitted By: John R. Dean, Jr., CM

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other: Staff

#### Attachments:

1. Annual Activity Report
2. Attendance record
3. Current membership

#### Agenda Item / Topic:

**ITEM 6.** **DISCUSSION/ACTION** – Receive annual report and consider and act on volunteer board reappointments to serve another term on the Board of Adjustment and direct staff to solicit for new applicants.

#### Discussion / Justification:

##### Chapter 14, Section 45.2 TERMS OF OFFICE

A. Terms. Each member shall serve a term of office of two years. After the expiration of a two-year term of office, a member shall serve until a successor is appointed. The terms of three of the members shall expire on the first Monday in June of each odd-numbered year, and the terms of two of the members shall expire on the first Monday in June of each even-numbered year.

B. Places. The members of the Board shall be identified by place numbers one through five. The odd-numbered places shall expire in the odd-numbered years; the even-numbered places shall expire in the even-numbered years. (There are two alternate positions, Places 6 & 7)

Places 1, 3 and 5 and 7 (alternate) will expire this June.

BOA Place 1- Carol Richtsmeier voiced desire for reappointment

BOA Place 3- Barbara Betik voiced desire for reappointment

BOA Place 5 – Richard Ware voiced desire for reappointment

BOA Place 7 – Mark Clark voiced desire for reappointment (alternate)

#### Recommendation / Staff Comments:

N/A

#### Sample Motion(s):

I move to reappoint the following to the Board of Adjustment for a new terms:

BOA Place 1 Carol Richtsmeier

BOA Place 3 Barbara Betik

BOA Place 5 Richard Ware

BOA Place 7 Mark Clark (alternate position)

And/or direct staff to solicit for new applicants.

To  
Honorable Mayor  
and Council

**Board of Adjustment Annual Activity :**

Zoning Board of Adjustment

From :Staff

1. Upcoming Variances and Special Exceptions:

- a. Accessory Building – Angle
- b. Fence – Building Line
- c. Accessory Building – 1. Angle 2. Height 3. Front Setback

CC: John R. Dean, Jr.

2. Completed:

- a. 609 Westmoreland - Accessory building – too large – *Approved*
- b. 609 Westmoreland - Garage Apartment – *Approved*
- c. 106 Lariat Trail – Metal Barn - *Approved*
- d. 106 Lariat Trail – Metal Accessory Building - *Approved*
- e. 1211 Red Oak Creek - Accessory Building, Rear Plane – *Approved*
- f. 704 Buckboard – Acc. Bldg 1. metal 2. detached 3. square ft. *Approved*
- g. 101 Silverwood- Accessory Building 1. Detached 2. Carport - *Approved*
- h. 405 Bluff Creek – Accessory Building - Rear plane – *Approved*
- i. 918 Red Oak Creek – Fence – Front Building line – *Approved*
- j. 307 Cockrell Hill Rd – Accessory Building – metal - *Approved*
- k. 625 Meadow Lark – Fence building line – *with drawn*

Re: BOA Annual  
Activity and  
appointments.

**City of Ovilla**

Tel 972-617-7262

105 S. Cockrell Hill Road  
Ovilla, Texas 75154

[www.cityofovilla.org](http://www.cityofovilla.org)  
pwoodall@cityofovilla.org



	NO MTG				NO MTG	TUESDAY	NO MTG	TUESDAY	NO MTG		NO MTG	
BOA	2018.06.16	2018.07.16	2018.08.20	2018.09.17	2018.10.15	2018.11.19	2018.12.17	2019.01.22	2019.02.18	2019.03.18	2019.04.15	2019.05.20
Richtsmeier PL1		✓	✓	✓		✓		✓		✓		
Molina, D. PL2		✓	✓	✓		✓		✓		✓		
Betik, B. PL3		✓	✓	A		✓		✓		✓		
Heimbuch PL4	NOT NEEDED	✓	✓			✓		✓		✓		
Ware, R. PL5		✓	✓	✓				A - (no Tuesdays)		✓		
Cawley PL4	✓	Passed away										
Alternate(s)												
Halyard PL6	✓	NOT NEEDED	✓		✓		NOT NEEDED			A		
Clark PL7	-	-	-		-		✓			A		
CM			✓		✓		✓		✓			
C-SEC	✓		✓		✓		✓		✓			
Code Enf.	✓		✓		✓		✓		✓			
BOA sec.	✓		✓		✓		✓		✓			
Other												

## BOA ATTENDANCE RECORD JUNE 2018 THROUGH MAY 2019

## BOA Information Sheet



**Personal- Do not Give Out!**

<b>MEMBERS:</b>	
RICHTSMEIER, Carol CHAIR 2019 PL1	MOLINA, Ozzie 2020 PL2
925 Red Oak Creek Dr.	224 Lariat Trail
Ovilla, TX 75154	Ovilla, TX 75154
Hm: _____	Hm: _____
Wk: N/A	Wk: Retired
Cell: N/A	Cell: N/A
E-Mail: _____	E-Mail: _____
<b>BETIK, Barbara 2019 PL3</b>	<b>HEIMBUCH, Stephanie - 2020 PL4</b>
601 Buckboard Trail	613 William Drive
Red Oak, TX 75154	Ovilla, TX 75154
Hm: _____	Hm: _____
Wk: N/A	Wk: _____
Cell: N/A	Cell: N/A
E-Mail: _____	E-Mail: _____
<b>Ware, Richard Vice Chair (Lisa) 2019 PL5</b>	
116 Water Street	
Ovilla, TX 75154	
Hm: _____	
Wk: _____	
Cell: N/A	
E-Mail: _____	
<b>ALTERNATES</b>	
<b>CLARK, Mark 2019 PL7</b>	<b>HALYARD-KING, Patricia 2020 PL6</b>
1210 Red Oak Creek Dr	103 Rimrock Ct
Ovilla, TX 75154	Ovilla, TX 75154
Hm: _____	Hm: _____
Wk: Retired	Wk: _____
Cell: N/A	Cell: N/A
Email: _____	Email: _____

## AGENDA ITEM REPORT

### Item 7

Meeting Date: May 13, 2019

Department: Administration/EDC

Discussion Action

Budgeted Expense: YES NO N/A

Submitted By: John R. Dean, Jr. CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other: Staff

#### Attachments:

1. Annual Activity Report
2. Attendance Record
3. Current list of members
4. Multiple applications

#### Agenda Item / Topic:

**ITEM 7. DISCUSSION/ACTION** – Receive annual report and consider and act on volunteer board appointments and/or reappointments to serve a term on the Economic Development Corporation (EDC) and direct staff to solicit for new applicants.

#### Discussion / Justification:

Pursuant to the By-Laws of the Economic Development Corporation, the Board of Directors consists of a seven-member board and states that each member shall be appointed by the City Council for a two-year term. The EDC has multiple openings. Expiring terms are Places 2, 4 & 6.

1. Bob Betik, Place 2 – desires reappointment (expires 2021)
2. VACANT, Place 4 – new appointment (expires 2021)
3. VACANT, Place 6 – new appointment (expires 2021)

Place 1 (expires 2020) has been vacant for a while and Council Member Mike Myers is still a temporary member on the Board, holding Place 5 (expires 2020).

Staff has received multiple applications with interests to serve on this Board.

New applicants: Dr. William Garner, Lyn Henderson, Amanda McCloskey.  
Current BOA member Ozzie Molina is requesting to be appointed to the EDC.

#### Recommendation / Staff Comments:

Staff recommends appointments.

#### Sample Motion(s):

I move that Council REAPPOINT/APPOINT:

1. PL1 new appointment
2. PL2 Bob Betik, reappointment
3. PL4 new appointment
4. PL6 new appointment
5. PL5 new appointment ?

to serve a term on the volunteer board of the Economic Development Corporation (EDC).

-And

I move that Council direct staff to solicit for new applicants for consideration of an EDC appointment.

05.13.2019

## Annual Activity Update 2018-2019

To  
Honorable Mayor  
and Council

From  
John R. Dean, Jr., CM

CC

Re  
Annual Activity.

### EDC ACTIVITY:

#### Economic Development District:

1. Pending items:
  - a. Monument signs at various entrances
  - b. Continued discussion for improvements to the downtown area with lighting, walkways and better parking.
  - c. Proposals for Design Branding and Way-Finding
2. Upcoming economic development and events:
  - a. Committed funding for a wastewater line to Founders Park
3. Completed:
  - a. Placement of two new monument signs.
  - b. Annual participation the the BSW membership for the City.
  - c. Participation of plaque presentation(s) to local businesses.
  - d. Matching Funds Grant to Cassaro Winery
  - e. Incentive Resolution- Red Oak Creek Road

**City of Ovilla**

Tel 972-617-7262

105 S. Cockrell Hill Road  
Ovilla, Texas 75154

[www.cityofovilla.org](http://www.cityofovilla.org)  
pwoodall@cityofovilla.org



EDC				No Mtg		No Mtg	No Mtg		No Mtg		No Quorum	
	May 21, 2018	June 18, 2018	July 16, 2018	August 20, 2018	Sept. 17, 2018	Oct. 15, 2018	Nov. 19, 2018	Dec. 17, 2018	Jan. 22, 2019	Feb. 19, 2019	Mar 18, 2019	April 15, 2019
PL1 Surplus	✓	✓	✓		RESIGNED			VACANT		VACANT	VACANT	VACANT
PL2 Betik	✓	Absent	✓		Absent			✓		✓		✓
Betik appointed 07-2017												
PL3 Huntington	✓	✓	✓		✓			✓		✓		✓
PL4 Knight			✓		✓			✓		✓		✓
Appt 07.2018												
PL5 Myers	✓	Absent	✓		Absent			✓		✓		Absent
Myers appointed 04-2018												
PL6 Sims	Absent	✓	✓		✓			✓		✓		Resigned/ moved to P&Z
PL7 Turner	Absent	✓	✓		✓			✓		✓		✓
CM	✓	✓	✓		✓			✓		✓		✓
C-SEC	✓	✓	✓		✓			✓		✓		✓
DC-Sec												
PW Director												

# Ovilla Economic Development Corporation

VACANT - 2020 – Place 1	Bob Betik - 2019 – Place 2
Ovilla, TX 75154	601 Buckboard Trail
Hm:	Hm:
Business:	Business:
E-Mail:	E-Mail:
Greg Huntington - 2020 – Place 3	VACANT - 2019 – Place 4
514 Forest Edge Lane	
Ovilla, TX 75154	Ovilla, TX 75154
Hm:	Hm:
Business:	Cell:
E-Mail:	E-Mail:
Mike Myers - 2020 – Place 5	VACANT - 2019 – Place 6
115 Hummingbird Lane	
Ovilla, TX 75154	Ovilla, TX 75154
Hm:	Hm:
Business:	Business: N/A
Cell:	Cell:
E-Mail:	E-Mail:
Barbara Turner - 2020 – Place 7	
406 Bluffcreek	
Ovilla, TX 75154	
Hm: §	
Cell	
E-Mail:	



## Pam Woodall

---

**Subject:** FW: EDC appointment

**From:** Babovilla  
**Sent:** Tuesday, April 23, 2019 2:34 PM  
**To:** Pam Woodall <[PWoodall@cityofovilla.org](mailto:PWoodall@cityofovilla.org)>  
**Subject:** Re: EDC appointment

Please consider my reappointment for another year to the EDC.

Thank you,  
Bob Betik

On Fri, Apr 19, 2019 at 11:17 AM Pam Woodall <[PWoodall@cityofovilla.org](mailto:PWoodall@cityofovilla.org)> wrote:

Good day Bob,

Your term appointment with the EDC is coming up in June. Please respond to my email your desires for reappointment. Appointments and reappointments for all Boards will be on the May City Council meeting agenda for Council consideration.

Thank you.

Pam

*Pamela Woodall*

*City Secretary*

*City of Ovilla*

*972-617-7262*

*[pwoodall@cityofovilla.org](mailto:pwoodall@cityofovilla.org)*

*[www.cityofovilla.org](http://www.cityofovilla.org)*



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To race, color, national origin, religion, sex or disability.*

**CITY OF OVILLA**  
**BOARDS AND COMMISSIONS**  
**INFORMATION STATEMENT AND APPLICATION**

*The City of Ovilla desires qualified, interested citizens to serve on city boards and/or commissions. We appreciate your interest in Ovilla's current needs and future. If you believe you meet the requirements and have the allowed time to serve on a board or commission, please complete the following.*

**Board and commission members must meet the required qualifications listed below:**

- ✓ Be a resident of the city for at least 6 months prior to date of appointment;
- ✓ Be a qualified voter at the time of the appointment;
- ✓ Have no criminal record that is considered by the City Council to be so serious that it serves as a disqualification (i.e. felony conviction);
- ✓ Not be an adversary party to pending litigation or claim against the city (except for eminent domain proceedings);
- ✓ Not to be an employee or a business associate of either an adversary party or a representative of an adversary party;
- ✓ Not in arrears on city taxes, water service charges or other obligations owed to the city; and
- ✓ Have a creditable record of attendance and performance in any previous board service.

If you are interested in applying for more than one position, please indicate your top three choices in order of your preference by placing a number in the space to the left of the board/commission/committee for which you are applying (#1 being your 1<sup>st</sup> choice, #3 being your last choice)

BOARDS, COMMISSIONS, COMMITTEES      MEETING INFORMATION

Planning and Zoning Commission	1 <sup>ST</sup> Monday of each month or as necessary -- 7:00 PM
Board of Adjustment	3 <sup>RD</sup> Monday of each month or as necessary -- 7:00 PM
Economic Development Corporation	3 <sup>RD</sup> Monday of each month or as necessary -- 6:00 PM
Municipal Development District	As necessary
Municipal Services Advisory Committee	As necessary
Park Development & Improvement	As necessary

NAME William Anthony Garner

HOME ADDRESS 213 White Rock Court

Ovilla, Texas 75154

HOW LONG HAVE YOU LIVED IN OVILLA? 2015  EMAIL

**HOME TELEPHONE** **BUSINESS TELEPHONE**

**PROFESSION** University Professor

**INTERESTS** Gardening, Baking, Fishing, Mentoring

RETURN TO CITY SECRETARY'S OFFICE OR EMAIL TO [pwoodall@cityofovilla.org](mailto:pwoodall@cityofovilla.org)

**1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?**

I have previous experience serving on non-profit boards and working with and supporting elected officials at the national level.

**2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?**

No, I have no previous service on a municipal board or commission in Ovilla.

**3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?**

If yes to one or both, please list the municipality, committee and dates served:

**4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.**

- ❖ FitFuture Coordinator, City of Fort Worth
- ❖ Mentorship Committee, American College of Healthcare Executives
- ❖ \_\_\_\_\_

**5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:**

**6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) University of North Texas at Dallas**

**STATEMENT OF INTENT: If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.**

William Garner

**SIGNATURE**

01/06/2019

**DATE**

William Anthony Garner  
**PRINTED NAME OF APPLICANT**



**CITY OF OVILLA OFFICIAL USE ONLY**

**DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_**

**RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262**

**ATTENTION: Pamela Woodall**



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**CITY OF OVILLA  
 BOARDS AND COMMISSIONS  
 INFORMATION STATEMENT AND APPLICATION**

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- ✓ Not be an adversary party to pending litigation or claim against the city (except for eminent domain proceedings);
- ✓ Not to be an employee or a business associate of either an adversary party or a representative of an adversary party;
- ✓ Not in arrears on city taxes, water service charges or other obligations owed to the city; and
- ✓ Have a creditable record of attendance and performance in any previous board service.

If you are interested in applying for more than one position, please indicate your top three choices in order of your preference by placing a number in the space to the left of the board/commission/committee for which you are applying (#1 being your 1<sup>st</sup> choice, #3 being your last choice)

**BOARDS, COMMISSIONS, COMMITTEES**      **MEETING INFORMATION**

<input checked="" type="checkbox"/> Planning and Zoning Commission	1 <sup>ST</sup> Monday of each month or as necessary – 6:00 PM
<input type="checkbox"/> Board of Adjustment	3 <sup>RD</sup> Monday of each month or as necessary – 7:00 PM
<input checked="" type="checkbox"/> Economic Development Corporation	3 <sup>RD</sup> Monday of each month or as necessary – 6:00 PM
<input type="checkbox"/> Municipal Development District	As necessary
<input type="checkbox"/> Municipal Services Advisory Committee	As necessary
<input type="checkbox"/> Park Development & Improvement	As necessary
<input type="checkbox"/> Municipal Facilities Improvement Committee	Temporary Board, as necessary

NAME Lyn Henderson

HOME ADDRESS 119 Ashburne Glen Lane

Ovilla, TX 75154

HOW LONG HAVE YOU LIVED IN OVILLA? 9 yrs. EMAIL   

HOME TELEPHONE

BUSINESS TELEPHONE

PROFESSION Senior Portfolio Manager

INTERESTS Fishing, hiking, cooking

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

\_\_\_\_\_

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

NO \_\_\_\_\_

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY? NO

If yes to one or both, please list the municipality, committee and dates served:

_____
_____
_____

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- ❖ Rebuilding Together
- ❖ First Tee of North Dallas
- ❖ \_\_\_\_\_

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) Freddie Mac

also a licensed Real Estate Broker

**STATEMENT OF INTENT:** If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.

Lyn K  
SIGNATURE

4/11/19  
DATE

Lyn Henderson  
PRINTED NAME OF APPLICANT



**CITY OF OVILLA OFFICIAL USE ONLY**

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262

ATTENTION: Pamela Woodall

RETURN TO CITY SECRETARY'S OFFICE OR EMAIL TO [pwoodall@cityofovilla.org](mailto:pwoodall@cityofovilla.org)  
DATE RECEIVED:



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**CITY OF OVILLA  
BOARDS AND COMMISSIONS  
INFORMATION STATEMENT AND APPLICATION**

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- ✓ Not be an adversary party to pending litigation or claim against the city (except for eminent domain proceedings);
- ✓ Not to be an employee or a business associate of either an adversary party or a representative of an adversary party;
- ✓ Not in arrears on city taxes, water service charges or other obligations owed to the city; and
- ✓ Have a creditable record of attendance and performance in any previous board service.

If you are interested in applying for more than one position, please indicate your top three choices in order of your preference by placing a number in the space to the left of the board/commission/committee for which you are applying (#1 being your 1<sup>st</sup> choice, #3 being your last choice)

**BOARDS, COMMISSIONS, COMMITTEES      MEETING INFORMATION**

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✓ Economic Development Corporation	3 <sup>RD</sup> Monday of each month or as necessary – 6:00 PM
Municipal Development District	As necessary
Municipal Services Advisory Committee	As necessary
Park Development & Improvement	As necessary
Municipal Facilities Improvement Committee	Temporary Board, as necessary

NAME AMANDA McCloskey

HOME ADDRESS 217 Williamsburg Lane, Ovilla, TX

HOW LONG HAVE YOU LIVED IN OVILLA? 7 yrs EMAIL \_\_\_\_\_

HOME TELEPHONE \_\_\_\_\_ BUSINESS TELEPHONE \_\_\_\_\_

PROFESSION Bank Manager @ Wells Fargo BANK , Red Oak

INTERESTS Spending time with my family, cooking, and volunteering

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

Yes - BA in MA, 13 years in Finance.

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

Not in Ovilla

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?

If yes to one or both, please list the municipality, committee and dates served:

No

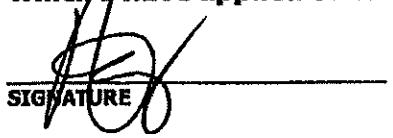
4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- ❖ Former Board Member for Red Oak Education Foundation
- ❖ \_\_\_\_\_
- ❖ \_\_\_\_\_

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) Wells Fargo BANK Manager

**STATEMENT OF INTENT:** If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.

  
SIGNATURE

DATE

4/15/2019

Amanda McCloskey  
PRINTED NAME OF APPLICANT



**CITY OF OVILLA OFFICIAL USE ONLY**

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

**RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262**

**ATTENTION: Pamela Woodall**



**COPY**

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 BOARDS AND COMMISSIONS  
 INFORMATION STATEMENT AND APPLICATION**

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- ✓ Have no criminal record that is considered by the City Council to be so serious that it serves as a disqualification (i.e. felony conviction);
- ✓ Not be an adversary party to pending litigation or claim against the city (except for eminent domain proceedings);
- ✓ Not to be an employee or a business associate of either an adversary party or a representative of an adversary party;
- ✓ Not in arrears on city taxes, water service charges or other obligations owed to the city; and
- ✓ Have a creditable record of attendance and performance in any previous board service.

If you are interested in applying for more than one position, please indicate your top three choices in order of your preference by placing a number in the space to the left of the board/commission/committee for which you are applying (#1 being your 1<sup>st</sup> choice, #3 being your last choice)

<b>BOARDS, COMMISSIONS, COMMITTEES</b>	<b>MEETING INFORMATION</b>
Planning and Zoning Commission	1 <sup>ST</sup> Monday of each month or as necessary - 6:00 PM
Board of Adjustment	3 <sup>rd</sup> Monday of each month or as necessary - 7:00 PM
<input checked="" type="checkbox"/> Economic Development Corporation	3 <sup>rd</sup> Monday of each month or as necessary - 6:00 PM
Municipal Development District	As necessary
Municipal Services Advisory Committee	As necessary
Park Development & Improvement	As necessary
<input checked="" type="checkbox"/> Municipal Facilities Improvement Committee	Temporary Board, as necessary

NAME OSWALDO MOLINA

HOME ADDRESS 224 LARIAT TRAIL

HOW LONG HAVE YOU LIVED IN OVILLA? 23 EMAIL

HOME TELEPHONE \_\_\_\_\_ BUSINESS TELEPHONE \_\_\_\_\_

PROFESSION Welding Instructor

INTERESTS Welding

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

YES

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

Board of Adjustment

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY? NO

If yes to one or both, please list the municipality, committee and dates served:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- ❖ Citizens on Patrol
- ❖ \_\_\_\_\_
- ❖ \_\_\_\_\_

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL, OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) MOUNTAIN VIEW  
Weld Prod - Instructor

STATEMENT OF INTENT: If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.

Oswaldo Molina  
SIGNATURE

5-7-2019  
DATE

Oswaldo Molina  
PRINTED NAME OF APPLICANT



CITY OF OVILLA OFFICIAL USE ONLY

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262

ATTENTION: Pamela Woodall

## AGENDA ITEM REPORT

### Item 8

Meeting Date: May 13, 2019

Discussion  Action

Submitted By: John R. Dean, Jr. CM

Department: Administration

Budgeted Expense:  YES  NO  N/A

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney

Accountant

Other: Staff

#### Attachments:

1. Applications

Agenda Item / Topic:

ITEM 8. **DISCUSSION/ACTION** – Consideration of and action on volunteer committee appointment(s) to serve on the temporary board, Municipal Facilities Improvement Committee, and/or direct staff to continue solicitation for new applicants.

#### Discussion / Justification:

Staff made presentation to Council during a special meeting on March 25, 2019 outlining the current conditions of facilities, some roads in need of complete repair, and other specific needs to help with the operation of an efficient government. The Council approved the creation of a temporary Municipal Facilities Improvement Committee and allowed staff to solicit for applications for this project. Mail card invitations as well as a section on the last City newsletter asking for volunteers were mailed to all Ovilla residents. A posting was place on the City website. Staff has returned with the hopeful appointments of applicants and is still expecting additional applications to be submitted.

#### Recommendation / Staff Comments:

Staff recommends appointments.

#### Sample Motion(s):

I move that Council APPOINTS:

1. Mark Clark
2. Cedric Goree
3. Kathy Daigle
4. Dr. William Garner
5. Raynard Kearbey
6. Amanda McCloskey
7. Dani Muckleroy
8. Ozzie Molina
9. James Phipps
10. Brian Treadaway
11. BJ Tucker
12. Bill Turner
13. Jimmie Wade

to serve on the temporary committee – Municipal Facilities Improvement Committee - and/or I move that Council direct staff to continue in search for additional applicants.



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 To race, color, national origin, religion, sex or disability;

**CITY OF OVILLA**  
**BOARDS AND COMMISSIONS**  
**INFORMATION STATEMENT AND APPLICATION**

*The City of Ovilla desires qualified, interested citizens to serve on city boards and/or commissions. We appreciate your interest in Ovilla's current needs and future. If you believe you meet the requirements and have the allowed time to serve on a board or commission, please complete the following.*

Board and commission members must meet the required qualifications listed below:

- ✓ Be a resident of the city for at least 6 months prior to date of appointment;
- ✓ Be a qualified voter at the time of the appointment;
- ✓ Have no criminal record that is considered by the City Council to be so serious that it serves as a disqualification (i.e. felony conviction);
- ✓ Not be an adversary party to pending litigation or claim against the city (except for eminent domain proceedings);
- ✓ Not to be an employee or a business associate of either an adversary party or a representative of an adversary party;
- ✓ Not in arrears on city taxes, water service charges or other obligations owed to the city; and
- ✓ Have a creditable record of attendance and performance in any previous board service.

If you are interested in applying for more than one position, please indicate your top three choices in order of your preference by placing a number in the space to the left of the board/commission/committee for which you are applying (#1 being your 1<sup>st</sup> choice, #3 being your last choice)

BOARDS, COMMISSIONS, COMMITTEES	MEETING INFORMATION
Planning and Zoning Commission	1 <sup>ST</sup> Monday of each month or as necessary – 6:00 PM
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Economic Development Corporation	3 <sup>rd</sup> Monday of each month or as necessary – 6:00 PM
Municipal Development District	As necessary
Municipal Services Advisory Committee	As necessary
Park Development & Improvement	As necessary
<input checked="" type="checkbox"/> Municipal Facilities Improvement Committee	Temporary Board, as necessary

NAME	<u>Mark Clark</u>	
HOME ADDRESS	1210 Red Oak Creek Drive Ovilla, TX 75154	
HOW LONG HAVE YOU LIVED IN OVILLA?	22	EMAIL
HOME TELEPHONE	- - -	
PROFESSION	retired	
INTERESTS	camping, skiing, traveling	

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

---

---

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

Ovilla 10 year planning committee  
Board of Adjustment (alternate)

---

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?

If yes to one or both, please list the municipality, committee and dates served:

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- ❖ Ovilla COP Program
- ❖ \_\_\_\_\_
- ❖ \_\_\_\_\_

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) Retired

**STATEMENT OF INTENT:** If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.

J. Mark Clark  
\_\_\_\_\_  
SIGNATURE

4-9-19  
\_\_\_\_\_  
DATE

L. Mark Clark  
\_\_\_\_\_  
PRINTED NAME OF APPLICANT



**CITY OF OVILLA OFFICIAL USE ONLY**

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262

ATTENTION: Pamela Woodall

RETURN TO CITY SECRETARY'S OFFICE OR EMAIL TO [pwoodall@cityofovilla.org](mailto:pwoodall@cityofovilla.org)  
DATE RECEIVED: \_\_\_\_\_



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**CITY OF OVILLA  
BOARDS AND COMMISSIONS  
INFORMATION STATEMENT AND APPLICATION**

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Municipal Development District	As necessary
Municipal Services Advisory Committee	As necessary
Park Development & Improvement	As necessary
Municipal Facilities Improvement Committee	Temporary Board, as necessary

NAME Cedric C. Goree

HOME ADDRESS 100 Suburban Dr. Ovilla, TX 75154

HOW LONG HAVE YOU LIVED IN OVILLA? 19 mo. EMAIL \_\_\_\_\_

HOME TELEPHONE \_\_\_\_\_ BUSINESS TELEPHONE n/a

PROFESSION 1SG, U.S. Army (retired)

INTERESTS Fishing, golf, reading, exercising, lawncare

*COPY*

**1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?**

Served on Army promotion boards and Army Community & Civilian Relationship Boards

**2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?**

No

**3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?**

If yes to one or both, please list the municipality, committee and dates served:

Joint Base McGuire-Dix-Lakehurst, NJ (08-2014 thru 05-2015)

**4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.**

- ❖ Volunteer Intramural Sports Coach (Ft. Hamilton, NY)
- ❖ Army Family's and Community Enrichment Program (Ft. Hood, TX)
- ❖ \_\_\_\_\_

**5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR  NO) If yes, please list:**

**6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) 1SG, U.S. Army (retired), Grad student at Texas Tech Univ.**

**STATEMENT OF INTENT: If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.**

  
SIGNATURE

05/01/2019

DATE

Cedric C. Goree

PRINTED NAME OF APPLICANT



**CITY OF OVILLA OFFICIAL USE ONLY**

**DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_**

**RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262**

**ATTENTION: Pamela Woodall**



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**CITY OF OVILLA  
BOARDS AND COMMISSIONS  
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Municipal Development District	As necessary
Municipal Services Advisory Committee	As necessary
Park Development & Improvement	As necessary
1 Municipal Facilities Improvement Committee	Temporary Board, as necessary

NAME Kathy Daigle

HOME ADDRESS 306 E University

HOW LONG HAVE YOU LIVED IN OVILLA? 5/18 EMAIL kd@comcast.net

HOME TELEPHONE

BUSINESS TELEPHONE

PROFESSION Semi Retired L.H.C, R.N.

INTERESTS Family, Health, Spirituality, Reading

**COPY**

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

\_\_\_\_\_

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

No

\_\_\_\_\_

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY? No

If yes to one or both, please list the municipality, committee and dates served:

_____
_____

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

❖ Church Volunteer  
❖ \_\_\_\_\_  
❖ \_\_\_\_\_

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) semi-Retired, self-employed

**STATEMENT OF INTENT:** If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.

Kathy Daigle  
SIGNATURE

4/15/19  
DATE

Kathy Daigle  
PRINTED NAME OF APPLICANT



**CITY OF OVILLA OFFICIAL USE ONLY**

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262

ATTENTION: Pamela Woodall



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**CITY OF OVILLA**  
**BOARDS AND COMMISSIONS**  
**INFORMATION STATEMENT AND APPLICATION**

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_____ Municipal Development District	As necessary
_____ Municipal Services Advisory Committee	As necessary
1. Park Development & Improvement	As necessary

NAME William Anthony Garner

HOME ADDRESS 213 White Rock Court

Ovilla, Texas 75154

HOW LONG HAVE YOU LIVED IN OVILLA? 2015 EMAIL  

HOME TELEPHONE   BUSINESS TELEPHONE  

PROFESSION University Professor

INTERESTS Gardening, Baking, Fishing, Mentoring

**1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?**

I have previous experience serving on non-profit boards and working with and supporting elected officials at the national level.

**2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?**

No, I have no previous service on a municipal board or commission in Ovilla.

**3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?**

If yes to one or both, please list the municipality, committee and dates served:

---

---

**4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.**

- ❖ FitFuture Coordinator, City of Fort Worth
- ❖ Mentorship Committee, American College of Healthcare Executives
- ❖ \_\_\_\_\_

**5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:**

**6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) University of North Texas at Dallas**

**STATEMENT OF INTENT: If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.**

William Garner

SIGNATURE

01/06/2019

DATE

William Anthony Garner  
PRINTED NAME OF APPLICANT



**CITY OF OVILLA OFFICIAL USE ONLY**

**DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_**

**RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262**

**ATTENTION: Pamela Woodall**

RETURN TO CITY SECRETARY'S OFFICE OR EMAIL TO [pwoodall@cityofovilla.org](mailto:pwoodall@cityofovilla.org)  
DATE RECEIVED:



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**CITY OF OVILLA  
BOARDS AND COMMISSIONS  
INFORMATION STATEMENT AND APPLICATION**

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Economic Development Corporation	3 <sup>rd</sup> Monday of each month or as necessary - 6:00 PM
Municipal Development District	As necessary
Municipal Services Advisory Committee	As necessary
Park Development & Improvement	As necessary
<input checked="" type="checkbox"/> Municipal Facilities Improvement Committee	Temporary Board, as necessary

NAME RAYNARD O. KEARBEY  
HOME ADDRESS 619 GREEN MEADOWS LANE, OVILLA

HOW LONG HAVE YOU LIVED IN OVILLA? 24.8 years

HOME TELEPHONE \_\_\_\_\_ BUSINESS TELEPHONE \_\_\_\_\_

PROFESSION ARCHITECT, SELF-EMPLOYED

INTERESTS TRAVEL, READING, GRANDKIDS

RETURN TO CITY SECRETARY'S OFFICE OR EMAIL TO [pwoodall@cityofovilla.org](mailto:pwoodall@cityofovilla.org)

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

I BELIEVE SO - CONSTRUCTION & PROJECT MANAGEMENT, SUSTAINABILITY, ARCHITECTURE

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

YES - PLANNING & ZONING (MID 90'S)

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?

If yes to one or both, please list the municipality, committee and dates served:

FESTUS, MO. - P&Z (MID 80'S)

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- ❖ \_\_\_\_\_
- ❖ \_\_\_\_\_
- ❖ \_\_\_\_\_

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) HOME OFFICE.

STATEMENT OF INTENT: If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.

Raynard O. Kearbey  
SIGNATURE

4/11/19  
DATE

RAYNARD O. KEARBNEY

PRINTED NAME OF APPLICANT



CITY OF OVILLA OFFICIAL USE ONLY

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262

ATTENTION: Pamela Woodall



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**CITY OF OVILLA  
BOARDS AND COMMISSIONS  
INFORMATION STATEMENT AND APPLICATION**

The City of Ovilla is an equal opportunity employer. It is the City's policy to provide equal opportunity to all persons in its employment, in its programs and activities, and in its contracts and subcontracts. The City does not discriminate on the basis of race, color, national origin, sex, age, or disability.

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Economic Development Corporation	3 <sup>rd</sup> Monday of each month or as necessary ~ 6:00 PM
Municipal Development District	As necessary
Municipal Services Advisory Committee	As necessary
Park Development & Improvement	As necessary
<input checked="" type="checkbox"/> Municipal Facilities Improvement Committee	Temporary Board, as necessary

NAME DANI MUCKLEROY

HOME ADDRESS 608 GREEN MEADOWS LN

HOW LONG HAVE YOU LIVED IN OVILLA? 26 yrs

HOME TELEPHONE 800 BUSINESS TELEPHONE       

PROFESSION RETIRE BUSINESS OWNER

INTERESTS VOLUNTEER FOR NON PROFITS, BUILD DOLLHOUSES

FOR FUND RAISING

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

FLIPPED PROPERTIES, BUILT MY HUSBAND'S OFFICE CONDO,  
DESIGNED OUR HOME, HAVE RUN BUSINESSES & SERVED ON BOARDS

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

YES

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?

If yes to one or both, please list the municipality, committee and dates served:

No

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- ❖ BOARD - SALVATION ARMY OF ELLIS COUNTY - 13 YEARS
- ❖ FIRST UNITED METHODIST CHURCH, RED ORK, VARIOUS POSITIONS
- ❖ 3 YRS ON BOARD OF DANIEL'S DEN

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) RETIRED

**STATEMENT OF INTENT:** If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.

Dani Muckleboy  
SIGNATURE

4-10-2019

DATE

DANI MUCKLEBOY  
PRINTED NAME OF APPLICANT



**CITY OF OVILLA OFFICIAL USE ONLY**

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262

ATTENTION: Pamela Woodall



**COPY**

This Information is a Public Record  
*Public Service opportunities are offered by the City of Ovilla without regard  
 To race, color, national origin, religion, sex or disability.*

**CITY OF OVILLA  
 BOARDS AND COMMISSIONS  
 INFORMATION STATEMENT AND APPLICATION**

***The City of Ovilla desires qualified, interested citizens to serve on city boards and/or commissions. We appreciate your interest in Ovilla's current needs and future. If you believe you meet the requirements and have the allowed time to serve on a board or commission, please complete the following.***

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- ✓ Be a resident of the city for at least 6 months prior to date of appointment;
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- ✓ Have a creditable record of attendance and performance in any previous board service.

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**BOARDS, COMMISSIONS, COMMITTEES**      **MEETING INFORMATION**

<input type="checkbox"/> Planning and Zoning Commission	1 <sup>ST</sup> Monday of each month or as necessary – 6:00 PM
<input type="checkbox"/> Board of Adjustment	3 <sup>rd</sup> Monday of each month or as necessary – 7:00 PM
<input checked="" type="checkbox"/> Economic Development Corporation	3 <sup>rd</sup> Monday of each month or as necessary – 6:00 PM
<input type="checkbox"/> Municipal Development District	As necessary
<input type="checkbox"/> Municipal Services Advisory Committee	As necessary
<input type="checkbox"/> Park Development & Improvement	As necessary
<input checked="" type="checkbox"/> Municipal Facilities Improvement Committee	Temporary Board, as necessary

NAME OSWALDO MOLINA

HOME ADDRESS 224 LARIAT TRAIL

HOW LONG HAVE YOU LIVED IN OVILLA? 23 EMAIL. oswaldo.molina@outlook.com

HOME TELEPHONE ----- BUSINESS TELEPHONE -----

PROFESSION Welding Instructor

INTERESTS Welding

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

yes

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

Board of Adjustment

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY? no

If yes to one or both, please list the municipality, committee and dates served:

--	--	--

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- ❖ Citizens on Patrol
- ❖ \_\_\_\_\_
- ❖ \_\_\_\_\_

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL, OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) MOUNTAIN VIEW  
Weld and Instruction

STATEMENT OF INTENT: If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.

Oswaldo Molina  
SIGNATURE

5-7-2019  
DATE

Oswaldo Molina  
PRINTED NAME OF APPLICANT



CITY OF OVILLA OFFICIAL USE ONLY

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262

ATTENTION: Pamela Woodall

RETURN TO CITY SECRETARY'S OFFICE OR EMAIL TO [pwoodall@cityofovilla.org](mailto:pwoodall@cityofovilla.org)  
DATE RECEIVED:



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**CITY OF OVILLA**  
**BOARDS AND COMMISSIONS**  
**INFORMATION STATEMENT AND APPLICATION**

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<b>BOARDS, COMMISSIONS, COMMITTEES</b>	<b>MEETING INFORMATION</b>
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Economic Development Corporation	3 <sup>rd</sup> Monday of each month or as necessary – 6:00 PM
Municipal Development District	As necessary
Municipal Services Advisory Committee	As necessary
Park Development & Improvement	As necessary
<input checked="" type="checkbox"/> Municipal Facilities Improvement Committee	Temporary Board, as necessary

NAME JAMES PHIPPS

HOME ADDRESS 103 HIGH VIEW COURT  
OVILLA, TEXAS 75154

HOW LONG HAVE YOU LIVED IN OVILLA? 10 yrs EMAIL .....

HOME TELEPHONE ..... BUSINESS TELEPHONE .....

PROFESSION CIVIL ENGINEER

INTERESTS BUILDING CONSTRUCTION AND  
INSPECTION

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

25 YEARS EXPERIENCE IN CIVIL ENGINEERING AND CONSTRUCTION

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

YES

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY? YES

If yes to one or both, please list the municipality, committee and dates served:

OVILLA - LAND USE - 2009  
CEDAR HILL - BUILDING APPEALS AND ADVISORY  
BOARD - 2002 - 2007

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

\* N.A.  
\* \_\_\_\_\_  
\* \_\_\_\_\_

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) \_\_\_\_\_

HENLEY-JOHNSTON & ASSOCIATES, Inc.

STATEMENT OF INTENT: If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.

J. F. Phipps  
SIGNATURE

JAMES PHIPPS  
PRINTED NAME OF APPLICANT

APRIL 8, 2019  
DATE



CITY OF OVILLA OFFICIAL USE ONLY

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262

ATTENTION: Pamela Woodall



RECEIVED  
5-8-2011

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**CITY OF OVILLA  
BOARDS AND COMMISSIONS  
INFORMATION STATEMENT AND APPLICATION**

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Economic Development Corporation	3 <sup>rd</sup> Monday of each month or as necessary – 6:00 PM
Municipal Development District	As necessary
Municipal Services Advisory Committee	As necessary
Park Development & Improvement	As necessary
<input checked="" type="checkbox"/> Municipal Facilities Improvement Committee	Temporary Board, as necessary

NAME BRIAN TREADAWAY

HOME ADDRESS 309 WILLOWWOOD

HOW LONG HAVE YOU LIVED IN OVILLA? 20 yrs EMAIL 1

HOME TELEPHONE 1 BUSINESS TELEPHONE 1

PROFESSION PASTOR

INTERESTS READING, TEACHING, GROWING, COUNSELING,

LEADING

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

16 YEARS MINISTRY LEADERSHIP; STUDIED ARCHITECTURE; LEADER IN FACILITY MANAGEMENT & BUILDING; PARK BOARD CHAIRMAN

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

PARK BOARD

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?

If yes to one or both, please list the municipality, committee and dates served:


4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- ❖ HERITAGE DAY
- ❖ NATIONAL PRAYER DAY
- ❖ PARK EVENTS

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) VERTICAL CHURCH

**STATEMENT OF INTENT:** If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.

  
SIGNATURE

BRIAN TREADAWAY  
PRINTED NAME OF APPLICANT

5-7-19  
DATE



**CITY OF OVILLA OFFICIAL USE ONLY**

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

**RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262**

ATTENTION: Pamela Woodall



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**CITY OF OVILLA**  
**BOARDS AND COMMISSIONS**  
**INFORMATION STATEMENT AND APPLICATION**

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Municipal Development District	As necessary
Municipal Services Advisory Committee	As necessary
Park Development & Improvement	As necessary
Municipal Facilities Improvement Committee	Temporary Board, as necessary

NAME: William J "B.J." Tucker

HOME ADDRESS 704 Georgetown Rd.  
Ovilla

HOW LONG HAVE YOU LIVED IN OVILLA? 10 EMAIL

HOME TELEPHONE  BUSINESS TELEPHONE

PROFESSION IT Sales

INTERESTS Kids, Running, Boating,

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

Ovilla Fire Retirement Board

previous Cedar Hill Board committee President

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

NO

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?

If yes to one or both, please list the municipality, committee and dates served:

NO

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- ♦ School Board Election
- ♦ NOISO Health Comm. He
- ♦ Holy Spirit Faith Formation
- ♦ Cedar Hill Baseball

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) TSP - Dallas, Tx.

**STATEMENT OF INTENT:** If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.

B.J. Tuck  
SIGNATURE

4/9/19  
DATE

B.J. Tuck  
PRINTED NAME OF APPLICANT



CITY OF OVILLA OFFICIAL USE ONLY

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262

ATTENTION: Pamela Woodall



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BOARDS AND COMMISSIONS  
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## **BOARDS, COMMISSIONS, COMMITTEES**

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Municipal Development District	As necessary
Municipal Services Advisory Committee	As necessary
Park Development & Improvement	As necessary
<input checked="" type="checkbox"/> Municipal Facilities Improvement Committee	Temporary Board, as necessary

NAME William A. "Bill" TURNER

HOME ADDRESS 108 WOODRIDGE CT

HOW LONG HAVE YOU LIVED IN OVILLA? 28 yrs. EMAIL

## HOME TELEPHONE

## BUSINESS TELEPHONE

11/10

PROFESSION RETIRED

INTERESTS Municipal Facilities Improvement

copy

RETURN TO CITY SECRETARY'S OFFICE OR EMAIL TO [pwoodall@cityofovilla.org](mailto:pwoodall@cityofovilla.org)

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

\_\_\_\_\_

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

\_\_\_\_\_

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?

If yes to one or both, please list the municipality, committee and dates served:

_____
_____
_____

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

❖ \_\_\_\_\_  
❖ \_\_\_\_\_  
❖ \_\_\_\_\_

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**STATEMENT OF INTENT:** If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.

SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

PRINTED NAME OF APPLICANT \_\_\_\_\_

\*\*\*\*\*



**CITY OF OVILLA OFFICIAL USE ONLY**

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262

ATTENTION: Pamela Woodall

4/12/19



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**BOARDS, COMMISSIONS, COMMITTEES**

**MEETING INFORMATION**

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<input type="checkbox"/> Municipal Services Advisory Committee	As necessary
<input type="checkbox"/> Park Development & Improvement	As necessary
<input checked="" type="checkbox"/> Municipal Facilities Improvement Committee	Temporary Board, as necessary

NAME

Timme J. WADE

HOME ADDRESS

606 Creekview Ct  
 Ovilla Tx 75154

HOW LONG HAVE YOU LIVED IN OVILLA? \_\_\_\_\_ EMAIL \_\_\_\_\_

HOME TELEPHONE

714

BUSINESS TELEPHONE

PROFESSION

Realtor

INTERESTS

1.) DO YOU HAVE EXPERIENCE THAT WOULD QUALIFY YOU FOR SERVING ON A PARTICULAR COMMITTEE?

\_\_\_\_\_

2.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION IN OVILLA?

*Zoning*

\_\_\_\_\_

3.) HAVE YOU SERVED AS A MEMBER OF ANY MUNICIPAL BOARD OR COMMISSION FOR ANOTHER MUNICIPALITY?

If yes to one or both, please list the municipality, committee and dates served:

_____
_____
_____

4.) PLEASE LIST ANY CIVIC OR COMMUNITY ACTIVITIES IN WHICH YOU MAY HAVE PARTICIPATED.

- ❖ *Helping Hands of Red Cross*
- ❖ *Zoning Ovilla*
- ❖ \_\_\_\_\_

5.) DO YOU HAVE ANY RELATIVES THAT ARE CITY EMPLOYEES, MEMBER OF THE CITY COUNCIL OR SERVE ON ANY BOARD? (YES OR  NO) If yes, please list:

6.) WHAT IS YOUR CURRENT PLACE OF EMPLOYMENT OR BUSINESS AFFILIATION? (Please indicate if you are self-employed, home-maker, retired) *Realtor*

*Real Keeping RE:*

STATEMENT OF INTENT: If appointed, I agree to serve on the Board/Commission for which I have applied or to the Board/Commission to which I am needed.

*Pamela S. Woodall*  
SIGNATURE

*4-12-2019*  
DATE

*Pamela S. Woodall*  
PRINTED NAME OF APPLICANT



CITY OF OVILLA OFFICIAL USE ONLY

DATE APPOINTED \_\_\_\_\_ COMMITTEE APPOINTED TO \_\_\_\_\_

RETURN TO CITY HALL,  
105 SOUTH COCKRELL HILL ROAD,  
OVILLA, TX 75154  
972-617-7262

ATTENTION: Pamela Woodall

## AGENDA ITEM REPORT

### Item 9

Meeting Date: May 13, 2019

Discussion  Action

Submitted By: John R. Dean, Jr. CM

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other: Staff

Department: Administration

Budgeted Expense:  YES  NO  N/A

Amount: N/A

#### Attachments:

1. Current list of members
2. Basic MDD information

#### Agenda Item / Topic:

ITEM 9. **DISCUSSION/ACTION** – Receive annual report and consider and act on volunteer committee appointments and/or reappointments to serve a term on the MDD (Municipal Development District Board) and direct staff to solicit for new applicants.

#### Discussion / Justification:

##### Municipal Development District (“MDD”):

This board of directors was authorized and created by the voters of Ovilla in 2009 for the imposition of a sales and use tax at the rate of one-fourth of one-percent for the purpose of financing development projects beneficial to the district. The MDD consists of a five-member board of directors appointed by Council.

**MDD Meetings:** The MDD meets the second Monday of the month, quarterly or as needed at 5:00 p.m. The last quorum and completed meeting of the MDD was July 2015. A meeting was scheduled in June 2016 but did not transpire. Last named members:

PL1 Rachel Huber  
PL2 James Scivally – Resigned, moved from Ovilla  
PL3 Richard Dormier  
PL4 Ron Langenheder – Resigned, moved from Ovilla  
PL5 Lisa Ware

There are no pending applications for this Board.

#### Recommendation / Staff Comments:

#### Sample Motion(s):

I move that Council REAPPOINT/APPOINT:

1. \_\_
2. \_\_
3. \_\_
4. \_\_

to serve a term on the volunteer board of the MDD and/or I move that Council direct staff to solicit for new applicants for consideration .



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

**INFORMATION  
SHEET**  
Administration use only

**MUNICIPAL DEVELOPMENT DISTRICT – EST. 11.03.2009**

**TERM 2 YR – EXP. 11.2019**

**HUBER, Rachel – PL1**

201 Willow Wood

Ovilla, TX 75154

Hm:

Wk:

Cell:

Personal E-Mail: \_\_\_\_\_

**TERM 2 YR – EXP. 11.2020**

**VACANT PL2**

Ovilla, TX 75154

Hm:

Wk:

Cell:

Personal Email: \_\_\_\_\_

**TERM 2 YR – EXP. 11.2019**

**DORMIER, Richard - PL3**

504 Edgewood Lane

Ovilla, TX 75154

Hm: \_\_\_\_\_

WK: \_\_\_\_\_

Cell:

Personal E-Mail: \_\_\_\_\_

**TERM 2 YR – EXP. 11.2020**

**VACANT PL4**

Ovilla, TX 75154

Hm:

WK:

Cell:

Personal E-Mail: @ \_\_\_\_\_

**TERM 2 YR – EXP. 11.2019**

**WARE, Lisa – PL5 (VICE PRESIDENT)**

116 Water Street

Ovilla, TX 75154

Hm: \_\_\_\_\_

WK: \_\_\_\_\_

Cell:

Personal email: \_\_\_\_\_

(\*) DO NOT RELEASE PERSONAL EMAIL ADDRESS

## MUNICIPAL DEVELOPMENT DISTRICT (MDD)

### SALES TAX

#### **What is a municipal development district sales tax?**

A municipal development district (MDD) sales tax is an optional city sales tax that closely resembles a 4B economic development sales tax. It can be levied within a specified area of the city or its extraterritorial jurisdiction.

#### **How much can the MDD sales tax levy be?**

The rate of an MDD sales tax may be one-eighth, one-fourth, three-eighths, or one-half of one percent of the cost of goods sold within the MDD that are subject to sales taxes.<sup>1</sup> The combined rate of all local sales taxes within the district, however, cannot exceed two percent.<sup>2</sup>

#### **What may an MDD sales tax be spent on?**

An MDD sales tax is a dedicated city sales tax, meaning its proceeds can only be spent on certain authorized projects (as distinguished from a general purpose tax, which can be spent on any lawful city purpose).

An MDD sales tax is an economic development tax that can be spent on authorized “development projects,” which include any of the following:

- 1) Any “project” as that word is defined by Section 4B(a) of the Development Corporation Act.<sup>3</sup> In other words, the MDD tax automatically encompasses any project available to a similarly-sized 4B economic development corporation.
- 2) A convention center facility, or related improvements such as a civic center or auditorium.<sup>4</sup>
- 3) Parking lots for such convention or related facilities.<sup>5</sup>
- 4) Civic center hotels.<sup>6</sup> This authority can be quite important; funding of civic center hotels with other funds, such as hotel occupancy taxes, is controversial both legally and politically.

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<sup>1</sup> TEX. LOC. GOV’T CODE § 377.104.

<sup>2</sup> TEX. LOC. GOV’T CODE § 377.101(c).

<sup>3</sup> TEX. LOC. GOV’T CODE § 377.001(3)(A).

<sup>4</sup> TEX. LOC. GOV’T CODE § 377.001(3)(B).

<sup>5</sup> TEX. LOC. GOV’T CODE § 377.001(3)(B).

<sup>6</sup> TEX. LOC. GOV’T CODE § 377.001(3)(B).

If the MDD sales taxes so closely resembles a 4B economic development sales tax, why not just enact a 4B economic development tax instead?

There are several distinctions between an MDD tax and a 4B tax that might make the MDD tax preferable to a particular city:

- 1) The scope of projects that can be funded with an MDD sales tax is slightly larger than a 4B sales tax (see above);
- 2) An MDD sales tax need not be levied over the entire corporate limits of a city, as a 4B sales tax must. This can be useful for cities that straddle county boundaries and are thus “maxed out” at their two percent local sales tax cap in some areas of the city but not in others. The statute states that the city can create the district (and thus levy the tax) in “all or part of the boundaries of the municipality.”<sup>7</sup> A city might choose to limit the application of the tax to certain areas of the city for other reasons as well, including economic development considerations.
- 3) An MDD sales tax may be imposed in a city's extraterritorial jurisdiction (ETJ) if the voters of the entire district approve the tax.<sup>8</sup> The MDD sales tax is the only city sales tax that may be levied in the ETJ of a city.
- 4) The MDD statute does not have the same level of detailed restrictions that the 4B statute does. For example, the 4B statute prevents the city from giving aid to the 4B corporation.<sup>9</sup> The MDD statute contains no such restriction. The MDD statute only references the 4B law to define the permissible projects of an MDD; it does not incorporate the other procedural and substantive aspects of the 4B statute.
- 5) The board of an MDD consists of a minimum of four persons.<sup>10</sup> A 4B corporation has a seven-member board.<sup>11</sup> Many 4B cities, particularly smaller cities, report difficulty in locating persons willing to serve on the 4B board. The smaller MDD board can help in this regard.

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<sup>7</sup> TEX. LOC. GOV'T CODE § 377.002(1).

<sup>8</sup> TEX. LOC. GOV'T CODE § 377.002(2).

<sup>9</sup> TEX. REV. CIV. STAT. ANN. art. 5190.6, § 21.

<sup>10</sup> TEX. LOC. GOV'T CODE § 377.051(a).

<sup>11</sup> TEX. REV. CIV. STAT. ANN. art. 5190.6, § 4B(c).

The ability of a 4B corporation to fund commercial and retail economic development projects depends on the size and/or 4B revenues of the city. Does this distinction extend to an MDD sales tax as well?

The likely answer is yes. The MDD statute, when listing eligible projects that can be funded by the MDD sales tax, incorporates by reference the section of the 4B laws that contains the population/revenue distinction with respect to commercial and retail projects.<sup>12</sup>

Thus, a court would likely find that the ability of an MDD to engage in general commercial and retail economic development projects depends on the same population/revenue distinction that is contained in the 4B statute.

Specifically, an MDD district with less than 20,000 population, or less than \$50,000 in revenues from the MDD sales tax in each of the two preceding years, may fund commercial and retail economic development projects with the MDD sales tax.

MDDs that don't meet either of those criteria would be limited to 4B projects other than commercial and retail. Typically, such projects are of a more "blue collar" variety (the statute uses the term "primary jobs") such as industry and manufacturing. Such a district would still have the additional projects available to it such as convention centers and civic center hotels.

#### What is the procedure for levying an MDD sales tax?

Following are the procedures for levying an MDD sales tax.

- 1) Draft Order of Election. The city must draft an order that does the following: (a) defines the boundaries of the proposed municipal development district (MDD); (b) calls for an election to be held within those boundaries for the creation of the district and the levy of a sales tax, with the ballot proposition to allow voting for or against the following exact language:

"Authorizing the creation of the \_\_\_\_\_ Municipal Development District (insert name of district) and the imposition of a sales and use tax at the rate of \_\_\_\_\_ of one percent (insert one-eighth, one-fourth, three-eights, or one-half, as appropriate) for the purpose of financing development projects beneficial to the district.";<sup>13</sup> and

provides that the district boundaries automatically conform to any changes in the boundaries of the city or the ETJ (this provision is optional).<sup>14</sup>

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<sup>12</sup> TEX. LOC. GOV'T CODE § 377.001(3)(A).

<sup>13</sup> TEX. LOC. GOV'T CODE § 377.021(b).

<sup>14</sup> TEX. LOC. GOV'T CODE § 377.021(g).

- 2) Call the Election. The city council calls the election on creation of the MDD and the MDD sales tax by passing the order in #1 above at a properly noticed public meeting.<sup>15</sup>
- 3) Conduct the Election. The city holds the election on the creation of the MDD and the MDD sales tax on one of the two uniform election dates under Section 41.001 of the Texas Election Code (the second Saturday in May, or the first Tuesday after the first Monday in November).<sup>16</sup>
- 4) Notify Comptroller. If the election is successful, the city should send a copy of the order and canvass documents to the comptroller's office, and request that the comptroller begin remitting the MDD sales tax to the city. The new tax won't officially be in effect until the first day of the first calendar quarter occurring after the expiration of the first complete quarter occurring after the date on which the comptroller receives a notice of the results of the election adopting, changing, or repealing the tax.<sup>17</sup>
- 5) Appoint the MDD Board. The city council should next appoint a board of directors to govern the MDD. The board must consist of at least 4 members, who serve staggered two-year terms.<sup>18</sup> Directors may be removed by the city council at any time without cause. Board members must reside in the city that created the MDD or in the city's ETJ. City council members, city officers, and city employees may be members of the board, but may not have a personal interest in a contract executed by the district.<sup>19</sup>
- 6) Establish Development Project Fund. The board of the MDD then must pass a resolution establishing the "development project fund."<sup>20</sup> It is into this fund that the sales tax proceeds are deposited spent on authorized MDD projects (see above).

#### **May MDD sales taxes be pledged to pay off bonds?**

Yes, MDD sales taxes may be pledged to pay off bonds, including revenue and refunding bonds, or other obligations to pay the costs of a legal MDD development project.<sup>21</sup>

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<sup>15</sup> TEX. LOC. GOV'T CODE § 377.021(a).

<sup>16</sup> TEX. LOC. GOV'T CODE § 377.021(g).

<sup>17</sup> TEX. LOC. GOV'T CODE § 377.106.

<sup>18</sup> TEX. LOC. GOV'T CODE § 377.051(c).

<sup>19</sup> TEX. LOC. GOV'T CODE § 377.021(d).

<sup>20</sup> TEX. LOC. GOV'T CODE § 377.072(a).

<sup>21</sup> TEX. LOC. GOV'T CODE § 377.0739(a).

AGENDA ITEM REPORT  
Item 10

Meeting Date: May 13, 2019

Discussion  Action

Submitted By: John R. Dean, Jr., CM

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other: Staff

Attachments:

1. Annual Activity Report
2. Attendance record
3. Current membership

Agenda Item / Topic:

ITEM 10. **DISCUSSION/ACTION** – Receive annual report and consider and act on volunteer committee appointments and/or reappointment(s) to serve a term on the Ovilla Park Board Advisory Committee and direct staff to solicit for new applicants.

Discussion / Justification:

**Division 4, Sec. 1.09.123 Term of members; removal**

The term of office of members of the board shall be two (2) years. The members of the board shall be identified by place numbers. After the expiration of a two-year term of office, a member shall serve until a successor is appointed. The terms of odd-numbered places shall expire the last day in June in the odd-numbered years, and the terms of even-numbered places shall expire the last day in June in the even-numbered years. Members may be re-appointed for additional terms. Vacancies shall be filled for unexpired terms by the city council in the same manner that the original appointment was made. Members serve at the pleasure of the city council and may be removed from the board at any time by a majority vote of the city council. (Ordinance 2017-03 adopted 3/13/17)

Park Board Place 1 – vacant

Park Board Place 3 – Brian Treadaway, desires reappointment

Park Board Place 5 – Windy Zabojnik, desires reappointment

Recommendation / Staff Comments:

Staff recommends appointments.

Sample Motion(s):

I move to appoint/reappoint the following to the Park for a new terms:

Park Board Place 1

Park Board Place 3 Brian Treadaway

Park Board Place 5 Windy Zabojnik

And/or direct staff to solicit for new applicants.

05.13.2019

## Annual Activity Update 2018-2019

To  
Honorable Mayor  
and Council

From  
John R. Dean, Jr., CM

CC

Re  
Annual Activity.

### PARK BOARD ACTIVITY:

1. Pending items:
  - a. Continued discussion for improvements to the downtown area with lighting, walkways and better parking, in conjunction with EDC.
  - b. Proposals for Design Branding and Way-Finding
  - c. Pavilion
2. Planning and fulfillment of annual events:
  - a. Movie in the Park
  - b. Music in the Park
  - c. Annual Christmas Tree Lighting
  - d. Heritage Day assistance
3. Completed or continual:
  - a. Participated in the design of new monument signs.
  - b. Parks Master Plan.
  - c. Founders Park Concept Plan
  - d. Created design for pavilion

**City of Ovilla**

Tel 972-617-7262

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Ovilla, Texas 75154

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pwoodall@cityofovilla.org



**2018-2019**  
**Park Board Attendance Record**

<b>Park Board</b>		<b>NO MTG.</b>	<b>NO MTG.</b>	<b>NO MTG.</b>	<b>No Quorum</b>	<b>NO MTG</b>				<b>NO MTG</b>	<b>NO Quorum</b>		
	05.07.18	06.04.18	07.08.18	08.08.18	09.04.18	10.1.18	11.05.18	12.03.18	01.07.19	02.04.19	03.04.19	04.01.19	05.06.19
<b>Members</b>													
PL1 Lindsey	Resigned												
PL1 Knight								X	X	X		resigned	
PL2 Yordy	X					X	X	X	X		resigned	Vacant	
PL2 Lewis												X	
PL3 Treadaway	X					X	X	X	X			X	
PL4 Love	Not renewed					Vacant							
PL4 Edwards							X	X	X			Absent	
PL5 Zabojnik	X					X	X	X	X			X	
CM	X					Absent	X	X				X	
C-SEC	X					X	X	X	X			X	

# Ovilla PARK BOARD ADVISORY COMMITTEE

## MEMBERS

VACANT PL1 2019	LEWIS, Josh PL2 2020
	144 Water Street
Ovilla, TX 75154	Ovilla, TX 75154
Hm:	Hm:
Wk:	Wk:
Cell:	Cell:
E-Mail:	E-Mail:
TREADAWAY, Brian PL3 2019	EDWARDS, Matthew PL4 2020
303 Willowwood	100 Cumberland Drive
Ovilla, TX 75154	Ovilla, TX 75154
Hm:	Hm:
Wk:	Wk:
Cell:	Cell:
E-Mail:	E-Mail:
ZABOJNIK, Windy PL5 2019	
922 Red Oak Creek Drive	
Ovilla, TX 75154	
Hm:	
Wk:	
Cell:	
E-Mail:	



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

## AGENDA ITEM REPORT

### Item 11

Meeting Date: May 13, 2019

Department: Administration/P&Z

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: John R. Dean, Jr. CM

Amount: N/A

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other: Staff

#### Attachments:

1. Annual Activity Report
2. Attendance Record
3. Current list of members

#### Agenda Item / Topic:

ITEM 11. **DISCUSSION/ACTION** – Receive annual report and consider and act on volunteer board appointment and/or reappointments to serve a term on the Planning and Zoning Commission and direct staff to solicit for new applicants.

#### Discussion / Justification:

EXCERPT: Pursuant to Chapter 14 , Section 47.3 of the Ovilla Code of Ordinances:

The Planning and Zoning Commission shall consist of seven (7) members. The members shall be residents of the City and qualified voters. They shall be appointed by a majority vote of the members of the City Council at a regular or specially called meeting thereof.

#### 47.3 TERMS OF OFFICE

Each member shall serve a term of office of two years. After the expiration of a two-year term of office, a member shall serve until a successor is appointed. The terms of four of the members shall expire on the first meeting in July of each odd-numbered year, and the terms of three of the members shall expire on the first Monday in July of each even-numbered year. The members of the commission shall be identified by place numbers one through seven. The odd-numbered places shall expire in the odd-numbered years; the even-numbered places shall expire in the even-numbered years. Vacancies shall be filled for unexpired terms by the city council in the same manner as the original appointment was made. Newly appointed members shall be installed at the first regular commission meeting after their appointment. The city council may remove a commission member for cause on a written charge and after public hearing.

This July, Places 1, 3, 5 and 7 will expire:

Place 1 Darrell Jungman – voiced desire to serve another term

Place 3 Carol Lynch – voiced desire to serve another term

Place 5 Joseph Alexander – New appointee and wishes to continue serving

Place 7 Bill Zimmermann – voiced desire to serve another term

This Board is currently complete. (No vacancies)

<b>Recommendation / Staff Comments:</b>
Staff recommends appointments.
<b>Sample Motion(s):</b>
I move that Council REAPPOINT: 1. PL1 Darrell Jungman 2. PL3 Carol Lynch 3. PL5 Joseph Alexander 4. PL7 Bill Zimmermann to serve a term on the volunteer board of the Planning and Zoning Commission and/or I move to direct staff to solicit for new applicants.

05.13.2019

## Annual Activity Update 2018-2019

To  
Honorable Mayor  
and Council

From :Staff

CC: John R. Dean, Jr.

Re: P&Z Annual  
Activity

### Planning & Zoning Annual Activity:

P & Z Commission reviewed 13 requests: May 2018 – April 2019

1. Completed: May 2018 – May 2019
  - a. Dwelling Guesthouse – *Recommended Approval to Council*
  - b. SUP: Snow Cone Stand – *Recommended Approval to Council*
  - c. Animal Hospital - *Recommended Approval to Council*
  - d. Update Ordinance: BOA – *Recommended Approval to Council*
  - e. Bryson Manor Screening Wall – *Recommended to Council*
  - f. Snow Cone Stand - *Recommended Approval to Council*
  - g. Cassaro Winery - *Recommended Approval to Council*
  - h. Amending Ordinance Winery – *Recommended Approval to Council*
  - i. 664 Site Plan/SUP UMC Ovilla – *Recommended Approval to Council*
  - j. Hidden Valley Estates: Extension - *Recommended Approval to Council*
  - k. Classification Change: 611 Malloy – *Tabled*
  - l. Final Plat 121 Water Street – *Recommended Approval to Council*
  - m. Classification Change: 611 Malloy - *Recommended Approval to Council*

P & Z Commission Total during 2017 – 2018: 6

**City of Ovilla**

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pwoodall@cityofovilla.org



June 2018- thru- May2019  
Planning Zoning Commission Attendance Record

		NO MTG				NO MTG				SPEC MTG				
P&Z	2018.06.04	2018.07.02	2018.08.06	2018.09.04	2018.10.01	2018.11.05	2018.12.03	2019.01.07	2019.02.04	2019.03.04	2019.04.08	2019.05.06	10.18.2018	
PL1 Jungman	A		A		✓	✓						✓	A	✓
PL2 Yordy- VC	✓		✓	A	✓							RESIGNED		
PL3 Lynch- C	✓		A	✓	✓							✓	✓	✓
PL4 Whittaker	✓		✓	✓	✓							✓	✓	✓
PL5 Zabojnik	OFF BOARD													
PL6 Hart	✓		✓	A	✓							✓	✓	✓
PL7 Zimmerman	✓		A	✓	A							✓	✓	✓
PL2 Sims 5/2019														✓
PL5 Alexander 5/2019														A
CM	✓		✓	✓	✓							✓	✓	✓
C-SEC	✓				✓							✓	✓	✓
CODE ENF	✓		✓	✓	✓							✓	✓	✓
Board Sec			✓	✓	✓							✓	✓	✓
Other			PW										PW	
													FD	

# P&Z Information Sheet



*Personal – Do not give out!*

## MEMBERS:

<b>JUNGMAN, Darrell 2019 PL1</b> 907 A South Cockrell Hill Rd Ovilla, TX 75154 Hm: _____ Wk: _____ Cell: _____ E-Mail: _____	<b>SIMS, Ronald 2020 PL2</b> 707 Hosford Rd Ovilla, TX 75154 Hm: _____ Wk: _____ Cell: _____ E-Mail: _____
<b>*LYNCH, Carol CHAIR 2019 PL3</b> 316 Shadow Wood Trail Ovilla, TX 75154 Hm _____ Wk: _____ Cell: n/a E-Mail: _____	<b>WHITTAKER, Alan 2020 PL4</b> 523 Johnson Lane Ovilla, TX 75154 Hm: _____ Wk: N/A Cell: N/A E-Mail: _____
<b>ALEXANDER, Joseph 2019 PL5</b> 104 Pebble Ridge Ct Ovilla, TX 75154 Hm: _____ Wk: _____ Cell: _____ E-Mail: _____	<b>* HART, Fred 2020 PL6</b> 202 Lariat Trail Ovilla, TX 75154 Hm: 972.322.6431 Wk: n/a Cell: n/a E-Mail: _____
<b>* ZIMMERMANN, Bill (Kenda) 2019 PL7</b> 622 William Drive Ovilla, TX 75154 Hm: _____ Wk: _____ Cell: _____ E-Mail: _____	

Last update 05.2019

(\*) DO NOT RELEASE INFORMATION

## AGENDA ITEM REPORT

### Item 12

Meeting Date: May 13, 2019

Discussion  Action

Submitted By: John R. Dean, Jr. CM

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other: Staff

#### Attachments:

1. Ordinance 2019-11
2. Exhibit A, Budget Revisions

#### Agenda Item / Topic:

ITEM 12. **DISCUSSION/ACTION** – Consideration of and action on ORDINANCE 2019-11 of the City of Ovilla, TX, amending the Fiscal Year 2018-2019 Annual Budget and Program of Services in accordance with Chapter 1, Article 1.05, Section 1.05.038 of the Ovilla Code of Ordinances pursuant to the Mid-Year Budget Review.

#### Discussion / Justification:

Excerpt from the Code:

##### Sec. 1.05.038 Mid-year review and amendment

Each year the budget officer or his designee shall present to the city council a mid-year budget review and amendment to be considered and approved before May 31. Such review and amendment will include information on the status of all funds and line items at the fiscal year's midway point and will include any recommended amendments to the annual budget. The amended budget will be filed with the city secretary's office and with the county clerk's office.

**Background/History:** This amendment proposes adjustments to both revenues and expenditures based on the first half of the year. Major expenditure allocations are:

EDC – Wastewater line project (\$150,000)

GF - Approved Engineering Work Order for the Water Street bridge project (\$25,500)

Park Impact Fund – Add compliant swing areas to Ashburne Glen Park and Silver Spur Park (\$10,000)

#### Recommendation / Staff Comments:

Staff recommends approval.

#### Sample Motion(s):

I move to approve Ordinance 2019-11, amending the Fiscal Year 2018-2019 Annual Budget and Program of Services in accordance with the mid-year budget review.

**CITY OF OVILLA, TEXAS**  
**ORDINANCE NO. 2019-11**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AMENDING ORDINANCE NO. 2018-19 PROVIDING FOR BUDGET AMENDMENT NUMBER FIVE (5) IN ORDER TO AMEND THE 2019 FISCAL YEAR BUDGET; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A SAVINGS CLAUSE; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, an annual budget for the fiscal year beginning October 1, 2018 and ending September 30, 2019 has been duly created and adopted of the City of Ovilla, Texas, in accordance with Title Four (4), Chapter 102, Sections 102.001, 102.002 and 102.003 of the Local Government Code and in accordance with Article 1.05 of the Ovilla City Code of Ordinances;

**WHEREAS**, the city manager filed the proposed budget in the office of the City Secretary on or before August 09, 2018, and the proposed budget was made available for public inspection by the taxpayers in accordance with Title Four (4), Chapter 102, Section 102.005 of the Local Government Code and Article 1.05 of the Ovilla City Code of Ordinances;

**WHEREAS**, the city manager submitted the proposed budget to the City Council as required by Article 1.05 of the Ovilla City Code of Ordinances;

**WHEREAS**, notice of a public hearing was provided in the Ellis County Press newspaper and the public hearing was held by the City on September 10, 2018 in accordance with Title Four (4), Chapter 102, Section 102.006 of the Local Government Code and Article 1.05 of the Ovilla City Code of Ordinances, and at that time all citizens and parties of interest were given the opportunity to be heard regarding the proposed 2019 fiscal year budget;

**WHEREAS**, on October 09, 2018 with the approval of Ordinance 2018-26, the City Council of the City of Ovilla amended Ordinance 2018-17, thereby amending the 2019 Annual Budget of the City;

**WHEREAS**, the City Council approved the Proposed 2019 Fiscal Year Budget on September 10, 2018 by adopting Ordinance No. 2018-19; and

**WHEREAS**, after full and final consideration, it is the consensus of the Ovilla City Council that the 2019 Fiscal Year Budget as hereinafter set forth should be amended to further the goals of the City and the health safety and well being of citizens;

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

**CITY OF OVILLA, TEXAS**  
**ORDINANCE NO. 2019-11**

**SECTION 1.**  
**INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2.**  
**AMENDMENT OF 2019 FISCAL YEAR BUDGET**

Ordinance No. 2018-19 is hereby amended with Budget Amendment Number Five (5) to the 2019 Fiscal Year Budget to include additional revenues, expenditures and other changes outlined in Exhibit A that is attached to and considered part of this ordinance.

**SECTION 3.**  
**CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of said Ordinances except those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

**SECTION 4.**  
**SEVERABILITY**

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 5.**  
**SAVINGS CLAUSE**

All previous budget ordinances shall remain in full force and effect, save and except as amended by this ordinance.

**SECTION 6.**  
**ENGROSSMENT AND ENROLLMENT**

The City Secretary of the City of Ovilla is hereby directed to engross and enroll this Ordinance by copying the caption, publication clause, and effective date clause in the minutes of the City Council of the City of Ovilla and by filing this Ordinance in the ordinance records of the City and in accordance with the laws of the State of Texas.

**CITY OF OVILLA, TEXAS**  
**ORDINANCE NO. 2019-11**

**SECTION 7.**  
**PUBLICATION CLAUSE**

The City Secretary of the City of Ovilla, Texas, is hereby directed to publish in the Official Newspaper of the City of Ovilla, the Caption, and Effective Date clause of this Ordinance as required by Section 52.013 of the Texas Local Government Code.

**SECTION 8.**  
**EFFECTIVE DATE**

The necessity for making and approving a budget for the fiscal year, as required by the laws of the State of Texas, requires that this ordinance shall take effect immediately from and after its passage, as the law in such case provides.

**PASSED AND APPROVED** by the City Council of the City of Ovilla, Texas this the 13<sup>th</sup> day of May 2019.

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Richard Dormier, Mayor  
City of Ovilla, Texas

ATTEST:

PAM

---

Pam Woodall, City Secretary  
City of Ovilla, Texas

**Exhibit A**  
**Budget Amendment Number Five (5)**

City of Ovilla Mid Year May  
2019

<b>100 - General Fund</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid Year Budget</b>	<b>Difference</b>
<b>Taxes</b>				
100-4000105 Ad Valorem, Current	1,881,533.15	1,973,576.00	1,973,576.00	0.00
100-4000110 Ad Valorem, Delinquent	4,148.65	0.00	0.00	0.00
100-4000113 Interest/Penalties - Prop Tax	3,963.22	7,000.00	7,000.00	0.00
100-4000120 Sales Tax	83,807.19	220,700.00	220,700.00	0.00
100-4000125 Sales Tax - Street	3.80	0.00	0.00	0.00
100-4000130 Franchise Tax	21,779.96	163,000.00	163,000.00	0.00
100-40113 Interest/Penalties - Prop Tax	0.00	0.00	0.00	0.00
Taxes Totals	1,995,235.97	2,364,276.00	2,364,276.00	0.00
<b>Licenses-Permits-Fees</b>				
100-4000208 Building Permits	25.00	0.00	0.00	0.00
100-4000210 Residential Building Permits	36,800.81	60,000.00	60,000.00	0.00
100-4000214 Misc Building Permits	15,741.51	25,000.00	25,000.00	0.00
100-4000230 Plan Review Fee	9,763.11	12,000.00	12,000.00	0.00
100-4000260 Alarm Permits	935.00	2,604.00	2,604.00	0.00
100-4000270 Animal Tag Fees	670.00	3,706.00	3,706.00	0.00
100-4000272 Impound Fees	1,124.00	2,751.00	2,751.00	0.00
100-4000290 Misc Licenses and Permits	1,081.00	2,025.00	2,025.00	0.00
Licenses-Permits-Fees Totals	66,140.43	108,086.00	108,086.00	0.00
<b>Services</b>				
100-4000325 ESD #2	95,000.00	240,000.00	240,000.00	0.00
100-4000330 ESD #4	45,991.54	70,566.00	70,566.00	0.00
100-4000411 Copies and Maps	116.30	100.00	100.00	0.00
100-4000415 Police Reports	0.00	150.00	150.00	0.00
100-4000440 Oak Leaf Animal Control	0.00	2,100.00	2,100.00	0.00
100-4000450 Subdivision Fees	1,006.00	0.00	0.00	0.00
100-4000480 Solid Waste (Garbage)	16.55	270,480.00	270,480.00	0.00
100-4000485 50/50 Sidewalk Program	0.00	1,250.00	1,250.00	0.00
100-4000490 Misc Charges for Services	1,524.90	3,850.00	3,850.00	0.00
Services Totals	143,655.29	588,496.00	588,496.00	0.00
<b>Fines &amp; Forfeitures</b>				
100-4000510 Fines - Police	39,973.68	240,000.00	240,000.00	0.00
100-4000520 Fines - Animal Control	15.00	456.00	456.00	0.00
100-4000525 Fines - Code Enforcement	0.00	8,949.00	8,949.00	0.00
100-4000535 Omni Warrant Revenue	0.00	2,868.00	2,868.00	0.00
100-4000550 Municipal Court Technology	(320.35)	0.00	0.00	0.00
100-4000551 Municipal Court Security	1,276.55	0.00	0.00	0.00
100-4000590 Misc Fines and Forfeitures	13,463.57	432.00	432.00	0.00
100-4000592 Warrant Fees	3,431.34	0.00	0.00	0.00
Fines & Forfeitures Totals	57,839.79	252,705.00	252,705.00	0.00
<b>Other Revenue</b>				

100-4000800 Other Revenue	0.00	0.00	0.00
100-4000870 Insurance Proceeds	1,328.89	0.00	0.00
100-4000810 Heritage Day	640.00	29,000.00	29,000.00
100-4000820 Water Tower Lease	88,733.03	118,250.00	118,250.00
100-4000840 Interest Earned	0.00	7,560.00	7,560.00
100-4000860 Grant Proceeds	5,072.16	0.00	0.00
100-4000890 Misc Other Revenue	3,408.92	3,500.00	3,500.00
Other Revenue Totals	97,854.11	158,310.00	158,310.00
<b>Transfers</b>			
100-4000880 Transfer in from ESD	17,500.00	0.00	0.00
100-4000905 Weapons Purchase Plan	0.00	11,730.00	11,730.00
100-4000925 Admin.Rev. received from 4B-	(70.00)	82,500.00	82,500.00
100-4000940 Admin.Rev. Rec. from MDD	(70.00)	500.00	500.00
100-4000945 Transfer in - Bldg Security	0.00	7,300.00	7,300.00
100-4000990 Reduction in Fund Balance	0.00	76,091.00	389,252.00
			313,161.00
Transfers Totals	17,360.00	178,121.00	491,282.00
Revenue Totals	2,379,414.48	3,649,994.00	3,963,155.00
			313,161.00

Amendment #1,  
4, 5

**Exhibit A**  
**Budget Amendment Number Five (5)**

**City of Ovilla Mid Year May  
2019**

<b>100 - General Fund</b>	<b>Fire</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
Contractual Services		34,756.92	91,918.00	91,918.00	0.00
Other Expense		292.25	650.00	650.00	0.00
Employee Benefits		32,509.72	130,104.00	130,104.00	0.00
Minor Capital Outlay		6,147.25	30,547.00	30,547.00	0.00
Insurance		6,949.50	16,056.00	16,056.00	0.00
Repairs - Bldg & Machinery		43,537.81	66,000.00	66,000.00	0.00
Operating Services		7,459.40	16,420.00	16,420.00	0.00
Personnel		252,573.64	525,771.00	525,771.00	0.00
Vehicle Expenses		5,229.40	10,000.00	10,000.00	0.00
Professional Development		3,475.38	8,000.00	8,000.00	0.00
Supplies		7,006.93	19,300.00	19,300.00	0.00
Utilities		7,334.49	16,116.00	16,116.00	0.00
Not Categorized		1,150.03	3,200.00	3,200.00	0.00
Printing Expense		1,678.22	3,300.00	3,300.00	0.00
Software & Computer Equipment		1,783.00	11,700.00	11,700.00	0.00
Special Expenses		0.00	350.00	350.00	0.00
<b>Fire Totals</b>		<b>411,883.94</b>	<b>949,432.00</b>	<b>949,432.00</b>	<b>0.00</b>

<b>100 - General Fund</b>	<b>Community Serv</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
Supplies		975.20	1,900.00	1,900.00	0.00
Special Expenses		3,287.50	7,600.00	7,600.00	0.00
Contractual Services		31,362.15	46,100.00	46,100.00	0.00
Employee Benefits		7,592.86	31,344.00	31,344.00	0.00
Personnel		42,250.17	106,302.00	106,302.00	0.00
Capital Outlay		0.00	0.00	0.00	0.00
Minor Capital Outlay		66.93	1,500.00	1,500.00	0.00
Other Expense		46.28	400.00	400.00	0.00
Insurance		303.00	256.00	256.00	0.00
Repairs - Bldg & Machinery		0.00	0.00	0.00	0.00
Utilities		606.21	1,074.00	1,074.00	0.00
Printing Expense		0.00	400.00	400.00	0.00
Software & Computer Equipment		3,750.00	5,250.00	5,250.00	0.00
Vehicle Expenses		2,065.66	3,000.00	3,000.00	0.00
Professional Development		0.00	600.00	600.00	0.00
<b>Community Services Totals</b>		<b>92,305.96</b>	<b>205,726.00</b>	<b>205,726.00</b>	<b>0.00</b>

<b>100 - General Fund</b>	<b>Police</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
Employee Benefits		51,070.13	171,025.00	171,025.00	0.00
Personnel		288,881.67	569,670.00	569,670.00	0.00
Insurance		7,767.00	12,206.00	12,206.00	0.00
Repairs - Bldg & Machinery		8,643.56	16,000.00	16,000.00	0.00

Utilities	5,641.29	11,388.00	11,388.00	0.00
Printing Expense	1,005.95	2,024.00	2,024.00	0.00
Software & Computer Equipment	17,851.00	18,000.00	18,000.00	0.00
Not Categorized	0.00	9,528.00	9,528.00	0.00
Vehicle Expenses	11,747.44	24,000.00	24,000.00	0.00
Professional Development	3,105.04	9,585.00	9,585.00	0.00
Operating Services	1,528.42	10,700.00	4,870.00	5,830.00
Minor Capital Outlay	4,851.63	9,090.00	10,700.00	(1,610.00)
Other Expense	1,800.90	4,870.00	9,090.00	(4,220.00)
Contractual Services	29,616.58	69,850.00	69,850.00	0.00
Special Expenses	0.00	500.00	500.00	0.00
Supplies	2,690.49	11,650.00	11,650.00	0.00
<b>Police Totals</b>	<b>436,201.10</b>	<b>950,086.00</b>	<b>950,086.00</b>	<b>0.00</b>

<b>100 - General Fund</b>	<b>Administration</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
Minor Capital Outlay		5,640.38	6,900.00	6,900.00	0.00
Other Expense		14,486.79	30,758.00	30,758.00	0.00
Printing Expense		2,643.52	13,710.00	13,710.00	0.00
Software & Computer Equipment		21,854.92	19,300.00	19,300.00	0.00
Professional Development		5,552.50	11,000.00	11,000.00	0.00
Supplies		7,210.51	13,850.00	13,850.00	0.00
Not Categorized		0.00	400.00	400.00	0.00
Personnel		135,095.23	201,774.00	201,774.00	0.00
Repairs - Bldg & Machinery		3,150.82	3,800.00	3,800.00	0.00
Utilities		5,386.68	11,650.00	11,650.00	0.00
Reserve		0.00	0.00	0.00	0.00
Employee Benefits		24,772.93	71,307.00	71,307.00	0.00
Special Services		28,462.13	75,937.00	75,937.00	0.00
Insurance		2,020.50	5,225.00	5,225.00	0.00
Special Expenses		2,437.42	7,050.00	7,050.00	0.00
Operating Services		33,989.83	64,128.00	64,128.00	0.00
Contractual Services		205.00	10,000.00	10,000.00	0.00
Capital Outlay		253,955.73	0.00	260,000.00	260,000.00
<b>Administration Totals</b>		<b>546,864.89</b>	<b>546,789.00</b>	<b>806,789.00</b>	<b>260,000.00</b>

<b>100 - General Fund</b>	<b>Municipal Court</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
Not Categorized		0.00		0.00	0.00
Supplies		55.96	300.00	300.00	0.00
Printing Expense		256.00	850.00	850.00	0.00
Software & Computer Equipment		0.00	2,750.00	2,750.00	0.00
Employee Benefits		3,252.00	12,672.00	12,672.00	0.00
Personnel		25,087.00	54,859.00	54,859.00	0.00
Other Expense		4,071.60	17,629.00	17,629.00	0.00
Professional Development		75.00	75.00	75.00	0.00
Insurance		183.50	210.00	210.00	0.00
Contractual Services		2,628.43	108,770.00	108,770.00	0.00
<b>Municipal Court Totals</b>		<b>35,609.49</b>	<b>198,115.00</b>	<b>198,115.00</b>	<b>0.00</b>

<b>100 - General Fund</b>	<b>Parks</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
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Supplies	153.71	2,300.00	2,300.00	0.00
Special Expenses	3,932.85	20,300.00	20,300.00	0.00
Rentals	1,557.08	3,000.00	3,000.00	0.00
Minor Capital Outlay	3,109.64	8,800.00	8,800.00	0.00
Other Expense	101.92	300.00	300.00	0.00
Insurance	394.00	683.00	683.00	0.00
Employee Benefits	2,998.06	13,192.00	13,192.00	0.00
Repairs - Bldg & Machinery	559.96	1,750.00	1,750.00	0.00
Utilities	2,677.71	8,300.00	8,300.00	0.00
Capital Outlay	0.00	81,000.00	81,000.00	0.00
Not Categorized	0.00	0.00	0.00	0.00
Personnel	26,988.37	31,601.00	31,601.00	0.00
<b>Parks Totals</b>	<b>42,473.30</b>	<b>171,226.00</b>	<b>171,226.00</b>	<b>0.00</b>

<b>100 - General Fund</b>	<b>Streets</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
Repairs - Bldg & Machinery		13,505.23	62,500.00	62,500.00	0.00
Utilities		20,526.39	47,000.00	47,000.00	0.00
Not Categorized		0.00	0.00	0.00	0.00
Printing Expense		0.00	350.00	350.00	0.00
Vehicle Expenses		1,006.66	6,000.00	6,000.00	0.00
Professional Development		270.00	500.00	500.00	0.00
Supplies		885.68	18,000.00	18,000.00	0.00
Operating Services		13,141.53	1,500.00	1,500.00	0.00
Special Expenses		1,022.55	2,000.00	2,000.00	0.00
Contractual Services		0.00	3,360.00	3,360.00	0.00
Special Services		12,266.20	0.00	25,500.00	25,500.00
Employee Benefits		4,786.96	13,214.00	13,214.00	0.00
Personnel		16,395.17	32,201.00	32,201.00	0.00
Capital Outlay		752.20	187,000.00	214,661.00	27,661.00
Minor Capital Outlay		991.46	3,650.00	3,650.00	0.00
Other Expense		0.00	150.00	150.00	0.00
Insurance		1,966.00	4,955.00	4,955.00	0.00
<b>Streets Totals</b>		<b>87,516.03</b>	<b>382,380.00</b>	<b>435,541.00</b>	<b>53,161.00</b>

<b>100 - General Fund</b>	<b>Solid Waste</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
Utilities		151,449.85	246,240.00	246,240.00	94,790.15
<b>Solid Waste Totals</b>		<b>151,449.85</b>	<b>246,240.00</b>	<b>246,240.00</b>	<b>94,790.15</b>
<b>Expense Totals</b>		<b>1,804,304.56</b>	<b>3,649,994.00</b>	<b>3,963,155.00</b>	<b>313,161.00</b>

**Exhibit A**  
**Budget Amendment Number Five (5)**

City of Ovilla Mid Year May  
2019

<b>110 - LEOSE</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
<b>Revenue Summary</b>				
Transfers	0.00	1,152.00	1,152.00	0.00
Revenue Totals	0.00	1,152.00	1,152.00	0.00
<b>Expense Summary</b>				
Professional Development	0.00	1,152.00	1,152.00	0.00
Expense Totals	0.00	1,152.00	1,152.00	0.00

**Exhibit A**  
**Budget Amendment Number Five (5)**

**City of Ovilla Mid Year May  
2019**

<b>120 - Street Improvement Fund</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
<b>Revenue Summary</b>				
Taxes	20,951.80	52,739.00	52,739.00	0.00
Other Revenue	0.00	100.00	100.00	0.00
Transfers	0.00	187,000.00	214,661.00	27,661.00
Revenue Totals	20,951.80	239,839.00	267,500.00	27,661.00
<b>Expense Summary</b>				
Capital Outlay	170.00	187,000.00	214,661.00	27,661.00
Reserve	0.00	52,839.00	52,839.00	0.00
Expense Totals	170.00	239,839.00	267,500.00	27,661.00

Amendment  
#4

Amendment  
#4

**Exhibit A**  
**Budget Amendment Number Five (5)**

**City of Ovilla Mid Year May  
2019**

<b>130 - Court Technology</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
<b>Revenue Summary</b>				
Fines & Forfeitures	1,247.35	5,424.00	5,424.00	0.00
Revenue Totals	1,247.35	5,424.00	5,424.00	0.00
<b>Expense Summary</b>				
Software & Computer Equipment	0.00	3,780.00	3,780.00	0.00
Reserve	0.00	1,644.00	1,644.00	0.00
Expense Totals	0.00	5,424.00	5,424.00	0.00

**Exhibit A**  
**Budget Amendment Number Five (5)**

City of Ovilla Mid Year May  
 2019

<b>140 - Court Security</b>	YTD Actual	Adopted Budget	Mid-Year Budget	Difference
<b>Revenue Summary</b>				
Fines & Forfeitures	935.52	4,068.00	4,068.00	0.00
Revenue Totals	935.52	4,068.00	4,068.00	0.00
<b>Expense Summary</b>				
Other Expense	3,832.66	964.00	964.00	0.00
Reserve	0.00	3,104.00	3,104.00	0.00
Expense Totals	3,832.66	4,068.00	4,068.00	0.00

**Exhibit A**  
**Budget Amendment Number Five (5)**

**City of Ovilla Mid Year May  
2019**

<b>150 - Equipment Replacement Fund</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
<b>Revenue Summary</b>				
Transfers	0.00	70,913.00	70,913.00	0.00
Revenue Totals	0.00	70,913.00	70,913.00	0.00
<b>Expense Summary</b>				
Reserve	0.00	15,913.00	15,913.00	0.00
Minor Capital Outlay	53,200.00	55,000.00	55,000.00	0.00
Expense Totals	53,200.00	70,913.00	70,913.00	0.00

**Exhibit A**  
**Budget Amendment Number Five (5)**

**City of Ovilla Mid Year May  
2019**

<b>200 - Water And Utilities Fund</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
<b>Services</b>				
200-4000460 Water Sales	535,149.39	821,726.00	821,726.00	0.00
200-4000461 Sewer Service	(7,037.77)	399,708.00	399,708.00	0.00
200-4000465 Water & Sewer Penalties	7,437.13	17,985.00	17,985.00	0.00
200-4000471 Reconnect Fees	1,955.91	5,400.00	5,400.00	0.00
200-4000472 Meters	3,725.00	3,700.00	3,700.00	0.00
200-4000473 Connect Fees	1,055.00	3,000.00	3,000.00	0.00
200-4000478 Infrastructure	0.00	0.00	0.00	0.00
200-4000480 Solid Waste Fees (Garbage)	0.00	0.00	0.00	0.00
Services Totals	542,284.36	1,251,519.00	1,251,519.00	0.00
<b>Other Revenue</b>				
200-4000840 Interest Earned	0.00	2,900.00	2,900.00	0.00
200-4000871 Capital Contrib-Main St.	0.00	64,232.00	64,232.00	0.00
200-4000911 Decrease in Fund Balance	0.00	165,434.00	213,294.00	47,860.00 Amendment #2
200-4000880 Capital Rec Fee	2,500.00	37,500.00	37,500.00	0.00
Other Revenue Totals	2,500.00	270,066.00	317,926.00	47,860.00
<b>Transfers</b>				
200-4000875 Water Tower Lease AT&T	0.00	0.00	542,228.00	542,228.00 Amendment #3
Transfers Totals	0.00	0.00	542,228.00	542,228.00
Revenue Totals	544,784.36	1,521,585.00	2,111,673.00	590,088.00

**Exhibit A**  
**Budget Amendment Number Five (5)**

**City of Ovilla Mid Year May  
2019**

<b>200 - Water And Utilities Fund</b>	<b>Admi</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
Reserve		0.00	61,483.00	603,711.00	542,228.00
Personnel		28,579.00	130,638.00	130,638.00	0.00
Other Expense		3,274.05	6,675.00	6,675.00	0.00
Repairs - Bldg & Machinery		2,580.00	0.00	0.00	0.00
Utilities		2,579.11	4,640.00	4,640.00	0.00
Supplies		237.58	1,000.00	1,000.00	0.00
Printing Expense		58.00	250.00	250.00	0.00
Software & Computer Equipment		3,485.00	4,071.00	4,071.00	0.00
Professional Development		0.00	950.00	950.00	0.00
Contractual Services		1,350.00	3,500.00	3,500.00	0.00
Special Services		4,150.00	9,050.00	9,050.00	0.00
Employee Benefits		5,412.82	16,860.00	16,860.00	0.00
<b>Administration Totals</b>		<b>51,705.56</b>	<b>239,117.00</b>	<b>781,345.00</b>	<b>542,228.00</b>

<b>200 - Water And Utilities Fund</b>	<b>Watc</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
Other Expense		29.50	150.00	150.00	0.00
Insurance		3,083.00	6,365.00	6,365.00	0.00
Minor Capital Outlay		1,636.87	2,500.00	8,000.00	5,500.00
Capital Outlay		1,532.57	11,000.00	11,000.00	0.00
Utilities		116,276.96	434,188.00	434,188.00	0.00
Employee Benefits		12,684.09	52,094.00	52,094.00	0.00
Printing Expense		3,130.92	5,500.00	5,500.00	0.00
Software & Computer Equipment		4,520.00	18,225.00	18,225.00	0.00
Rentals		0.00	250.00	250.00	0.00
Contractual Services		0.00	15,150.00	6,150.00	(9,000.00)
Personnel		69,914.07	150,400.00	150,400.00	0.00
Repairs - Bldg & Machinery		28,042.86	26,500.00	34,500.00	8,000.00
Vehicle Expenses		4,271.17	10,000.00	8,000.00	(2,000.00)
Professional Development		574.00	750.00	750.00	0.00
Supplies		2,975.39	2,700.00	2,700.00	0.00
Operating Services		4,044.69	9,100.00	6,600.00	(2,500.00)
Reserve		0.00	110,490.00	110,490.00	0.00
<b>Water Totals</b>		<b>252,716.09</b>	<b>855,362.00</b>	<b>855,362.00</b>	<b>0.00</b>

<b>200 - Water And Utilities Fund</b>	<b>Sewe</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
Employee Benefits		6,522.16	16,295.00	16,295.00	0.00
Other Expense		0.00	100.00	100.00	0.00
Repairs - Bldg & Machinery		8,091.49	10,600.00	11,700.00	1,100.00
Insurance		328.50	1,566.00	1,566.00	0.00
Vehicle Expenses		794.04	1,200.00	1,200.00	0.00
Professional Development		0.00	500.00	500.00	0.00

Supplies	730.88	1,100.00	1,100.00	0.00
Personnel	30,873.38	63,095.00	63,095.00	0.00
Contractual Services	725.95	2,000.00	900.00	(1,100.00)
Capital Outlay	0.00	64,232.00	112,092.00	47,860.00
Utilities	140,914.59	256,800.00	256,800.00	0.00
Operating Services	0.00	9,618.00	9,618.00	0.00
<b>Sewer Totals</b>	<b>188,980.99</b>	<b>427,106.00</b>	<b>474,966.00</b>	<b>47,860.00</b>
<b>Expense Totals</b>	<b>493,402.64</b>	<b>1,521,585.00</b>	<b>2,111,673.00</b>	<b>590,088.00</b>

Amendment  
#2

## Exhibit A Budget Amendment Number Five (5)

City of Ovilla Mid Year May  
2019

<b>250 - WWW Infrastructure Improvements</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
<b>Revenue Summary</b>				
Services	32,199.32	68,724.00	68,724.00	0.00
Revenue Totals	32,199.32	68,724.00	68,724.00	0.00
<b>Expense Summary</b>				
Reserve	0.00	68,724.00	68,724.00	0.00
Expense Totals	0.00	68,724.00	68,724.00	0.00

**Exhibit A**  
**Budget Amendment Number Five (5)**

City of Ovilla Mid Year May  
 2019

<b>300 - Capital Projects Fund</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
<b>Revenue Summary</b>				
Other Revenue	0.00	270.00	270.00	0.00
Revenue Totals	0.00	270.00	270.00	0.00
<b>Expense Summary</b>				
Reserve	0.00	270.00	270.00	0.00
Capital Outlay	0.00		0.00	0.00
Expense Totals	0.00	270.00	270.00	0.00

**Exhibit A**  
**Budget Amendment Number Five (5)**

**City of Ovilla Mid Year May  
2019**

<b>400 - Debt Service Fund</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
<b>Revenue Summary</b>				
Taxes	448,886.82	463,910.00	463,910.00	0.00
Other Revenue	0.00	550.00	550.00	0.00
Transfers	0.00	110,490.00	110,490.00	0.00
Revenue Totals	448,886.82	574,950.00	574,950.00	0.00
<b>Expense Summary</b>				
Long Term Debt	87,225.00	574,950.00	574,950.00	0.00
Expense Totals	87,225.00	574,950.00	574,950.00	0.00

**Exhibit A**  
**Budget Amendment Number Five (5)**

**City of Ovilla Mid Year May  
2019**

<b>500 - Municipal Development District  Fund</b>	<b>YTD  Actual</b>	<b>Adopted  Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
<b>Revenue Summary</b>				
Taxes	39,820.13	50,500.00	50,500.00	0.00
Other Revenue	0.00	600.00	600.00	0.00
Revenue Totals	39,820.13	51,100.00	51,100.00	0.00
<b>Expense Summary</b>				
Special Services	0.00	1,600.00	1,600.00	0.00
Supplies	83.00	100.00	100.00	0.00
Insurance	0.00	272.00	272.00	0.00
Reserve	0.00	49,128.00	49,128.00	0.00
Expense Totals	83.00	51,100.00	51,100.00	0.00

**Exhibit A**  
**Budget Amendment Number Five (5)**  
**City of Ovilla Mid Year May**  
**2019**

<b>600 - 4B Economic Development Fund</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
<b>Revenue Summary</b>				
Taxes	56,636.73	106,000.00	106,000.00	0.00
Other Revenue	0.00	2,100.00	2,100.00	0.00
Transfers	0.00	94,324.00	244,324.00	150,000.00
Revenue Totals	56,636.73	202,424.00	352,424.00	150,000.00
<b>Expense Summary</b>				
Other Expense	0.00	35,120.00	35,120.00	0.00
Reserve	64,232.00	161,732.00	161,732.00	0.00
Special Services	0.00	2,100.00	2,100.00	0.00
Supplies	0.00	100.00	100.00	0.00
Professional Development	633.00	2,800.00	2,800.00	0.00
Not Categorized	0.00		0.00	0.00
	83.00	300.00	300.00	0.00
Insurance	0.00	272.00	272.00	0.00
Capital Outlay	450.00	0.00	150,000.00	150,000.00
Expense Totals	65,398.00	202,424.00	352,424.00	150,000.00

Amendment  
#5

Amendment  
#5

**Exhibit A**  
**Budget Amendment Number Five (5)**

**City of Ovilla Mid Year May  
2019**

<b>700 - Park Impact Fund</b>	<b>YTD Actual</b>	<b>Adopted Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
<b>Revenue Summary</b>				
Services	5,352.32	8,613.00	8,613.00	0.00
Other Revenue	0.00	180.00	180.00	0.00
Revenue Totals	5,352.32	8,793.00	8,793.00	0.00
<b>Expense Summary</b>				
Reserve	0.00	6,618.00	6,618.00	0.00
Minor Capital Outlay	0.00	500.00	500.00	0.00
Capital Outlay	0.00	1,675.00	1,675.00	0.00
Expense Totals	0.00	8,793.00	8,793.00	0.00

**Exhibit A**  
**Budget Amendment Number Five (5)**

**City of Ovilla Mid Year May  
2019**

<b>800 - Water And Utilities Impact Fee  Fund</b>	<b>YTD  Actual</b>	<b>Adopted  Budget</b>	<b>Mid-Year Budget</b>	<b>Difference</b>
<b>Revenue Summary</b>				
Services	34,960.27	54,756.00	54,756.00	0.00
Revenue Totals	34,960.27	54,756.00	54,756.00	0.00
<b>Expense Summary</b>				
Reserve	0.00	54,756.00	54,756.00	0.00
Expense Totals	0.00	54,756.00	54,756.00	0.00

AGENDA ITEM REPORT  
Item 13

Meeting Date: May 13, 2019

Discussion  Action

Submitted By: Staff

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other: Staff

Attachments:

1. Resolution R2019-10

Agenda Item / Topic:

ITEM 13. **DISCUSSION/ACTION** – Consideration of and action on Resolution R2019-10 amending the meeting schedule of the Ovilla City Council.

Discussion / Justification:

Resolution R2014-025, July 14, 2014, called for the creation of a Council Briefing Session. During the April 2019 meeting, Council approved to discontinue the Briefing Session. The attached resolution executes the amendment.

Recommendation / Staff Comments:

N/A

Sample Motion(s):

I move that Council approve Resolution R2019-10 eliminating the Briefing Session.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AMENDING THE MEETING SCHEDULE OF COUNCIL MEETINGS ELIMINATING THE BRIEFING SESSION**

\* \* \* \* \*

**WHEREAS**, the City of Ovilla, Texas (the "City") deems it necessary and proper and in the best interest of its citizens and the employees to amend the frequency of City Council meetings of the City of Ovilla.

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

**Section 1.** That the City Council of the City of Ovilla currently meets once-a-month on the second Monday of the month beginning with a Briefing Session at 6: o'clock pm and the Regular Session at 6:30 o'clock pm; and

**Section 2.** That the City Council of the City of Ovilla will amend their meeting schedule to eliminate the Briefing Session at 6:00 o'clock pm.

**Section 3.** That the City Council of the City of Ovilla will begin their meetings continuing with the second Monday of the month to commence at \_\_\_\_\_ o'clock pm.

**Section 4.** That all City Council Meetings of the City of Ovilla shall take official action at said meetings and continue compliance with all required postings and conducted in accordance with the Open Meetings Act, Chapter 551 of the Local Government Code; and

**Section 5.** That the meeting dates may be subject to revision, rescheduling or the call of a Special Meeting should the City Council of the City of Ovilla have the need; and

**Section 6.** That the City Council of the City of Ovilla will review this resolution annually at the beginning of each fiscal year to determine if necessity deems subject to revision.

**PASSED, APPROVED, AND RESOLVED** this 13 day of May 2019.

**ATTEST:**

Pam Woodall, **CITY SECRETARY**

**APPROVED:**

Richard A. Dormier, **MAYOR**

AGENDA ITEM REPORT  
Item 14

Meeting Date: May 13, 2019

Discussion  Action

Submitted By: Staff

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other: Staff

Attachments:

Excerpt from the Ovilla Code of Ordinances: 35.3

Agenda Item / Topic:

ITEM 14. *DISCUSSION* – Discussion on Section 35.3.D.1. (Fences in Residential Districts) of the Ovilla Code of Ordinances.

Discussion / Justification:

Councilman Myers request.

“Current city ordinance requires fences to be even with the front plane of a house. No fences are allowed in front of houses. As I understand this issue fences built in front of a house require an exception from the BOA. For those homes in RC zones, those over 5 acres this also applies. Most of these homes have livestock on the property and the houses sit way back from the street. If a fence needs to be installed or replaced this requires the homeowner to seek an exception from the BOA. This exception is, in all likelihood, approved at the cost of \$200 for the BOA hearing. This is unfair to RC zoned homeowners. There is currently one case pending with the BOA. We should discuss and take action to grant an exception to RC zoned property owners”.

Recommendation / Staff Comments:

Staff believes that Mr. Myers request is reasonable for these types of properties. However, our recommendation is that properties 5 acres and larger should be considered not properties zoned RC. There are properties in other zoned areas that are currently used as agricultural. We also have several properties zoned RC that are legal nonconforming.

Sample Motion(s):

Discussion only.

**EXCERPT FROM THE OVILLA CODE:**

**35.3 FENCES IN RESIDENTIAL DISTRICTS**

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

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

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

D. Support and Rails.

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

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

AGENDA ITEM REPORT  
Item 15

Meeting Date: May 13, 2019

Discussion  Action

Submitted By: Staff

Reviewed By:  City Manager  City Secretary  City Attorney  
 Accountant  Other: Staff

Attachments:

1. Resolution R2016-10 and handbook

Agenda Item / Topic:

ITEM 15. **DISCUSSION** - Discussion on Resolution R2016-10 adopting the United States Consumer Product Safety Commission's publication entitled Public Playground Safety Handbook as the City's official reference and guideline for consideration in the City's acquisition, installation, operation, use and maintenance of playground equipment and playground surfacing.

Discussion / Justification:

Councilman Myers request:

"When the council passed the playground rules back in 2016, the rules said that swings could not be attached to any other play structure. There are at least two play areas where swings were attached. Recently these swings were removed. Its summer and kids need their swings. we should discuss this and see if the council really meant to take the swings away from the kids. We need to put the swings back up and discuss funding new playground equipment in the next budget".

FYI - the approved/adopted Playground Safety Handbook is a guideline, not law, and was approved to be used as the City's reference.

Recommendation / Staff Comments:

Sample Motion(s):

Discussion only.

RESOLUTION NO. R2016-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA,  
TEXAS, ADOPTING THE PUBLICATION OF THE UNITED STATES  
CONSUMER PRODUCT SAFETY COMMISSION ENTITLED *PUBLIC  
PLAYGROUND SAFETY HANDBOOK* AND PROVIDING AN  
EFFECTIVE DATE.**

WHEREAS, Section 756.061 of the Texas Health & Safety Code provides, in part, that public funds may not be used to purchase playground equipment that does not: (1) comply with each applicable provision of ASTM Standard F1487-07ae1, "Consumer Safety Performance Specification for Playground Equipment for Public Use" published by ASTM International, or (2) has a horizontal bare metal platform or a bare metal step or slide, unless the bare metal is shielded from direct sun by a covering provided with the equipment or by a shaded area in the location where the equipment is installed; and

WHEREAS, Section 756.061 of the Texas Health & Safety Code further provides, in part, that public funds may not be used to purchase surfacing for the area under and around playground equipment if the surfacing will not comply, on completion of installation of the surfacing, with each applicable provision of ASTM Standard F2223-04e1, "Standard Guide for ASTM Standards on Playground Surfacing" published by ASTM International; and

WHEREAS, the United States Consumer Product Safety Commission has published the *Public Playground Safety Handbook* which contains the applicable provisions of ASTM Standard F1487-07ae1 and F2223-04e1 as well as other suggestions and guidelines relating to the installation, operation, use and maintenance of playground equipment and playground surfacing; and

WHEREAS, it is the intention and desire of the City of Ovilla to purchase and provide only safe playground equipment and playground surfacing in compliance with Section 756.001 of the Texas Health & Safety Code and to review and consider the suggestions and guidelines set forth in the Public Playground Safety Handbook in connection with the installation, operation, use and maintenance of playground equipment and playground surfacing.

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

**SECTION ONE.** The City of Ovilla hereby adopts the United States Consumer Product Safety Commission's publication entitled *Public Playground Safety Handbook*, as may be amended from time to time, as the City's official reference and guideline for consideration in City's acquisition, installation, operation, use and maintenance of playground equipment and playground surfacing.

**SECTION TWO.** The Resolution shall be effective as of the date of the passage and approval of same.

RESOLUTION NO. R2016-10

RESOLVED, PASSED and APPROVED, this 12 day of December, 2016.

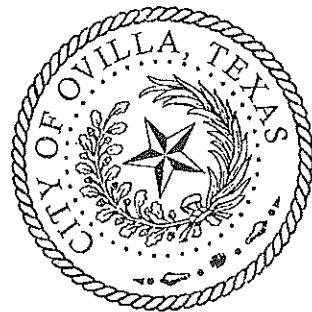
CITY OF OVILLA, TEXAS

---

Richard Dormier, Mayor

ATTEST:

Pamela Woodall  
Pamela Woodall, City Secretary



# Public Playground Safety Handbook



**U.S. Consumer Product Safety Commission**  
*Saving Lives and Keeping Families Safe*

## TABLE OF CONTENTS

	<b>Page No.</b>
1. Introduction .....	1
1.1 Scope .....	1
1.2 Intended Audience .....	1
1.3 What is a Public Playground? .....	1
1.4 Public Playground Safety Voluntary Standards and CPSC Handbook History .....	1
1.4.1 ASTM playground standards .....	2
1.5 Significant Revisions for 2008 .....	2
1.5.1 Equipment guidelines .....	2
1.5.2 Surfacing guidelines .....	2
1.5.3 General guidelines .....	2
1.5.4 Other revisions .....	2
1.6 Background .....	2
1.7 Playground Injuries .....	3
1.8 Definitions .....	3
2 General Playground Considerations .....	5
2.1 Selecting a Site .....	5
2.1.1 Shading considerations .....	5
2.2 Playground Layout .....	5
2.2.1 Accessibility .....	6
2.2.2 Age separation .....	6
2.2.3 Age group .....	6
2.2.4 Conflicting activities .....	6
2.2.5 Sight lines .....	6
2.2.6 Signage and/or labeling .....	6
2.2.7 Supervision .....	7
2.3 Selecting Equipment .....	8
2.3.1 Equipment not recommended .....	8
2.4 Surfacing .....	8
2.4.1 Equipment not covered by protective surfacing recommendations .....	8
2.4.2 Selecting a surfacing material .....	9
2.5 Equipment Materials .....	10
2.5.1 Durability and finish .....	10
2.5.2 Hardware .....	11
2.5.3 Metals .....	12
2.5.4 Paints and finishes .....	12
2.5.5 Wood .....	12
2.6 Assembly and Installation .....	13
3 Playground Hazards .....	14
3.1 Crush and Shearing Points .....	14
3.2 Entanglement and Impalement .....	14
3.2.1 Strings and ropes .....	14
3.3 Entrapment .....	15
3.3.1 Head entrapment .....	15
3.3.2 Partially bound openings and angles .....	16
3.4 Sharp Points, Corners, and Edges .....	16
3.5 Suspended Hazards .....	16

3.6	Tripping Hazards .....	16
3.7	Used Tires .....	17
4	Maintaining a Playground .....	18
4.1	Maintenance Inspections .....	18
4.2	Repairs .....	18
4.3	Maintaining Loose-Fill Surfacing .....	18
4.4	Recordkeeping .....	19
5	Parts of the Playground .....	20
5.1	Platforms, Guardrails and Protective Barriers .....	20
5.1.1	Platforms .....	20
5.1.2	Stepped platforms .....	20
5.1.3	Guardrails and protective barriers .....	20
5.2	Access Methods to Play Equipment .....	22
5.2.1	Ramps, stairways, rung ladders, and step ladders .....	23
5.2.2	Rungs and other hand gripping components .....	24
5.2.3	Handrails .....	24
5.2.4	Transition from access to platform .....	24
5.3	Major Types of Playground Equipment .....	24
5.3.1	Balance beams .....	24
5.3.2	Climbing and upper body equipment .....	24
5.3.3	Log rolls .....	30
5.3.4	Merry-go-rounds .....	30
5.3.5	Seesaws .....	31
5.3.6	Slides .....	32
5.3.7	Spring rockers .....	36
5.3.8	Swings .....	37
5.3.9	Fall height and use zones for composite structure .....	41
5.3.10	Fall height and use zones not specified elsewhere .....	41

## APPENDICES

A	Appendix A: Suggested General Maintenance Checklist .....	43
B	Appendix B: Playground Testing .....	45
B.1	Templates, Gauges, and Testing Tools .....	45
B.2	Test Methods .....	49
B.2.1	Determining whether a projection is a protrusion .....	49
B.2.2	Projections on suspended members of swing assemblies .....	49
B.2.3	Projections on slides .....	49
B.2.4	Entrapment .....	51
B.2.5	Test fixtures .....	52

# 1. INTRODUCTION

In recent years, it is estimated that there were more than 200,000 injuries annually on public playgrounds across the country that required emergency room treatment. By following the recommended guidelines in this handbook, you and your community can create a safer playground environment for all children and contribute to the reduction of playground-related deaths and injuries.

## 1.1 Scope

This handbook presents safety information for public playground equipment in the form of guidelines. Publication of this handbook is expected to promote greater safety awareness among those who purchase, install, and maintain public playground equipment. Because many factors may affect playground safety, the U.S. Consumer Product Safety Commission (CPSC) staff believes that guidelines, rather than a mandatory rule, are appropriate. These guidelines are not being issued as the sole method to minimize injuries associated with playground equipment. However, the Commission believes that the recommendations in this handbook along with the technical information in the ASTM standards for public playgrounds will contribute to greater playground safety.

Some states and local jurisdictions may require compliance with this handbook and/or ASTM voluntary standards. Additionally, risk managers, insurance companies, or others may require compliance at a particular site; check with state/local jurisdictions and insurance companies for specific requirements.

## 1.2 Intended Audience

This handbook is intended for use by childcare personnel, school officials, parks and recreation personnel, equipment purchasers and installers, playground designers, and any other members of the general public (e.g., parents and school groups) concerned with public playground safety and interested in evaluating their respective playgrounds. Due to the wide range of possible users, some information provided may be more appropriate for certain users than others. The voluntary standards listed in 1.4.1 contain more technical requirements than this handbook and are primarily intended for use by equipment manufacturers, architects, designers, and any others requiring more technical information.

## 1.3 What is a Public Playground?

“Public” playground equipment refers to equipment for use by children ages 6 months through 12 years in the playground areas of:

- Commercial (non-residential) child care facilities
- Institutions
- Multiple family dwellings, such as apartment and condominium buildings
- Parks, such as city, state, and community maintained parks
- Restaurants
- Resorts and recreational developments
- Schools
- Other areas of public use

These guidelines are not intended for amusement park equipment, sports or fitness equipment normally intended for users over the age of 12 years, soft contained play equipment, constant air inflatable play devices for home use, art and museum sculptures (not otherwise designed, intended and installed as playground equipment), equipment found in water play facilities, or home playground equipment. Equipment components intended solely for children with disabilities and modified to accommodate such users also are not covered by these guidelines. Child care facilities, especially indoor, should refer to ASTM F2373 — *Standard Consumer Safety Performance Specification for Public Use Play Equipment for Children 6 Months Through 23 Months*, for more guidance on areas unique to their facilities.

## 1.4 Public Playground Safety Voluntary Standards and CPSC Handbook History

- 1981 — First CPSC Handbook for Public Playground Safety was published, a two-volume set.
- 1991 — *Standard Specification for Impact Attenuation of Surface Systems Under and Around Playground Equipment*, ASTM F1292, was first published.
- 1991 — Two-volume set was replaced by a single-volume handbook, which contained recommendations based on a COMSIS Corporation report to the CPSC (*Development of Human Factors Criteria for Playground Equipment Safety*).

- 1993 – First version of voluntary standard for public playground equipment, ASTM F1487 — *Standard Consumer Safety Performance Specification for Playground Equipment for Public Use*, was published (revisions occur every 3 to 4 years).
- 1994 – Minor revisions to the *Handbook*.
- 1997 – *Handbook* was updated based on (1) staff review of ASTM F1487, (2) playground safety roundtable meeting held October 1996, and (3) public comment received to a May 1997 CPSC staff request.
- 2005 – First version of voluntary standard for playground equipment intended for children under two years old, ASTM F2373 — *Standard Consumer Safety Performance Specification for Public Use Play Equipment for Children 6 Months Through 23 Months*, was published.
- 2008 – *Handbook* was updated based on comments received from members of the ASTM F15 Playground Committees in response to a CPSC staff request for suggested revisions. Significant revisions are listed below.

#### **1.4.1 ASTM playground standards**

Below is a list of ASTM technical performance standards that relate to playgrounds.

- F1487 *Standard Consumer Safety Performance Specification for Playground Equipment for Public Use*.
- F2373 *Standard Consumer Safety Performance Specification for Public Use Play Equipment for Children 6 Months through 23 Months*.
- F1292 *Standard Specification for Impact Attenuation of Surface Systems Under and Around Playground Equipment*.
- F2075 *Standard Specification for Engineered Wood Fiber for Use as a Playground Safety Surface Under and Around Playground Equipment*.
- F2223 *Standard Guide for ASTM Standards on Playground Surfacing*.
- F2479 *Standard Guide for Specification, Purchase, Installation and Maintenance of Poured-In-Place Playground Surfacing*.
- F1951 *Standard Specification for Determination of Accessibility of Surface Systems Under and Around Playground Equipment*.
- F1816 *Standard Safety Specification for Drawstrings on Children's Upper Outerwear*.

- F2049 *Standard Guide for Fences/Barriers for Public, Commercial, and Multi-Family Residential Use Outdoor Play Areas*.
- F1148 *Standard Consumer Safety Performance Specification for Home Playground Equipment*.
- F1918 *Standard Safety Performance Specification for Soft Contained Play Equipment*.

## **1.5 Significant Revisions for 2008**

### **1.5.1 Equipment guidelines**

- Age ranges expanded to include children as young as 6 months based on ASTM F2373
- Guidelines for track rides and log rolls added
- Exit zone requirements for slides harmonized with ASTM F1487

### **1.5.2 Surfacing guidelines**

- Critical height table revised
- Suggestions for surfacing over asphalt added

### **1.5.3 General guidelines**

- Suggestions on sun exposure added

### **1.5.4 Other revisions**

- Editorial changes to make the *Handbook* easier to understand and use

## **1.6 Background**

The safety of each individual piece of playground equipment as well as the layout of the entire play area should be considered when designing or evaluating a playground for safety. Since falls are a very common playground hazard pattern, the installation and maintenance of protective surfacing under and around all equipment is crucial to protect children from severe head injuries.

Because all playgrounds present some challenge and because children can be expected to use equipment in unintended and unanticipated ways, adult supervision is highly recommended. The handbook provides some guidance on supervisory practices that adults should follow. Appropriate equipment design, layout, and maintenance, as discussed in this

handbook, are also essential for increasing public playground safety.

A playground should allow children to develop gradually and test their skills by providing a series of graduated challenges. The challenges presented should be appropriate for age-related abilities and should be ones that children can perceive and choose to undertake. Toddlers, preschool- and school-age children differ dramatically, not only in physical size and ability, but also in their intellectual and social skills. Therefore, age-appropriate playground designs should accommodate these differences with regard to the type, scale, and the layout of equipment. Recommendations throughout this handbook address the different needs of toddlers, preschool-age, and school-age children; "toddlers" refers to children ages 6 months through 2 years of age, "preschool-age" refers to children 2 through 5 years, and "school-age" refers to children 5 through 12 years. The overlap between these groups is anticipated in terms of playground equipment use and provides for a margin of safety.

Playground designers, installers and operators should be aware that the Americans with Disabilities Act of 1990 (ADA) is a comprehensive civil rights law which prohibits discrimination on the basis of disability. Titles II and III of the ADA require, among other things, that newly constructed and altered State and local government facilities, places of public accommodation, and commercial facilities be readily accessible to and usable by individuals with disabilities. Recreation facilities, including play areas, are among the types of facilities covered by titles II and III of the ADA.

The Architectural and Transportation Barriers Compliance Boards – also referred to as the "Access Board" – has developed accessibility guidelines for newly constructed and altered play areas that were published October 2000. The play area guidelines are a supplement to the Americans with Disabilities Act Accessibility Guidelines (ADAAG). Once these guidelines are adopted as enforceable standards by the Department of Justice, all newly constructed and altered play areas covered by the ADA will be required to comply. These guidelines also apply to play areas covered by the Architectural Barriers Act (ABA).

Copies of the play area accessibility guidelines and further technical assistance can be obtained from the U.S. Access Board, 1331 F Street, NW, Suite 1000, Washington, DC 20004-1111; 800-872-2253, 800-993-2822 (TTY), [www.access-board.gov](http://www.access-board.gov).

## 1.7 Playground Injuries

The U. S. Consumer Product Safety Commission has long recognized the potential hazards that exist with the use of playground equipment, with over 200,000 estimated emergency room-treated injuries annually. The most recent study of 2,691 playground equipment-related incidents reported to the CPSC from 2001-2008 indicated that falls are the most common hazard pattern (44% of injuries) followed by equipment-related hazards, such as breakage, tip over, design, and assembly (23%).<sup>1</sup> Other hazard patterns involved entrapment and colliding other children or stationary equipment. Playground-related deaths reported to the Commission involved entanglement of ropes, leashes, or clothing; falls; and impact from equipment tip over or structural failure.

The recommendations in this handbook have been developed to address the hazards that resulted in playground-related injuries and deaths. The recommendations include those that address:

- The potential for falls from and impact with equipment
- The need for impact attenuating protective surfacing under and around equipment
- Openings with the potential for head entrapment
- The scale of equipment and other design features related to user age and layout of equipment on a playground
- Installation and maintenance procedures
- General hazards presented by protrusions, sharp edges, and crush or shear points

## 1.8 Definitions

**Barrier** — An enclosing device around an elevated platform that is intended to prevent both inadvertent and deliberate attempts to pass through the device.

**Composite Structure** — Two or more play structures attached or functionally linked, to create one integral unit that provides more than one play activity.

**Critical Height** — The fall height below which a life-threatening head injury would not be expected to occur.

<sup>1</sup>O'Brien, Craig W.; Injuries and Investigated Deaths Associated with Playground Equipment, 2001–2008. U.S. Consumer Product Safety Commission: Washington DC, October, 2009.

**Designated Play Surface** — Any elevated surface for standing, walking, crawling, sitting or climbing, or a flat surface greater than 2 inches wide by 2 inches long having an angle less than 30° from horizontal.

**Embankment Slide** — A slide that follows the contour of the ground and at no point is the bottom of the chute greater than 12 inches above the surrounding ground.

**Entanglement** — A condition in which the user's clothes or something around the user's neck becomes caught or entwined on a component of playground equipment.

**Entrapment** — Any condition that impedes withdrawal of a body or body part that has penetrated an opening.

**Fall Height** — The vertical distance between the highest designated play surface on a piece of equipment and the protective surfacing beneath it.

**Footing** — A means for anchoring playground equipment to the ground.

**Full Bucket Seat Swing** — A swing generally appropriate for children under 4 years of age that provides support on all sides and between the legs of the occupant and cannot be entered or exited without adult assistance.

**Geotextile (filter) Cloth** — A fabric that retains its relative structure during handling, placement, and long-term service to enhance water movement, retard soil movement, and to add reinforcement and separation between the soil and the surfacing and/or sub-base.

**Guardrail** — An enclosing device around an elevated platform that is intended to prevent inadvertent falls from the elevated surface.

**Infill** — Material(s) used in a protective barrier or between decks to prevent a user from passing through the barrier (e.g., vertical bars, lattice, solid panel, etc.).

**Loose-Fill Surfacing Material** — A material used for protective surfacing in the use zone that consists of loose particles such as sand, gravel, engineered wood fibers, or shredded rubber.

**Preschool-Age Children** — Children 2 years of age through 5 years of age.

**Projection** — Anything that extends outward from a surface of the playground equipment and must be tested to determine whether it is a protrusion or entanglement hazard, or both.

**Protective Barrier** — See Barrier.

**Protective Surfacing** — Shock absorbing (i.e., impact attenuating) surfacing material in the use zone that conforms to the recommendations in §2.4 of this handbook.

**Protrusion** — A projection which, when tested, is found to be a hazard having the potential to cause bodily injury to a user who impacts it.

**Roller Slide** — A slide that has a chute consisting of a series of individual rollers over which the user travels.

**School-Age Children** — Children 5 years of age through 12 years of age.

**Slide Chute** — The inclined sliding surface of a slide.

**Stationary Play Equipment** — Any play structure that has a fixed base and does not move.

**Supervisor** — Any person tasked with watching children on a playground. Supervisors may be paid professionals (e.g., childcare, elementary school or park and recreation personnel), paid seasonal workers (e.g., college or high school students), volunteers (e.g., PTA members), or unpaid caregivers (e.g., parents) of the children playing in the playground.

**Toddlers** — Children 6 months through 23 months of age.

**Tube Slide** — A slide in which the chute consists of a totally enclosed tube or tunnel.

**Unitary Surfacing Material** — A manufactured material used for protective surfacing in the use zone that may be rubber tiles, mats, or a combination of energy absorbing materials held in place by a binder that may be poured in place at the playground site and cures to form a unitary shock absorbing surface.

**Upper Body Equipment** — Equipment designed to support a child by the hands only (e.g., horizontal ladder, overhead swinging rings).

**Use Zone** — The surface under and around a piece of equipment onto which a child falling from or exiting from the equipment would be expected to land. These areas are also designated for unrestricted circulation around the equipment.

## 2. GENERAL PLAYGROUND CONSIDERATIONS

### 2.1 Selecting a Site

The following factors are important when selecting a site for a new playground:

Site Factor	Questions to Ask	If yes, then...Mitigation
Travel patterns of children to and from the playground	Are there hazards in the way?	Clear hazards.
Nearby accessible hazards such as roads with traffic, lakes, ponds, streams, drop-offs/cliffs, etc.	Could a child inadvertently run into a nearby hazard?	Provide a method to contain children within the playground. For example, a dense hedge or a fence. The method should allow for observation by supervisors. If fences are used, they should conform to local building codes and/or ASTM F-2049.
	Could younger children easily wander off toward the hazard?	
Sun exposure	Is sun exposure sufficient to heat exposed bare metal slides, platforms, steps, & surfacing enough to burn children?	Bare metal slides, platforms, and steps should be shaded or located out of direct sun.  Provide warnings that equipment and surfacing exposed to intense sun can burn.
	Will children be exposed to the sun during the most intense part of the day?	Consider shading the playground or providing shaded areas nearby.
Slope and drainage	Will loose fill materials wash away during periods of heavy rain?	Consider proper drainage re-grading to prevent wash outs.

#### 2.1.1 Shading considerations

According to the American Academy of Dermatology, research indicates that one in five Americans will develop some form of skin cancer during their lifetime, and five or more sunburns double the risk of developing skin cancer. Utilizing existing shade (e.g., trees), designing play structures as a means for providing shading (e.g., elevated platforms with shaded space below), or creating more shade (e.g., man-made structures) are potential ways to design a playground to help protect children's skin from the sun. When trees are used for shade, additional maintenance issues arise, such as the need for cleaning up debris and trimming limbs.

### 2.2 Playground Layout

There are several key factors to keep in mind when laying out a playground:

- Accessibility
- Age separation
- Conflicting activities
- Sight lines
- Signage and/or labeling
- Supervision

### **2.2.1 Accessibility**

Special consideration should be given to providing accessible surfaces in a play area that meets the *ASTM Standard Specification for Determination of Accessibility of Surface Systems Under and Around Playground Equipment*, ASTM F1951. Equipment selection and location along with the type of protective surfacing are key components to ensuring the opportunity for children with disabilities to play on the playground.

### **2.2.2 Age separation**

For playgrounds intended to serve children of all ages, the layout of pathways and the landscaping of the playground should show the distinct areas for the different age groups. The areas should be separated at least by a buffer zone, which could be an area with shrubs or benches. This separation and buffer zone will reduce the chance of injury from older, more active children running through areas filled with younger children with generally slower movement and reaction times.

### **2.2.3 Age group**

In areas where access to the playground is unlimited or enforced only by signage, the playground designer should recognize that since child development is fluid, parents and caregivers may select a playground slightly above or slightly below their child's abilities, especially for children at or near a cut-off age (e.g., 2-years old and 5-years old). This could be for ease of supervising multiple children, misperceptions about the hazards a playground may pose to children of a different age, advanced development of a child, or other reasons. For this reason, there is an overlap at age 5.

Developmentally a similar overlap also exists around age 2; however, due to the differences in ASTM standards and entrapment testing tools, this overlap is not reflected in the handbook. Playgrounds used primarily by children under the supervision of paid, trained professionals (e.g., child-care centers and schools) may wish to consider separating playgrounds by the facility's age groupings. For example, a child-care facility may wish to limit a playground to toddlers under 2 exclusively and can draw information from this guide and ASTM F2373. A school, on the other hand, may have no children under 4 attending, and can likewise plan appropriately. Those who inspect playgrounds should use the intended age group of the playground.

### **2.2.4 Conflicting activities**

The play area should be organized into different sections to prevent injuries caused by conflicting activities and children running between activities. Active, physical activities should be separate from more passive or quiet activities. Areas for playground equipment, open fields, and sand boxes should be located in different sections of the playground. In addition, popular, heavy-use pieces of equipment or activities should be dispersed to avoid crowding in any one area.

Different types of equipment have different use zones that must be maintained. The following are general recommendations for locating equipment within the playground site. Specific use zones for equipment are given in §5.3.

- Moving equipment, such as swings and merry-go-rounds, should be located toward a corner, side, or edge of the play area while ensuring that the appropriate use zones around the equipment are maintained.
- Slide exits should be located in an uncongested area of the playground.
- Composite play structures have become increasingly popular on public playgrounds. Adjacent components on composite structures should be complementary. For example, an access component should not be located in a slide exit zone.

### **2.2.5 Sight lines**

Playgrounds that are designed, installed, and maintained in accordance with safety guidelines and standards can still present hazards to children. Playgrounds should be laid out to allow parents or caregivers to keep track of children as they move throughout the playground environment. Visual barriers should be minimized as much as possible. For example, in a park situation, playground equipment should be as visible as possible from park benches. In playgrounds with areas for different ages, the older children's area should be visible from the younger children's area to ensure that caregivers of multiple children can see older children while they are engaged in interactive play with younger ones.

### **2.2.6 Signage and/or labeling**

Although the intended user group should be obvious from the design and scale of equipment, signs and/or labels posted in the playground area or on the equipment should give some guidance to supervisors as to the age appropriateness of the equipment.

### 2.2.7 Supervision

The quality of the supervision depends on the quality of the supervisor's knowledge of safe play behavior. Playground designers should be

aware of the type of supervision most likely for their given playground. Depending on the location and nature of the playground, the supervisors may be paid professionals (e.g., childcare, elementary school or park and recreation personnel), paid seasonal workers (e.g., college or high school students), volunteers (e.g., PTA members), or unpaid caregivers (e.g., parents) of the children playing in the playground.

Parents and playground supervisors should be aware that not all playground equipment is appropriate for all children who may use the playground. Supervisors should look for posted

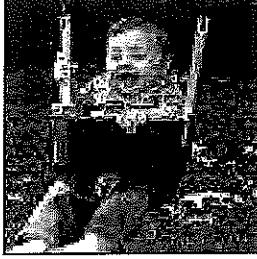
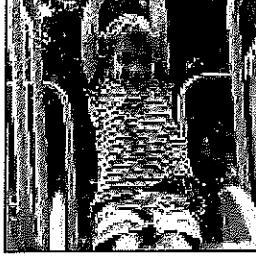


signs indicating the appropriate age of the users and direct children to equipment appropriate for their age. Supervisors may also use the information in Table 1 to determine the suitability of the equipment for the children they are supervising. Toddlers and preschool-age children require more attentive supervision than older children; however, one should not rely on supervision alone to prevent injuries.

Supervisors should understand the basics of playground safety such as:

- Checking for broken equipment and making sure children don't play on it.
- Checking for and removing unsafe modifications, especially ropes tied to equipment, before letting children play.
- Checking for properly maintained protective surfacing.
- Making sure children are wearing foot wear.

**TABLE 1. EXAMPLES OF AGE APPROPRIATE EQUIPMENT**

 <p><b>Toddler — Ages 6-23 months</b></p> <ul style="list-style-type: none"> <li>• Climbing equipment under 32" high</li> <li>• Ramps</li> <li>• Single file step ladders</li> <li>• Slides*</li> <li>• Spiral slides less than 360°</li> <li>• Spring rockers</li> <li>• Stairways</li> <li>• Swings with full bucket seats</li> </ul>	 <p><b>Preschool — Ages 2-5 years</b></p> <ul style="list-style-type: none"> <li>• Certain climbers**</li> <li>• Horizontal ladders less than or equal to 60" high for ages 4 and 5</li> <li>• Merry-go-rounds</li> <li>• Ramps</li> <li>• Rung ladders</li> <li>• Single file step ladders</li> <li>• Slides*</li> <li>• Spiral slides up to 360°</li> <li>• Spring rockers</li> <li>• Stairways</li> <li>• Swings – belt, full bucket seats (2-4 years) &amp; rotating tire</li> </ul>	 <p><b>Grade School — Ages 5-12 years</b></p> <ul style="list-style-type: none"> <li>• Arch climbers</li> <li>• Chain or cable walks</li> <li>• Free standing climbing events with flexible parts</li> <li>• Fulcrum seesaws</li> <li>• Ladders – Horizontal, Rung, &amp; Step</li> <li>• Overhead rings***</li> <li>• Merry-go-rounds</li> <li>• Ramps</li> <li>• Ring treks</li> <li>• Slides*</li> <li>• Spiral slides more than one 360° turn</li> <li>• Stairways</li> <li>• Swings – belt &amp; rotating tire</li> <li>• Track rides</li> <li>• Vertical sliding poles</li> </ul>
* See §5.3.6	** See §5.3.2	*** See §5.3.2.5

- Watching and stopping dangerous horseplay, such as children throwing protective surfacing materials, jumping from heights, etc.
- Watching for and stopping children from wandering away from the play area.

- Swinging dual exercise rings and trapeze bars – These are rings and trapeze bars on long chains that are generally considered to be items of athletic equipment and are not recommended for public playgrounds. *NOTE: The recommendation against the use of exercise rings does not apply to overhead hanging rings such as those used in a ring trek or ring ladder (see Figure 7).*

## 2.3 Selecting Equipment

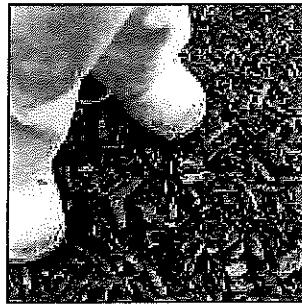
When selecting playground equipment, it is important to know the age range of the children who will be using the playground. Children at different ages and stages of development have different needs and abilities. Playgrounds should be designed to stimulate children and encourage them to develop new skills, but should be in scale with their sizes, abilities, and developmental levels. Consideration should also be given to providing play equipment that is accessible to children with disabilities and encourages integration within the playground.

Table 1 shows the appropriate age range for various pieces of playground equipment. This is not an all-comprehensive list and, therefore, should not limit inclusion of current or newly designed equipment that is not specifically mentioned. For equipment listed in more than one group, there may be some modifications or restrictions based on age, so consult the specific recommendations in §5.3.

### 2.3.1 Equipment not recommended

Some playground equipment is not recommended for use on public playgrounds, including:

- Trampolines
- Swinging gates
- Giant strides
- Climbing ropes that are not secured at both ends.
- Heavy metal swings (e.g., animal figures) – These are not recommended because their heavy rigid metal framework presents a risk of impact injury.
- Multiple occupancy swings – With the exception of tire swings, swings that are intended for more than one user are not recommended because their greater mass, as compared to single occupancy swings, presents a risk of impact injury.
- Rope swings – Free-swinging ropes that may fray or otherwise form a loop are not recommended because they present a potential strangulation hazard.



## 2.4 Surfacing

The surfacing under and around playground equipment is one of the most important factors in reducing the likelihood of life-threatening head injuries. A fall onto a shock absorbing surface is less likely to cause a serious head injury than a fall onto a hard surface. However, some injuries from falls, including broken limbs, may occur no matter what playground surfacing material is used.

The most widely used test method for evaluating the shock absorbing properties of a playground surfacing material is to drop an instrumented metal headform onto a sample of the material and record the acceleration/time pulse during the impact. Field and laboratory test methods are described in *ASTM F1292 Standard Specification for Impact Attenuation of Surface Systems Under and Around Playground Equipment*.

Testing using the methods described in ASTM F1292 will provide a “critical height” rating of the surface. This height can be considered as an approximation of the fall height below which a life-threatening head injury would not be expected to occur. Manufacturers and installers of playground protective surfacing should provide the critical height rating of their materials. This rating should be greater than or equal to the fall height of the highest piece of equipment on the playground. The fall height of a piece of equipment is the distance between the highest designated play surface on a piece of equipment and the protective surface beneath it. Details for determining the highest designated play surface and fall height on some types of equipment are included in §5 Parts of the Playground.

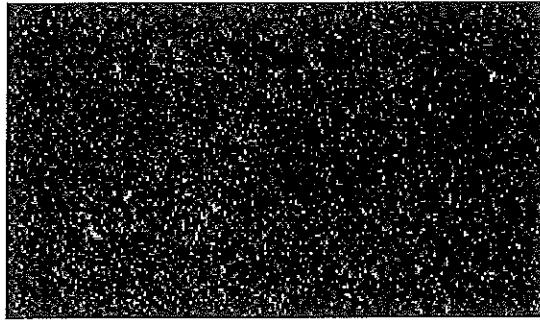
### 2.4.1 Equipment not covered by protective surfacing recommendations

The recommendations for protective surfacing do not apply to equipment that requires a child to be standing or sitting at ground level. Examples of such equipment are:



### Appropriate Surfacing

- Any material tested to ASTM F1292, including unitary surfaces, engineered wood fiber, etc.
- Pea gravel
- Sand
- Shredded/recycled rubber mulch
- Wood mulch (not CCA-treated)
- Wood chips



### Inappropriate Surfacing

- Asphalt
- Carpet not tested to ASTM F1292
- Concrete
- Dirt
- Grass
- CCA treated wood mulch

- Sand boxes
- Activity walls at ground level
- Play houses
- Any other equipment that children use when their feet remain in contact with the ground surface

#### 2.4.2 Selecting a surfacing material

There are two options available for surfacing public playgrounds: unitary and loose-fill materials. A playground should never be installed without protective surfacing of some type. Concrete, asphalt, or other hard surfaces should never be directly under playground equipment. Grass and dirt are not considered protective surfacing because wear and environmental factors can reduce their shock absorbing effectiveness. Carpeting and mats are also not appropriate unless they are tested to and comply with ASTM F1292. Loose-fill should be avoided for playgrounds intended for toddlers.

##### 2.4.2.1 Unitary surfacing materials

Unitary materials are generally rubber mats and tiles or a combination of energy-absorbing materials held in place by a

binder that may be poured in place at the playground site and then cured to form a unitary shock absorbing surface. Unitary materials are available from a number of different manufacturers, many of whom have a range of materials with differing shock absorbing properties. New surfacing materials, such as bonded wood fiber and combinations of loose-fill and unitary, are being developed that may also be tested to ASTM F1292 and fall into the unitary materials category. When deciding on the best surfacing materials keep in mind that some dark colored surfacing materials exposed to the intense sun have caused blistering on bare feet. Check with the manufacturer if light colored materials are available or provide shading to reduce direct sun exposure.

Persons wishing to install a unitary material as a playground surface should request ASTM F1292 test data from the manufacturer identifying the critical height rating of the desired surface. In addition, site requirements should be obtained from the manufacturer because some unitary materials require installation over a hard surface while others do not.

Manufacturer's instructions should be followed closely, as some unitary systems require professional installation. Testing should be conducted in accordance with the ASTM F1292 standard.

#### 2.4.2.2 Loose-fill surfacing materials

Engineered wood fiber (EWF) is a wood product that may look similar in appearance to landscaping mulch, but EWF products are designed specifically for use as a playground safety surface under and around playground equipment. EWF products should meet the specifications in ASTM F2075: *Standard Specification for Engineered Wood Fiber* and be tested to and comply with ASTM F1292.

There are also rubber mulch products that are designed specifically for use as playground surfacing. Make sure they have been tested to and comply with ASTM F1292.

When installing these products, tips 1-9 listed below should be followed. Each manufacturer of engineered wood fiber and rubber mulch should provide maintenance requirements for and test data on:

- Critical height based on ASTM F1292 impact attenuation testing.
- Minimum fill-depth data.
- Toxicity.
- ADA/ABA accessibility guidelines for firmness and stability based on ASTM F1951.

Other loose-fill materials are generally landscaping-type materials that can be layered to a certain depth and resist compacting. Some examples include wood mulch, wood chips, sand, pea gravel, and shredded/recycled rubber mulch.

Important tips when considering loose-fill materials:

1. Loose-fill materials will compress at least 25% over time due to use and weathering. This must be considered when planning the playground. For example, if the playground will require 9 inches of wood chips, then the initial fill level should be 12 inches. See Table 2 below.
2. Loose-fill surfacing requires frequent maintenance to ensure surfacing levels never drop below the minimum depth. Areas under swings and at slide exits are more susceptible to displacement; special attention must be paid to maintenance in these areas. Additionally, wear mats can be installed in these areas to reduce displacement.
3. The perimeter of the playground should provide a method of containing the loose-fill materials.
4. Consider marking equipment supports with a minimum fill level to aid in maintaining the original depth of material.

5. Good drainage is essential to maintaining loose-fill surfacing. Standing water with surfacing material reduces effectiveness and leads to material compaction and decomposition.
6. Critical height may be reduced during winter in areas where the ground freezes.
7. Never use less than 9 inches of loose-fill material except for shredded/recycled rubber (6 inches recommended). Shallower depths are too easily displaced and compacted.
8. Some loose-fill materials may not meet ADA/ABA accessibility guidelines. For more information, contact the Access Board (see §1.6) or refer to ASTM F1951.
9. Wood mulch containing chromated copper arsenate (CCA)-treated wood products should not be used; mulch where the CCA-content is unknown should be avoided (see §2.5.1).

Table 2 shows the minimum required depths of loose-fill material needed based on material type and fall height. The depths shown assume the materials have been compressed due to use and weathering and are properly maintained to the given level.

#### 2.4.2.3 Installing loose-fill over hard surface

CPSC staff strongly recommends against installing playgrounds over hard surfaces, such as asphalt, concrete, or hard packed earth, unless the installation adds the following layers of protection. Immediately over the hard surface there should be a 3- to 6-inch base layer of loose-fill (e.g., gravel for drainage). The next layer should be a Geotextile cloth. On top of that should be a loose-fill layer meeting the specifications addressed in §2.4.2.2 and Table 2. Embedded in the loose-fill layer should be impact attenuating mats under high traffic areas, such as under swings, at slide exits, and other places where displacement is likely. Figure 1 provides a visual representation of this information. Older playgrounds that still exist on hard surfacing should be modified to provide appropriate surfacing.

### 2.5 Equipment Materials

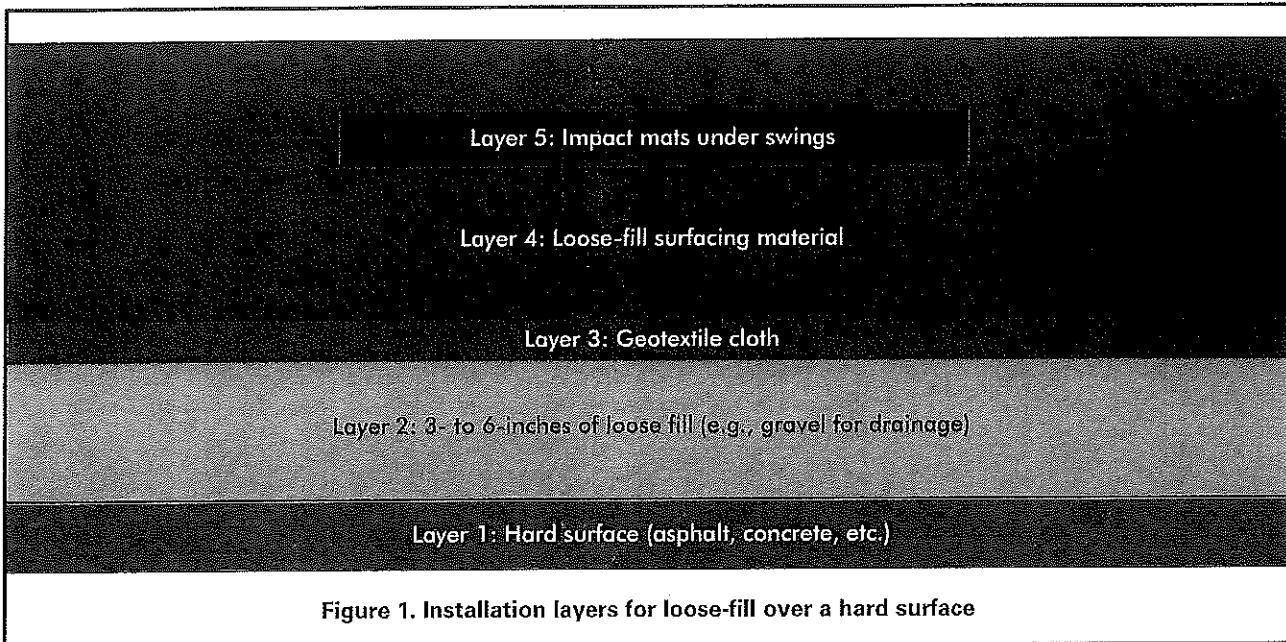
#### 2.5.1 Durability and finish

- Use equipment that is manufactured and constructed only of materials that have a demonstrated record of durability in a playground or similar setting.

**Table 2. Minimum compressed loose-fill surfacing depths**

Inches	Of	(Loose-Fill Material)	Protects to	Fall Height (feet)
6*		Shredded/recycled rubber		10
9		Sand		4
9		Pea Gravel		5
9		Wood mulch (non-CCA)		7
9		Wood chips		10

\* Shredded/recycled rubber loose-fill surfacing does not compress in the same manner as other loose-fill materials. However, care should be taken to maintain a constant depth as displacement may still occur.

**Figure 1. Installation layers for loose-fill over a hard surface**

- Finishes, treatments, and preservatives should be selected carefully so that they do not present a health hazard to users.
- All fasteners, connectors, and covering devices that are exposed to the user should be smooth and should not be likely to cause laceration, penetration, or present a clothing entanglement hazard (see also §3.2 and Appendix B).
- Lock washers, self-locking nuts, or other locking means should be provided for all nuts and bolts to protect them from detachment.
- Hardware in moving joints should also be secured against unintentional or unauthorized loosening.

### 2.5.2 Hardware

When installed and maintained in accordance with the manufacturer's instructions:

- All fasteners, connectors, and covering devices should not loosen or be removable without the use of tools.

- All fasteners should be corrosion resistant and be selected to minimize corrosion of the materials they connect. This is particularly important when using wood treated with ACQ/CBA/CA-B<sup>2</sup> as the chemicals in the wood preservative corrode certain metals faster than others.
- Bearings or bushings used in moving joints should be easy to lubricate or be self-lubricating.
- All hooks, such as S-hooks and C-hooks, should be closed (see also §5.3.8.1). A hook is considered closed if there is no gap or space greater than 0.04 inches, about the thickness of a dime.

### 2.5.3 Metals

- Avoid using bare metal for platforms, slides, or steps. When exposed to direct sunlight they may reach temperatures high enough to cause serious contact burn injuries in a matter of seconds. Use other materials that may reduce the surface temperature, such as but not limited to wood, plastic, or coated metal (see also Slides in §5.3.6).
- If bare or painted metal surfaces are used on platforms, steps, and slide beds, they should be oriented so that the surface is not exposed to direct sun year round.

### 2.5.4 Paints and finishes

- Metals not inherently corrosion resistant should be painted, galvanized, or otherwise treated to prevent rust.
- The manufacturer should ensure that the users cannot ingest, inhale, or absorb potentially hazardous amounts of preservative chemicals or other treatments applied to the equipment as a result of contact with playground equipment.
- All paints and other similar finishes must meet the current CPSC regulation for lead in paint.
- Painted surfaces should be maintained to prevent corrosion and deterioration.
- Paint and other finishes should be maintained to prevent rusting of exposed metals and to minimize children playing with peeling paint and paint flakes.

- Older playgrounds with lead based paints should be identified and a strategy to control lead paint exposure should be developed. Playground managers should consult the October 1996 report, CPSC Staff Recommendations for Identifying and Controlling Lead Paint on Public Playground Equipment, while ensuring that all paints and other similar finishes meet the current CPSC regulation.<sup>3</sup>

## 2.5.5 Wood

- Wood should be either naturally rot- and insect-resistant (e.g., cedar or redwood) or should be treated to avoid such deterioration.
- Creosote-treated wood (e.g., railroad ties, telephone poles, etc) and coatings that contain pesticides should not be used.

### 2.5.5.1 Pressure-treated wood

A significant amount of older playground wood was pressure-treated with chemicals to prevent damage from insects and fungi. Chromated copper arsenate (CCA) was a chemical used for decades in structures (including playgrounds). Since December 31, 2003, CCA-treated wood is no longer processed for use in playground applications. Other rot- and insect-resistant pressure treatments are available that do not contain arsenic; however, when using any of the new treated wood products, be sure to use hardware that is compatible with the wood treatment chemicals. These chemicals are known to corrode certain materials faster than others.

#### *Existing playgrounds with CCA-treated wood*

Various groups have made suggestions concerning the application of surface coatings to CCA-treated wood (e.g., stains and sealants) to reduce a child's potential exposure to arsenic from the wood surface. Data from CPSC staff and EPA studies suggest that regular (at least once a year) use of an oil- or water-based, penetrating sealant or stain can reduce arsenic migration from CCA-treated wood. Installers, builders, and consumers who perform woodworking operations, such as sanding, sawing, or sawdust disposal, on pressure-treated wood should read the consumer information sheet available at the point of sale. This sheet contains important health precautions and disposal information.

<sup>2</sup> Ammoniacal copper quat (ACQ), copper boron azole (CBA), copper azole type B (CA-B), etc.

<sup>3</sup> CPSC Staff Recommendations for Identifying and Controlling Lead Paint on Public Playground Equipment; U.S. Consumer Product Safety Commission: Washington, DC, October 1996.

When selecting wood products and finishes for public playgrounds, CPSC staff recommends:

- Avoid “film-forming” or non-penetrating stains (latex semi-transparent, latex opaque and oil-based opaque stains) on outdoor surfaces because peeling and flaking may occur later, which will ultimately have an impact on durability as well as exposure to the preservatives in the wood.
- Creosote, pentachlorophenol, and tributyl tin oxide are too toxic or irritating and should not be used as preservatives for playground equipment wood.
- Pesticide-containing finishes should not be used.
- CCA-treated wood should not be used as playground mulch.

## 2.6 Assembly and Installation

- Strictly follow *all* instructions from the manufacturer when assembling and installing equipment.
- After assembly and before its first use, equipment should be thoroughly inspected by a person qualified to inspect playgrounds for safety.
- The manufacturer's assembly and installation instructions, and all other materials collected concerning the equipment, should be kept in a permanent file.
- Secure anchoring is a key factor to stable installation, and the anchoring process should be completed in *strict* accordance with the manufacturer's specifications.

## 3. PLAYGROUND HAZARDS

This section provides a broad overview of general hazards that should be avoided on playgrounds. It is intended to raise awareness of the risks posed by each of these hazards. Many of these hazards have technical specifications and tests for compliance with ASTM F1487 and F2373. Some of these tests are also detailed in Appendix B.

### 3.1 Crush and Shearing Points

Anything that could crush or shear limbs should not be accessible to children on a playground. Crush and shear points can be caused by parts moving relative to each other or to a fixed part during a normal use cycle, such as a seesaw.

To determine if there is a possible crush or shear point, consider:

- The likelihood a child could get a body part inside the point, and
- The closing force around the point.

Potential crush/shear hazards specific to certain pieces of equipment are identified in §5.3 Major Types of Playground Equipment.

### 3.2 Entanglement and Impalement

Projections on playground equipment should not be able to entangle children's clothing nor should they be large enough to impale. To avoid this risk:

- The diameter of a projection should not increase in the direction away from the surrounding surface toward the exposed end (see Figure 2).
- Bolts should not expose more than two threads beyond the end of the nut (see Figure 3).
- All hooks, such as S-hooks and C-hooks, should be closed (see also §5.3.8.1). A hook is considered closed if there is no gap or space greater than 0.04 inches, about the thickness of a dime.
  - Any connecting device containing an in-fill that completely fills the interior space preventing entry of clothing items into the interior of the device is exempt from this requirement.

- Swings and slides have additional recommendations for projections detailed in §5.3.
- See Appendix B for testing recommendations.

#### 3.2.1 Strings and ropes

Drawstrings on the hoods of jackets, sweatshirts, and other upper body clothing can become entangled in playground equipment, and can cause death by strangulation. To avoid this risk:

- Children should not wear jewelry, jackets or sweatshirts with drawstring hoods, mittens connected by strings through the arms, or other upper body clothing with drawstrings.
- Remove any ropes, dog leashes, or similar objects that have been attached to playground equipment. Children can become entangled in them and strangle to death.

Diameter has increased

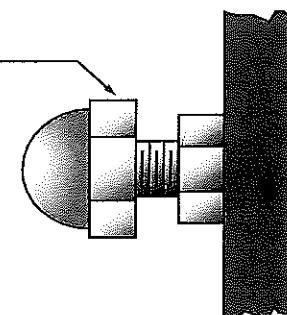


Figure 2. Example of a hazardous projection that increases in diameter from plane of initial surface and forms an entanglement hazard and may also be an impalement hazard.

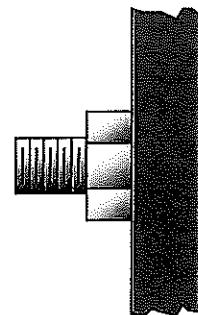
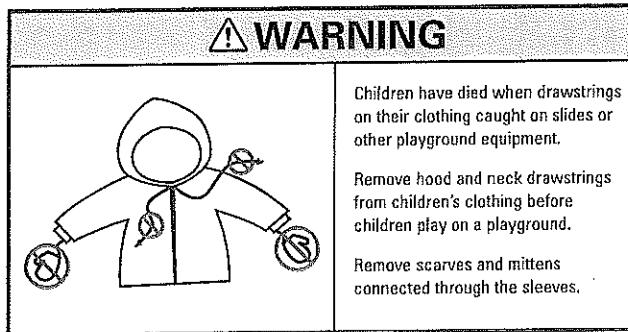


Figure 3. Example of a hazardous projection that extends more than 2 threads beyond the nut and forms an impalement/laceration hazard and may also be an entanglement hazard.

- Avoid equipment with ropes that are not secured at both ends.
- The following label, or a similar sign or label, can be placed on or near slides or other equipment where potential entanglements may occur.



### 3.3 Entrapment

#### 3.3.1 Head entrapment

Head entrapment is a serious concern on playgrounds, since it could lead to strangulation and death. A child's head may become entrapped if the child enters an opening either feet first or head first. Head entrapment by head-first entry generally occurs when children place their heads through an

opening in one orientation, turn their heads to a different orientation, then are unable to get themselves out. Head entrapment by feet first entry involves children who generally sit or lie down and slide their feet into an opening that is large enough to permit their bodies to go through but is not large enough to permit their heads to go through. A part or a group of parts should not form openings that could trap a child's head. Also, children should not wear their bicycle helmets while on playground equipment. There have been recent head entrapment incidents in which children wearing their bicycle helmets became entrapped in spaces that would not normally be considered a head entrapment.

Certain openings could present an entrapment hazard if the distance between any interior opposing surfaces is greater than 3.5 inches and less than 9 inches. These spaces should be tested as recommended in Appendix B. When one dimension of an opening is within this range, all dimensions of the opening should be considered together to evaluate the possibility of entrapment. Even openings that are low enough for children's feet to touch the ground can present a risk of strangulation for an entrapped child. (See Figure 4). Younger children may not have the necessary intellectual ability or motor skills to reverse the process that caused their heads to become trapped, especially if they become scared or panicked.

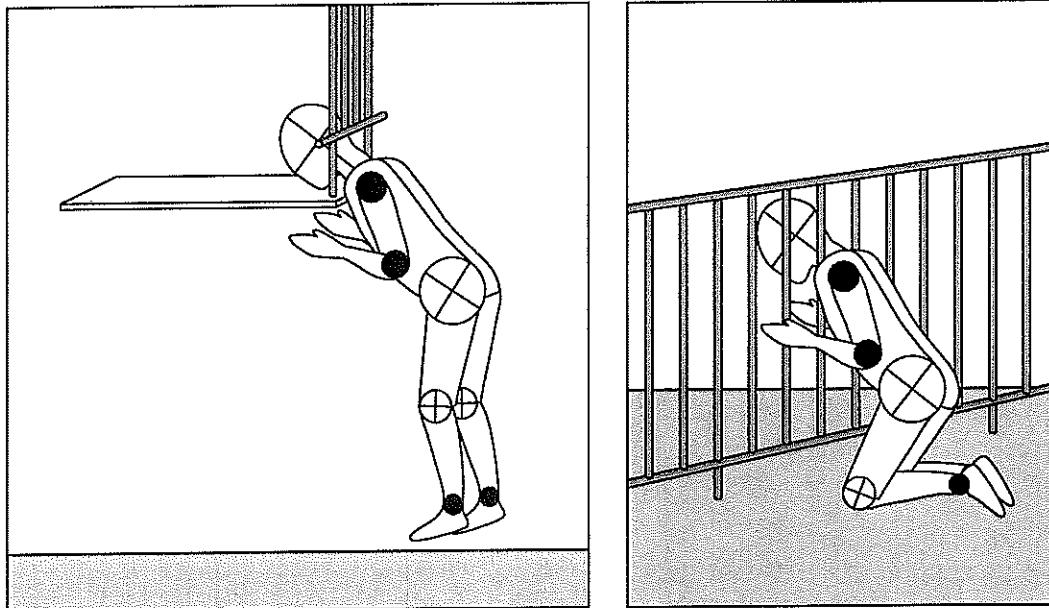
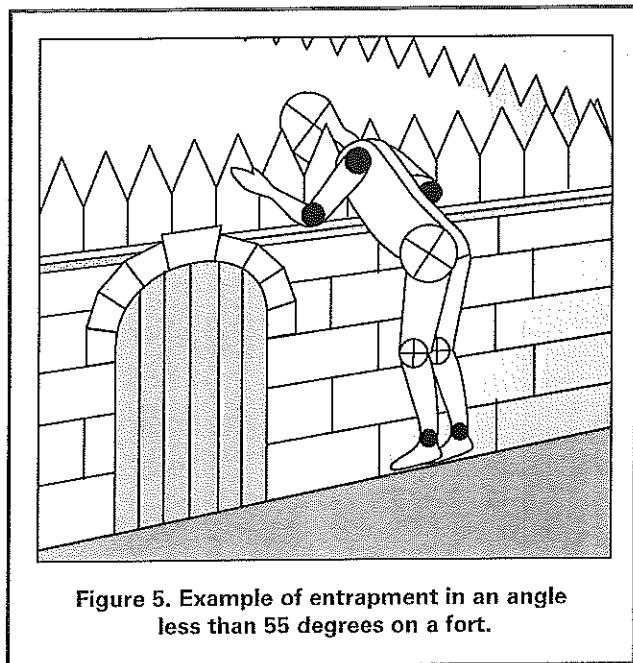


Figure 4. Examples of entrapment below a barrier and between the vertical bars of a barrier.



**Figure 5. Example of entrapment in an angle less than 55 degrees on a fort.**

### 3.3.2 Partially bound openings and angles

Children can become entrapped by partially bound openings, such as those formed by two or more playground parts.

- Angles formed by two accessible adjacent parts should be greater than 55 degrees unless the lowest leg is horizontal or below horizontal.
- Use the partially-bound opening test in Appendix B to identify hazardous angles and other partially-bound openings.

### 3.4 Sharp Points, Corners, and Edges

Sharp points, corners, or edges on any part of the playground or playground equipment may cut or puncture a child's skin. Sharp edges can cause serious lacerations if protective measures are not taken. To avoid the risk of injury from sharp points, corners and edges:

- Exposed open ends of all tubing not resting on the ground or otherwise covered should be covered by caps or plugs that cannot be removed without the use of tools.
- Wood parts should be smooth and free from splinters.
- All corners, metal and wood, should be rounded.
- All metal edges should be rolled or have rounded capping.

- There should be no sharp edges on slides. Pay special attention to metal edges of slides along the sides and at the exit (see also §5.3.6.4).
- If steel-belted radials are used as playground equipment, they should be closely examined regularly to ensure that there are no exposed steel belts/wires.
- Conduct frequent inspections to help prevent injuries caused by splintered wood, sharp points, corners, or edges that may develop as a result of wear and tear on the equipment.

### 3.5 Suspended Hazards

Children using a playground may be injured if they run into or trip over suspended components (such as cables, wires, ropes, or other flexible parts) connected from one piece of the playground equipment to another or hanging to the ground. These suspended components can become hazards when they are within 45 degrees of horizontal and are less than 7 feet above the protective surfacing. To avoid a suspended hazard, suspended components:

- Should be located away from high traffic areas.
- Should either be brightly colored or contrast with the surrounding equipment and surfacing.
- Should not be able to be looped back on themselves or other ropes, cables, or chains to create a circle with a 5 inch or greater perimeter.
- Should be fastened at both ends unless they are 7 inches or less long or attached to a swing seat.

These recommendations do not apply to swings, climbing nets, or if the suspended component is more than 7 feet above the protective surfacing and is a minimum of one inch at its widest cross-section dimension.

### 3.6 Tripping Hazards

Play areas should be free of tripping hazards (i.e., sudden change in elevations) to children who are using a playground. Two common causes of tripping are anchoring devices for playground equipment and containment walls for loose-fill surfacing materials.

- All anchoring devices for playground equipment, such as concrete footings or horizontal bars at the bottom of flexible climbers, should be installed below ground level

and beneath the base of the protective surfacing material. This will also prevent children from sustaining additional injuries from impact if they fall on exposed footings.

- Contrasting the color of the surfacing with the equipment color can contribute to better visibility.
- Surfacing containment walls should be highly visible.
- Any change of elevation should be obvious.
- Contrasting the color of the containment barrier with the surfacing color can contribute to better visibility.

In some situations, plastic materials can be used as an alternative to simulate actual automobile tires.

### **3.7 Used Tires**

Used automobile and truck tires are often recycled as playground equipment, such as tire swings or flexible climbers, or as a safety product such as cushioning under a seesaw or shredded as protective surfacing. When recycling tires for playground use:

## 4. MAINTAINING A PLAYGROUND

Inadequate maintenance of equipment has resulted in injuries on playgrounds. Because the safety of playground equipment and its suitability for use depend on good inspection and maintenance, the manufacturer's maintenance instructions and recommended inspection schedules should be strictly followed. If manufacturer's recommendations are not available, a maintenance schedule should be developed based on actual or anticipated playground use. Frequently used playgrounds will require more frequent inspections and maintenance.

### 4.1 Maintenance Inspections

A comprehensive maintenance program should be developed for each playground. All playground areas and equipment should be inspected for excessive wear, deterioration, and any potential hazards, such as those shown in Table 3. One possible procedure is the use of checklists. Some manufacturers supply checklists for general or detailed inspections with their maintenance instructions. These can be used to ensure that inspections are in compliance with the manufacturer's specifications. If manufacturer-provided inspection guidelines are not available, a general checklist that may be used as a guide for frequent routine inspections of public playgrounds is included at Appendix A. This is intended to address only general maintenance concerns. Detailed inspections should give special attention to moving parts and other parts that can be expected to wear. Maintenance inspections should be carried out in a systematic manner by personnel familiar with the playground, such as maintenance workers, playground supervisors, etc.

### 4.2 Repairs

Inspections alone do not constitute a comprehensive maintenance program. Any problems found during the inspection should be noted and fixed as soon as possible.

- All repairs and replacements of equipment parts should be completed following the manufacturer's instructions.
- User modifications, such as loose-ended ropes tied to elevated parts, should be removed immediately.
- For each piece of equipment, the frequency of thorough

**Table 3. Routine inspection and maintenance issues**

- Broken equipment such as loose bolts, missing end caps, cracks, etc.
- Broken glass & other trash
- Cracks in plastics
- Loose anchoring
- Hazardous or dangerous debris
- Insect damage
- Problems with surfacing
- Displaced loose-fill surfacing (see Section 4.3)
- Holes, flakes, and/or buckling of unitary surfacing
- User modifications (such as ropes tied to parts or equipment rearranged)
- Vandalism
- Worn, loose, damaged, or missing parts
- Wood splitting
- Rusted or corroded metals
- Rot

inspections will depend on the type and age of equipment, the amount of use, and the local climate.

- Consult the manufacturer for maintenance schedules for each piece of equipment. Based on these schedules, a maintenance schedule for the entire playground can be created. This routine maintenance schedule should not replace regular inspections.

### 4.3 Maintaining Loose-Fill Surfacing

Loose-fill surfacing materials require special maintenance. High-use public playgrounds, such as child care centers and schools, should be checked frequently to ensure surfacing has not displaced significantly, particularly in areas of the playground most subject to displacement (e.g., under swings and slide exits). This can be facilitated by marking ideal surfacing depths on equipment posts. Displaced loose-fill

surfacing should be raked back into proper place so that a constant depth is maintained throughout the playground. Impact attenuating mats placed in high traffic areas, such as under swings and at slide exits, can significantly reduce displacement. They should be installed below or level with surfacing so as not to be a tripping hazard.

The following are key points to look for during regular checks of surfacing:

- Areas under swings and at slide exits. Activity in these areas tends to displace surfacing quickly. Rake loose-fill back into place.
- Pooling water on mulch surfacing. For example, wet mulch compacts faster than dry, fluffy mulch. If puddles are noticed regularly, consider addressing larger drainage issues.
- Frozen surfacing. Most loose-fill surfacing that freezes

solid no longer functions as protective surfacing. Even if the first few inches may be loose, the base layer may be frozen and the impact attenuation of the surfacing may be significantly reduced. It is recommended that children not play on the equipment under these conditions.

#### **4.4 Recordkeeping**

Records of all maintenance inspections and repairs should be retained, including the manufacturer's maintenance instructions and any checklists used. When any inspection is performed, the person performing it should sign and date the form used. A record of any accident and injury reported to have occurred on the playground should also be retained. This will help identify potential hazards or dangerous design features that should be corrected.

## 5. PARTS OF THE PLAYGROUND

### 5.1 Platforms, Guardrails and Protective Barriers

#### 5.1.1 Platforms

- Platforms should be generally flat (i.e., within  $\pm 2^\circ$  of horizontal).
- Openings in platforms should be provided to allow for drainage.
- Platforms should minimize the collection of debris.
- Platforms intended for toddlers should be no more than 32 inches from the ground.

#### 5.1.2 Stepped platforms

On some composite structures, platforms are layered or tiered so that a child may access the higher platform without steps or ladders. Unless there is an alternate means of access/egress, the maximum difference in height between stepped platforms should be:

- Toddlers: 7 inches.
- Preschool-age: 12 inches.
- School-age: 18 inches.

An access component (such as a rung) is needed if the difference in height is more than 12 inches for preschool-age and 18 inches for school-age children.

The space between the stepped platforms should follow the recommendations to minimize entrapment hazards in enclosed openings:

- Toddlers: if the space is less than 7 inches, infill should be used to reduce the space to less than 3.0 inches.
- Preschool-age: if the space exceeds 9 inches and the height of the lower platform above the protective surfacing exceeds 30 inches, infill should be used to reduce the space to less than 3.5 inches.
- School-age: if the space exceeds 9 inches and the height of the lower platform above the protective surfacing exceeds 48 inches, infill should be used to reduce the space to less than 3.5 inches.

#### 5.1.2.1 Fall height

- The fall height of a platform is the distance between the top of the platform and the protective surfacing beneath it.

#### 5.1.3 Guardrails and protective barriers

Guardrails and protective barriers are used to minimize the likelihood of accidental falls from elevated platforms. Protective barriers provide greater protection than guardrails and should be designed to discourage children from climbing over or through the barrier. Guardrails and barriers should:

- Completely surround any elevated platform.
- Except for entrance and exit openings, the maximum clearance opening without a top horizontal guardrail should be 15 inches.
- Prevent unintentional falls from the platform.
- Prevent the possibility of entrapment.
- Facilitate supervision.

For example:

- Guardrails may have a horizontal top rail with infill consisting of vertical bars having openings that are greater than 9 inches. These openings do not present an entrapment hazard but do not prevent a child from climbing through the openings.
- A barrier should minimize the likelihood of passage of a child during deliberate attempts to defeat the barrier. Any openings between uprights or between the platform surface and lower edge of a protective barrier should prevent passage of the small torso template (see test in B.2.5).

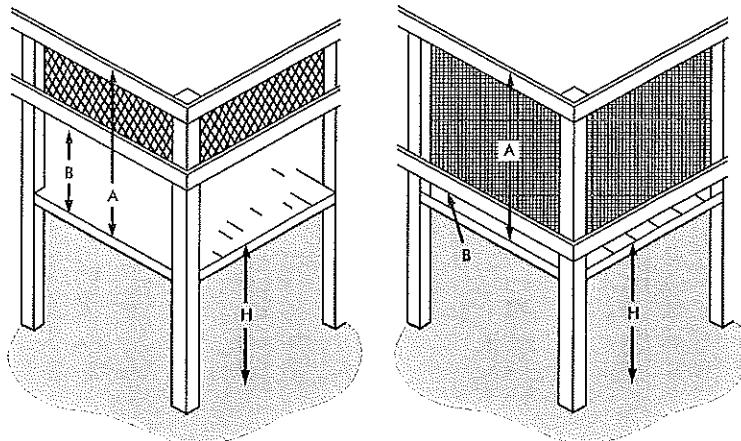
Guardrails or protective barriers should be provided on elevated platforms, walkways, landings, stairways, and transitional surfaces. In general, the younger the child, the less coordination and balance they have, therefore the more vulnerable they are to unintentional falls. Toddlers are the most vulnerable, and equipment intended for this age should use barriers on all elevated walking surfaces above 18 inches. Physical skills develop further in preschool-age children and then more with school-age children; therefore, minimum elevation recommendations for guardrails and barriers increase with each age group.

Guardrails and barriers should be high enough to prevent the tallest children from falling over the top. For guardrails, the lower edge should be low enough so that the smallest children cannot walk under it. Barriers should be low enough to prevent the smallest child from getting under the barrier in any way. This is generally done by designing the barrier so that the small torso probe (see test methods in Appendix B) cannot pass under or through the barrier. Vertical infill for protective barriers may be preferable for younger children because the vertical components can be grasped at whatever height a child chooses as a handhold.

Guardrail and barrier recommendations are shown in Table 4. However, the recommendations do not apply if the guardrail or barrier would interfere with the intended use of the equipment, such as:

- Climbing equipment
- Platforms layered so that the fall height is:
  - Toddlers: 7 inches or less.
  - Preschool-age: 20 inches or less.
  - School-age: 30 inches or less.

**Table 4. Guardrails and Barriers**



	<b>Guardrail</b>	<b>Barrier</b>
Protects against accidental falls from platform	Yes	Yes
Discourages climbing over	No	Yes
Protects against climbing through	No	Yes
<b>Toddlers</b>		
A Top edge distance from platform	Not recommended	A = 24" or higher
B Bottom edge distance from platform	Not recommended	B < 3"
H Recommended when platform fall height is:	Not recommended	H = 18" or higher
<b>Preschool-age</b>		
A Top edge distance from platform	A = 29" or higher	A = 29" or higher
B Bottom edge distance from platform	9" < B ≤ 23"	B < 3.5"
H Recommended when platform fall height is:	20" < H ≤ 30"	H > 30"
<b>School-age</b>		
A Top edge distance from platform	A = 38" or higher	A = 38" or higher
B Bottom edge distance from platform	9" < B ≤ 28"	B < 3.5"
H Recommended when platform fall height is:	30" < H ≤ 48"	H > 48"

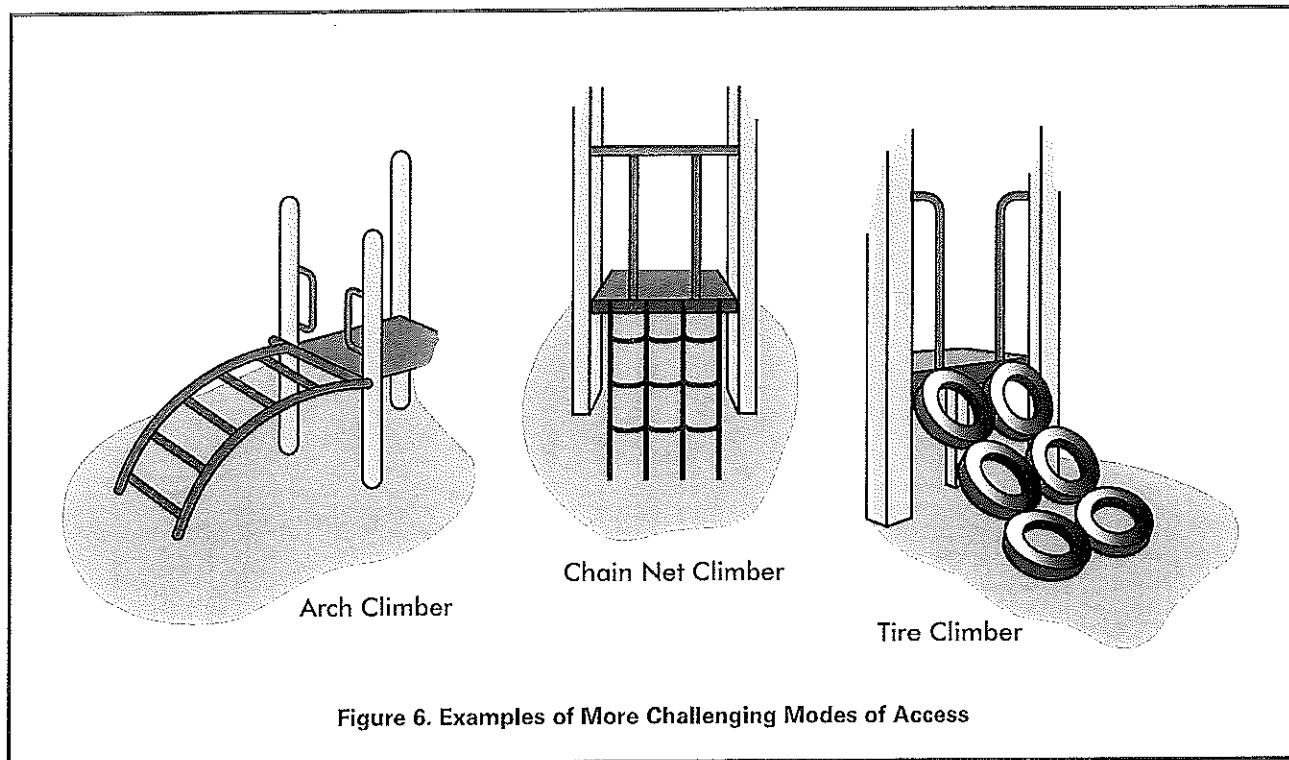


Figure 6. Examples of More Challenging Modes of Access

## 5.2 Access Methods to Play Equipment

Access to playground equipment can take many forms, such as conventional ramps, stairways with steps, and ladders with steps or rungs. Access may also be by means of climbing components, such as arch climbers, climbing nets, and tire climbers (see Figure 6).

As children develop, they gain better balance and coordination, so it is important to pick appropriate access methods based on the age group. Table 5 shows the most common methods of access and the youngest appropriate age group.

Access to platforms over 6 feet high (except for free-standing slides) should provide an intermediate standing surface so that the child can pause and make a decision to keep going up or find another way down. Children generally master access before egress, that is, they can go up before they can get back down a difficult component. Therefore, if there are more difficult access methods, it is important to have easier components for egress.

**Table 5. Methods of access and egress**

Method of Access	Challenge Level	Appropriate for
Ramps	Easiest	Toddlers +
Straight stairways	Easy	Toddlers +
Spiral stairways	Moderate	Toddlers* +
Step ladders	Moderate	15 months* +
Rung ladders	Moderate	Preschool* +
Arch climbers	Difficult	Preschool* +
Flexible climbers (nets, tires)	Difficult	Preschool* +

\* only if an easy egress method is also provided

### 5.2.1 Ramps, stairways, rung ladders, and step ladders

Ramps, stairways, rung ladders, and step ladders each have different recommendations for slope and tread dimension, but the steps or rungs always should be evenly spaced - even the spacing between the top step or rung and the surface of the platform. Table 6 contains recommended dimensions for: access slope; tread or rung width; tread depth; rung diameter; and vertical rise for rung ladders, step ladders, and stairways. Table 6 also contains slope and width recommendations for ramps. However, these recommendations are not intended to address ramps designed for access by wheelchairs.

- Openings between steps or rungs and between the top step or rung and underside of a platform should prevent entrapment.

- When risers are closed, treads on stairways and ladders should prevent the accumulation of sand, water, or other materials on or between steps.
- Climbing equipment should allow children to descend as easily as they ascend. One way of implementing this recommendation is to provide an easier, alternate means of descent, such as another mode of egress, a platform, or another piece of equipment. For example, a stairway can be added to provide a less challenging mode of descent than a vertical rung ladder or flexible climbing device (see Table 5).
- For toddlers and preschool-age children, offering an easy way out is particularly important since their ability to descend climbing components develops later than their ability to climb up the same components.

**Table 6. Recommended dimensions for access ladders, stairs, and ramps\***

Type of Access	AGE OF INTENDED USER		
	Toddler	Preschool-age	School-age
<i>Ramps (not intended to meet ADA/ABA specifications)</i>			
Slope (vertical:horizontal)	< 1:8	≤ 1:8	≤ 1:8
Width (single)	≥ 19"	≥ 12"	≥ 16"
Width (double)	≥ 30"	≥ 30"	≥ 36"
<i>Stairways</i>			
Slope	≤ 35°	≤ 50°	≤ 50°
Tread width (single)	12-21"	≥ 12"	≥ 16"
Tread width (double)	≥ 30"	≥ 30"	≥ 36"
Tread depth (open riser)	Not appropriate	≥ 7"	≥ 8"
Tread depth (closed riser)	≥ 8"	≥ 7"	≥ 8"
Vertical rise	≤ 7"	≤ 9"	≤ 12"
<i>Step ladders</i>			
Slope	35-65°	50-75°	50-75°
Tread width (single)	12-21"	12-21"	≥ 16"
Tread width (double)	Not appropriate	Not appropriate	≥ 36"
Tread depth (open riser)	Not appropriate	≥ 7"	≥ 3"
Tread depth (closed riser)	8"	≥ 7"	≥ 6"
Vertical rise	> 5" and ≤ 7"	≤ 9"	≤ 12"
<i>Rung ladders</i>			
Slope	Not appropriate	75-90°	75-90°
Rung width	Not appropriate	≥ 12"	≥ 16"
Vertical rise	Not appropriate	≤ 12"	≤ 12"
Rung diameter	Not appropriate	0.95-1.55"	0.95-1.55"

\* entrapment recommendations apply to all openings in access components

### **5.2.2 Rungs and other hand gripping components**

Unlike steps of stairways and step ladders that are primarily for foot support, rungs can be used for both foot and hand support.

- Rungs with round shapes are easiest for children to grip.
- All hand grips should be secured in a manner that prevents them from turning.
- Toddlers:
  - Handrails or other means of hand support should have a diameter or maximum cross-section between 0.60 and 1.20 inches.
  - A diameter or maximum cross-section of 0.90 inches is preferred to achieve maximal grip strength and benefit the weakest children.
- Preschool- and school-age:
  - Rungs, handrails, climbing bars, or other means of hand support intended for holding should have a diameter or maximum cross-section between 0.95 and 1.55 inches.
  - A diameter or maximum cross-section of 1.25 inches is preferred to achieve maximal grip strength and benefit the weakest children.

### **5.2.3 Handrails**

Handrails on stairways and step ladders are intended to provide hand support and to steady the user. Continuous handrails extending over the full length of the access should be provided on both sides of all stairways and step ladders, regardless of the height of the access. Rung ladders do not require handrails since rungs or side supports provide hand support on these more steeply inclined accesses.

#### **5.2.3.1 Handrail height**

Handrails should be available for use at the appropriate height, beginning with the first step. The vertical distance between the top front edge of a step or ramp surface and the top surface of the handrail above it should be as follows:

- Toddlers: between 15 and 20 inches.
- Preschool-age: between 22 and 26 inches.
- School-age: between 22 and 38 inches.

### **5.2.4 Transition from access to platform**

Handrails or handholds are recommended at all transition points (the point where the child must move from the access component to the play structure platform).

- The handhold should provide support from the access component until the child has fully achieved the desired posture on the platform.
- Any opening between a handrail and an adjacent vertical structure (e.g., vertical support post for a platform or vertical slat of a protective barrier) should not pose an entrapment hazard.
- Access methods that do not have handrails, such as rung ladders, flexible climbers, arch climbers, and tire climbers, should provide hand supports for the transition between the top of the access and the platform.

## **5.3 Major Types of Playground Equipment**

### **5.3.1 Balance beams**

- Balance beams should be no higher than:
- Toddlers: not recommended.
- Preschool-age: 12 inches.
- School-age: 16 inches.

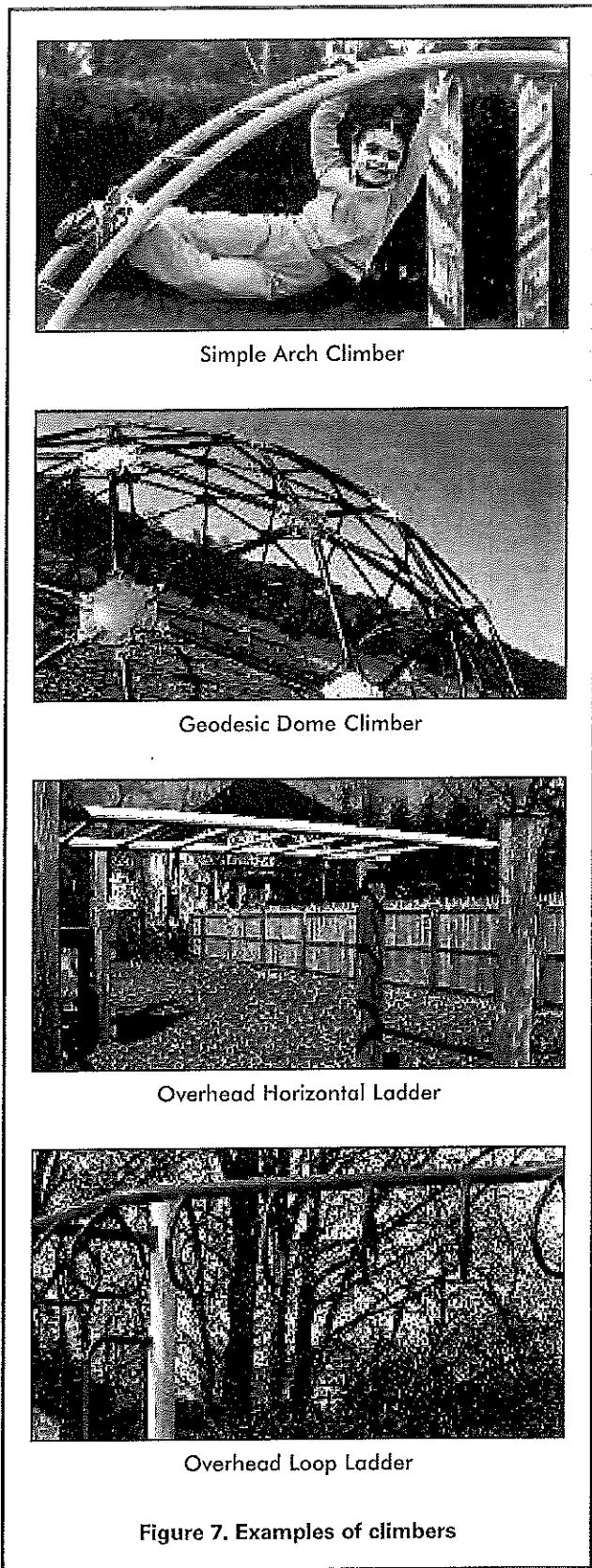
#### **5.3.1.1 Fall height**

The fall height of a balance beam is the distance between the top of the walking surface and the protective surfacing beneath it.

### **5.3.2 Climbing and upper body equipment**

Climbing equipment is generally designed to present a greater degree of physical challenge than other equipment on public playgrounds. This type of equipment requires the use of the hands to navigate up or across the equipment. “Climbers” refers to a wide variety of equipment, such as but not limited to:

- Arch climbers
- Dome climbers
- Flexible climbers (usually chain or net)
- Parallel bars
- Sliding poles



- Spiral climbers
- Upper body equipment (horizontal overhead ladders, overhead rings, track ride).

School-age children tend to use climbing and upper body equipment more frequently and more proficiently than preschool children. Young preschool children may have difficulty using some climbers because they have not yet developed some of the physical skills necessary for certain climbing activities (balance, coordination, and upper body strength). Older preschool children (i.e., 4- and 5-year-olds) are beginning to use flexible climbers, arch climbers, and upper body devices.

### 5.3.2.1 Design considerations

#### 5.3.2.1.1 Layout of climbing components

When climbing components are part of a composite structure, their level of challenge and method of use should be compatible with the traffic flow from nearby components. Upper body devices should be placed so that the swinging movement generated by children on this equipment cannot interfere with the movement of children on adjacent structures, particularly children descending on slides. The design of adjacent play structures should not facilitate climbing to the top support bars of upper body equipment.

#### 5.3.2.1.2 Fall Height

Climbers:

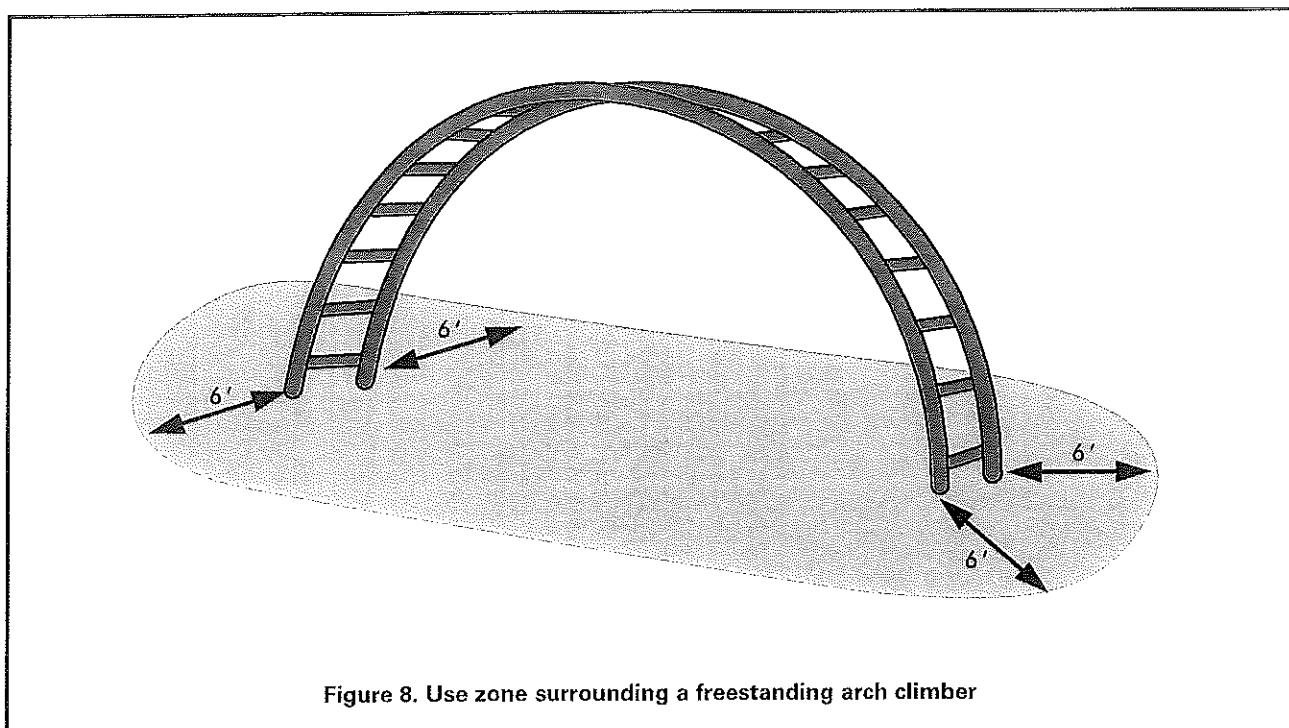
- Unless otherwise specified in this section, the fall height for climbers is the distance between the highest part of the climbing component and the protective surfacing beneath it.
- If the climber is part of a composite structure, the fall height is the distance between the highest part of the climber intended for foot support and the protective surfacing beneath it.
  - Toddlers: The maximum fall height for free standing and composite climbing structures should be 32 inches.

Upper Body Equipment:

- The fall height of upper body equipment is the distance between the highest part of the equipment and the protective surface below.

#### 5.3.2.1.3 Climbing rungs

Some of the access methods discussed in §5.2 are also considered climbing devices; therefore, the recommendations for the size of climbing rungs are similar.



**Figure 8. Use zone surrounding a freestanding arch climber**

- Rungs should be generally round.
- All rungs should be secured in a manner that prevents them from turning.
- Climbing rungs should follow the same diameter recommendations as in §5.2.2.

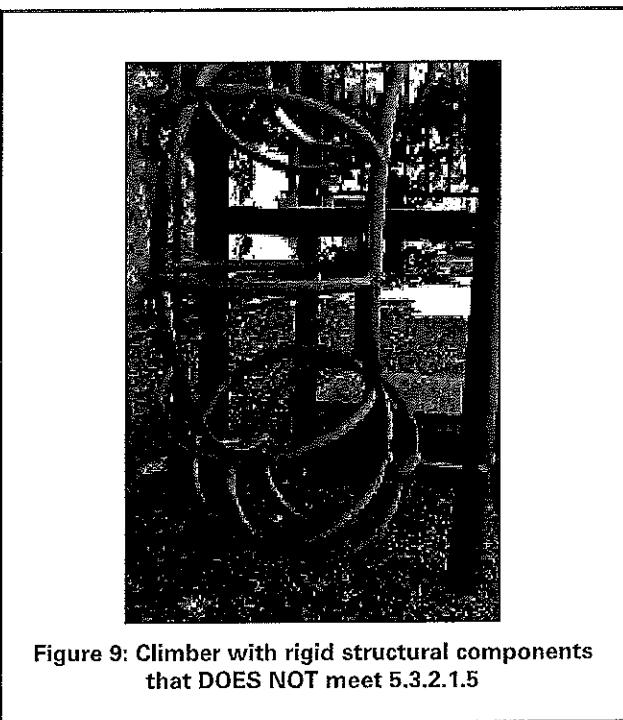
#### 5.3.2.1.4 Use zone

- The use zone should extend a minimum of 6 feet in all directions from the perimeter of the stand alone climber. See Figure 8.
- The use zone of a climber may overlap with neighboring equipment if the other piece of equipment allows overlapping use zones and
  - There is at least 6 feet between equipment when adjacent designated play surfaces are no more than 30 inches high; or
  - There is at least 9 feet between equipment when adjacent designated play surfaces are more than 30 inches high.

#### 5.3.2.1.5 Other considerations

- Climbers should not have climbing bars or other rigid structural components in the interior of the climber onto

which a child may fall from a height of greater than 18 inches. See Figure 9 for an example of a climber that DOES NOT follow this consideration.



**Figure 9: Climber with rigid structural components that DOES NOT meet 5.3.2.1.5**

### 5.3.2.2 Arch climbers

Arch climbers consist of rungs attached to convex side supports. They may be free standing (Figure 10) or be provided as a more challenging means of access to other equipment (Figure 11).

- Arch climbers should not be used as the sole means of access to other equipment for preschoolers.
- Free standing arch climbers are not recommended for toddlers or preschool-age children.
- The rung diameter and spacing of rungs on arch climbers should follow the recommendations for rung ladders in Table 6.

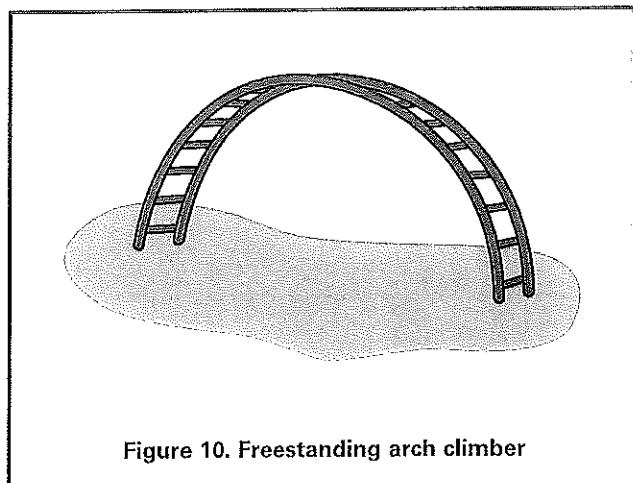


Figure 10. Freestanding arch climber

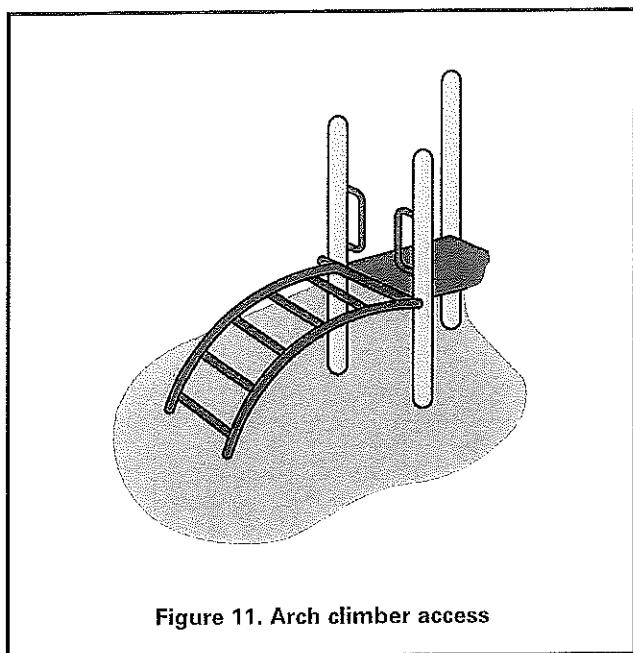


Figure 11. Arch climber access

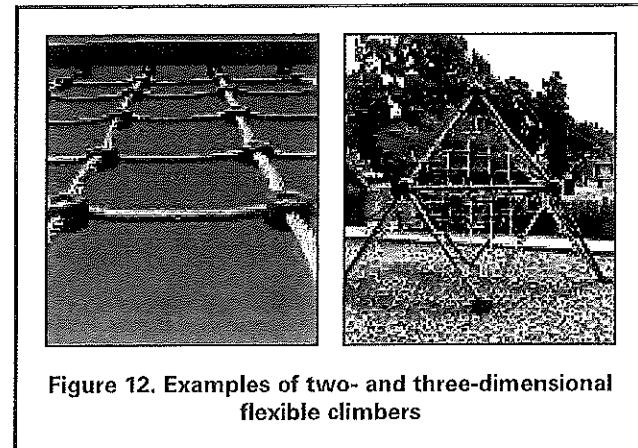


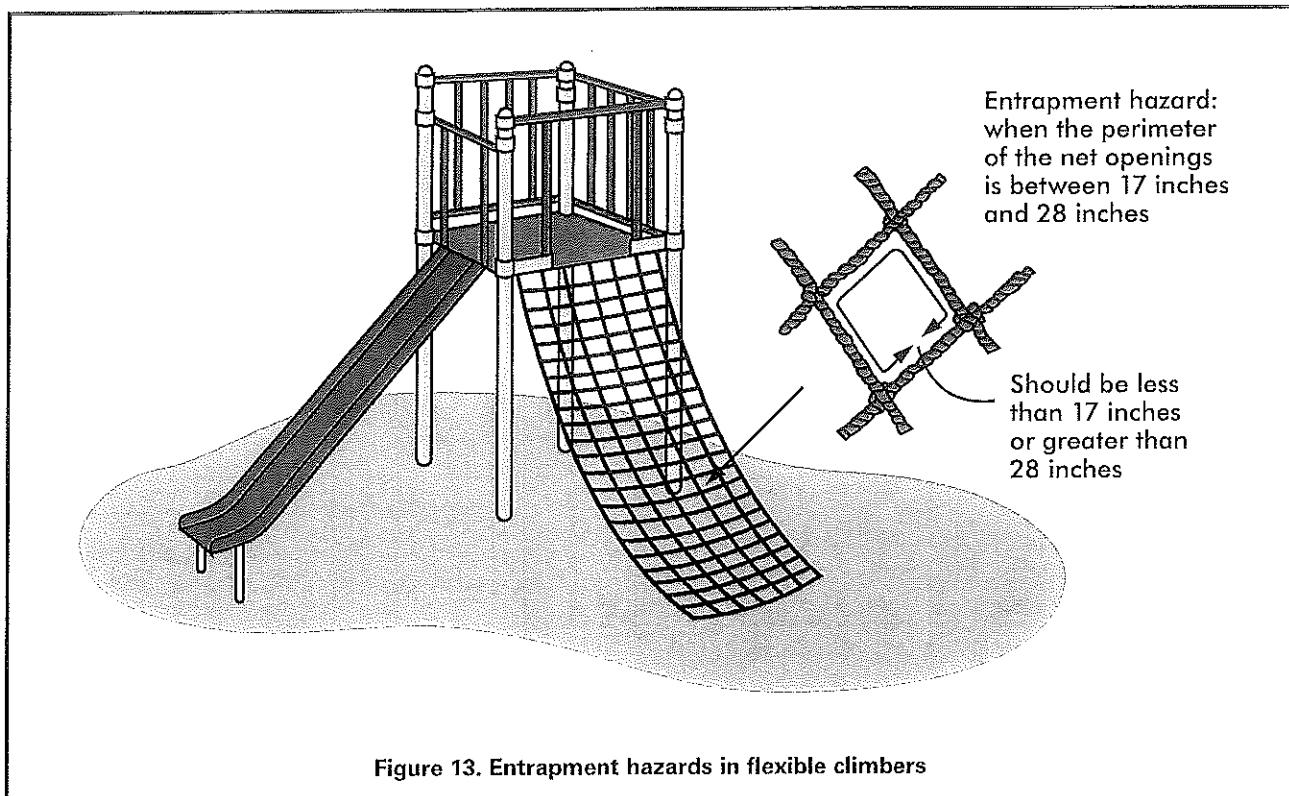
Figure 12. Examples of two- and three-dimensional flexible climbers

### 5.3.2.3 Flexible climbers

Flexible climbers use a grid of ropes, chains, cables, or tires for climbing. Since the flexible parts do not provide a steady means of support, flexible climbers require more advanced balance abilities than rigid climbers.

Rope, chain, and cable generally form a net-like structure that may be either two or three dimensional. See Figure 12. Tire climbers may have the tires secured tread-to-tread to form a sloping grid, or the tires may be suspended individually by chains or other means.

- Flexible climbers that provide access to platforms should be securely anchored at both ends.
- When connected to the ground, the anchoring devices should be installed below ground level and beneath the base of the protective surfacing material.
- Connections between ropes, cables, chains, or between tires should be securely fixed.
- Flexible climbers are not recommended as the sole means of access to equipment intended for toddlers and preschool-age children.
- Free-standing flexible climbers are not recommended on playgrounds intended for toddlers and preschool children.
- Spacing between the horizontal and vertical components of a climbing grid should not form entrapment hazards.
- The perimeter of any opening in a net structure should be less than 17 inches or greater than 28 inches (see Figure 13).



#### 5.3.2.4 Horizontal (overhead) ladders

Horizontal (overhead) ladders are a type of climber designed to build upper body strength. They are designed to allow children to move across the ladder from end to end using only their hands.

Four-year-olds are generally the youngest children able to use upper body devices like these; therefore, horizontal ladders should not be used on playgrounds intended for toddlers and 3-year-olds. The recommendations below are designed to accommodate children ages 4 through 12 years.

- The first handhold on either end of upper body equipment should not be placed directly above the platform or climbing rung used for mount or dismount. This minimizes the risk of children impacting rigid access structures if they fall from the first handhold during mount or dismount.
- The horizontal distance out to the first handhold should be:
  - No greater than 10 inches but not directly above the platform when access is from a platform.
  - At least 8 inches but no greater than 10 inches when access is from climbing rungs.
- The space between adjacent rungs of overhead ladders should be greater than 9 inches to prevent entrapment.
- Horizontal ladders intended for preschool-age children should have rungs that are parallel to one another and evenly spaced.
- The maximum height of a horizontal ladder (i.e., measured from the center of the grasping device to the top of the protective surfacing below) should be:
  - Preschool-age (4 and 5 years): no more than 60 inches.
  - School-age: no more than 84 inches.
- The center-to-center spacing of horizontal ladder rungs should be as follows:
  - Preschool-age (4 and 5 years): no more than 12 inches.
  - School-age: no more than 15 inches.
- The maximum height of the take-off/landing platform above the protective surfacing should be:
  - Preschool-age (4 and 5 years): no more than 18 inches.
  - School-age: no more than 36 inches.

### 5.3.2.5 Overhead rings

Overhead rings are similar to horizontal ladders in terms of the complexity of use. Therefore, overhead rings should not be used on playgrounds intended for toddlers and 3-year-olds. The recommendations below are designed to accommodate children 4 through 12 years of age.

Overhead rings differ from horizontal ladders because, during use, the gripped ring swings through an arc and reduces the distance to the gripping surface of the next ring; therefore, the spacing distance recommendations for horizontal ladders do not apply.

- The first handhold on either end of upper body equipment should not be placed directly above the platform or climbing rung used for mount or dismount. This minimizes the risk of children hitting rigid access structures if they fall from the first handhold during mount or dismount.
- The horizontal distance out to the first handhold should be:
  - No greater than 10 inches but not directly above the platform when access is from a platform.
  - At least 8 inches but no greater than 10 inches when access is from climbing rungs.
- The maximum height of overhead rings measured from the center of the grasping device to the protective surfacing should be:
  - Preschool-age (4 and 5 years): 60 inches.
  - School-age: 84 inches.
- If overhead swinging rings are suspended by chains, the maximum length of the chains should be 7 inches.
- The maximum height of the take-off/landing platform above the protective surfacing should be:
  - Preschool-age (4 and 5 years): no more than 18 inches.
  - School-age: no more than 36 inches.

### 5.3.2.6 Sliding poles

Vertical sliding poles are more challenging than some other types of climbing equipment. They require upper body strength and coordination to successfully slide down the pole. Unlike other egress methods, there is no reverse or stop, so a child cannot change his or her mind. Children who start a sliding pole must have the strength to slide the whole way or they will fall.

- Sliding poles are not recommended for toddlers or preschool-age children since they generally don't have the upper body and/or hand strength to slide.

- Sliding poles should be continuous with no protruding welds or seams along the sliding surface.
- The pole should not change direction along the sliding portion.
- The horizontal distance between a sliding pole and any structure used for access to the sliding pole should be between 18 inches and 20 inches.
- The pole should extend at least 60 inches above the level of the platform or structure used for access to the sliding pole.
- The diameter of sliding poles should be no greater than 1.9 inches.
- Sliding poles and their access structures should be located so that traffic from other events will not interfere with the users during descent.
- Upper access should be on one level only.
- The upper access area through the guardrail or barrier should be 15 inches wide at most.

#### 5.3.2.6.1 Fall height

- For sliding poles accessed from platforms, the fall height is the distance between the platform and the protective surfacing beneath it.
- For sliding poles not accessed from platforms, the fall height is the distance between a point 60 inches below the highest point of the pole and the protective surfacing beneath it.
- The top of the sliding pole's support structure should not be a designated play surface.

#### 5.3.2.7 Track rides

Track rides are a form of upper body equipment where the child holds on to a handle or other device that slides along a track above his or her head. The child then lifts his or her feet and is carried along the length of the track. Track rides require significant upper body strength and the judgment to know when it is safe to let go. These are skills not developed until children are at least school-age; therefore, CPSC staff recommends:

- Track rides should not be used on playgrounds for toddlers and preschool-age children.
- Track rides should not have any obstacles along the path of the ride, including anything that would interfere in the take-off or landing areas.

- Two track rides next to each other should be at least 4 feet apart.
- The handle should be between 64 inches and 78 inches from the surfacing and follow the gripping recommendations in §5.2.2.
- Nothing should ever be tied or attached to any moving part of a track ride.
- Rolling parts should be enclosed to prevent crush hazards.

#### 5.3.2.7.1 Fall height

- The fall height of track ride equipment is the distance between the maximum height of the equipment and the protective surface beneath it.
- Equipment support posts with no designated play surfaces are exempt from this requirement.

#### 5.3.3 Log rolls

Log rolls help older children master balance skills and increase strength. Children must balance on top of the log as they spin it with their feet. See Figure 14.

- Log rolls are not recommended for toddlers and preschool-age children. These children generally do not possess the balance, coordination, and strength to use a log roll safely.
- Log rolls should have handholds to assist with balance.
- The handholds should follow the guidelines in §5.2.2.
- The highest point of the rolling log should be a maximum of 18 inches above the protective surface below.
- When not part of a composite structure, the use zone may overlap with neighboring equipment if the other piece of equipment allows overlapping use zones (see §5.3.9) and
  - There is at least 6 feet between equipment when adjacent designated play surfaces are no more than 30 inches high; or
  - There is at least 9 feet between equipment when adjacent designated play surfaces are more than 30 inches high.

##### 5.3.3.1.1 Fall height

The fall height of a log roll is the distance between the highest portion of the rolling log and the protective surfacing beneath it.

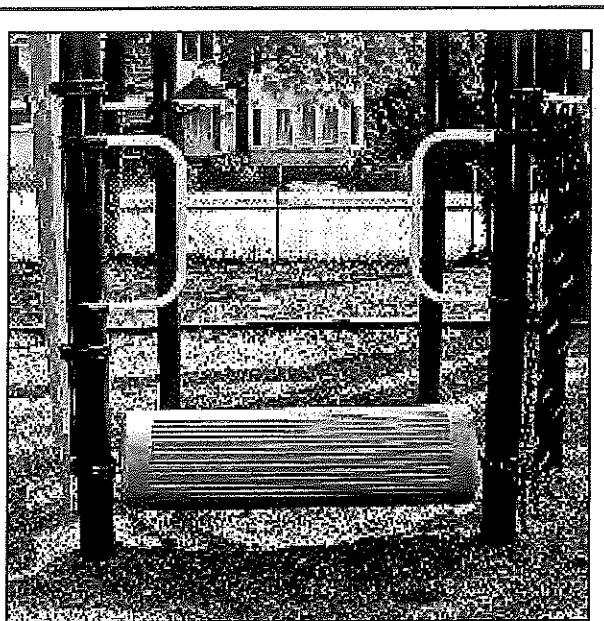


Figure 14. Log roll

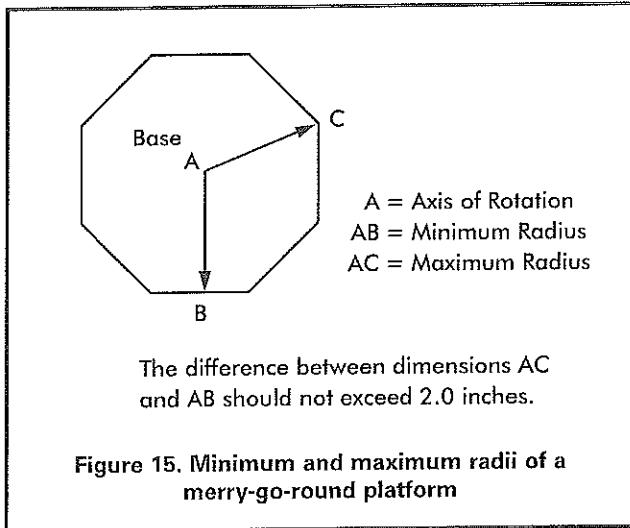
#### 5.3.4 Merry-go-rounds

Merry-go-rounds are the most common rotating equipment found on public playgrounds. Children usually sit or stand on the platform while other children or adults push the merry-go-round to make it rotate. In addition, children often get on and off the merry-go-round while it is in motion. Merry-go-rounds may present a physical hazard to preschool-age children who have little or no control over such products once they are in motion. Therefore, children in this age group should always be supervised when using merry-go-rounds.

The following recommendations apply when the merry-go-round is at least 20 inches in diameter.

- Merry-go-rounds should not be used on playgrounds intended for toddlers.
- The standing/sitting surface of the platform should have a maximum height of:
  - Preschool: 14 inches above the protective surface.
  - School-age: 18 inches above the protective surface.
- The rotating platform should be continuous and approximately circular.
- The surface of the platform should not have any openings between the axis and the periphery that permit a rod having a diameter of 5/16 inch to penetrate completely through the surface.

- The difference between the minimum and maximum radii of a non-circular platform should not exceed 2.0 inches (Figure 15).



- The underside of the perimeter of the platform should be no less than 9 inches above the level of the protective surfacing beneath it.
- There should not be any accessible shearing or crushing mechanisms in the undercarriage of the equipment.
- Children should be provided with a secure means of holding on. Where handgrips are provided, they should conform to the general recommendations for hand gripping components in §5.2.2.
- No components of the apparatus, including handgrips, should extend beyond the perimeter of the platform.
- The rotating platform of a merry-go-round should not have any sharp edges.
- A means should be provided to limit the peripheral speed of rotation to a maximum of 13 ft/sec.
- Merry-go-round platforms should not have any up and down (oscillatory) motion.

#### 5.3.4.1 Use zone

- The use zone should extend a minimum of 6 feet beyond the perimeter of the platform.
- The use zone may not overlap other use zones, unless the rotating equipment is less than 20 inches in diameter and the adjacent equipment allows overlap.

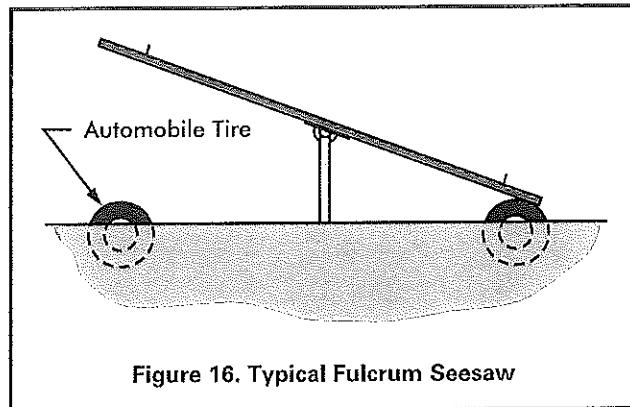
#### 5.3.4.2 Fall height

The fall height for a merry-go-round is the distance between the perimeter of the platform where a child could sit or stand and the protective surfacing beneath it.

#### 5.3.5 Seesaws

##### 5.3.5.1 Fulcrum seesaws

The typical seesaw (also known as a "teeter totter") consists of a board or pole with a seat at each end supported at the center by a fulcrum. See Figure 16. Because of the complex way children are required to cooperate and combine their actions, fulcrum seesaws are not recommended for toddlers or preschool-age children.



- The fulcrum should not present a crush hazard.
- Partial car tires, or some other shock-absorbing material, should be embedded in the ground underneath the seats, or secured on the underside of the seats. This will help prevent limbs from being crushed between the seat and the ground, as well as cushion the impact.
- The maximum attainable angle between a line connecting the seats and the horizontal is 25°.
- There should not be any footrests.

##### 5.3.5.2 Spring-centered seesaws

Preschool-age children are capable of using spring-centered seesaws because the centering device prevents abrupt contact with the ground if one child dismounts suddenly. Spring-centered seesaws also have the advantage of not requiring two children to coordinate their actions in order to play safely. Spring-centered seesaws should follow the recommendations for spring rockers including the use of footrests (§5.3.7).

### 5.3.5.3 Use zone for fulcrum and spring-centered seesaws

- The use zone should extend a minimum of 6 feet from each outside edge of the seesaw.
- The use zone may overlap with neighboring equipment if the other piece of equipment allows overlapping use zones and
  - There is at least 6 feet between equipment when adjacent designated play surfaces are no more than 30 inches high; or
  - There is at least 9 feet between equipment when adjacent designated play surfaces are more than 30 inches high.

### 5.3.5.4 Handholds

- Handholds should be provided at each seating position for gripping with both hands and should not turn when grasped.
- Handholds should not protrude beyond the sides of the seat.

### 5.3.5.5 Fall height

The fall height for a seesaw is the distance between the highest point any part of the seesaw can reach and the protective surfacing beneath it.

### 5.3.6 Slides

Children can be expected to descend slide chutes in many different positions, rather than always sitting and facing forward as they slide. These other positions should be discouraged at all times to minimize injuries.



Slides may provide a straight, wavy, or spiral descent either by means of a tube or an open slide chute. They may be either free-standing (Figure 17), part of a composite structure, or built on the grade of a natural or man-made slope (embankment slide). Regardless of the type of slide, avoid using bare metals on the platforms, chutes, and steps. When exposed to direct sunlight the bare metal may reach temperatures high enough to cause serious contact burn injuries in a matter of seconds. Provide shade for bare metal slides or use other materials that may reduce the surface temperature such as, but not limited to, plastic or coated metal.

#### 5.3.6.1 Slide access

Access to a stand-alone slide generally is by means of a ladder with rungs, steps, or a stairway with steps. Slides may also be part of a composite play structure, so children will gain access from other parts of the structure. Embankment slides use the ground for access.

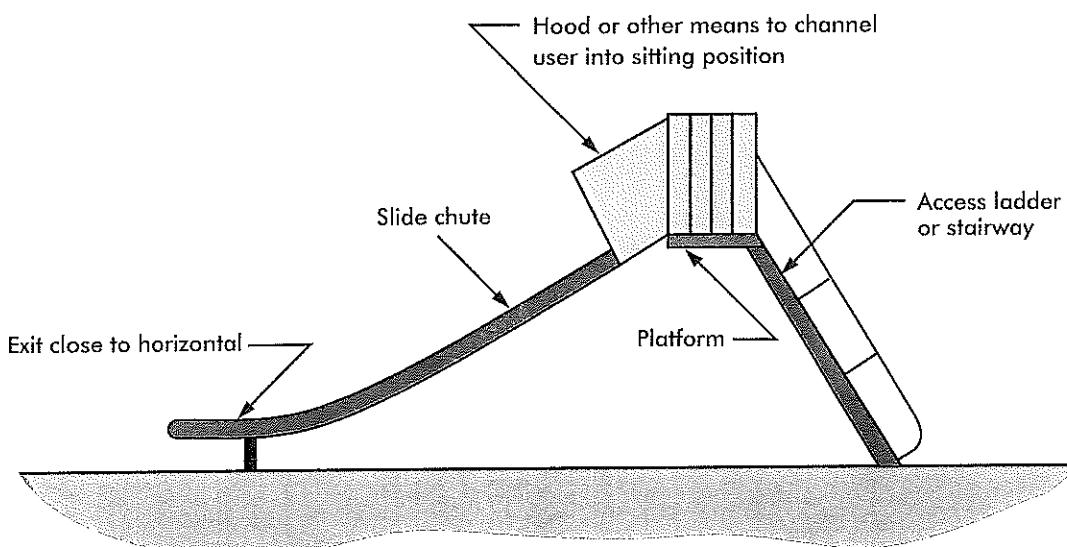


Figure 17. Typical Free-Standing Straight Slide

### 5.3.6.2 Slide platform

All slides should be provided with a platform with sufficient length to facilitate the transition from standing to sitting at the top of the inclined sliding surface. Embankment slides are exempt from platform requirements because they are on ground level; however, they should not have any spaces or gaps as noted below.

The platform should:

- Be at least 19 inches deep for toddlers.
- Be at least 14 inches deep for preschool-age and school-age children.
- Be horizontal.
- Be at least as wide as the slide chute.
- Be surrounded by guardrails or barriers.
- Conform to the same recommendations as general platforms given in §5.1.1.
- Not have any spaces or gaps that could trap strings, clothing, body parts, etc. between the platform and the start of the slide chute.
- Provide handholds to facilitate the transition from standing to sitting and decrease the risk of falls (except tube slides where the tube perimeter provides hand support). These should extend high enough to provide hand support for the largest child in a standing position, and low enough to provide hand support for the smallest child in a sitting position.
- Provide a means to channel a user into a sitting position at the entrance to the chute, such as a guardrail, hood, or other device that discourages climbing.

### 5.3.6.3 Slide chutes

#### 5.3.6.3.1 Embankment slides

- The slide chute of an embankment slide should have a maximum height of 12 inches above the underlying ground surface. This design basically eliminates the hazard of falls from elevated heights.
- Embankment slides should follow all of the recommendations given for straight slides where applicable (e.g., side height, slope, use zone at exit, etc.).
- There should be some means provided at the slide chute entrance to minimize the use of embankment slides by children on skates, skateboards, or bicycles.

#### 5.3.6.3.2 Roller slides

- Roller slides should meet applicable recommendations for other slides (e.g., side height, slope, use zone at exit, etc.).
- The space between adjacent rollers and between the ends of the rollers and the stationary structure should be less than 3/16 inch.
- Frequent inspections are recommended to insure that there are no missing rollers or broken bearings and that the rollers roll.

#### 5.3.6.3.3 Spiral slides

- Spiral slides should follow the recommendations for straight slides where applicable (e.g., side height, slope, use zone at exit, etc.).
- Special attention should be given to design features which may present problems unique to spiral slides, such as lateral discharge of the user.
- Toddlers and preschool-age children have less ability to maintain balance and postural control, so only short spiral slides (one 360° turn or less) are recommended for these age groups.

#### 5.3.6.3.4 Straight slides

- Flat open chutes should have sides at least 4 inches high extending along both sides of the chute for the entire length of the inclined sliding surface.
- The sides should be an integral part of the chute, without any gaps between the sides and the sliding surface. (This does not apply to roller slides).
- Slides may have an open chute with a circular, semicircular or curved cross section provided that:
  - A. The vertical height of the sides is no less than 4 inches when measured at right angles to a horizontal line that is 8 inches long when the slide is intended for toddlers, 12 inches long when the slide is intended for preschool-age children, and 16 inches long when the slide is intended for school-age children (Figure 18); or
  - B. For any age group, the vertical height of the sides is no less than 4 inches minus two times the width of the slide chute divided by the radius of the slide chute curvature (Figure 19).

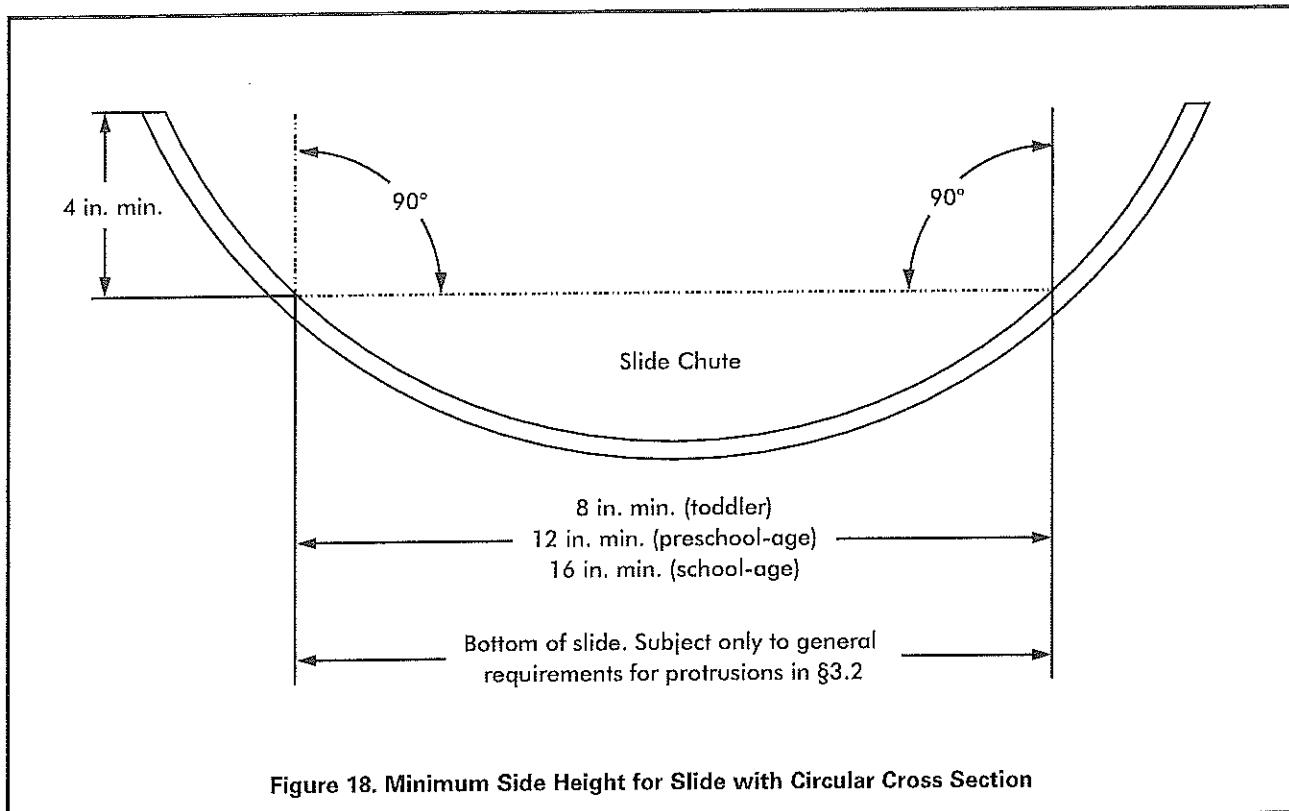


Figure 18. Minimum Side Height for Slide with Circular Cross Section

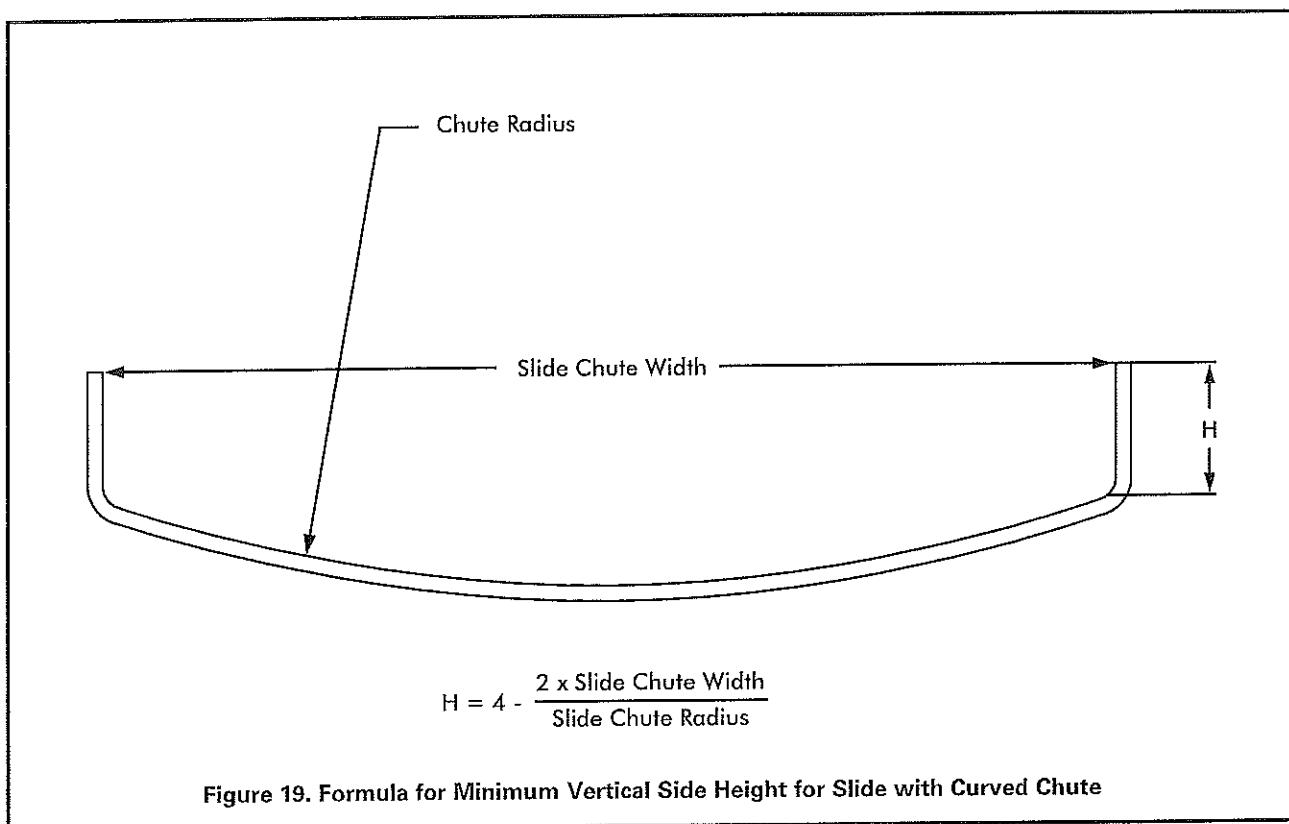


Figure 19. Formula for Minimum Vertical Side Height for Slide with Curved Chute

- For toddlers:
  - The average incline of a slide chute should be no more than  $24^\circ$  (that is, the height to horizontal length ratio shown in Figure 20 does not exceed 0.445).
  - No section of the slide chute should have a slope greater than  $30^\circ$ .
  - The slide chute should be between 8 and 12 inches wide.
- For preschool- and school-age children:
  - The average incline of a slide chute should be no more than  $30^\circ$  (that is, the height to horizontal length ratio shown in Figure 20 does not exceed 0.577).
  - No section of the slide chute should have a slope greater than  $50^\circ$ .

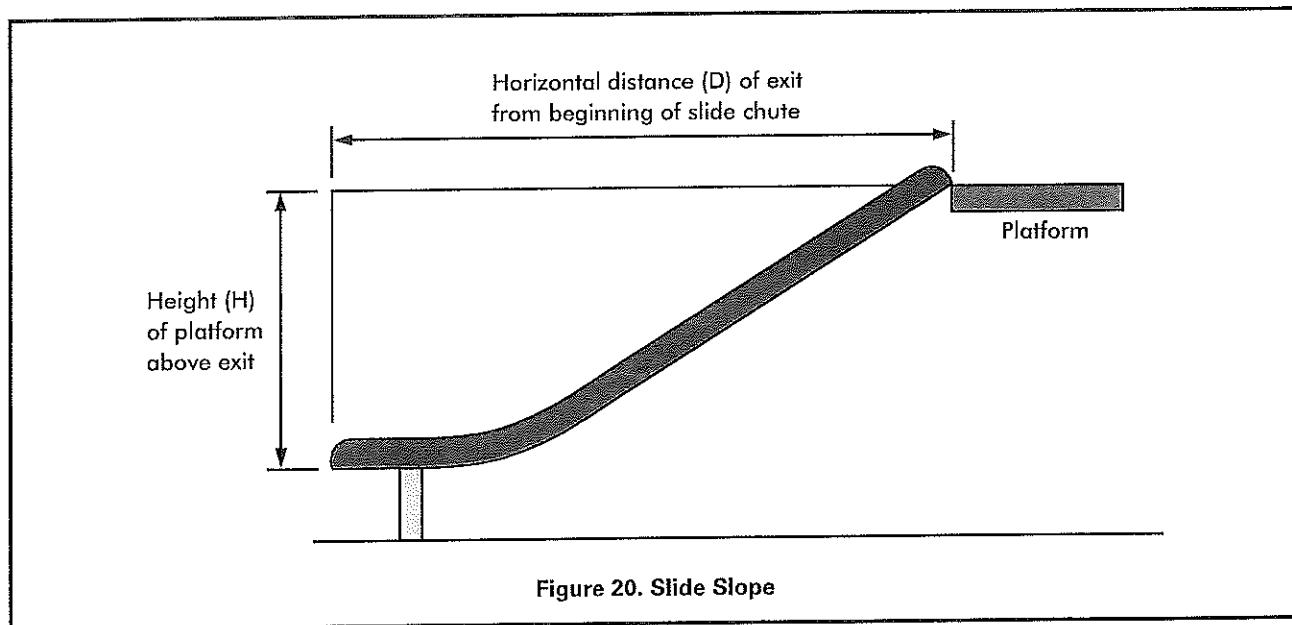
#### 5.3.6.3.5 Tube slides

- Tube slides should meet all the applicable recommendations for other slides (e.g., side height, slope, use zone at exit, etc.).
- Means, such as barriers or textured surfaces, should be provided to prevent sliding or climbing on the top (outside) of the tube.
- The minimum internal diameter of the tube should be no less than 23 inches.
- Supervisors should be aware of children using tube slides since the children are not always visible.

#### 5.3.6.4 Chute exit region

All slides should have an exit region to help children maintain their balance and facilitate a smooth transition from sitting to standing when exiting. The chute exit region should:

- Be between 0 and  $-4^\circ$  as measured from a plane parallel to the ground.
- Have edges that are rounded or curved to prevent lacerations or other injuries that could result from impact with a sharp or straight edge.
- For toddlers the chute exit region should:
  - Be between 7 and 10 inches long if any portion of the chute exceeds a  $24^\circ$  slope.
  - Be no more than 6 inches above the protective surfacing.
  - Have a transition from the sliding portion to the exit region with a radius of curvature of at least 18 inches.
- For preschool- and school-age the chute exit region should:
  - Be at least 11 inches long.
  - Be no more than 11 inches above the protective surfacing if the slide is no greater than 4 feet high.
  - Be at least 7 inches but not more than 15 inches above the protective surfacing if the slide is over 4 feet high.



### 5.3.6.5 Slide use zone

#### Toddlers:

- In a limited access environment
  - The use zone should be at least 3 feet around the perimeter of the slide.
  - The area at the end of the slide should not overlap with the use zone for any other equipment.
- In public areas with unlimited access
  - For a stand-alone slide, the use zone should be at least 6 feet around the perimeter.
  - For slides that are part of a composite structure, the minimum use zone between the access components and the side of the slide chute should be 3 feet.
  - The use zone at the end of the slide should be at least 6 feet from the end of the slide and not overlap with the use zone for any other equipment.

#### Preschool- and school-age (see Figure 21):

- The use zone in front of the access and to the sides of a slide should extend a minimum of 6 feet from the perimeter of the equipment. This recommendation does not apply to embankment slides or slides that are part of a composite structure (see §5.3.9).
- The use zone in front of the exit of a slide should never overlap the use zone of any other equipment; however, two or more slide use zones may overlap if their sliding paths are parallel.
- For slides less than or equal to 6 feet high, the use zone in front of the exit should be at least 6 feet.
- For slides greater than 6 feet high, the use zone in front of the exit should be at least as long as the slide is high up to a maximum of 8 feet.

### 5.3.6.6 Fall height

The fall height for slides is the distance between the transition platform and the protective surfacing beneath it.

### 5.3.6.7 Entanglement hazard

Children have suffered serious injuries and died by getting parts of their clothing tangled on protrusions or gaps on slides.

To reduce the chance of clothing entanglement:

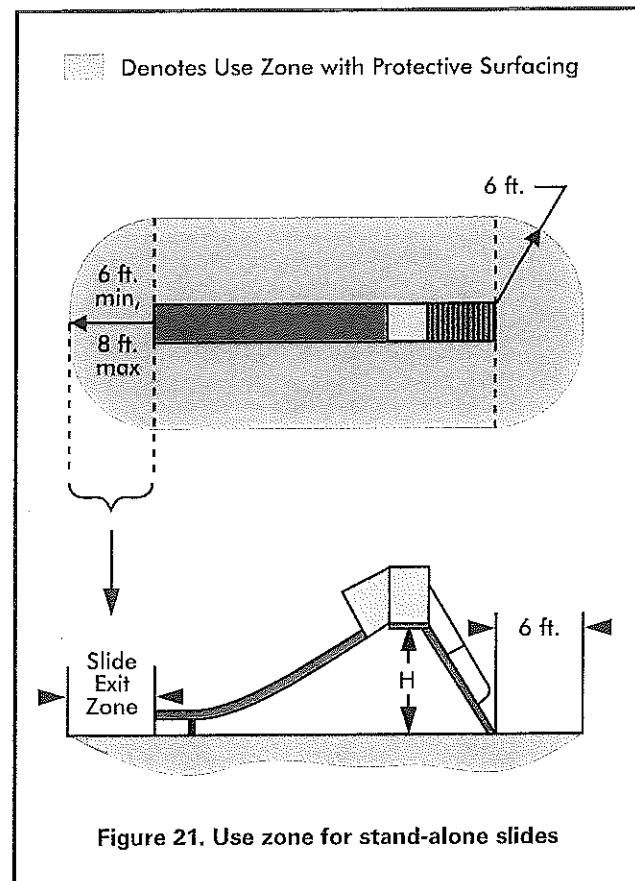


Figure 21. Use zone for stand-alone slides

- Projections up to 3 inches in diameter should not stick up more than 1/8 inch from the slide.
- There should be no gaps at the tops of slides where the slide chute connects with the platform that can entangle clothing or strings.
- See Appendix B for full recommendations and details of the protrusion test procedure.

### 5.3.6.8 Other sliding equipment

Equipment where it is foreseeable that a primary use of the component is sliding should follow the same guidelines for entanglement that are in 5.3.6.7.

### 5.3.7 Spring rockers

Toddlers and preschool-age children enjoy the bouncing and rocking activities presented by spring rockers, and they are the primary users of rocking equipment. See Figure 22. Older children may not find it challenging enough.

- Seat design should not allow the rocker to be used by more than the intended number of users.

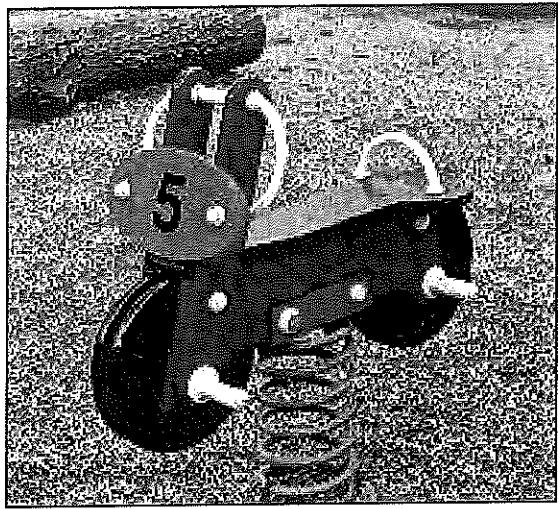


Figure 22. Example of spring rocker

- For toddlers:
  - The seat should be between 12 and 16 inches high.
  - Spring rockers with opposing seats intended for more than one child should have at least 37 inches between the seat centers.
- For preschoolers:
  - The seat should be between 14 and 28 inches high.
  - Each seating position should be equipped with handgrips and footrests. The diameter of handgrips should follow the recommendations for hand gripping components in §5.2.2.
  - The springs of rocking equipment should minimize the possibility of children crushing their hands or their feet between coils or between the spring and a part of the rocker.
  - The use zone should extend a minimum of 6 feet from the “at rest” perimeter of the equipment.
  - The use zone may overlap with neighboring equipment if the other piece of equipment allows overlapping use zones and
    - There is at least 6 feet between equipment when adjacent designated play surfaces are no more than 30 inches high; or

- There is at least 9 feet between equipment when adjacent designated play surfaces are more than 30 inches high; and
- The spring rocker is designed to be used from a seated position.

#### 5.3.7.1 Fall height

The fall height of spring rockers is the distance between either (1) the highest designated playing surface or (2) the seat, whichever is higher, and the protective surfacing beneath it.

#### 5.3.8 Swings

Children of all ages generally enjoy the sensations created while swinging. Mostly they sit on the swings; however, it is common to see children jumping off swings. Younger children also tend to swing on their stomachs, and older children may stand on the seats. To prevent injuries, these behaviors should be discouraged.

Swings may be divided into two distinct types:

- Single axis: Sometimes called a to-fro swing. A single-axis swing is intended to swing back and forth in a single plane and generally consists of a seat supported by at least two suspending members, each of which is connected to a separate pivot on an overhead structure.
- Multi-axis: A multi-axis swing consists of a seat (generally a tire) suspended from a single pivot that permits it to swing in any direction.

#### 5.3.8.1 General swing recommendations

- Hardware used to secure the suspending elements to the swing seat and to the supporting structure should not be removable without the use of tools.
- S-hooks are often part of a swing’s suspension system, either attaching the suspending elements to the overhead support bar or to the swing seat. Open S-hooks can catch a child’s clothing and present a strangulation hazard. S-hooks should be pinched closed. An S-hook is considered closed if there is no gap or space greater than 0.04 inches (about the thickness of a dime).
- Swings should be suspended from support structures that discourage climbing.
- A-frame support structures should not have horizontal cross-bars.

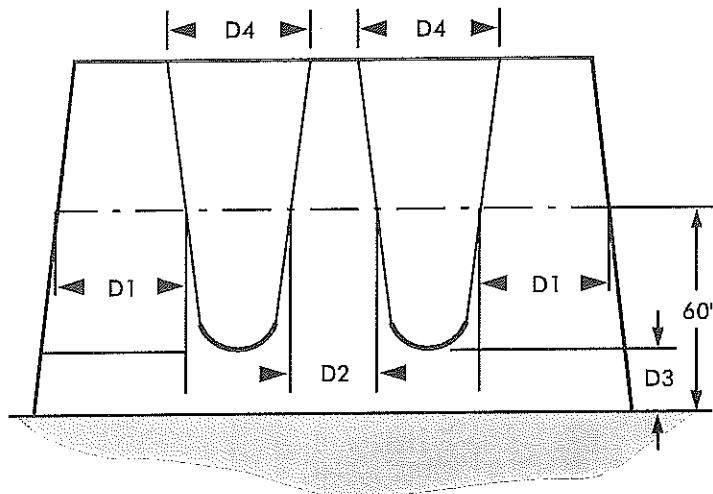


Figure 23. Minimum Clearances for Single-Axis Swings

Table 7. Minimum clearance dimensions for swings

Reason	Dimension	Toddler Full bucket	Preschool-age Belt	School-age Belt
Minimizes collisions between a swing and the supporting structure	D1	20 inches	30 inches	30 inches
Minimizes collisions between swings	D2	20 inches	24 inches	24 inches
Allows access	D3	24 inches	12 inches	12 inches
Reduces side-to-side motion	D4	20 inches	20 inches	20 inches

- Fiber ropes are not recommended as a means of suspending swings since they may degrade over time.
- Swing structures should be located away from other equipment or activities to help prevent young children from inadvertently running into the path of moving swings. Additional protection can be provided by means of a low blockade such as a fence or hedge around the perimeter of the swing area. The blockade should not be an obstacle within the use zone of a swing structure or hamper supervision by blocking visibility.

### 5.3.8.2 Fall height

The fall height for swings is the vertical distance between the pivot point and the protective surfacing beneath it.

### 5.3.8.3 Single-axis swings

#### 5.3.8.3.1 Belt seats used without adult assistance

- The use zone to the front and rear of single-axis swings should never overlap the use zone of another piece of equipment.
- To minimize the likelihood of children being struck by a moving swing, it is recommended that no more than two single-axis swings be hung in each bay of the supporting structure.

- Swings should not be attached to composite structures.
- Swing seats should be designed to accommodate no more than one user at any time.
- Lightweight rubber or plastic swing seats are recommended to help reduce the severity of impact injuries. Wood or metal swing seats should be avoided.
- Edges of seats should have smoothly finished or rounded edges and should conform to the protrusion recommendations in 5.3.8.5.
- If loose-fill material is used as a protective surfacing, the height recommendations should be determined after the material has been compressed.

#### 5.3.8.3.2 Full bucket seat swings

Full bucket seat swings are similar to single-axis swings since they move in a to-fro direction. However, full bucket seat swings are intended for children under 4 years of age to use with adult assistance.

- The seats and suspension systems of these swings, including the related hardware, should follow all of the criteria for conventional single axis swings.
- Full bucket seats are recommended to provide support on all sides of a child and between the legs of the occupant (see Figure 24).

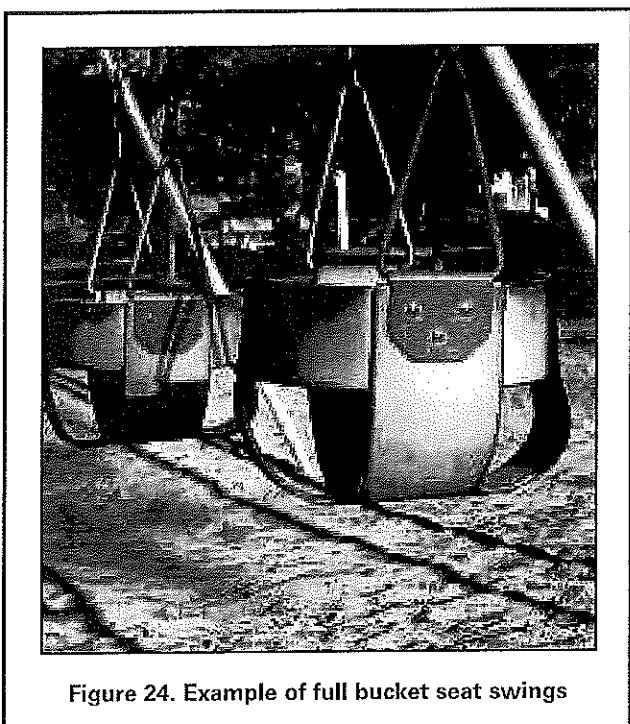


Figure 24. Example of full bucket seat swings

- The full bucket seat materials should not present a strangulation hazard, such as might be presented with a rope or chain used as part of the seat.
- Openings in swing seats should conform to the entrapment criteria in §3.3.
- Full bucket seat swings should be suspended from structures that are separate from those for other swings, or at least suspended from a separate bay of the same structure.
- Full bucket seat swings should not allow the child to enter and exit alone.
- Pivot points should be more than 47 inches but no more than 96 inches above the protective surfacing.

#### 5.3.8.3.3 Use zone for single-axis swings – belt and full bucket

The use zone in front of and behind the swing should be greater than to the sides of such a swing since children may deliberately attempt to exit from a single-axis swing while it is in motion. See Figure 25.

- The use zone for a belt swing should extend to the front and rear of a single-axis swing a minimum distance of twice the vertical distance from the pivot point and the top of the protective surface beneath it.
- The use zone for a full bucket swing should extend to the front and rear a minimum of twice the vertical distance from the top of the occupant's sitting surface to the pivot point.
- The use zone in front of and behind swings should never overlap with any other use zone.
- The use zone to the sides of a single-axis swing should extend a minimum of 6 feet from the perimeter of the swing. This 6-foot zone may overlap that of an adjacent swing structure or other playground equipment structure.

#### 5.3.8.4 Multi-axis (tire) swings

Tire swings are usually suspended in a horizontal orientation using three suspension chains or cables connected to a single swivel mechanism that permits both rotation and swinging motion in any axis.

- A multi-axis tire swing should not be suspended from a structure having other swings in the same bay.
- Attaching multi-axis swings to composite structures is not recommended.

- To minimize the hazard of impact, heavy truck tires should be avoided. Further, if steel-belted radials are used, they should be closely examined to ensure that there are no exposed steel belts or wires that could be a potential protrusion or laceration hazard. Plastic materials can be used as an alternative to simulate actual automobile tires. Drainage holes should be provided in the underside of the tire.
- Pay special attention to maintenance of the hanger mechanism because the likelihood of failure is higher for tire swings due to the added stress of rotational movement and multiple occupants.
- The hanger mechanisms for multi-axis tire swings should not have any accessible crush points.
- The minimum clearance between the seating surface of a tire swing and the uprights of the supporting structure should be 30 inches when the tire is in a position closest to the support structure (Figure 26).
- The minimum clearance between the bottom of the seat and the protective surface should not be less than 12 inches.

#### 5.3.8.4.1 Multi-axis swing use zones

- The use zone should extend in any direction from a point directly beneath the pivot point for a minimum distance of 6 feet plus the length of the suspending members (see Figure 27). This use zone should never overlap the use zone of any other equipment.

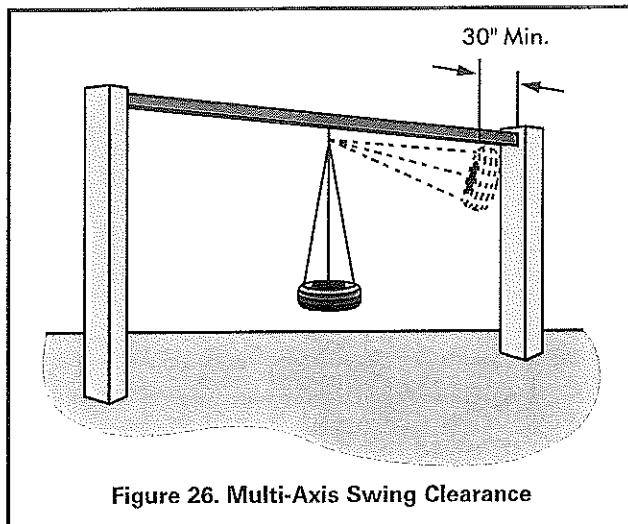


Figure 26. Multi-Axis Swing Clearance

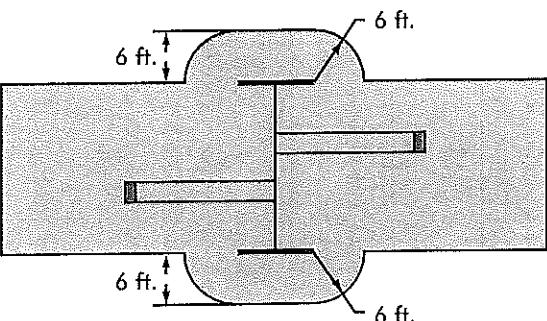
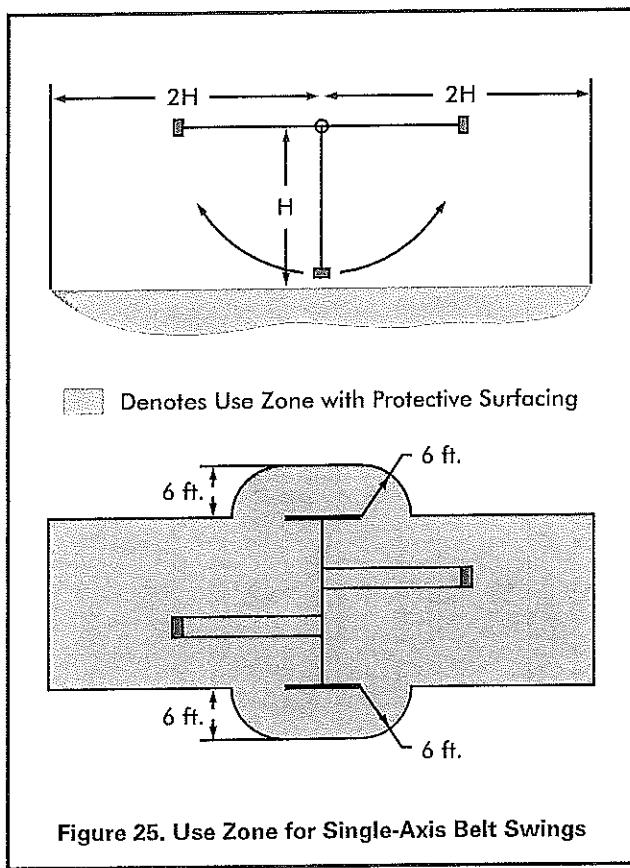


Figure 25. Use Zone for Single-Axis Belt Swings

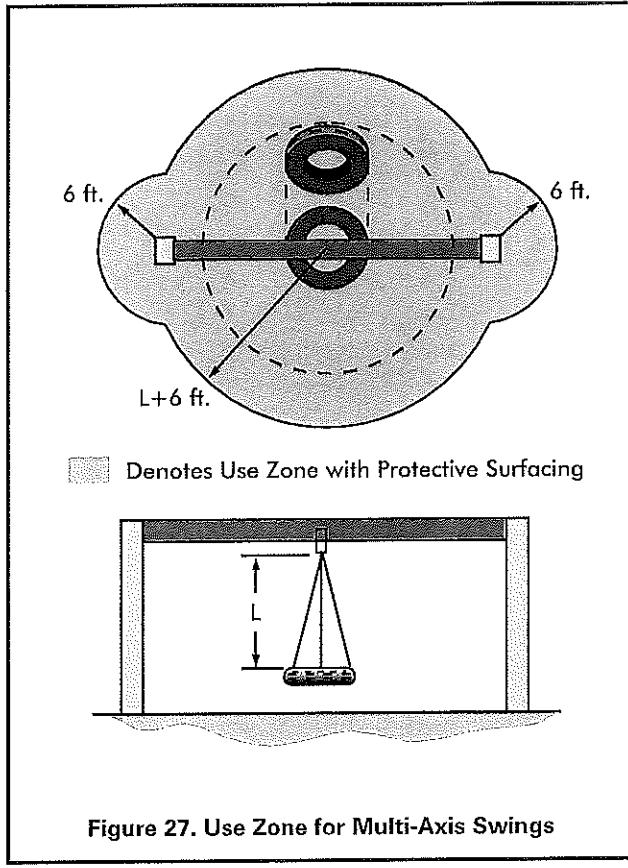


Figure 27. Use Zone for Multi-Axis Swings

- The use zone should extend a minimum of 6 feet from the perimeter of the supporting structure. This 6-foot zone may overlap that of an adjacent swing structure or other playground equipment structure.

#### 5.3.8.5 Protrusions on suspended members of swing assemblies

Protrusions on swings are extremely hazardous because of the potential for impact incidents. Nothing, including bolts or other parts, on the front, back, or underside of a swing should stick out more than 1/8 of an inch. See test procedures in Appendix B.

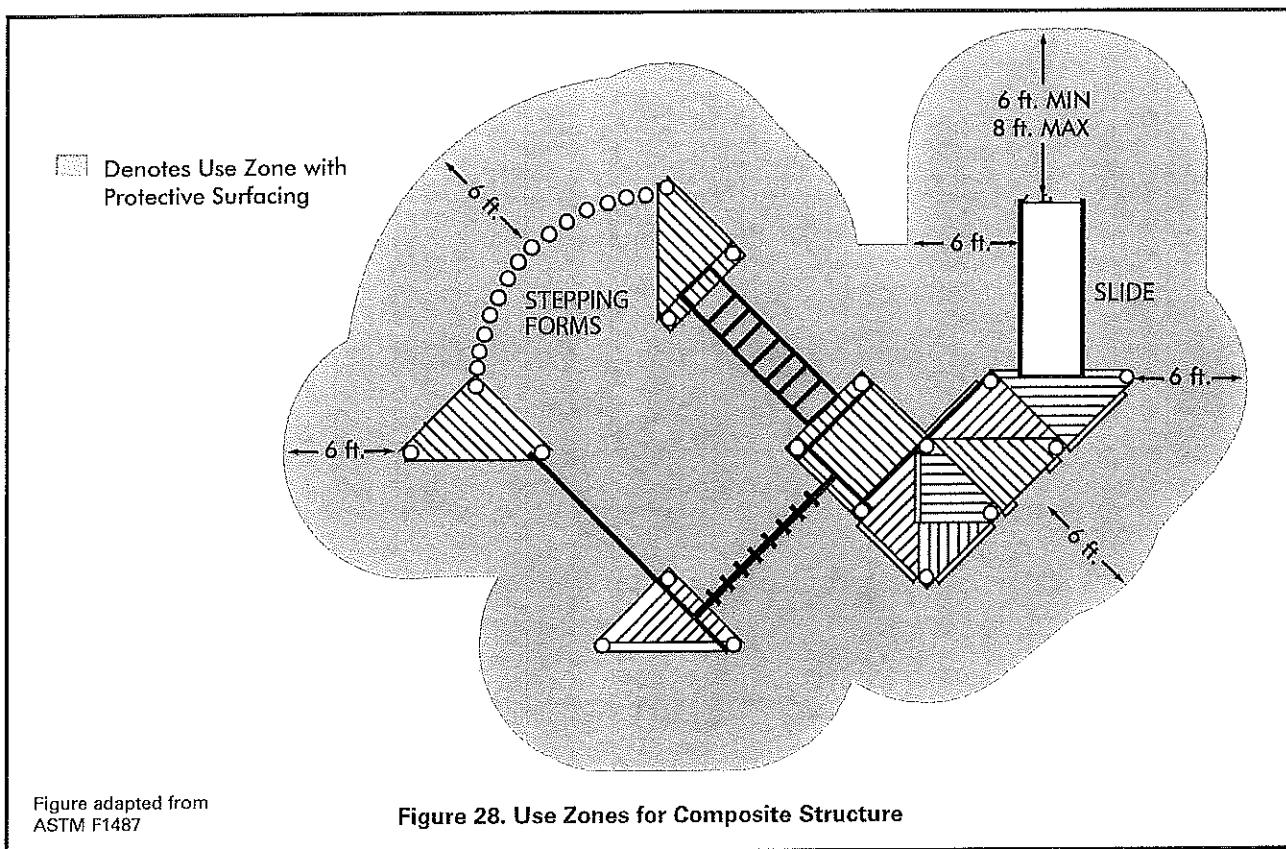
#### 5.3.9 Fall height and use zones for composite structure

When two or more complementary play components are linked together in a composite structure (e.g., combination climber, slide, and horizontal ladder), the use zone should extend a minimum of 6 feet from the external perimeter of the structure (see Figure 28). Where slides are attached to a platform higher than 6 feet from the protective surfacing, the use zone may need to extend further in front of the slide (see §5.3.6.5).

#### 5.3.10 Fall height and use zones not specified elsewhere

Most playground equipment belongs in one of the categories listed above. If it does not, the following general recommendations should be applied:

- The fall height of a piece of playground equipment is the distance between the highest designated playing surface and the protective surface beneath it.
- The use zone should extend a minimum of 6 feet in all directions from the perimeter of the equipment.
- The use zones of two stationary pieces of playground equipment that are positioned adjacent to one another may overlap if the adjacent designated play surfaces of each structure are no more than 30 inches above the protective surface and the equipment is at least 6 feet apart.
- If adjacent designated play surfaces on either structure exceed a height of 30 inches, the minimum distance between the structures should be 9 feet.
- Use zones should be free of obstacles.



## APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

### Surfacing (§2.4)

- Adequate protective surfacing under and around the equipment.
  - Install/replace surfacing
- Surfacing materials have not deteriorated.
  - Replace surfacing
  - Other maintenance: \_\_\_\_\_
- Loose-fill surfacing materials have no foreign objects or debris.
  - Remove trash and debris
- Loose-fill surfacing materials are not compacted.
  - Rake and fluff surfacing
- Loose-fill surfacing materials have not been displaced under heavy use areas such as under swings or at slide exits.
  - Rake and fluff surfacing

### Drainage (§2.4)

- The entire play area has satisfactory drainage, especially in heavy use areas such as under swings and at slide exits.
  - Improve drainage
  - Other maintenance: \_\_\_\_\_

### General Hazards

- There are no sharp points, corners or edges on the equipment (§3.4).
- There are no missing or damaged protective caps or plugs (§3.4).
- There are no hazardous protrusions (§3.2 and Appendix B).
- There are no potential clothing entanglement hazards, such as open S-hooks or protruding bolts (§2.5.2, §3.2, §5.3.8.1 and Appendix B).
- There are no crush and shearing points on exposed moving parts (§3.1).
- There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

### NOTES:

DATE OF INSPECTION:

### Security of Hardware (§2.5)

- There are no loose fastening devices or worn connections.
  - Replace fasteners
  - Other maintenance: \_\_\_\_\_
- Moving parts, such as swing hangers, merry-go-round bearings, and track rides, are not worn.
  - Replace part
  - Other maintenance: \_\_\_\_\_

### Durability of Equipment (§2.5)

- There are no rust, rot, cracks, or splinters on any equipment (check carefully where it comes in contact with the ground).
- There are no broken or missing components on the equipment (e.g., handrails, guardrails, protective barriers, steps, or rungs).
- There are no damaged fences, benches, or signs on the playground.
- All equipment is securely anchored.

### Leaded Paint (§2.5.4)

- Paint (especially lead paint) is not peeling, cracking, chipping, or chalking.
- There are no areas of visible lead paint chips or accumulation of lead dust.
  - Mitigate lead paint hazards

### General Upkeep of Playgrounds (§4)

- There are no user modifications to the equipment, such as strings and ropes tied to equipment, swings looped over top rails, etc.
  - Remove string or rope
  - Correct other modification
- The entire playground is free from debris or litter such as tree branches, soda cans, bottles, glass, etc.
  - Clean playground
- There are no missing trash receptacles.
  - Replace trash receptacle
- Trash receptacles are not full.
  - Empty trash

INSPECTION BY:

## Routine Inspection and Maintenance Issues

---

- Broken equipment such as loose bolts, missing end caps, cracks, etc.
- Broken glass & other trash
- Cracks in plastics
- Loose anchoring
- Hazardous or dangerous debris
- Insect damage
- Problems with surfacing
- Displaced loose-fill surfacing (see Section 4.3)
- Holes, flakes, and/or buckling of unitary surfacing
- User modifications (such as ropes tied to parts or equipment rearranged)
- Vandalism
- Worn, loose, damaged, or missing parts
- Wood splitting
- Rusted or corroded metals
- Rot

## APPENDIX B: PLAYGROUND TESTING

### B.1 Templates, Gauges, and Testing Tools

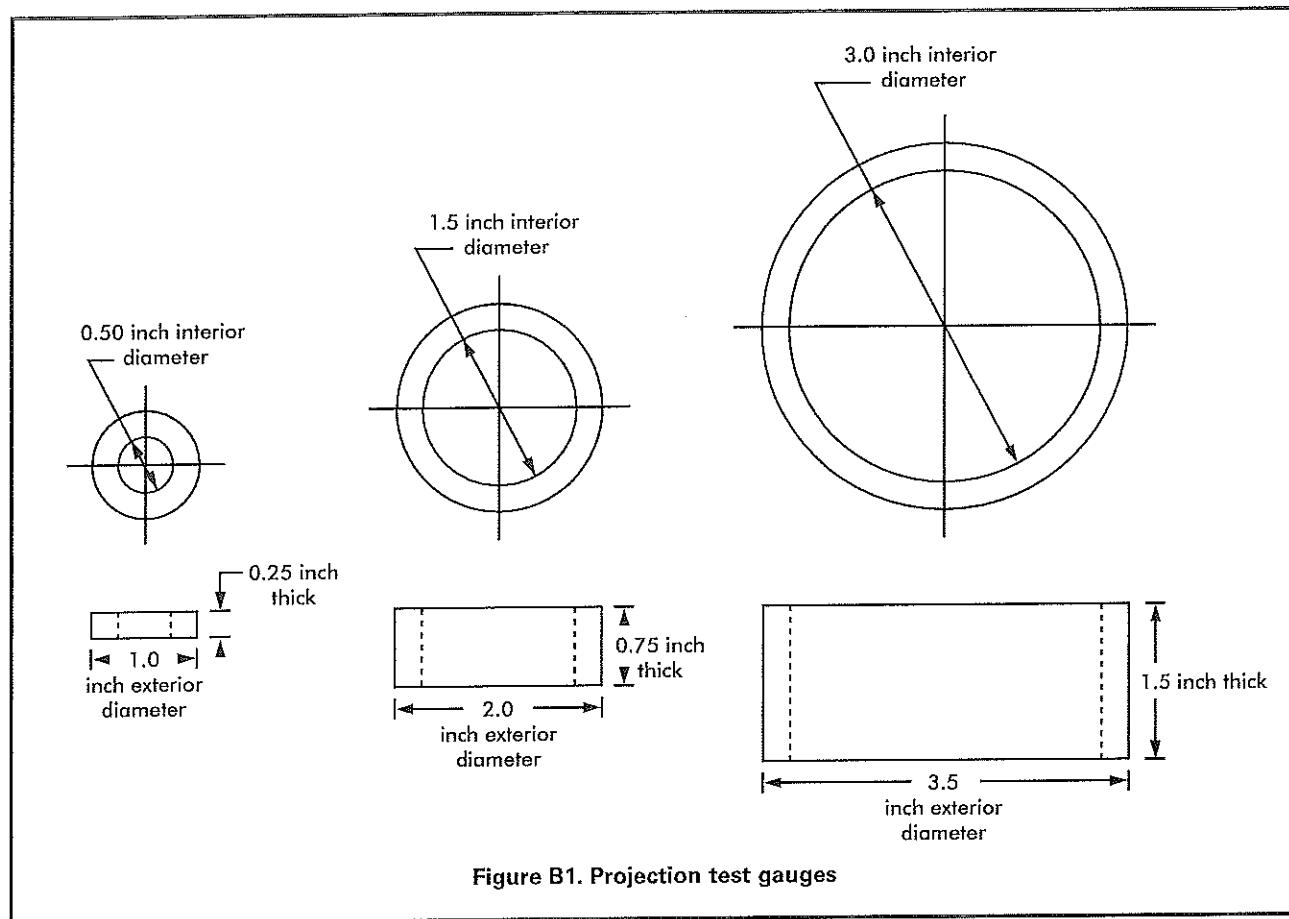


Figure B1. Projection test gauges

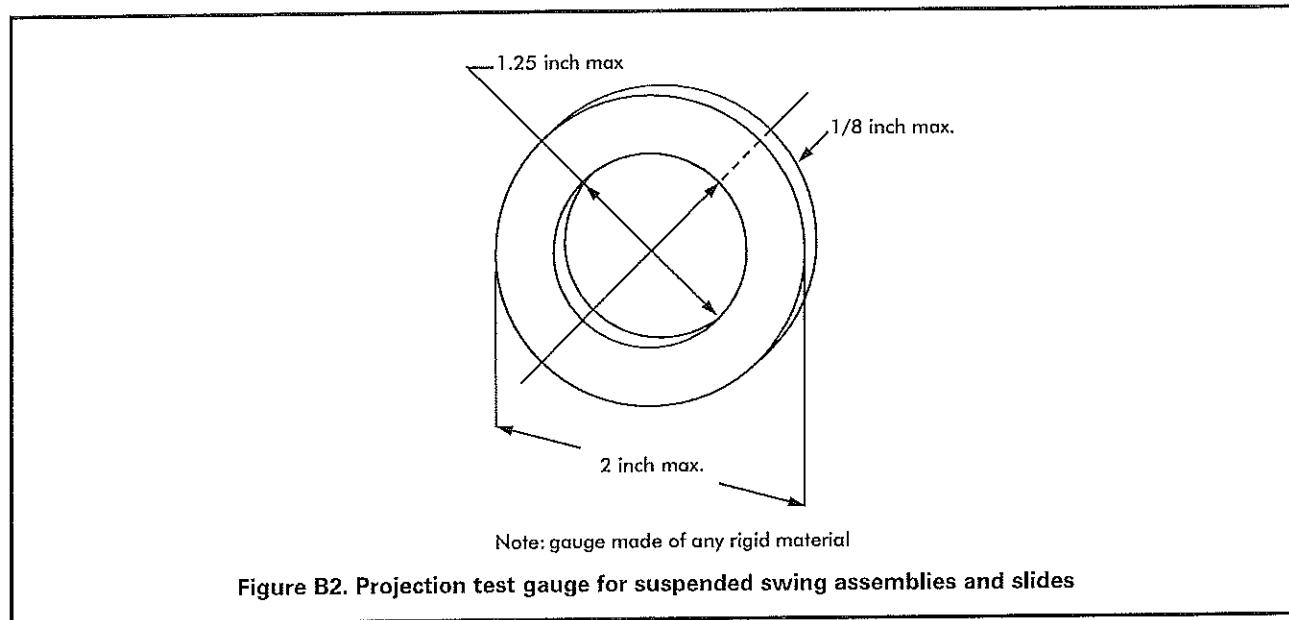


Figure B2. Projection test gauge for suspended swing assemblies and slides

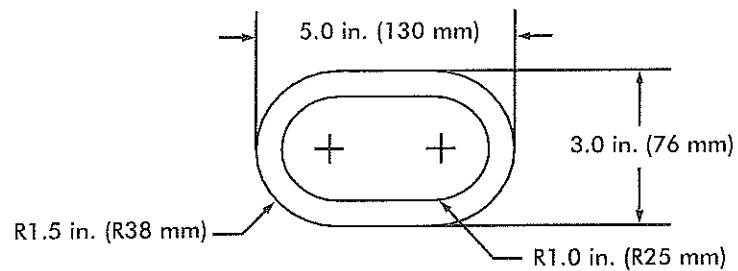


Figure B3. Toddler small torso template

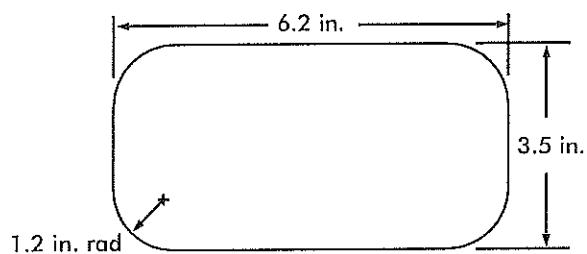


Figure B4. Preschool- and school-age small torso template

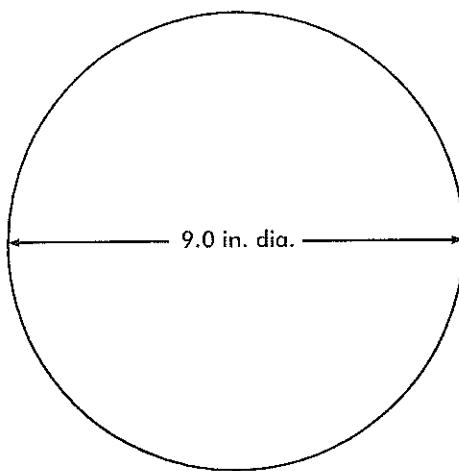


Figure B5. Large head template

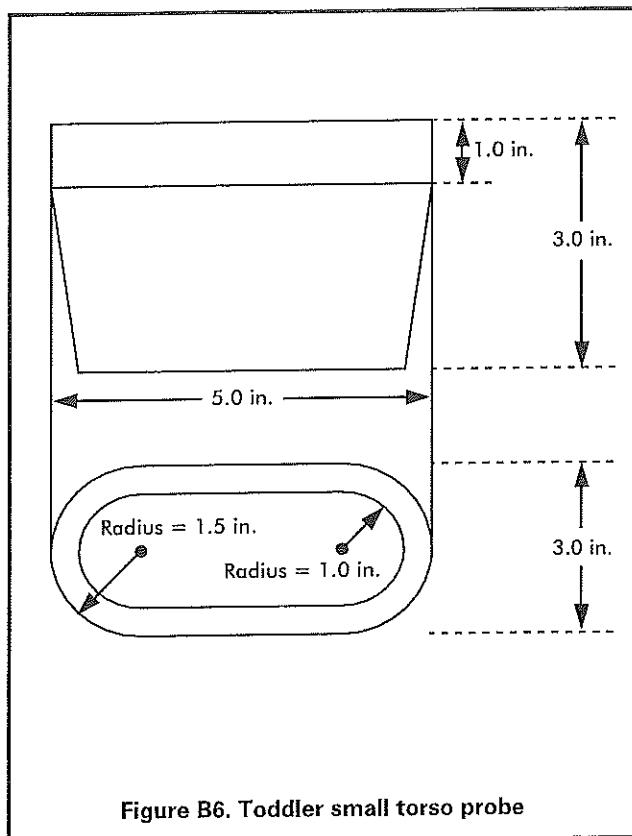


Figure B6. Toddler small torso probe

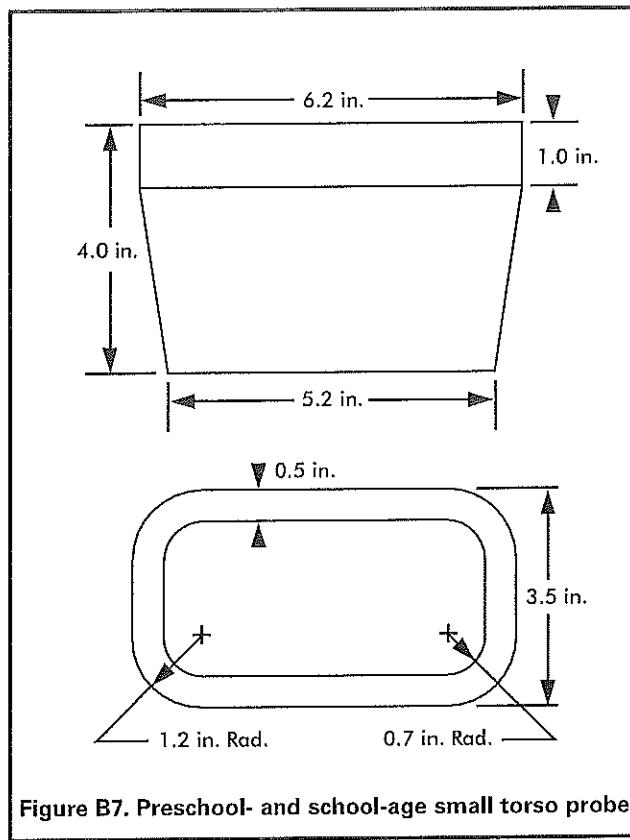


Figure B7. Preschool- and school-age small torso probe

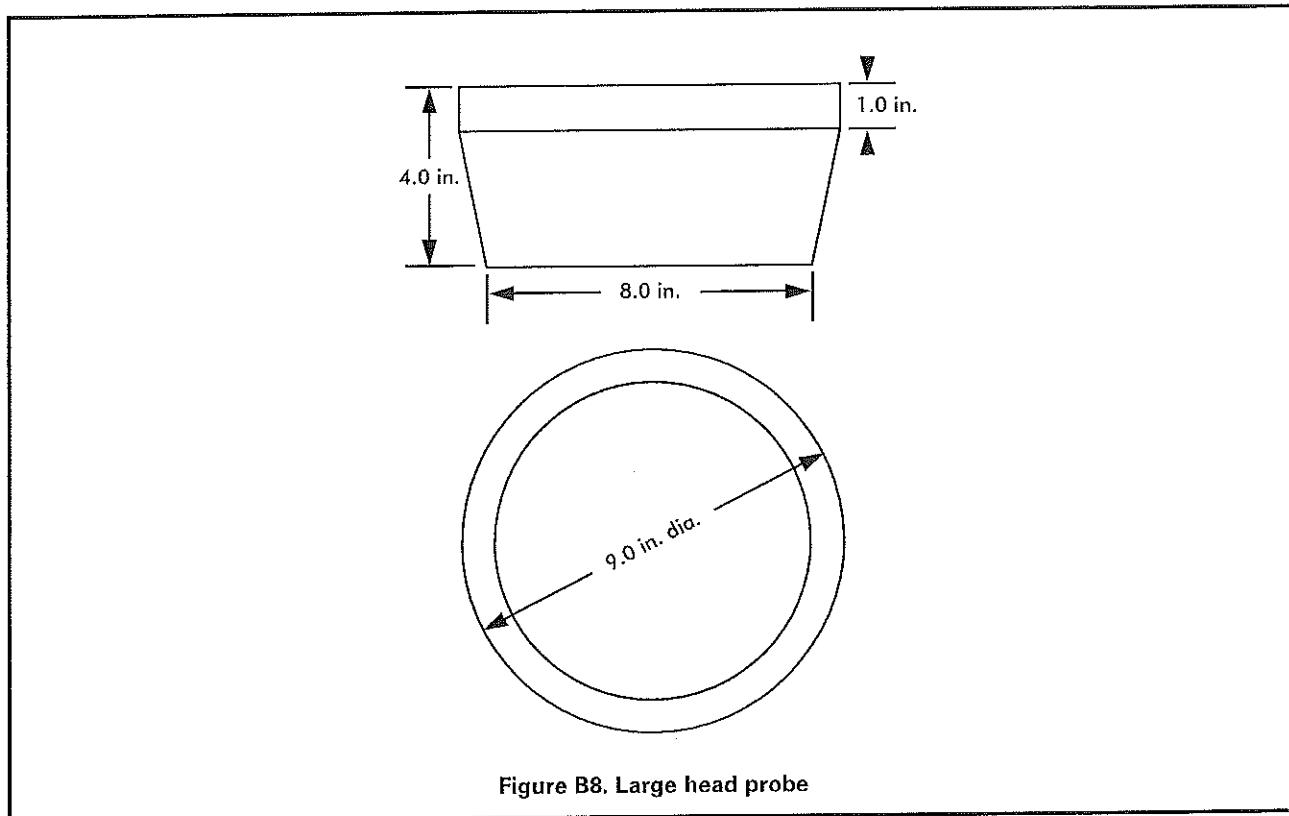


Figure B8. Large head probe

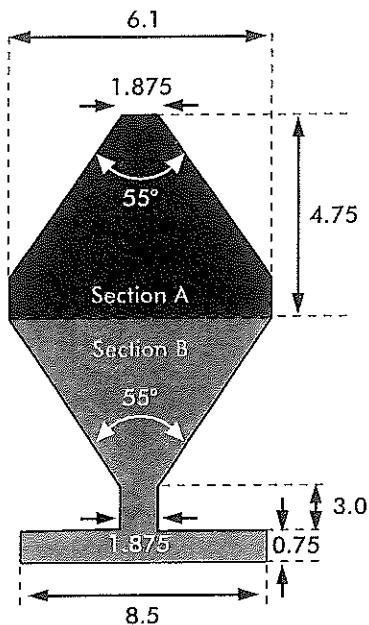


Figure B9. Preschool/School-age partially bound probe (dimensions in inches, template is 0.75 inches thick)

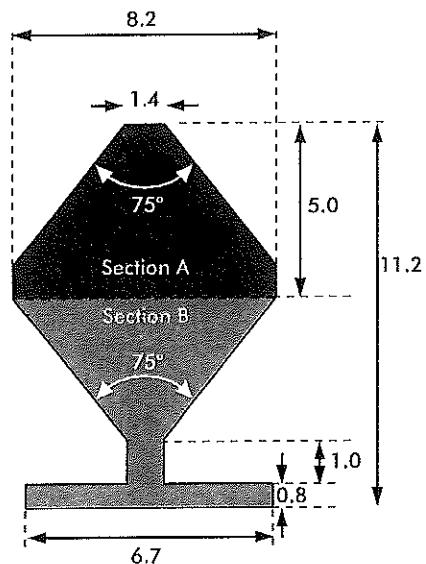


Figure B10. Toddler partially bound probe (dimensions in inches, template is 0.60 inches thick)

## APPENDIX B: PLAYGROUND TESTING

### B.2 Test Methods

#### B.2.1 Determining whether a projection is a protrusion

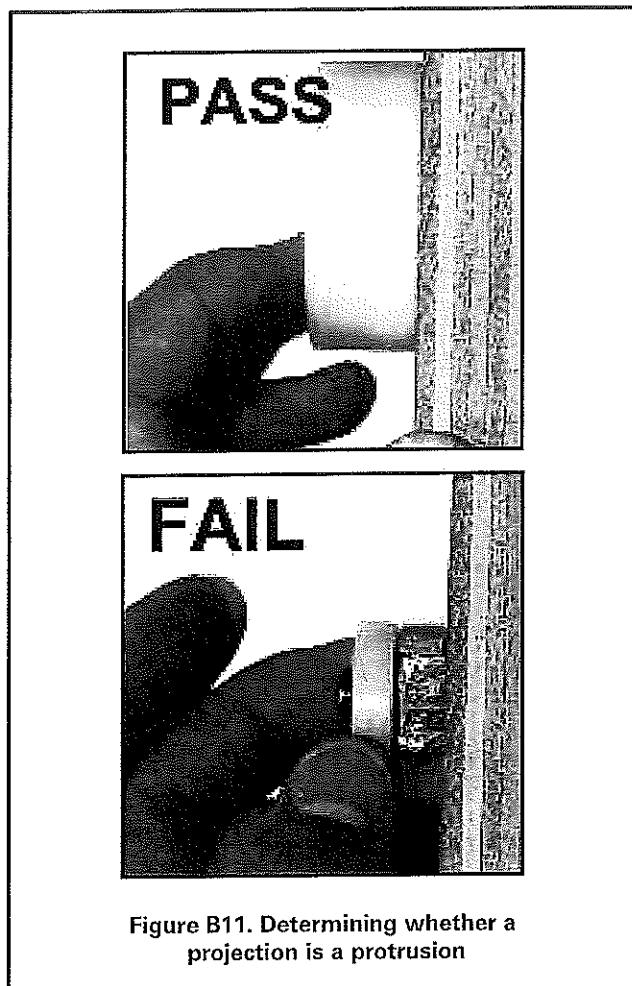
##### B.2.1.1 Test procedure

Step 1: Successively place each projection test gauge (see Figure B1) over any projection

Step 2: Visually determine if the projection penetrates through the hole and beyond the face of the gauge (see Figure B11 below).

**Pass:** A projection that does not extend beyond the face of the gauge passes.

**Fail:** A projection that extends beyond the face of any one of the gauges is considered a hazardous protrusion and should be eliminated.



#### B.2.2 Projections on suspended members of swing assemblies

Given the potential for impact incidents, projections on swings can be extremely hazardous. A special test gauge (see Figure B2) and procedure are recommended. When tested, no bolts or components in the potential impact region on suspended members should extend through the hole beyond the face of the gauge.

##### B.2.2.1 Test procedure

Step 1: Hold the gauge (Figure B2) vertically with the axis through the hole parallel to the swing's path of travel.

Step 2: Place the gauge over any projections that are exposed during the swing's path of travel.

Step 3: Visually determine if the projection penetrates through the hole and beyond the face of the gauge.

**Pass:** A projection that does not extend beyond the face of the gauge passes.

**Fail:** A projection that extends beyond the face of the gauge is considered a hazardous protrusion and should be eliminated.

#### B.2.3 Projections on slides

To minimize the likelihood of clothing entanglement on slides, projections that (1) fit within any one of the three gauges shown in Figure B1 and (2) have a major axis that projects away from the slide bed should not have projections greater than 1/8 inch perpendicular to the plane of the surrounding surface (Figure B12).

##### B.2.3.1 Test procedure

Step 1: Identify all projections within the shaded area shown in Figure B13.

Step 2: Determine which, if any, fit inside the projection test gauges (Figure B1).

Step 3: Place the swing and slide projection gauge (Figure B2) next to the projection to check the height of the projection.

Step 4: Visually determine if the projection extends beyond the face of the slide projection gauge.

Pass: A projection that does not extend beyond the face of the gauge passes.

Fail: A projection that extends beyond the face of the gauge is considered a hazardous protrusion and should be eliminated.

NOTE: This test procedure is not applicable to the underside of a slide chute. For a slide chute with a circular cross section, the portion of the underside not subject to this projection recommendation is shown in Figure 18. The general recommendations for projections in §B.2.1 are applicable to the underside of the slide.

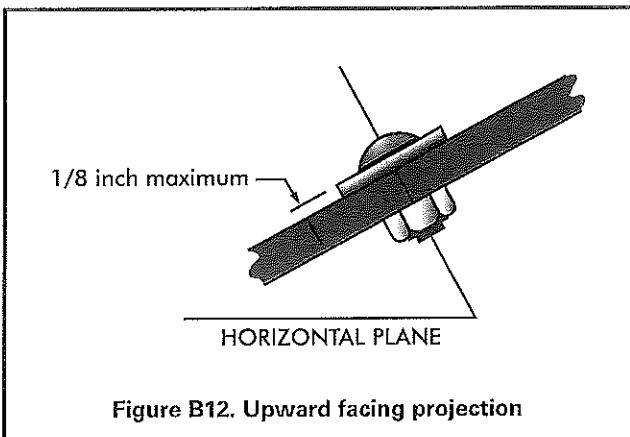


Figure B12. Upward facing projection

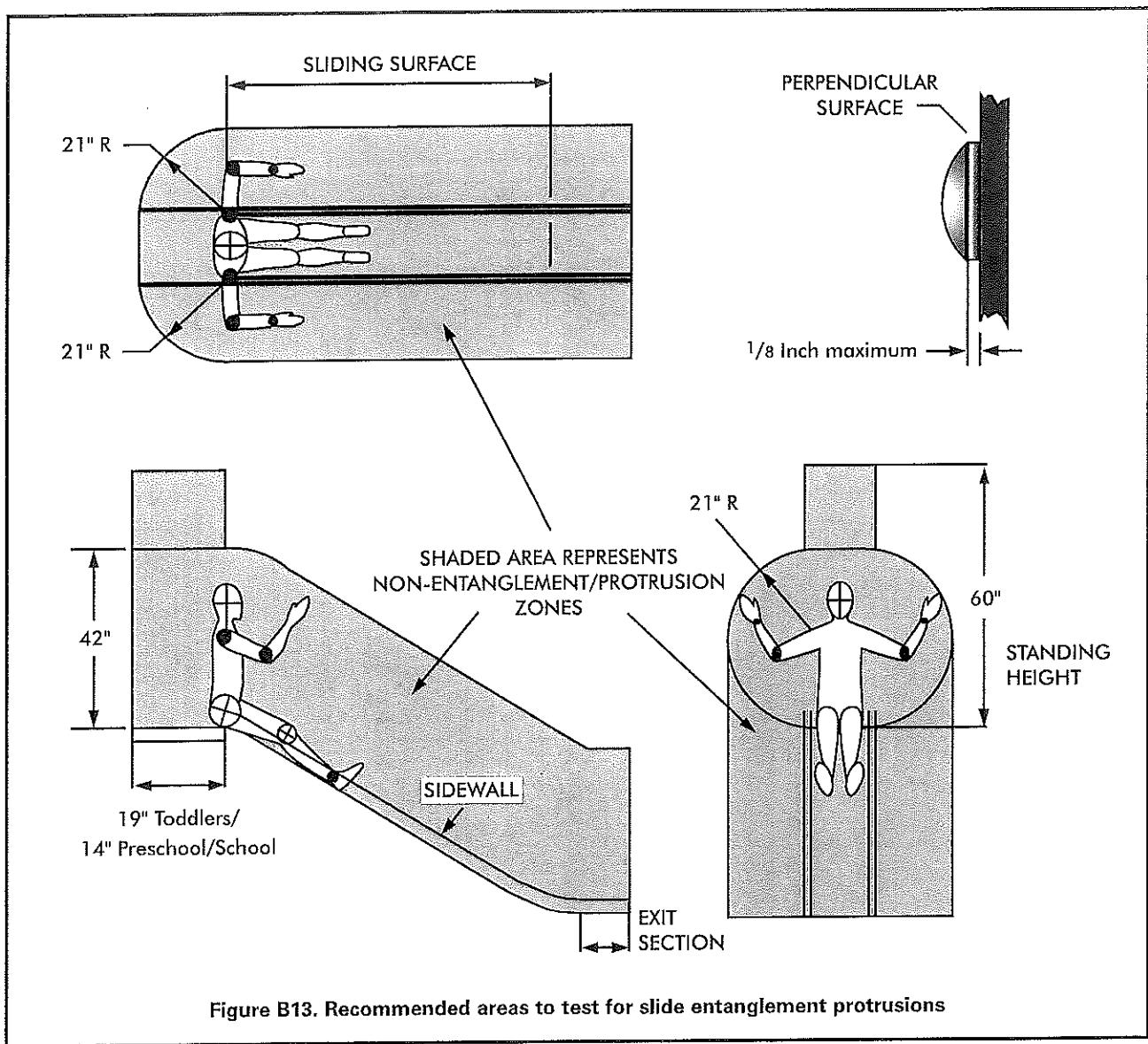
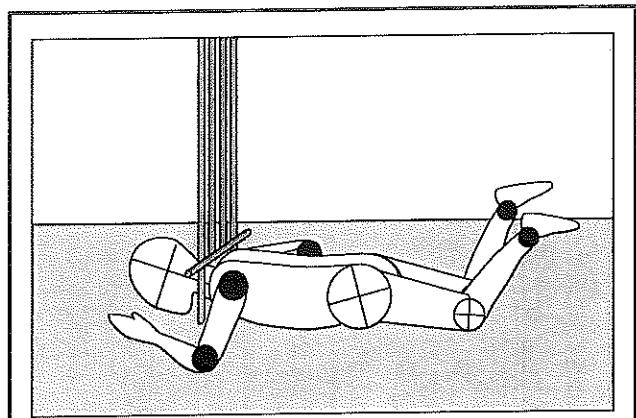
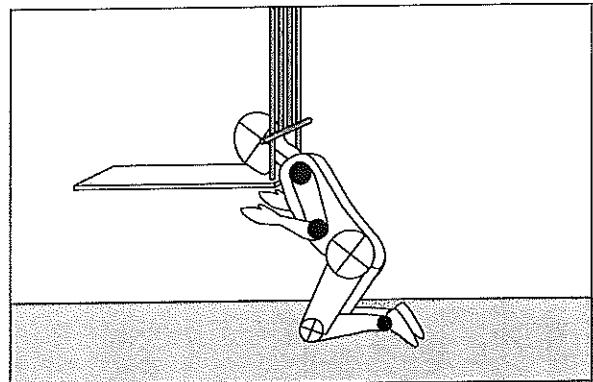


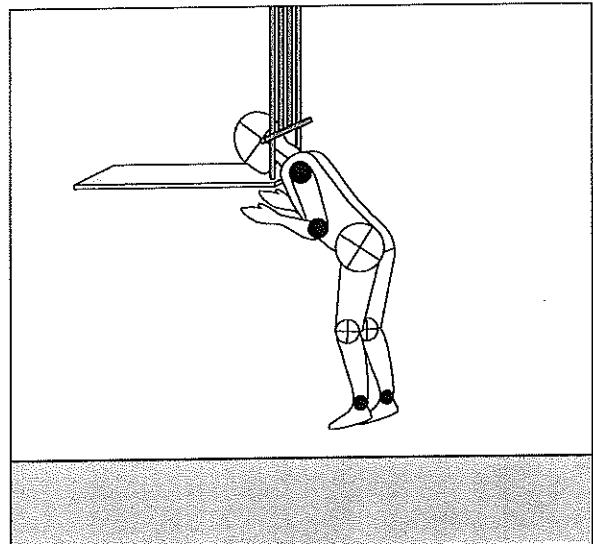
Figure B13. Recommended areas to test for slide entanglement protrusions



Ground-bounded: Not subject to entrapment recommendations.



Low entrapment



High entrapment

Figure B14. Examples of completely bounded openings

## B.2.4 Entrapment

### B.2.4.1 General

Any completely-bounded opening (Figure B14) that is not bounded by the ground may be a potential head entrapment hazard. Even those openings which are low enough to permit a child's feet to touch the ground present a risk of strangulation to an entrapped child, because younger children may not have the necessary intellectual ability and motor skills to withdraw their heads, especially if scared or panicked. An opening may present an entrapment hazard if the distance between any interior opposing surfaces is greater than 3.5 inches and less than 9 inches. If one dimension of an opening is within this potentially hazardous range, all dimensions of the opening should be considered together to fully evaluate the possibility of entrapment. The most appropriate method to determine whether an opening is hazardous is to test it using the following fixtures, methods, and performance criteria.

These recommendations apply to all playground equipment, i.e., toddler, preschool-age, and school-age children. Fixed equipment as well as moving equipment (in its stationary position) should be tested for entrapment hazards. There are two special cases for which separate procedures are given: (1) completely-bounded openings where depth of penetration is a critical issue (see Figure B15) and (2) openings formed by flexible climbing components.

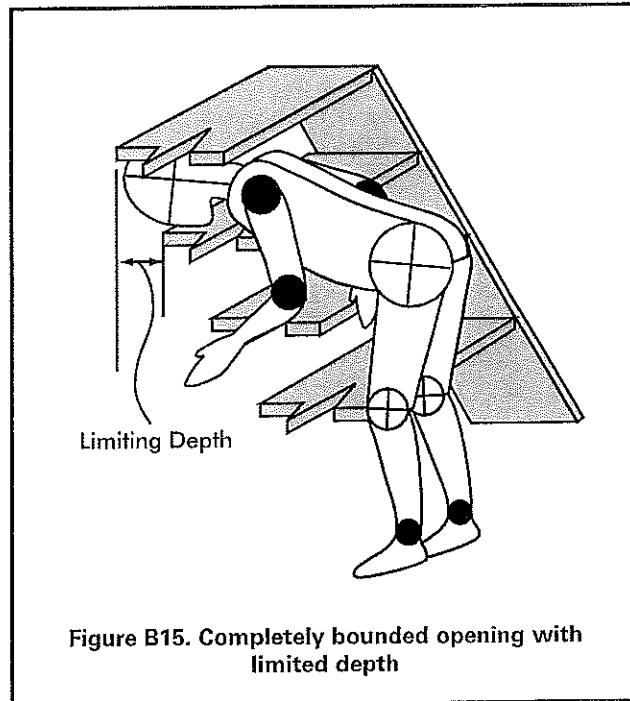


Figure B15. Completely bounded opening with limited depth

### B.2.5 Test fixtures

Two templates are required to determine if completely bounded openings in rigid structures present an entrapment hazard. These templates can easily be fabricated from cardboard, plywood, or sheet metal.

#### B.2.5.1 Small torso template

The dimensions (see Figure B3 and Figure B4) of this template are based on the size of the torso of the smallest user at risk (5th percentile 6-month-old child for Figure B3 and 2-year-old child for Figure B4). If an opening is too small to admit the template, it is also too small to permit feet first entry by a child. Because children's heads are larger than their torsos, an opening that does not admit the small torso template will also prevent head first entry into an opening by a child.

#### B.2.5.2 Large head template

The dimensions (see Figure B5) of this template are based on the largest dimension on the head of the largest child at risk (95th percentile 5-year-old child). If an opening is large enough to permit free passage of the template, it is large enough to permit free passage of the head of the largest child at risk in any orientation. Openings large enough to permit free passage of the large head template will not entrap the chest of the largest child at risk.

#### B.2.5.3 Completely bounded openings with unlimited depth

##### B.2.5.3.1 Test procedure

Step 1: Select the appropriate small torso template based on the intended users of the playground (Figure B3 for toddler playgrounds, Figure B4 for preschool- and school-age playgrounds).

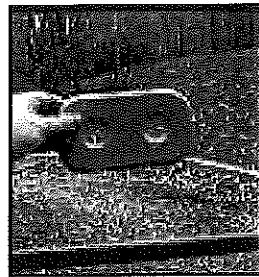
Step 2: Identify all completely bounded openings.

Step 3: Attempt to place the small torso template in the opening with the plane of the template parallel to the plane of the opening. While keeping it parallel to the plane of the opening, the template should be rotated to its most adverse orientation (i.e., major axis of template oriented parallel to the major axis of the opening.)

Step 4: Determine if the small torso template can freely pass through the opening.

No: Pass, Stop

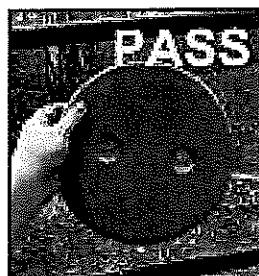
Yes: Continue



Step 5: Place the large head template in the opening, again with the plane of the template parallel to the plane of the opening, and try to insert it through the opening.

**Pass:** The large head template can be freely inserted through the opening

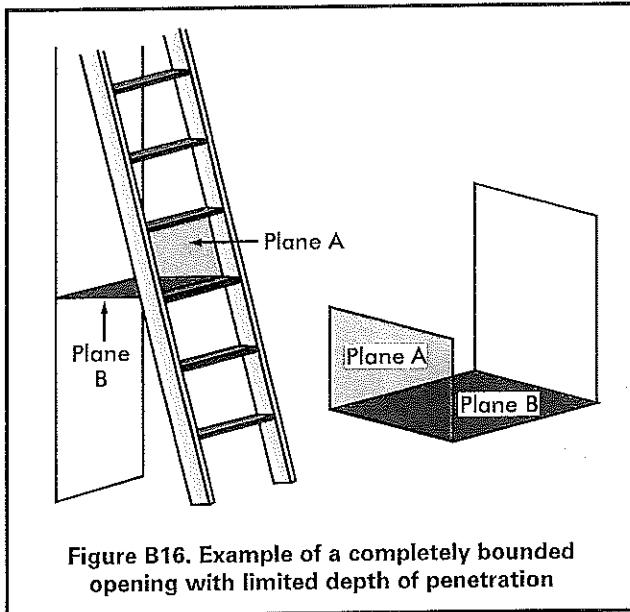
**Fail:** The opening admits the small torso template but does not admit the large head template.



#### B.2.5.4 Completely bounded openings with limited depth of penetration

The configuration of some openings may be such that the depth of penetration is a critical issue for determining the entrapment potential. For example, consider a vertical wall or some other barrier behind a step ladder. The entrapment potential depends not only on the dimensions of the opening between adjacent steps but also on the horizontal space between the lower boundary of the opening and the barrier. A child may enter the opening between adjacent steps feet first and may proceed to pass through the space between the rear of the lower step and the barrier and become entrapped when the child's head is unable to pass through either of these two openings. In effect, there are openings in two different planes, and each has the potential for head entrapment and should be tested.

Figure B16 illustrates these two planes for a step ladder as well as for a generic opening. Plane A is the plane of the completely bounded opening in question, and Plane B is the plane of the opening encompassing the horizontal space between the lower boundary of the opening in Plane A and the barrier that should also be tested for entrapment hazards.



**Figure B16. Example of a completely bounded opening with limited depth of penetration**

##### B.2.5.4.1 Test procedure

Step 1: Select the appropriate small torso template based on the intended users of the playground (Figure B3 for toddler playgrounds, Figure B4 for preschool-age and school-age playgrounds).

Step 2: Identify all completely bounded openings with limited depth of penetration.

Step 3: Place the small torso template in the opening in Plane A with its plane parallel to Plane A; rotate the template to its most adverse orientation with respect to the opening while keeping it parallel to Plane A.

Step 4: Determine if the opening in Plane A admits the small torso template in any orientation when rotated about its own axis.

**No:** Pass. The opening is small enough to prevent either head first or feet first entry by the smallest user at risk and is not an entrapment hazard.

**Yes:** Continue.

Step 5: Place the small torso template in the opening in Plane B with its plane parallel to Plane B; rotate the template to its most adverse orientation with respect to the opening while keeping it parallel to Plane B.

Step 6: Determine if the opening in Plane B admits the small torso template.

**No:** Pass. The depth of penetration into the opening in Plane A is insufficient to result in entrapment of the smallest user at risk.

**Yes:** Continue.

Step 7: Place the large head template (Figure B5) in the opening in Plane A with its plane parallel to Plane A. Determine if the opening in Plane A admits the large head template.

**No:** Fail. A child, whose torso can enter the opening in Plane A as well as the opening in Plane B, may become entrapped by the head in the opening in Plane A.

**Yes:** Continue.

Step 8: With the plane of the large head template parallel to the opening in Plane B, determine if the opening in Plane B admits the large head template.

**No:** Fail. The largest user at risk cannot exit the opening in Plane B.

**Yes:** Pass. The openings in Plane A and Plane B do not pose an entrapment risk.

### B.2.5.5 Flexible openings

Climbing components such as flexible nets are also a special case for the entrapment tests because the size and shape of openings on this equipment can be altered when force is applied, either intentionally or simply when a child climbs on or falls through the openings. Children are then potentially at risk of entrapment in these distorted openings.

The procedure for determining conformance to the entrapment recommendations for flexible openings requires two three-dimensional test probes which are illustrated in Figure B6, Figure B7, and Figure B8 are applied to an opening in a flexible component with a force of up to 50 pounds.

#### B.2.5.5.1 Test procedure

Step 1: Select the appropriate small torso template based on the intended users of the playground (Figure B3 for toddler playgrounds, Figure B4 for preschool-age and school-age playgrounds).

Step 2: Identify all completely bounded openings with flexible sides.

Step 3: Place the small torso probes (Figures B6 and B7) in the opening, tapered end first, with the plane of its base parallel to the plane of the opening.

Step 4: Rotate the probe to its most adverse orientation (major axis of probe parallel to major axis of opening) while keeping the base parallel to the plane of the opening.

Step 5: Determine if the probe can be pushed or pulled completely through the opening by a force no greater than 30 pounds on toddler playgrounds or 50 pounds on preschool-age and school-age playgrounds.

No: Pass. Stop

Yes: Continue.

Step 6: Place the large head probe (Figure B8) in the opening with the plane of its base parallel to the plane of the opening.

Step 7: Determine if the large head probe can be pushed or pulled completely through the opening by a force no greater than 30 pounds on toddler playgrounds or 50 pounds on preschool-age and school-age playgrounds.

Yes: Pass. Stop.



No: Fail.



### B.2.5.6 Partially bound openings

A partially bound opening is any opening which has at least one side or portion open, such as a U- or V-shaped opening. These openings can still pose an entrapment hazard by allowing the neck to enter but not allowing the head to slip out. A partially bound opening can be any part of the playground equipment where a child could get his or her neck caught, so it includes not only two- or three-sided openings, but also areas of large openings (large enough for the head template to enter) that have the characteristics that can entrap a child's neck. Several examples outlines of this situation are shown in the figures below. Openings that have an outline similar to these figures are often found when two parts of a playground meet, for example, the top of a slide and the side of a guardrail.

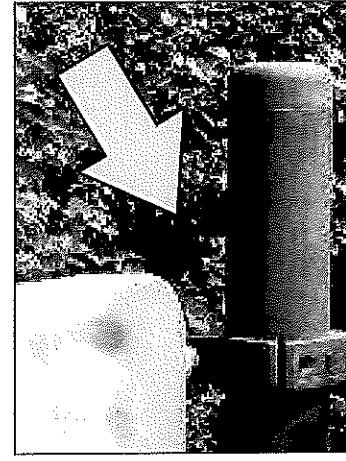
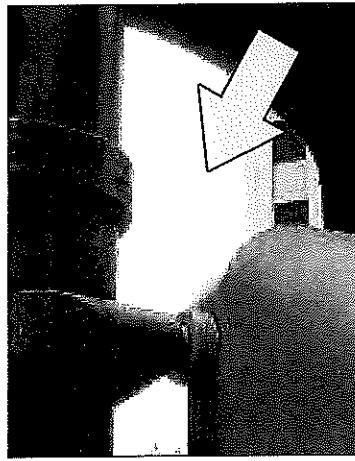
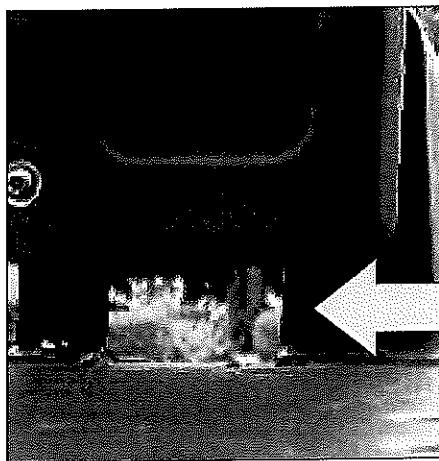
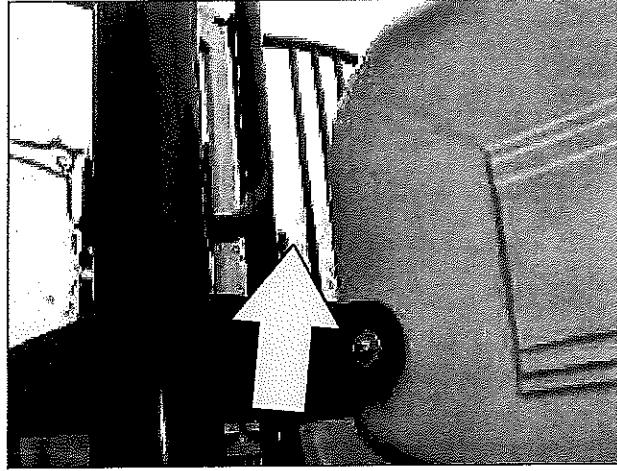
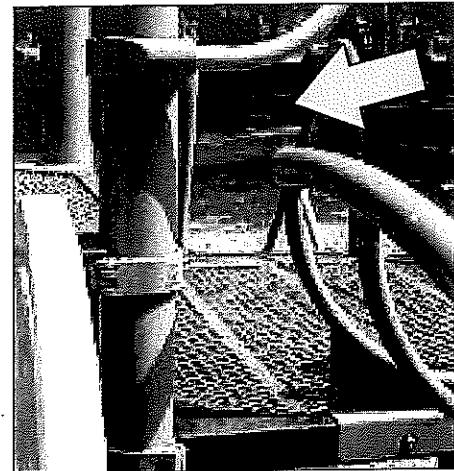
Identifying partially bound openings varies depending on the age range of the playground. Openings that should be tested include any opening where:

For toddlers:

- The perimeter of the opening is not closed
- The lowest leg of the opening is tilted upward (i.e. above horizontal) or 45 degrees below horizontal.

For preschool- and school-age:

- The perimeter of the opening is not closed
- The lowest leg of the opening is tilted upward (i.e. above horizontal)



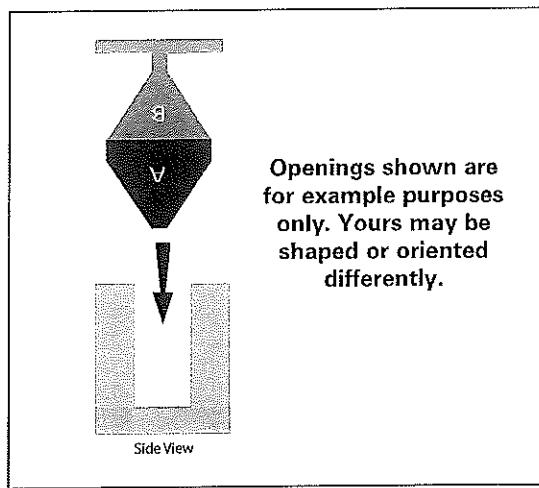
**Examples of partially bound openings.** Note, these examples are intended to illustrate the principle of partially bound openings and may or may not require testing.

**B.2.5.6.1 Test procedure**

Step 1: Select the appropriate Partially Bound Template based on the intended users of the playground (Figure B10 for toddler playgrounds, Figure B9 for preschool and school-age playground).

Step 2: Identify partially bound openings.

Step 3: Align the template so that the face of the template is parallel to the plane of the opening and the narrow tip of the A section is pointing toward the opening.

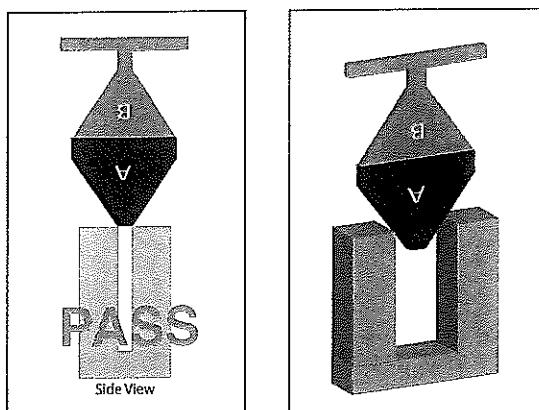


Step 4: Insert the A portion of the template into the opening following the centerline of the opening.

Step 5: Once inserted as far as possible, determine if there is simultaneous contact between the sides of the opening and both of the top corners at the narrow tip of section A.

Yes: Pass. Stop

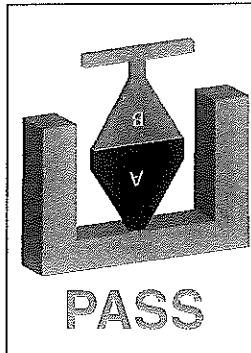
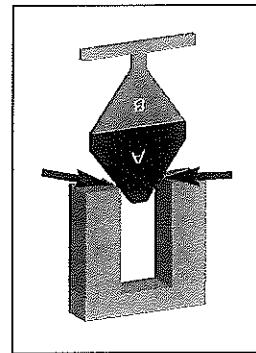
No: continue



Step 6: While still inserted as far as possible, determine if there is simultaneous contact between both of the angled sides of section A and the sides of the opening.

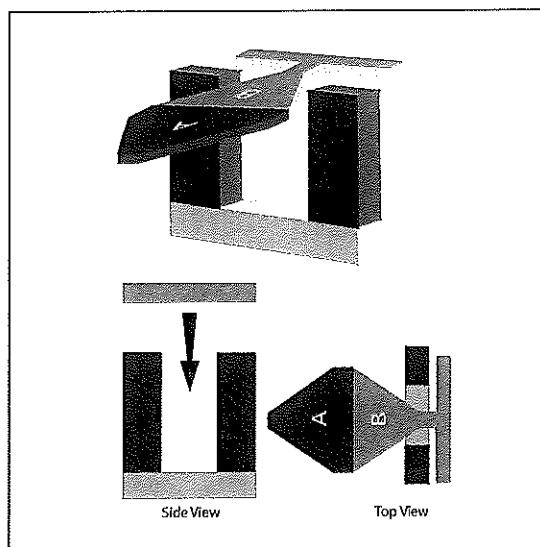
Yes: Note the points on the sides of opening where contact was made and continue

No: Pass. The narrow tip should be resting on the lower boundary of the opening with no contact with the sides of the opening. Stop



Step 7: Remove the template and turn the template so that the face of the template is perpendicular to the opening.

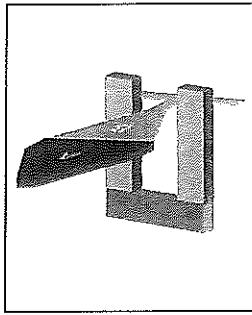
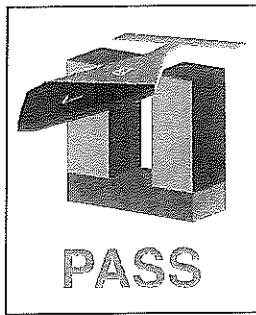
Step 8: Following the plane of the opening, insert the B portion of the template into the opening so that the narrow part of the B portion is between the sides of the opening.



Step 9: Once inserted as far as possible, determine if the B portion is completely past the points where contact was made on the sides of the opening with the A portion.

No: Pass. Stop

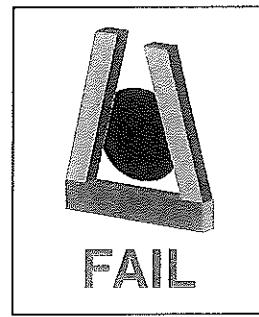
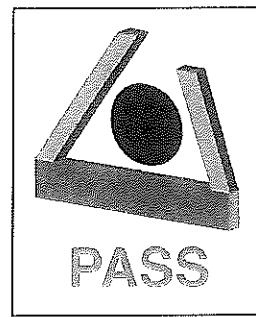
Yes: Toddlers:  
Fail. Stop  
Preschool and  
School-age:  
Continue



Step 11: Determine if the Large Head Template passes freely through the larger opening.

Yes: Pass

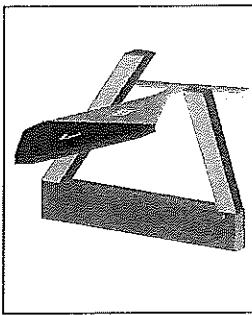
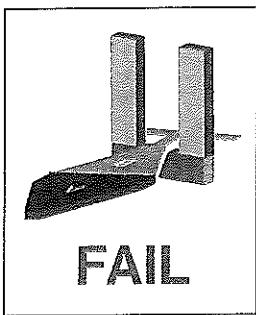
No: Fail



Step 10: Determine if the B portion can reach a point where the opening increases in size.

No: Fail. Stop

Yes: continue



U.S. CONSUMER PRODUCT  
SAFETY COMMISSION

4330 EAST WEST HIGHWAY  
BETHESDA, MD 20814

AN EQUAL OPPORTUNITY EMPLOYER

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

AGENDA ITEM REPORT  
Item 16

Meeting Date: May 13, 2019

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: Staff

Reviewed By:  City Manager

City Secretary

City Attorney

Accountant

Other: Staff

Attachments:

N/A

Agenda Item / Topic:

ITEM 16. **DISCUSSION/ACTION** – Consideration of and action to appoint a City Council Member to serve on the Finance Committee to review and evaluate RFQ responses for audit services.

Discussion / Justification:

The RFQ calls for one Council member to serve on the Finance Committee for the review and evaluation of responses for Audit services.

Recommendation / Staff Comments:

Sample Motion(s):

I move to appoint \_\_\_\_\_ to the Finance Committee to review and evaluate RFQ responses for audit services.

## AGENDA ITEM REPORT

Item 17 – Item(s) pulled from consent agenda

Meeting Date: May 13, 2019

Department: Administration

Discussion Action

Budgeted Expense:  YES  NO  N/A

Submitted by: Staff

Amount: N/A

### Attachments:

1. None

### Agenda Item / Topic:

ITEM 17. *DISCUSSION/ACTION* – Consideration of any item(s) pulled from the Consent Agenda above for individual consideration and action.

### Discussion / Justification:

All consent items are attached for Council consideration. Any items pulled from the Consent agenda will be reviewed under this item.

### Recommendation / Staff Comments:

Staff recommends approval.

### Sample Motion(s):

I move to approve ...

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

To: Mayor Richard Dormier  
 Ovilla City Council  
 John Dean City Manager

Subject: Police Department Monthly Activity Report

Calls For Service	April 2019	April 2019 YTD	April 2018	April 2018 YTD
Accident	4	24	4	21
Alarms	16	59	13	51
Arrest	10	23	4	25
Assault/Assault FV	0	1	0	5
Assists	85	344	68	226
Building / House Security Check	621	2690	690	1946
Burglary	0	0	1	1
Burglary of Motor Vehicle	0	0	0	0
Criminal Mischief	0	2	1	1
Disturbance	17	43	6	28
Neighborhood Check	1249	5096	1326	4369
Other Calls for Service	114	372	41	184
Suspicious Person	7	30	6	33
Suspicious Vehicle	9	56	14	70
Theft	0	2	0	5
Traffic Assignment/School Enforcement	27	82	15	44
<b>TOTAL CALLS FOR SERVICE</b>	<b>2159</b>	<b>8824</b>	<b>2189</b>	<b>7009</b>

Volunteer and Reserve Officer Hours	13	50	50	247.5
Average Response Time (Minutes)	3.43	3.9033333	5.41	5.1275
Total Citations	74	301	105	385
Total Traffic Stops *****	252	1076	236	974
Traffic Stop Disposition Warning *****	183	810	141	610
Traffic Stop Disposition Citation *****	68	257	95	364
<b>PERCENT OF STOPS RECEIVING CITATIONS</b>	<b>27.0</b>	<b>23.9</b>	<b>40.3</b>	<b>37.4</b>

April 2019

	Cornis	Flores	Seif	Geiser	Puente	Kretlow	Joyner	Breedlove	Malke	Ortegon	TOTAL
9-1-1 Hang Up	0	0	0	0	0	0	0	0	0	0	0
Aband. Vehicle	0	0	0	0	0	0	0	0	0	0	0
Accidents	0	0	0	2	0	0	0	1	1	0	4
Alarms	0	3	0	1	4	0	1	2	2	3	16
Animal Complaints	0	0	0	2	4	0	0	2	2	2	12
Arrests	0	1	0	6	0	0	1	0	1	1	10
Assaults	0	0	0	0	0	0	0	0	0	0	0
Assist Agency/Unit	0	26	0	13	2	0	11	17	16	0	85
Assist EMS / Fire	0	0	0	0	0	0	0	0	0	5	5
Assist Motorist	0	0	0	0	0	0	0	0	0	0	0
Bldg / House Check	0	69	0	74	77	0	183	18	131	69	621
Burglary	0	0	0	0	0	0	0	0	0	0	0
Burglary Motor Veh	0	0	0	0	0	0	0	0	0	0	0
Criminal Mischief	0	0	0	0	0	0	0	0	0	0	0
DWI	0	0	0	0	0	0	0	0	0	0	0
Deceased Person	0	0	0	0	0	0	0	0	0	0	0
Disturbance	0	0	0	4	8	0	1	1	3	0	17
Family Violence	0	0	0	0	0	0	0	0	0	0	0
Found Property	0	0	0	0	0	0	0	0	0	0	0
Intox Person	0	0	0	0	0	0	0	0	0	1	1
Missing Person	0	0	0	0	0	0	0	0	0	0	0
Neighborhood Check	0	108	0	97	319	0	181	82	162	300	1249
Open Door / Window	0	1	0	0	0	0	0	0	0	0	1
OTHER Calls	0	12	2	17	15	37	0	12	15	4	114
Parking Violation	0	0	0	0	0	0	0	0	0	1	1
Pursuit / Chase	0	0	0	0	0	0	0	0	0	0	0
Rdwy Blocked	0	0	0	0	0	0	0	0	0	4	4
Reckless Driver	0	0	0	1	1	0	0	3	0	0	5
Robbery	0	0	0	0	0	0	0	0	0	0	0
Runaway	0	0	0	0	0	0	0	0	0	0	0
Suspicious Person	0	0	2	1	1	0	1	0	2	0	7
Suspicious Vehicle	0	1	0	1	2	1	1	1	2	0	9
Theft	0	0	0	0	0	0	0	0	0	0	0
Traffic School En.	0	0	0	0	24	0	0	1	2	0	27
Welfare Concern	0	2	0	7	1	0	4	1	7	0	22
<b>TOTAL</b>	<b>0</b>	<b>223</b>	<b>4</b>	<b>226</b>	<b>458</b>	<b>38</b>	<b>384</b>	<b>141</b>	<b>346</b>	<b>390</b>	<b>2210</b>

TOTAL CITATIONS	0	3	41	1	0	0	14	1	4	10	74
TOTAL TRAFFIC STOPS	0	36	45	36	29	0	45	14	29	18	252
DISPOSITION WARNING	0	32	9	35	29	0	31	13	25	9	183
DISPOSITION CITATION	0	3	36	1	0	0	14	1	4	9	68
Reports	0	0	0	9	0	42	2	1	1	2	57
<b>TOTAL</b>	<b>0</b>	<b>39</b>	<b>86</b>	<b>46</b>	<b>29</b>	<b>42</b>	<b>61</b>	<b>16</b>	<b>34</b>	<b>30</b>	<b>383</b>

April 2019	TO	May 2019	MILEAGE	MAINTENANCE PERFORMED
Police Unit #	Begin	End	Accrued	
103	146070	146504	434	
105	111762	112102	340	
116	82633	85000	2367	New Battery, under warranty
117	66923	68800	1877	Converted spot light to LED
118	32422	34282	1860	2 New Rear Tires
216	20693	21583	890	
119	1700	3827	2127	
Vehicles	Begin	End	Accrued	
2017 F250 4x4	12534	13122	588	
2015 2500 HD Silverado	40257	40763	506	
2011 3500HD Silverado	54335	54920	585	
2008 2500HD Animal Control	84029	84545	516	
2019 f250 Animal Control	3501	4114	613	
2008 1500 Silverado	113317	113675	358	
2006 1500 Silverado	120375	120375	0	
2001 C6500 Dump Truck	187672	188278	606	
1999 International Patch Trk	312096	312127	31	
1998 Ford Dump Truck	54496	54592	96	
HOURS	HOURS	HOURS		
New Holland Skid LS60	1257.7	1279.7	22	
1999 Kubota Tractor	978.2	982.5	4.3	
1992 Ford Tractor	1088.5	1088.5	0	
Sweeper	619.9	619.9	0	
310K John Deere Backhoe	1807.5	1869.4	61.9	
Stone Packer 3100	4507.5	4507.5	0	

Ingersoll Mobil Air Compress	1320.8	1320.8	0	
Green Golf Cart	763.1	763.1	0	
Jet Machine	499.2	500	0.8	
Vac Machine 2017	101	104.2	3.2	
Boomag 900-50 packer	190.8	190.8	0	
2016 Exmark	272.9	285.2	12.3	
2013 Exmark	384.2	394.2	10	
2004 Exmark	1044.6	1046	1.4	
JCB Backhoe	59.4	64.4	5	

# Ovilla Fire Department

## April Monthly Report



**Fire Chief Brandon Kennedy**

105 S. Cockrell Hill Road  
Ovilla Texas, 75154  
[cityofovilla.org](http://cityofovilla.org)

## Mission Statement

The mission of the Ovilla Fire Department is to provide services designed to protect citizens and property of the City of Ovilla and outlying areas. All persons and or departments requesting assistance from the Ovilla Fire Department because of the adverse effects of fire, medical emergencies, or hazardous conditions created by man or nature will be dealt with in a professional manner, consistent with the economic capability of the community.

## Summary of Staffing for the Department

- Currently the Department has 2 Firefighter EMT-Basic position open
- Currently the Department has 2 Volunteer Firefighter Positions open. This is due to the volunteers getting hired on at full time departments. We are currently looking for more volunteers.
- Current Staffing
  - 2 Chiefs
  - 5 Captains
  - 23 Firefighter Paramedics
  - 6 Firefighter EMT-Basics
  - 10 Volunteer Firefighters
  - Total Staffing of 47 out of 50 positions
- Of the Volunteers on staff,
  - 3 of them are Dual Certified, meaning they have their Fire Certs and EMT Basic
  - 0 have just their Fire Certs
  - 3 have just their EMT- Basic
  - 4 Volunteer does not have any Certification at this time.

## Grants Report

- Have turned in four Texas Forestry Service Grants, waiting for notification of award
- *Received \$ 5,072.16 from the Texas Forestry Service for insurance reimbursement*
- *\$7700 received for workers comp and VFIS*
  - Have applied for a bunker gear grant that we are still waiting to hear if awarded
  - Have applied for a Brush Truck Chassis grant that we are still waiting to hear if awarded
  - Have applied for a Brush Truck grant that we are still waiting to hear if awarded
  - SAFER Grant has been turned in, 6 – 9-month notification time frame

## Summary of Events for the Department

- April was slightly a busy month with 80 calls through dispatch and several public service calls that were not dispatched. These come from a resident calling the station phone and need assistance with smoke detector batteries. We are trying to reach out to the residents to let them know we can assist them with smoke detector batteries and installation. We will not purchase them but as long as they purchase the detector and or batteries, we will be happy to assist them.
- Siren Testing complete and all working properly.
- Training with the Volunteers on their regular scheduled nights, on Ladder Operations and SCBA's.
- "Donnie G. Pickard Fire Station", all repairs have been made and the letters are back in place.

## Summary of Staffing for the Month

- 7 days a week we have 3 - 24-hour part time positions (0800 – 0800)
- These positions were 100% filled this month
- 7 nights a week we have 1 – 12-hour shift that is covered by volunteers (2000 – 0800)
- Saturday and Sunday (0800 – 2000)
- 8 / 8 weekend day shifts were covered by a Volunteer
- 38 / 38 Volunteer shifts were covered, and these 38 shifts had 4 personnel on the Engine

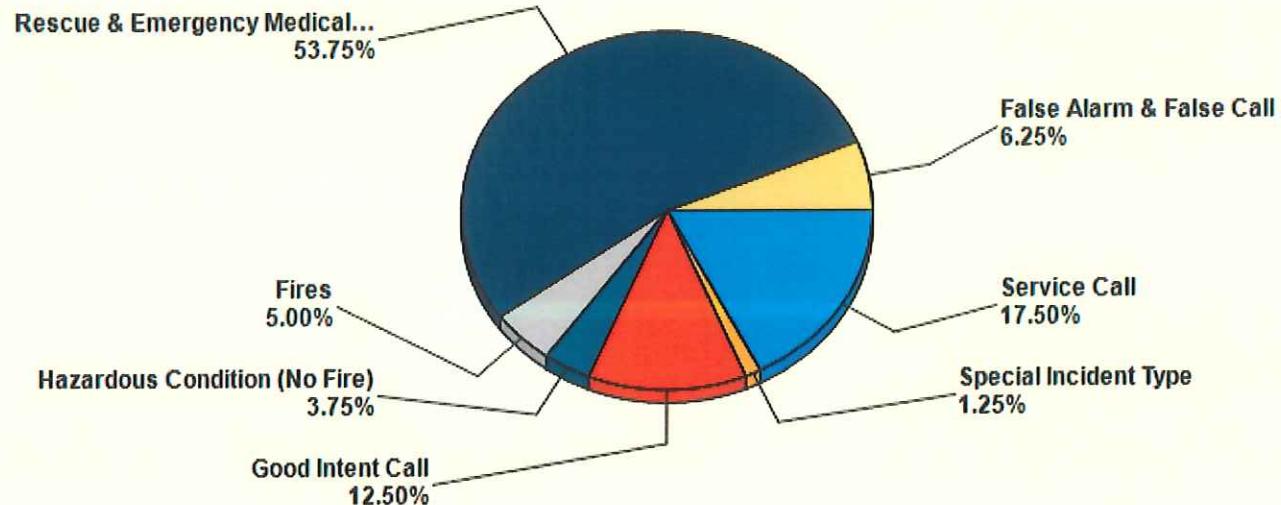
## Summary of Activity from Deputy Chief / Fire Marshal's Office

- Consults
- 3 Inspection
- Respond to incidents as available
- 4 Meetings
- Back-Up for Ovilla PD
- QCI reports
- Training with Volunteers

## Monthly Call Summary

INCIDENT COUNT		
INCIDENT TYPE	# INCIDENTS	
EMS	43	
FIRE	37	
<b>TOTAL</b>	<b>80</b>	
CO CHECKS		
736 - CO detector activation due to malfunction	1	
<b>TOTAL</b>	<b>1</b>	
MUTUAL AID		
Aid Type	Total	
Aid Given	10	
Aid Received	1	
OVERLAPPING CALLS		
# OVERLAPPING	% OVERLAPPING	
10	12.5	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)		
Station	EMS	FIRE
Station 701	0:08:23	0:06:02
<b>AVERAGE FOR ALL CALLS</b>		<b>0:07:48</b>
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)		
Station	EMS	FIRE
Station 701	0:02:09	0:01:33
<b>AVERAGE FOR ALL CALLS</b>		<b>0:02:00</b>

## Breakdown by Major Incident Type



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	4	5.00%
Rescue & Emergency Medical Service	43	53.75%
Hazardous Condition (No Fire)	3	3.75%
Service Call	14	17.50%
Good Intent Call	10	12.50%
False Alarm & False Call	5	6.25%
Special Incident Type	1	1.25%
<b>TOTAL</b>	<b>80</b>	<b>100.00%</b>

Average 4 fires per week

Average 2.66 calls per day

Average 20 calls per week

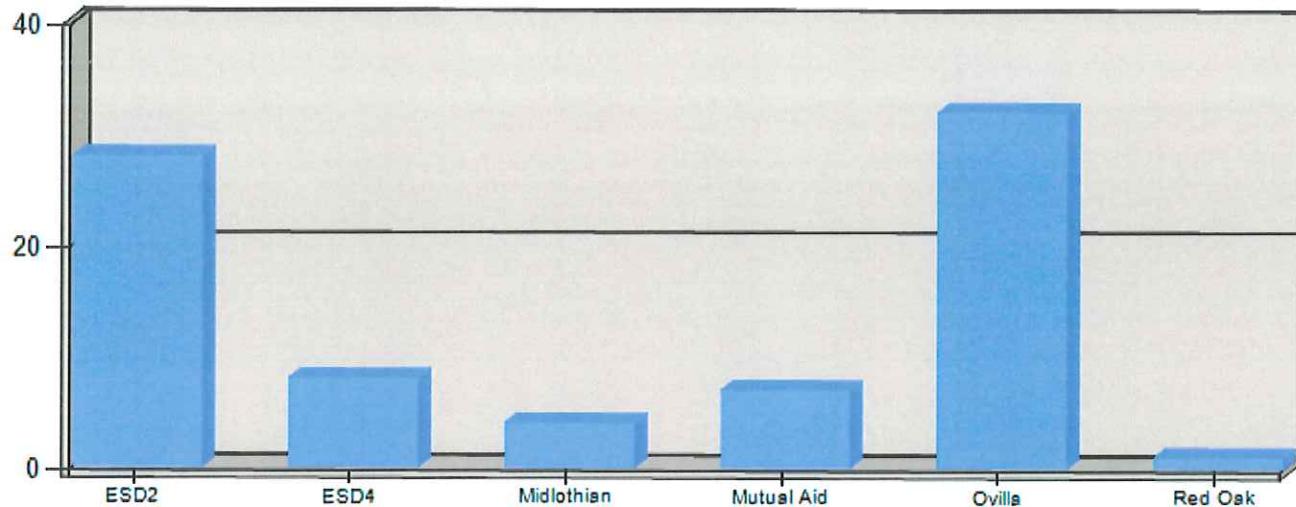
C701 Responses | 20

C702 Responses | 5

Number of Overlapping Calls | **10**

**Total Ovilla Fire Department Runs | 80**

## Breakdown by Districts



District	2019	2018
ESD2 - ESD #2	28	20
ESD4 - ESD #4	8	7
Midlothian - Midlothian City Limits	4	6
Mutual Aid - Mutual Aid	7	3
Ovilla - City Limits	32	36
Red Oak - Red Oak City Limits	1	5
<b>TOTAL:</b>	<b>80</b>	<b>77</b>

*Districts are broken down by Cities or Areas we respond to.*

*Midlothian and Red Oak are what is called Automatic Aid due to being on the same dispatch system, and we are paged at the exact same time for an emergency that requires additional units to respond.*

*Mutual Aid is calculated by the cities that must call our dispatch center to request our help on incidents that occur in their cities. Examples are Glenn Heights, Desoto, Duncanville, Cedar Hill, Lancaster, Waxahachie, Ferris, and Wilmer.*

## Breakdown of Average Response Times by District for the Last Two Months

District	April - 2019	March - 2019
Mutual Aid - Mutual Aid	15.15	22.79
Midlothian - Midlothian City Limits	13.49	9.46
ESD2 - ESD #2	8.34	7.25
ESD4 - ESD #4	7.25	9.06
Ovilla - City Limits	6.31	5.22
Red Oak - Red Oak City Limits	5.09	N/A
Average Response Time	9.27	10.76

*Response times are figured by Time of Dispatch to Arrival at scene time. Overall the goal is that in our "First-In Districts", City Limits, ESD #2, and ESD #4, we are there in under 8 minutes.*

## Average Turn Out Time Dispatch to En-Route by Apparatus

APPARATUS	April - 2019	March - 2019
AIDAU	1:00	N/A
B701	2:02	1:19
C701	1:32	0:45
C702	2:02	1:28
E701	1:35	1:49
R755	1:25	2:33
<b>AVERAGE TURNOUT TIME:</b>	<b>1:36</b>	<b>2:05</b>

Turn out times are figured from time of dispatch to the time the Apparatus checks En-Route, and the goal with this time is to have a turn out time of 1:30 over 90% of our calls.

## Incident Count Per Apparatus

APPARATUS	# of INCIDENTS
AIDAU	1
B701	1
C701	20
C702	5
E701	67
R755	2

This is showing how many runs were made by apparatus. AIDAU is number of runs made by an Automatic Aid Unit due to our unit being on another call.

## Fleet Report

Apparatus	Beginning Mileage	Ending Mileage	Mileage for the Month	Maintenance Expenditures
B701	57,648	57,756	108	\$ 1,530.38
B702	3,894	3,920	26	\$ 36.85
C701	22,872	23,325	453	\$ 105.00
C702	100,477	100,900	423	\$ -
E701	14,245	14,763	518	\$ 496.13
E702	28,185	28,229	44	\$ 65.46
E703	14,284	14,355	71	\$ 103.60
R755	18,944	18,998	54	\$ 62.54
Station Supplies (Small Equipment Fuel, Propane, Other)				\$ 243.97
Totals for the Month			1,697	\$ 2,643.93





Date: May 8, 2019

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

**FROM:** Brad Piland Public Works Director

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

---

**18 Work Orders completed for April**

**Sewer Lift Station Repairs-**

- Daily readings and maintenance at Highland Meadows Lift Station
- No repairs needed at Cumberland Lift station
- Daily readings and maintenance Heritage lift station

- Read water meters, serviced disconnects and reconnects
- Prep for Movie in the Park
- Replaced meters
  - 800 East Main,
- Street Repairs: Driveway and drainage repairs Westlawn, Greenwood, Willowwood.
- Updated marquee as needed
- Daily water maintenance residual and pressure tests
- Mark and locate water lines Ovilla Rd and Westmoreland weekly for FM 664 project.
- Tree and grass maintenance:
  - Heritage Park
  - Cindy Jones Park, Ashburn Glen, Silver Spur Park,
  - Mow right of ways
  - Mow and remove trees from Hosford House in preparation for FD training.
- Repaired water leaks
  - Westmoreland and Ovilla Rd relocate 8-inch water line
  - 200 blk Lariat, Johnson Ln, 900 blk Cockrell Hill Rd

**\*\*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**

## APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

### Surfacing (§2.4)

Adequate protective surfacing under and around the equipment.  
 Install/replace surfacing

Surfacing materials have not deteriorated.  
 Replace surfacing  
 Other maintenance: \_\_\_\_\_

Loose-fill surfacing materials have no foreign objects or debris.  
 Remove trash and debris

Loose-fill surfacing materials are not compacted.  
 Rake and fluff surfacing

Loose-fill surfacing materials have not been displaced under heavy use areas such as under swings or at slide exits.  
 Rake and fluff surfacing

### Drainage (§2.4)

The entire play area has satisfactory drainage, especially in heavy use areas such as under swings and at slide exits.  
 Improve drainage  
 Other maintenance: \_\_\_\_\_

### General Hazards

There are no sharp points, corners or edges on the equipment (§3.4).

There are no missing or damaged protective caps or plugs (§3.4).

There are no hazardous protrusions (§3.2 and Appendix B).

There are no potential clothing entanglement hazards, such as open S-hooks or protruding bolts (§2.5.2, §3.2, §5.3.8.1 and Appendix B).

There are no crush and shearing points on exposed moving parts (§3.1).

There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

### NOTES:

DATE OF INSPECTION:

4-30-19

### Security of Hardware (§2.5)

There are no loose fastening devices or worn connections.  
 Replace fasteners  
 Other maintenance: \_\_\_\_\_

Moving parts, such as swing hangers, merry-go-round bearings, and track rides, are not worn.  
 Replace part  
 Other maintenance: \_\_\_\_\_

### Durability of Equipment (§2.5)

There are no rust, rot, cracks, or splinters on any equipment (check carefully where it comes in contact with the ground).

There are no broken or missing components on the equipment (e.g., handrails, guardrails, protective barriers, steps, or rungs).

There are no damaged fences, benches, or signs on the playground.

All equipment is securely anchored.

### Leaded Paint (§2.5.4)

Paint (especially lead paint) is not peeling, cracking, chipping, or chalking.

There are no areas of visible leaded paint chips or accumulation of lead dust.  
 Mitigate lead paint hazards

### General Upkeep of Playgrounds (§4)

There are no user modifications to the equipment, such as strings and ropes tied to equipment, swings looped over top rails, etc.  
 Remove string or rope  
 Correct other modification

The entire playground is free from debris or litter such as tree branches, soda cans, bottles, glass, etc.  
 Clean playground

There are no missing trash receptacles.  
 Replace trash receptacle

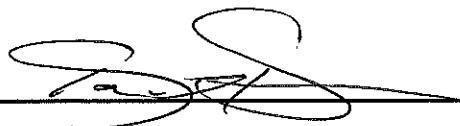
Trash receptacles are not full.  
 Empty trash

INSPECTION BY:

Daniel. D

## Routine Inspection and Maintenance Issues

- No  Broken equipment such as loose bolts, missing end caps, cracks, etc.
- No  Broken glass & other trash
- No  Cracks in plastics
- No  Loose anchoring
- No  Hazardous or dangerous debris
- No  Insect damage
- No  Problems with surfacing
- No  Displaced loose-fill surfacing (see Section 4.3)
- No  Holes, flakes, and/or buckling of unitary surfacing
- No  User modifications (such as ropes tied to parts or equipment rearranged)
- No  Vandalism
- No  Worn, loose, damaged, or missing parts
- No  Wood splitting
- No  Rusted or corroded metals
- No  Rot



4-30-19

## APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

### Surfacing (§2.4)

- Adequate protective surfacing under and around the equipment.
  - Install/replace surfacing
- Surfacing materials have not deteriorated.
  - Replace surfacing
  - Other maintenance: \_\_\_\_\_
- Loose-fill surfacing materials have no foreign objects or debris.
  - Remove trash and debris
- Loose-fill surfacing materials are not compacted.
  - Rake and fluff surfacing
- Loose-fill surfacing materials have not been displaced under heavy use areas such as under swings or at slide exits.
  - Rake and fluff surfacing

### Drainage (§2.4)

- The entire play area has satisfactory drainage, especially in heavy use areas such as under swings and at slide exits.
  - Improve drainage
  - Other maintenance: \_\_\_\_\_

### General Hazards

- There are no sharp points, corners or edges on the equipment (§3.4).
- There are no missing or damaged protective caps or plugs (§3.4).
- There are no hazardous protrusions (§3.2 and Appendix B).
- There are no potential clothing entanglement hazards, such as open S-hooks or protruding bolts (§2.5.2, §3.2, §5.3.8.1 and Appendix B).
- There are no crush and shearing points on exposed moving parts (§3.1).
- There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

### NOTES:

DATE OF INSPECTION:

4-30-19

### Security of Hardware (§2.5)

- There are no loose fastening devices or worn connections.
  - Replace fasteners
  - Other maintenance: \_\_\_\_\_
- Moving parts, such as swing hangers, merry-go-round bearings, and track rides, are not worn.
  - Replace part
  - Other maintenance: \_\_\_\_\_

### Durability of Equipment (§2.5)

- There are no rust, rot, cracks, or splinters on any equipment (check carefully where it comes in contact with the ground).
- There are no broken or missing components on the equipment (e.g., handrails, guardrails, protective barriers, steps, or rungs).
- There are no damaged fences, benches, or signs on the playground.
- All equipment is securely anchored.

### Leaded Paint (§2.5.4)

- Paint (especially lead paint) is not peeling, cracking, chipping, or chalking.
- There are no areas of visible lead paint chips or accumulation of lead dust.
  - Mitigate lead paint hazards

### General Upkeep of Playgrounds (§4)

- There are no user modifications to the equipment, such as strings and ropes tied to equipment, swings looped over top rails, etc.
  - Remove string or rope
  - Correct other modification
- The entire playground is free from debris or litter such as tree branches, soda cans, bottles, glass, etc.
  - Clean playground
- There are no missing trash receptacles.
  - Replace trash receptacle
- Trash receptacles are not full.
  - Empty trash

INSPECTION BY:

Daniel. D

## Routine Inspection and Maintenance Issues

- Y<sup>0</sup>  Broken equipment such as loose bolts, missing end caps, cracks, etc.
- Y<sup>0</sup>  Broken glass & other trash
- Y<sup>0</sup>  Cracks in plastics
- N<sup>0</sup>  Loose anchoring
- N<sup>0</sup>  Hazardous or dangerous debris
- N<sup>0</sup>  Insect damage
- N<sup>0</sup>  Problems with surfacing
- N<sup>0</sup>  Displaced loose-fill surfacing (see Section 4.3)
- N<sup>0</sup>  Holes, flakes, and/or buckling of unitary surfacing
- N<sup>0</sup>  User modifications (such as ropes tied to parts or equipment rearranged)
- N<sup>0</sup>  Vandalism
- N<sup>0</sup>  Worn, loose, damaged, or missing parts
- N<sup>0</sup>  Wood splitting
- N<sup>0</sup>  Rusted or corroded metals
- N<sup>0</sup>  Rot

4-30-19

## APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

### Surfacing (§2.4)

Adequate protective surfacing under and around the equipment.

Install/replace surfacing

Surfacing materials have not deteriorated.

Replace surfacing

Other maintenance: \_\_\_\_\_

Loose-fill surfacing materials have no foreign objects or debris.

Remove trash and debris

Loose-fill surfacing materials are not compacted.

Rake and fluff surfacing

Loose-fill surfacing materials have not been displaced under heavy use areas such as under swings or at slide exits.

Rake and fluff surfacing

### Drainage (§2.4)

The entire play area has satisfactory drainage, especially in heavy use areas such as under swings and at slide exits.

Improve drainage

Other maintenance: \_\_\_\_\_

### General Hazards

There are no sharp points, corners or edges on the equipment (§3.4).

There are no missing or damaged protective caps or plugs (§3.4).

There are no hazardous protrusions (§3.2 and Appendix B).

There are no potential clothing entanglement hazards, such as open S-hooks or protruding bolts (§2.5.2, §3.2, §5.3.8.1 and Appendix B).

There are no crush and shearing points on exposed moving parts (§3.1).

There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

### NOTES:

DATE OF INSPECTION:

4-30-19

### Security of Hardware (§2.5)

There are no loose fastening devices or worn connections.

Replace fasteners

Other maintenance: \_\_\_\_\_

Moving parts, such as swing hangers, merry-go-round bearings, and track rides, are not worn.

Replace part

Other maintenance: \_\_\_\_\_

### Durability of Equipment (§2.5)

There are no rust, rot, cracks, or splinters on any equipment (check carefully where it comes in contact with the ground).

There are no broken or missing components on the equipment (e.g., handrails, guardrails, protective barriers, steps, or rungs).

There are no damaged fences, benches, or signs on the playground.

All equipment is securely anchored.

### Leaded Paint (§2.5.4)

Paint (especially lead paint) is not peeling, cracking, chipping, or chalking.

There are no areas of visible lead paint chips or accumulation of lead dust.

Mitigate lead paint hazards

### General Upkeep of Playgrounds (§4)

There are no user modifications to the equipment, such as strings and ropes tied to equipment, swings looped over top rails, etc.

Remove string or rope

Correct other modification

The entire playground is free from debris or litter such as tree branches, soda cans, bottles, glass, etc.

Clean playground

There are no missing trash receptacles.

Replace trash receptacle

Trash receptacles are not full.

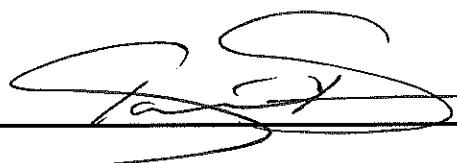
Empty trash

INSPECTION BY:

Daniel. D

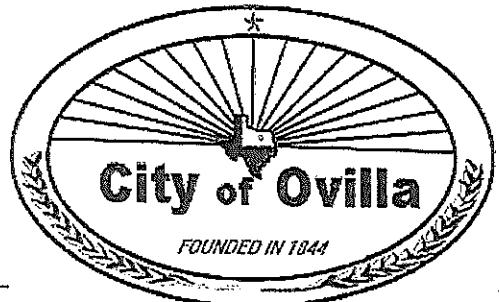
## Routine Inspection and Maintenance Issues

- P0  Broken equipment such as loose bolts, missing end caps, cracks, etc.
- P0  Broken glass & other trash
- N0  Cracks in plastics
- P0  Loose anchoring
- P0  Hazardous or dangerous debris
- N0  Insect damage
- N0  Problems with surfacing
- N0  Displaced loose-fill surfacing (see Section 4.3)
- N0  Holes, flakes, and/or buckling of unitary surfacing
- N0  User modifications (such as ropes tied to parts or equipment rearranged)
- P0  Vandalism
- N0  Worn, loose, damaged, or missing parts
- N0  Wood splitting
- N0  Rusted or corroded metals
- N0  Rot



7-30-19

	Name	Account #	Previous Balance	NEW BALANCE	As Of
<u>Debt Fund</u>		⑨ *0291	46,963.32	46,994.20	5/8/2019
<u>General Fund Reserve</u>		608	56,840.57	57,071.83	5/8/2019
<u>GF Reserve CD</u>		⑨ *0694	250,670.47	250,670.47	5/8/2019
<u>Water Impact</u>		⑨ *2322	483.08	483.08	5/8/2019
<u>4B EDC</u>		⑨ *3691	568,801.41	468,448.72	5/8/2019
<u>Fire Dept. Auxil.</u>		⑨ *3909	3,590.00	3,590.00	5/8/2019
<u>Water Money Market</u>		⑨ *4323	191,099.46	191,256.53	5/8/2019
<u>MDD Fund</u>		⑨ *7451	309,933.94	314,719.30	5/8/2019
<u>Water Credit Card</u>		⑨ *7531	140.44	140.49	5/8/2019
<u>GF Reserves Money Mkt.</u>		⑨ *7583	129,433.18	129,539.56	5/8/2019
<u>GF Money Market</u>		⑨ *7605	232,768.56	232,959.88	5/8/2019
<u>Park Fund Money Mkt.</u>		⑨ *7613	81,695.90	81,756.33	5/8/2019
<u>Capital Projects Money Mkt.</u>		⑨ *7648	131,903.97	132,012.38	5/8/2019
<u>W&amp;S Impact-Sewer</u>		⑨ *8699	117,670.03	117,670.03	5/8/2019
<u>employee benefit trust</u>		⑨ *8777	311.27	371.78	5/8/2019
<u>GF Operating</u>		⑨ *9437	2,278,569.26	2,114,108.34	5/8/2019
<u>W&amp;S Fund Operating</u>		⑨ *9445	1,038,481.71	1,038,823.13	5/8/2019
<u>Police Special Fund</u>		⑨ *9792	215.51	215.51	5/8/2019
<b>SUB TOTAL</b>			<b>5,439,572.08</b>	<b>5,180,831.56</b>	
TexPool - CAPITAL PROJECT	1878		314.44	314.44	5/8/2019
TexStar - GENERAL FUND	1110		3,844.74	3,844.74	5/8/2019
TexStar - GENERAL FUND	1120		958.46	958.46	5/8/2019
TexStar - W&S IMPACT	3540		3,253.22	3,253.22	5/8/2019
TexStar - CAPITAL PROJECT	5340		1,439.85	1,439.85	5/8/2019
TexStar - W&S FUND	5350		1,180.38	1,180.38	5/8/2019
Bryson Manor - GENERAL FUND	8662		299,813.10	299,813.10	5/8/2019
Leose	2510		1.79	1.79	5/8/2019
<b>TOTAL BANK BALANCES</b>			<b>5,750,378.06</b>	<b>5,491,637.54</b>	



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DATE: March 13, 2019

TO: Honorable Mayor and Council Members

FROM:  
Linda Harding, Accountant

SUBJECT: Transactions Over \$5,000 For March 2019

Check Number	Check Date	Vendor	Memo	Amount
048912	3/29/2019	Trinity River Authority of Texas	Sewer	27,877.00
048920	3/29/2019	Gexa Energy LP	Electricity	6,558.62
NA	3/26/2019	Internal Revenue Service	941 deposit-payroll tax	9,392.86
048869	3/22/2019	City of Dallas	Water	19,815.30
048875	3/22/2019	Eikon Consulting Group, LLC	Engineering	8,196.20
1004	3/15/2019	WP Legacy, Ltd	Red Oak Creek Sewer Line	64,232.00
048830	3/7/2019	T. M. R. S.	Retirement	17,507.13
048836	3/7/2019	Community Waste Disposal	Solid Waste	21,953.80
NA	3/5/2019	Internal Revenue Service	941 deposit-payroll tax	8,842.43
048811	3/1/2019	Gexa Energy LP	Electricity	6,529.52



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DATE: May 13, 2019

TO: Honorable Mayor and Council Members

FROM:  
Linda Harding, Accountant

SUBJECT: Financial Statements Through March 2019

**City of Ovilla  
Financial Statement  
As of March 31, 2019**

<b>100 - General Fund</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Taxes	38,887.04	2,044,615.03	2,364,276.00	86.48%	319,660.97
Licenses-Permits-Fees	11,816.89	66,140.43	108,086.00	61.19%	41,945.57
Services	222,191.15	270,582.44	588,496.00	45.98%	317,913.56
Fines & Forfeitures	11,227.37	56,883.59	252,705.00	22.51%	195,821.41
Not Categorized	0.00	1,328.89	0.00	0.00%	(1,328.89)
Other Revenue	9,341.77	97,854.11	158,310.00	61.81%	60,455.89
Transfers	(13,236.03)	1,623.97	491,282.00	0.33%	489,658.03
<b>Revenue Totals</b>	<b>280,228.19</b>	<b>2,539,028.46</b>	<b>3,963,155.00</b>	<b>64.07%</b>	<b>1,424,126.54</b>
<b>Expense Summary</b>					
Employee Benefits	52,029.43	164,267.58	442,858.00	37.09%	278,590.42
Special Expenses	2,651.79	10,680.32	37,800.00	28.25%	27,119.68
Professional Development	996.40	12,477.92	29,760.00	41.93%	17,282.08
Other Expense	3,743.22	20,799.74	58,977.00	35.27%	38,177.26
Personnel	120,084.11	787,271.25	1,522,178.00	51.72%	734,906.75
Not Categorized	0.00	1,150.03	13,128.00	8.76%	11,977.97
Special Services	18,341.31	40,728.33	101,437.00	40.15%	60,708.67
Contractual Services	24,087.77	98,569.08	329,998.00	29.87%	231,428.92
Operating Services	9,864.76	56,119.18	86,918.00	64.57%	30,798.82
Supplies	3,460.91	18,978.48	67,300.00	28.20%	48,321.52
Software & Computer Equipment	1,735.62	45,238.92	57,000.00	79.37%	11,761.08
Printing Expense	(2,044.11)	5,583.69	20,634.00	27.06%	15,050.31
Utilities	29,171.97	193,622.62	341,768.00	56.65%	148,145.38
Repairs - Bldg & Machinery	4,262.57	69,397.38	150,050.00	46.25%	80,652.62
Insurance	0.00	19,583.50	39,591.00	49.46%	20,007.50
Minor Capital Outlay	586.15	20,807.29	62,097.00	33.51%	41,289.71
Capital Outlay	0.00	254,707.93	555,661.00	45.84%	300,953.07
Reserve	0.00	0.00	0.00	0.00%	0.00
Vehicle Expenses	2,039.57	20,049.16	43,000.00	46.63%	22,950.84
Rentals	222.44	1,557.08	3,000.00	51.90%	1,442.92
<b>Expense Totals</b>	<b>271,233.91</b>	<b>1,841,589.48</b>	<b>3,963,155.00</b>	<b>46.47%</b>	<b>2,121,565.52</b>

**City of Ovilla  
Financial Statement  
As of March 31, 2019**

<b>110 - LEOSE</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Transfers	0.00	0.00	1,152.00	0.00%	1,152.00
Revenue Totals	0.00	0.00	1,152.00	0.00%	1,152.00
<b>Expense Summary</b>					
Professional Development	0.00	0.00	1,152.00	0.00%	1,152.00
Expense Totals	0.00	0.00	1,152.00	0.00%	1,152.00

**City of Ovilla  
Financial Statement  
As of March 31, 2019**

<b>120 - Street Improvement Fund</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Taxes	4,979.14	33,301.31	52,739.00	63.14%	19,437.69
Other Revenue	0.00	0.00	100.00	0.00%	100.00
Transfers	0.00	0.00	214,661.00	0.00%	214,661.00
Revenue Totals	<b>4,979.14</b>	<b>33,301.31</b>	<b>267,500.00</b>	<b>12.45%</b>	<b>234,198.69</b>
<b>Expense Summary</b>					
Capital Outlay	0.00	170.00	267,500.00	0.06%	267,330.00
Reserve	0.00	0.00	0.00	0.00%	0.00
Expense Totals	<b>0.00</b>	<b>170.00</b>	<b>267,500.00</b>	<b>0.06%</b>	<b>267,330.00</b>

**City of Ovilla  
Financial Statement  
As of March 31, 2019**

<b>130 - Court Technology</b>	Current Month Actual	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>					
Fines & Forfeitures	(228.65)	927.00	5,424.00	17.09%	4,497.00
Revenue Totals	(228.65)	927.00	5,424.00	17.09%	4,497.00
<b>Expense Summary</b>					
Software & Computer Equipment	0.00	0.00	3,780.00	0.00%	3,780.00
Reserve	0.00	0.00	1,644.00	0.00%	1,644.00
Expense Totals	0.00	0.00	5,424.00	0.00%	5,424.00

**City of Ovilla  
Financial Statement  
As of March 31, 2019**

<b>140 - Court Security</b>	Current Month Actual	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>					
Fines & Forfeitures	1,345.32	2,212.07	4,068.00	54.38%	1,855.93
Revenue Totals	<b>1,345.32</b>	<b>2,212.07</b>	<b>4,068.00</b>	<b>54.38%</b>	<b>1,855.93</b>
<b>Expense Summary</b>					
Other Expense	131.20	3,832.66	964.00	397.58%	(2,868.66)
Reserve	0.00	0.00	3,104.00	0.00%	3,104.00
Expense Totals	<b>131.20</b>	<b>3,832.66</b>	<b>4,068.00</b>	<b>94.21%</b>	<b>235.34</b>

City of Ovilla  
 Financial Statement  
 As of March 31, 2019

200 - Water And Utilities Fund	Current Month Actual	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>					
Services	78,489.74	542,284.36	1,251,519.00	43.33%	709,234.64
Other Revenue	0.00	0.00	67,132.00	0.00%	67,132.00
Not Categorized	0.00	0.00	755,522.00	0.00%	755,522.00
Transfers	17,500.00	20,000.00	37,500.00	53.33%	17,500.00
Revenue Totals	95,989.74	562,284.36	2,111,673.00	26.63%	1,549,388.64
<b>Expense Summary</b>					
Reserve	0.00	0.00	714,201.00	0.00%	714,201.00
Personnel	21,784.05	129,366.45	344,133.00	37.59%	214,766.55
Not Categorized	0.00	0.00	0.00	0.00%	0.00
Employee Benefits	12,112.23	34,429.35	85,249.00	40.39%	50,819.65
Special Services	4,150.00	4,150.00	9,050.00	45.86%	4,900.00
Contractual Services	0.00	2,075.95	10,550.00	19.68%	8,474.05
Supplies	17.64	3,943.85	4,800.00	82.16%	856.15
Professional Development	499.00	574.00	2,200.00	26.09%	1,626.00
Software & Computer Equipment	550.00	8,005.00	22,296.00	35.90%	14,291.00
Printing Expense	3,130.92	3,188.92	5,750.00	55.46%	2,561.08
Utilities	49,931.94	259,770.66	695,628.00	37.34%	435,857.34
Repairs - Bldg & Machinery	3,982.21	38,714.35	46,200.00	83.80%	7,485.65
Other Expense	500.00	3,303.55	6,925.00	47.70%	3,621.45
Capital Outlay	0.00	1,532.57	123,092.00	1.25%	121,559.43
Rentals	0.00	0.00	250.00	0.00%	250.00
Operating Services	135.20	4,044.69	16,218.00	24.94%	12,173.31
Vehicle Expenses	1,258.76	5,065.21	9,200.00	55.06%	4,134.79
Insurance	0.00	3,411.50	7,931.00	43.01%	4,519.50
Minor Capital Outlay	916.81	1,636.87	8,000.00	20.46%	6,363.13
Expense Totals	98,968.76	503,212.92	2,111,673.00	23.83%	1,608,460.08

City of Ovilla

<b>250 - WWW Infrastructure Improvements</b>	Current Month Actual	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>					
Services	5,439.97	32,199.32	68,724.00	46.85%	36,524.68
Revenue Totals	5,439.97	32,199.32	68,724.00	46.85%	36,524.68
<b>Expense Summary</b>					
Reserve	0.00	0.00	68,724.00	0.00%	68,724.00
Expense Totals	0.00	0.00	68,724.00	0.00%	68,724.00

**City of Ovilla  
Financial Statement  
As of March 31, 2019**

<b>300 - Capital Projects Fund</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Other Revenue	0.00	0.00	270.00	0.00%	270.00
Revenue Totals	0.00	0.00	270.00	0.00%	270.00
<b>Expense Summary</b>					
Reserve	0.00	0.00	270.00	0.00%	270.00
Capital Outlay	0.00	2,440.00	0.00	0.00%	(2,440.00)
Expense Totals	0.00	2,440.00	270.00	903.70%	(2,170.00)

# City of Ovilla

400 - Debt Service Fund	Current Month Actual	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>					
Taxes	3,263.17	448,886.82	463,910.00	96.76%	15,023.18
Other Revenue	0.00	0.00	550.00	0.00%	550.00
Transfers	0.00	0.00	110,490.00	0.00%	110,490.00
Revenue Totals	<u>3,263.17</u>	<u>448,886.82</u>	<u>574,950.00</u>	<u>78.07%</u>	<u>126,063.18</u>
<b>Expense Summary</b>					
Long Term Debt	0.00	87,225.00	574,950.00	15.17%	487,725.00
Expense Totals	<u>0.00</u>	<u>87,225.00</u>	<u>574,950.00</u>	<u>15.17%</u>	<u>487,725.00</u>

**City of Ovilla  
Financial Statement  
As of March 31, 2019**

<b>500 - Municipal Development District Fund</b>	<b>Current Month Actual</b>	<b>YTD Actual</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Budget Remaining</b>
<b>Revenue Summary</b>					
Taxes	4,999.00	39,820.13	50,500.00	78.85%	10,679.87
Other Revenue	0.00	0.00	600.00	0.00%	600.00
Revenue Totals	<b>4,999.00</b>	<b>39,820.13</b>	<b>51,100.00</b>	<b>77.93%</b>	<b>11,279.87</b>
<b>Expense Summary</b>					
Special Services	0.00	0.00	1,600.00	0.00%	1,600.00
Supplies	83.00	83.00	100.00	83.00%	17.00
Insurance	0.00	0.00	272.00	0.00%	272.00
Reserve	0.00	0.00	48,628.00	0.00%	48,628.00
Expense Totals	<b>83.00</b>	<b>83.00</b>	<b>50,600.00</b>	<b>0.16%</b>	<b>50,517.00</b>

# City of Ovilla

600 - 4B Economic Development Fund	Current Month Actual	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>					
Taxes	9,958.29	81,328.16	106,000.00	76.72%	24,671.84
Other Revenue	0.00	0.00	2,100.00	0.00%	2,100.00
Transfers	0.00	0.00	244,324.00	0.00%	244,324.00
Revenue Totals	<b>9,958.29</b>	<b>81,328.16</b>	<b>352,424.00</b>	<b>23.08%</b>	<b>271,095.84</b>
<b>Expense Summary</b>					
Other Expense	0.00	0.00	25,100.00	0.00%	25,100.00
Reserve	64,232.00	64,232.00	79,232.00	81.07%	15,000.00
Special Services	0.00	0.00	500.00	0.00%	500.00
Supplies	0.00	0.00	100.00	0.00%	100.00
Professional Development	100.00	633.00	2,800.00	22.61%	2,167.00
Not Categorized	0.00	0.00	0.00	0.00%	0.00
Printing Expense	83.00	83.00	300.00	27.67%	217.00
Insurance	0.00	0.00	272.00	0.00%	272.00
Capital Outlay	450.00	450.00	150,000.00	0.30%	149,550.00
Expense Totals	<b>64,865.00</b>	<b>65,398.00</b>	<b>258,304.00</b>	<b>25.32%</b>	<b>192,906.00</b>

**City of Ovilla  
Financial Statement  
As of March 31, 2019**

<b>700 – Park Impact Fund</b>	Current Month Actual	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>					
Services	669.04	5,352.32	8,613.00	62.14%	3,260.68
Other Revenue	0.00	0.00	180.00	0.00%	180.00
Revenue Totals	669.04	5,352.32	8,793.00	60.87%	3,440.68
<b>Expense Summary</b>					
Reserve	0.00	0.00	6,618.00	0.00%	6,618.00
Minor Capital Outlay	0.00	0.00	500.00	0.00%	500.00
Capital Outlay	0.00	0.00	1,675.00	0.00%	1,675.00
Expense Totals	0.00	0.00	8,793.00	0.00%	8,793.00

**City of Ovilla  
Financial Statement  
As of March 31, 2019**

<b>800 - Water And Utilities Impact Fee Fund</b>	Current Month Actual	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>					
Services	4,380.44	34,960.27	54,756.00	63.85%	19,795.73
Revenue Totals	4,380.44	34,960.27	54,756.00	63.85%	19,795.73
<b>Expense Summary</b>					
Reserve	0.00	0.00	54,756.00	0.00%	54,756.00
Expense Totals	0.00	0.00	54,756.00	0.00%	54,756.00

## Ovilla Municipal Court Report

FY-2018- 2019	City											
	Total Traffic Cases Filed	Ordinance Filed	Total Revenue	Amount Kept by City	Amount sent to State	Warrants Issued	Warrants Cleared	Uncontested Disposition	Defensive Driving	Deferred Disposition	Compliance Dismissals	Trial
October	72	3	\$17,292.87	\$11,166.04	\$6,126.83	27	14	29	25	36	3	0
November	103	0	\$13,685.20	\$8,633.25	\$5,051.95	29	4	27	14	43	1	0
December	88	6	\$17,303.50	\$10,482.81	\$6,820.69	18	10	37	24	11	4	0
January	84	0	\$13,301.60	\$8,003.11	\$5,298.49	22	16	23	25	36	4	0
February	66	0	\$17,423.00	\$10,777.36	\$6,645.64	18	15	34	13	31	1	0
March	83	2	\$19,666.96	\$13,787.61	\$5,879.35	71	11	41	21	31	1	0
April	80	0	\$18,574.30	\$12,336.01	\$6,238.29	22	25	40	16	26	3	0
May												
June												
July												
August												
September												
Totals	576	11	\$117,247.43	\$75,186.19	\$42,061.24	207	95	231	138	214	17	0

### 2017-2018 FY

April	121	0	\$19,184.03	\$12,438.50	\$6,745.53	0
FY Totals	580	7	\$137,173.84	\$83,114.07	\$54,059.77	126

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

To: Mayor Richard Dormier  
 Ovilla City Council  
 City Manager John Dean

Subject: **Code Enforcement Monthly Report**

Calls For Service	Apr. 2019	Apr.2019 YTD	Apr.2018	
Complaint (Nuis 38,Permit 10,Parking 16)	64	192	58	
Follow up (Nuis 44 Permit 10 Park 13)	67	205	59	
Door Notice (Nui -20, Permit-6, Parking 5)	31	89	30	
Mail Notice ( Parking 7 nuisance 6 perm 1 )	13	29	12	
Posted Property (nuisance 18 )	28	35	23	
Court 3 Fta - JV, Nuisance, parking	\$0	\$936	\$642.00	
Citizen Contacts	57	206	62	
Permits Reviewed	20	77	15	
Permits Issued	15	61	11	
Inspections	24	106	22	
Nuisance Abated by City 2 Illegal Dumping	2	10	0	
Nuisance Signs (Garage sale-16 business 18)	34	146	46	
Board of Adjustment	0	1	2	

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

To: Mayor Richard Dormier  
 Ovilla City Council  
 City Manager Mr. John Dean

Subject: **Animal Control Monthly Report**

Calls For Service	Apr.2019	Apr.2019 YTD	Apr.2018
Complaint (Regist-23 At Large 13 Bark 3)	39	146	42
Folow up	44	157	45
Door Notice (Regis-20, at large1 )	21	90	28
Impounded Animal (Dog 8,cat 1)	9	31	11
Animal welfare check	8	58	13
Impound Results (Transport 1 Ret to own 5)	6	38	11
Impound fee collected	\$175.00	\$705.00	160
Court	\$0.00	\$0.00	127
Citizen Contacts	38	100	38
Animal registration \$120	10	41	30
Registration Letter Mailed	23	75	26
Nuisance letter -1 barking 3 At large	3	8	4
Animals released 2 possum,1 snake. 1 skunk	4	14	2
Deceased removed	22	78	23
Oak Leaf - 1 call ( 1 dog)	1	9	4
Traps Checked Out	5	15	6



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To: Mayor and City Council Members  
From: John R. Dean, City Manager  
Date: 05/3/2019

Re: City Manager's Monthly Report (April)

Hidden Valley Estates:

- The city contracted Raven coating installation on the new manholes was completed in April.

New Development:

- Bryson Manor Phase III plans reviewed and received comment from the City Engineer in April.

Fire Department:

- Pickard signage replaced on the fire building.

Public Works:

- Worked on drainage at Westlawn and Willowwood area.
- Addressed potholes and bad spots.
- Held Movie in the Park

Bridges: City Engineers have met with and are coordinating with the County Engineers to ensure the project is cohesive for both entities. Plans are 90% complete.

Project Progress:

City Facilities connected to sewer:

- The City Engineer has prepared an estimate of cost. We presented the cost estimate to the EDC to as a project. The EDC held a public hearing on the project. The EDC committed to fund up to \$150,000 for the project. The City Council conducted two readings of a resolution and approved the project. EDC approved amending the budget in April and it will be presented for Council consideration in May.
- I notified the City Engineers that they can proceed with the design project.

Pavilion: Parks Board presented a design that was approved by Council. The rendering has been submitted to the City engineer. The cost estimate for this project is approximately \$350,000.

FY 2019 Street Improvements:

- Westlawn Drive – Asphalt complete
- Holly Lane - prep work complete
- Slippery Elm Drive – Asphalt complete
- Green Wood Drive – Asphalting in progress
- Willow Wood Lane – Asphalting complete
- Dusty Oaks Trail – prep work complete
- The estimate from the County for these improvements was approved by Council in February.

Ticket Writers: We have obtained three quotes for Council consideration.

Administrative:

- Continued with the implementation of FAST software.
- Met with CWD representative regarding Annual clean-up event.
- Customer service training conducted on April 26th.
- Scheduled TxDOT representatives to made a presentation at the April Council meeting regarding the next phase of FM 664 improvements in Ovilla.
- Met with several residents and addressed various concerns.
- Inspected drainage during periods of rain during the week.
- Attended Cassaro Winery grand opening.
- Worked on FY 2020 budget.
- Received training on FAST budget module.
- Prepared and published the RFQ for audit services.
- Completed contract for real property purchase.
- Worked on a worksheet for information on all city streets.
- Removed all swings from composite park apparatus' to be compliant with guidelines adopted in 2016.
- Attended a meeting the Mayor and representatives from Representative Carl Sherman's Office.
- Attended NTCMA meeting.
- Quarterly News letters were mailed.
- Post Card Mailers prepared and sent to solicit volunteers for boards and committees.

Upcoming Items

- City Council Meeting – Monday, May 13th, 2019 at 6:30 pm
- City Council Budget Workshop – Thursday, May 16th, 2019 at 5:30 pm
- City Council Meeting – Monday, May 20th, 2019 at 5:30 pm

City Manager on Vacation in Colorado - May 31<sup>st</sup>, 2019- June 7<sup>th</sup>, 2019

Respectfully Submitted,  
John R. Dean, Jr.  
City Manager

Project Staff	Task/Project description
CM	Obtain City Hall sewer easement
CM	Address Terry Morgan memo regarding Code Conflicts and recommended changes
CM/City Council	Complete Strategic Guide
Daniel Durham	Obtain Certified Playground Safety Inspector certification
City Engineer	Complete design of Water Street repairs
City Engineer	Complete design of Cockrell Hill sanitary sewer
Public Works Director	Develop & Implement drainage maintenance program
Public Works Director	Develop & Implement Street maintenance program
CM & CA	Update Park impact fee study
CM	Coordinate applications for possible park and trail grants

Project Start Date	% complete	Target Completion Date
NA	80	May 17, 2019
6/17/2019	0	August 31, 2019
	40	
	60	June 30, 2019
	90	June 3, 2019
	10	June 3, 2019
	0	September 30, 2019
	0	September 30, 2019
	50	July 31, 2019
	10	September 30, 2019

Future Action Required	
Signed & Filed	
Changes Codified	
Bid project	
Bid project	
Fund Match	Submit
Applications	

Building Activity Report:

**Building permits issued in FY 2019: Total Homes = 19**

- October - New home construction: 2 / Other: 16
- November - New home construction: 1 / Other: 14
- December - New home construction: 2 / Other: 17
- January - New home construction: 4 / Other: 21
- February - New home construction: 6 / other: 26
- March - New home construction: 2 / Other: 27
- April - New home construction: 2 / Other: 25

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