

**FARMERSVILLE CITY COUNCIL
REGULAR SESSION AGENDA
August 27, 2013, 6:00 P.M.
Council Chambers, City Hall
205 S. Main Street**

I. PRELIMINARY MATTERS

- Call to Order, Roll Call, Prayer and Pledge of Allegiance
- Welcome guests and visitors: Anyone wanting to speak on any items that are not the subject of a Public Hearing on this agenda is asked to speak at this time, with an individual time limit of 3 minutes. This forum is limited to a total of 30 minutes. Please note that the City Council cannot comment or take any action on this item.
 - Proclamation declaring September 8, 2013 as Public Safety Sunday

II. PUBLIC HEARINGS

- A. First Public Hearing to receive public comment on the Proposed 2013 Property Tax Rate for the City of Farmersville
- B. First Public Hearing to consider, discuss and act upon updating and amending the City's Land Use Assumptions, Capital Improvement Plan, and Impact Fees

III. READING OF ORDINANCES

- A. First Reading – Consider, discuss and act upon an ordinance to update and amend the City's Land Use Assumptions, Capital Improvement Plan, and Impact Fees
- B. Second Reading – Consider, discuss and act upon an ordinance amending Chapter 77, "Zoning," of the Code of Ordinances of the City of Farmersville, Article III "New Types of Land Use; Districts", Section 77-138, "Specific Use Permits"

IV. REGULAR AGENDA

- A. Consider, discuss and act upon the City Financial Reports
- B. Update and discussion regarding the electrical system
- C. Consider, discuss and act upon accepting Phil Weiss' resignation from the Farmersville Community Development Corporation
- D. Consider, discuss and act upon appointing a replacement to the Farmersville Community Development Corporation
- E. Consider, discuss and act upon appointing two members to the Senior Citizens Advisory Committee
- F. Consider, discuss and act upon revising the noise ordinance regarding construction noise

V. EXECUTIVE SESSION

- A. Section 551.071, **CONSULTATION WITH CITY ATTORNEY**, and Section 551.086, **COMPETITIVE MATTERS OF A PUBLIC POWER UTILITY**

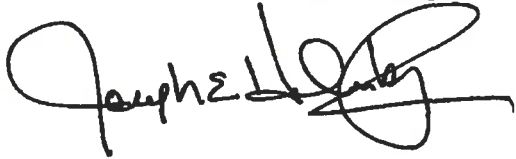
1. Consultation with City Attorney regarding and consideration, discussion and possible action regarding competitive matters of the City-owned public power utility as allowed by Section 551.086 of the Texas Government Code for purposes of maintaining the confidentiality of certain information relating to competitive electric utility matters engaged in or to be engaged in by the City of Farmersville.

VI. RECONVENE FROM EXECUTIVE SESSION AND CONSIDER, DISCUSS AND ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION

VII. REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS

VIII. ADJOURNMENT

Dated this the 23rd day of August, 2013.



Joseph E. Helmberger, P.E., Mayor

The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, 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), 418.175-183 (Deliberations about Homeland Security Issues) and as authorized by the Texas Tax Code, including, but not limited to, Section 321.3022 (Sales Tax Information).

Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at 972-782-6151 or Fax 972-782-6604 at least two (2) working days prior to the meeting so that appropriate arrangements can be made. Handicap Parking is available in the front and rear parking lot of the building.

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in the regular posting place of the City Hall building for Farmersville, Texas, in a place and manner convenient and readily accessible to the general public at all times, and said Notice was posted August 23, 2013 by 5:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.



Edie Sims, City Secretary



A Proclamation

Naming September 8, 2013

as

Public Safety Sunday

Whereas, the City of Farmersville relies on the members of the Farmersville Police Department, the Farmersville Fire Department, and American Medical Response to provide emergency public service to the people of Farmersville and surrounding communities; and

Whereas, these members also referred to as “emergency first responders” consistently train to expand their skills and knowledge through continuing education to meet and exceed all State and National level requirements; and

Whereas, these “emergency first responders” willingly and unselfishly place the lives of the citizens they have sworn to protect above that of their own; and

Whereas, on September 11, 2001, over 460 law enforcement officers, firefighters, and emergency medical personnel perished in the single greatest tragedy for emergency first responders as they attempted to rescue the civilians trapped in the World Trade Center later to be referred to as “Ground Zero” in New York City; and

Whereas, more than 250 “emergency first responders” demonstrate each year the “Greatest Love” by laying down their life for another; and;

Whereas, September 11, 2013, marks the 12th anniversary of this tragic event that changed the American society forever; and

Whereas, the citizens of Farmersville, Texas do recognize the important contributions and efforts of these individuals thereby improving the overall safety and quality of life here in Farmersville.

NOW THEREFORE, I, Joseph E. Helmberger, Mayor of the City of Farmersville, do hereby proclaim Sunday, September 8, 2013 as PUBLIC SAFETY SUNDAY.

In witness hereof, I have hereunto set my hand and caused the Seal of the City of Farmersville, Texas, this the 8th day of September, 2013.

Joseph E. Helmberger, P.E.
Mayor of the City of Farmersville



TO: Mayor and Councilmembers

FROM: City Manager Ben White

DATE: August 27, 2013

SUBJECT: First Public Hearing to to receive public comment on the Proposed 2013 Property Tax Rate for the City of Farmersville

ACTION:

- a) Open the Public Hearing and call the time.
- b) Ask for anyone to come forward and speak who is FOR the proposed 2013 Property Tax Rate
- c) Ask for anyone to come forward and speak who OPPOSE the proposed 2013 Property Tax Rate
- d) Close the Public Hearing and call the time.
- e) No action by the Council is required.

Notice of Public Hearing on Tax Increase

The City of Farmersville will hold two public hearings on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 2.70 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax calculated under Chapter 26, Tax Code). Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted.

The first public hearing will be held on August 27, 2013 at 6:00 pm at City of Farmersville, City Hall Council Chambers, 205 S. Main, Farmersville, TX 75442.

The second public hearing will be held on September 3, 2013 at 6:00 pm at City of Farmersville, City Hall Council Chambers, 205 S. Main, Farmersville, TX 75442.

The members of the governing body voted on the proposal to consider the tax increase as follows:

FOR:

AGAINST:

PRESENT and not voting:

ABSENT:

The average taxable value of a residence homestead in City of Farmersville last year was \$90,663. Based on last year's tax rate of \$0.697500 per \$100 of taxable value, the amount of taxes imposed last year on the average home was \$632.37.

The average taxable value of a residence homestead in City of Farmersville this year is \$91,215. If the governing body adopts the effective tax rate for this year of \$0.679137 per \$100 of taxable value, the amount of taxes imposed this year on the average home would be \$619.47.

If the governing body adopts the proposed tax rate of \$0.697500 per \$100 of taxable value, the amount of taxes imposed this year on the average home would be \$636.22.

Members of the public are encouraged to attend the hearings and express their views.

NOTICE OF TAX REVENUE INCREASE

The City of Farmersville conducted public hearings on August 27, 2013 and September 3, 2013 on a proposal to increase the total tax revenues of the City of Farmersville from properties on the tax roll in the preceding year by 2.70 percent.

The total tax revenue proposed to be raised last year at last year's tax rate of \$0.697500 for each \$100 of taxable value was \$1,018,298.

The total tax revenue proposed to be raised this year at the proposed tax rate of \$0.697500 for each \$100 of taxable value, excluding tax revenue to be raised from new property added to the tax roll this year, is \$1,042,744.

The total tax revenue proposed to be raised this year at the proposed tax rate of \$0.697500 for each \$100 of taxable value, including tax revenue to be raised from new property added to the tax roll this year, is \$1,052,768.

The Farmersville City Council of City of Farmersville is scheduled to vote on the tax rate that will result in that tax increase at a public meeting to be held on September 10, 2013 at City Hall Council Chambers, 205 S. Main, Farmersville, TX 75442 at 6:00 pm.



TO: Mayor and Councilmembers

FROM: City Manager Ben White

DATE: August 27, 2013

SUBJECT: First Public Hearing to consider, discuss and act upon updating and amending the City's Land Use Assumptions, Capital Improvement Plan, and Impact Fees

ACTION:

- a) Open the Public Hearing and call the time.
- b) Ask for anyone to come forward and speak who is FOR updating and amending the City's Land Use Assumptions, Capital Improvement Plan and Impact Fees
- c) Ask for anyone to come forward and speak who OPPOSE updating and amending the City's Land Use Assumptions, Capital Improvement Plan and Impact Fees
- d) Close the Public Hearing and call the time.
- e) No action by the Council is required.



TO: Mayor and Councilmembers

FROM: City Manager Ben White

DATE: August 27, 2013

SUBJECT: First Reading – Consider, discuss and act upon an ordinance to update and amend the City's Land Use Assumptions, Capital Improvement Plan, and Impact Fees

- Land Use Assumptions, Water and Wastewater Impact Fee Update is provided by Kimley-Horn and Associates, Inc.
- A recommendation from the Capital Improvements Advisory Commission is attached for review
- Ordinance is attached for review

ACTION: Approve or disapprove the ordinance as presented.



July 19, 2013

Mayor and City Council
City of Farmersville
205 S. Main Street
Farmersville, TX 75442

RE: Recommendation from the Capital Improvements Advisory Commission

Dear Mayor and Council,

The Capital Improvements Advisory Commission met on July 15, 2013 to discuss whether the City's Land Use Assumptions, Capital Improvement Plan and the Impact Fees should be updated and/or amended.

Please find this letter as a recommendation of the CIAC to accept the Land Use report and Comprehensive Plan as adopted February 2013. The CIAC also recommends the Council to consider an Impact Fee of \$3,294 per service unit, which is approximately 60% of the maximum allowable amount.

Thank you for the opportunity to serve Farmersville.

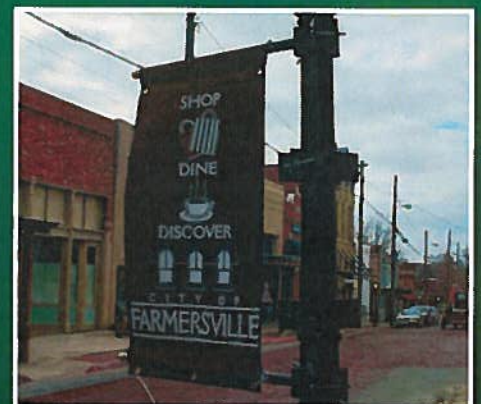
Sincerely,

E. Lee Warren, III
Chairman

205 S. Main
Farmersville, TX 75442
Phone: 972-782-6151 Fax: 972-782-6604
www.farmersvilletx.com

"Discover A Texas Treasure"

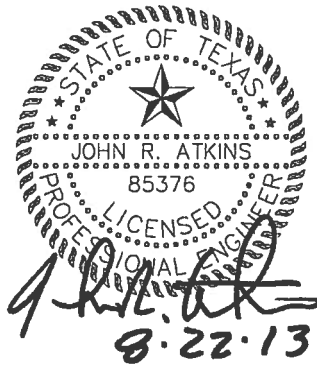
Land Use Assumptions, Water and Wastewater Impact Fee Update



Kimley-Horn
and Associates, Inc.

*Land Use Assumptions, Water and Wastewater
Impact Fee Update*

City of Farmersville, Texas
DISCOVER A TEXAS TREASURE



Kimley-Horn
and Associates, Inc.

Texas Registration
Number 928
801 Cherry Street, Unit 11, Suite 950
Fort Worth, TX 76102
817.335.6511

August 2013

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1. INTRODUCTION

The City of Farmersville retained the services of Kimley-Horn and Associates, Inc. in association with Daniel & Brown, Inc. for the purpose of updating the impact fees for water and wastewater system improvements required to serve new development. These fees were last updated in 2003.

The purpose of this report is to satisfy the requirements of Chapter 395 of the Texas Local Government Code (Impact Fees) by providing the City with updated impact fee capital improvement plans and associated impact fees.

For convenience and reference, the following is excerpted from Chapter 395.014 of the code:

- *The political subdivision shall use qualified professionals to prepare the capital improvements plan and to calculate the impact fee. The capital improvements plan must contain specific enumeration of the following items:*
 - (1) *a description of the existing capital improvements within the service area and the costs to upgrade, update, improve, expand, or replace the improvements to meet existing needs and usage and stricter safety, efficiency, environmental, or regulatory standards, which shall be prepared by a qualified professional engineer licensed to perform such professional engineering services in this state;*
 - (2) *an analysis of the total capacity, the level of current usage, and commitments for usage of capacity of the existing capital improvements, which shall be prepared by a qualified professional engineer licensed to perform such professional engineering services in this state;*
 - (3) *a description of all or the parts of the capital improvements or facility expansions and their costs necessitated by and attributable to new development in the service area based on the approved land use assumptions, which shall be prepared by a qualified professional engineer licensed to perform such professional engineering services in this state;*
 - (4) *a definitive table establishing the specific level or quantity of use, consumption, generation, or discharge of a service unit for each category of capital improvements or facility expansions and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including but not limited to residential, commercial, and industrial;*
 - (5) *the total number of projected service units necessitated by and attributable to new development within the service area based on the approved land use assumptions and calculated in accordance with generally accepted engineering or planning criteria;*
 - (6) *the projected demand for capital improvements or facility expansions required by new service units projected over a reasonable period of time, not to exceed 10 years; and*



(7) a plan for awarding:

(A) a credit for the portion of ad valorem tax and utility service revenues generated by new service unit during the program period that is used for the payment of improvements, including the payment of debt, that are included in the capital improvements plan; or

(B) in the alternative, a credit equal to 50 percent of the total project cost of implementing the capital improvements plan.

The study process was comprised of three tasks:

A. LAND USE ASSUMPTIONS

The land use assumptions used for this report were developed as part of the Comprehensive Plan that was completed and approved in January of this year. The land use assumptions are utilized to develop the following:

- Establish impact fee service areas for water and wastewater;
- Collect and determine population and employment data; and
- Project the ten-year population and employment for the service area.

A single service area boundary is defined for both water and wastewater facilities, since the North Texas Municipal Water District (NTMWD) is Farmersville's only wholesale provider of water and wastewater services. An illustration of the service area is shown on Figure 1.1 "City of Farmersville Conceptual Land Use" map. The service area is the city limits.

B. EVALUATION OF THE CURRENT WATER AND WASTEWATER CAPITAL IMPROVEMENT PLANS AND DEVELOPMENT OF THE IMPACT FEE CAPITAL IMPROVEMENTS PLAN

This task involved reviewing the City's capital projects shown in the 2003 impact fee report and coordinating with Daniel & Brown, Inc. pertaining to completed projects since 2003. The information provided allowed us to develop the impact fee capital improvements plan. The water demand projections and wastewater flow projections were then used to determine the additional service units.

C. IMPACT FEE ANALYSIS AND REPORT

This task included calculating the additional service units, service unit equivalents, and credit reduction. These values were then used to determine the impact fee per service unit and the maximum assessable impact fee by meter size.

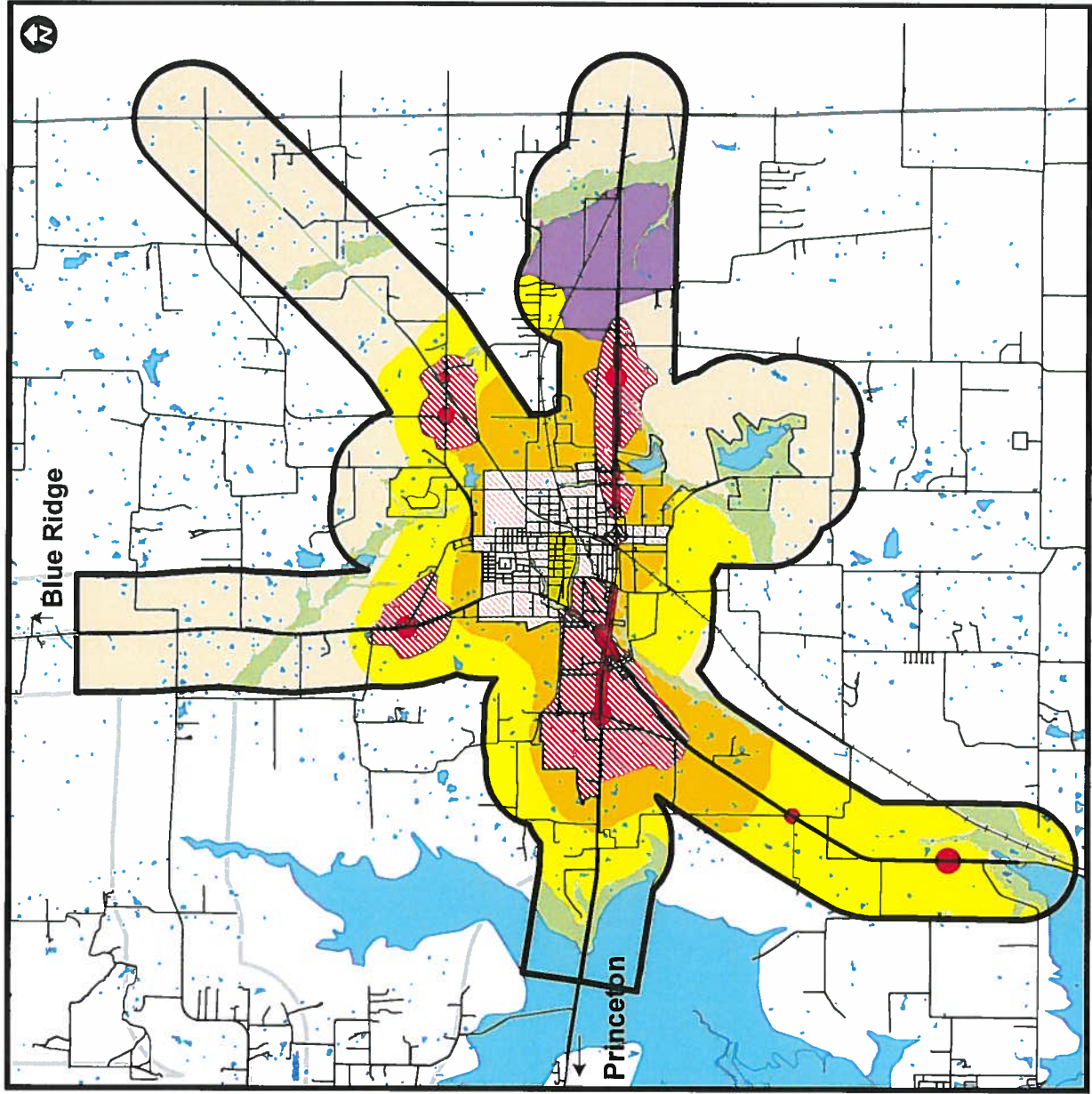


Figure 1.1

City of Farmersville

Conceptual Future Land Use Map

- Farmersville ETJ
- Water & Wastewater Service Area Boundary
- Farmersville City Limits
- Rail Road
- Waterbodies
- County Boundary
- Downtown Commercial
- Central Farmersville
- Commercial
- Mixed Use
- Industrial
- Low Residential
- Medium Residential
- Estate Residential
- Natural

0 2,500 5,000 Feet

Kinley-Horn and Associates, Inc.



2. EXECUTIVE SUMMARY

This study was performed to update the City of Farmersville's Water and Wastewater Impact Fees. Water and Wastewater system analysis and the associated master plans are important tools for facilitating orderly growth of the systems and for providing adequate facilities that promote economic development. The implementation of an impact fee is a way to shift a portion of the burden of paying for new facilities onto new development.

Water

Elements of the water system, including storage facilities, pumping facilities, and the distribution network itself, were evaluated against industry standards as outlined in the Design Criteria section of this report. Information related to the growth of the City was provided by the Land Use Assumptions.

Water system improvements necessary to serve 10-year (2023) needs were evaluated. Typically, infrastructure improvements are sized beyond the 10-year requirements; however, Texas' impact fee law (Chapter 395) only allows recovery of costs to serve the 10-year planning period. Because the City has been proactive in building storage and pumping facilities to accommodate future growth only two pipe line projects were identified to serve future needs within the next 10- years. Therefore, the current project cost to serve the 10-year window is \$2,563,950. The recoverable cost through impact fees is \$1,664,000.

Wastewater

Elements of the wastewater system, including treatment facilities, and the collection network itself, were evaluated against industry standards as outlined in the Design Criteria section of this report. Information related to the growth was the same as with water.

Wastewater system improvements necessary to serve 10-year (2023) needs were evaluated. Typically, infrastructure improvements are sized beyond the 10-year requirements; however, Texas' impact fee law (Chapter 395) only allows recovery of costs to serve the 10-year planning period. The wastewater system is an example of this. The projected cost to serve the system needs in the next 20-years is \$12,729,793. The current project cost to serve the 10-year window is \$8,847,501. The recoverable cost through impact fees is \$6,757,985. The remainder can be assessed as the planning window extends beyond 2023 and as the impact fees are updated in the future.

Water and Wastewater Impact Fees

The impact fee law defines a service unit as follows, "Service Unit means a standardized measure of consumption attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards and based on historical data and trends applicable to the political subdivision in which the individual unit of development is located during the previous 10 years." Therefore, the City of Farmersville defines a *service unit* as unit of development that consumes the amount of water requiring a standard 3/4" water meter. For a development that requires a different size meter, a service unit equivalent is established at a multiplier based on its capacity with respect to the 3/4" meter. The equivalency factor and associated impact fee by meter size is shown in **Table 2.1**.



Table 2.1 Maximum Assessable Water and Wastewater Impact Fee for Commonly Used Meters

Meter Size*	Maximum Continuous Operating Capacity (GPM)**	Service Unit Equivalent	Maximum Assessable Fee Water	Maximum Assessable Fee Wastewater	Total
3/4"	15	1	\$ 1,312	\$ 4,179	\$ 5,491
1"	25	1.67	\$ 2,191	\$ 6,979	\$ 9,170
1 1/2"	50	3.33	\$ 4,369	\$ 13,916	\$ 18,285
2"	80	5.33	\$ 6,993	\$ 22,274	\$ 29,267
3"	160	10.67	\$ 13,999	\$ 44,590	\$ 58,589
4"	250	16.67	\$ 21,871	\$ 69,664	\$ 91,535
6"	500	33.33	\$ 43,729	\$ 139,286	\$ 183,015

*Operating capacities obtained from American Water Works Association (AWWA) C-700-09 and C-701-12.



3. WATER

In accordance with the Chapter 290 of the Texas Administrative Code (Public Drinking Water) and the American Water Works Associations (AWWA) requirements for the design and operation of potable water systems the following design criteria is followed when planning for future water infrastructure.

A. DESIGN CRITERIA

I. Water Lines

Water lines are generally sized to maintain the following pressure requirements:

- Peak hour demand with a minimum pressure of 35 pounds per square inch (psi);
- Peak day demand plus fire flow with a minimum pressure of 20 psi.

II. Storage Tanks

The Texas Commission on Environmental Quality (TCEQ) and the State Board of Insurance (SBI) have established criteria for ground and elevated storage. These criteria address volume and height requirements only. The layout of the distribution system, location of the storage facilities, and the interaction with the high service and booster pumps affect the amount of storage necessary for the most efficient and reliable operation of the system.

a. Ground Storage

Ground storage serves two functions:

- Equalization for differing feed rates between the water supply and pumping to the system; and
- Emergency capacity in the event of temporary loss of water supply.

Generally, ground storage facilities are located at water supply points or at each pump station within the water distribution system. Suggested storage capacities are established based on several criteria. There are specific requirements of the TCEQ. These criteria are detailed later in this section. Although ground and elevated storage facilities perform separate functions within the system, both are aimed at decreasing the impact of demand fluctuations. Their capacities are established based on knowledge of how demand varies seasonally and daily.

b. Elevated Storage

Elevated storage serves three purposes:



- Functionally, elevated storage equalizes the pumping rate to compensate for daily variations in demand and to maintain a fairly constant pumping rate (usually referred to as operational storage), or a pumping rate that conforms to the requirements of the electrical rate structure.
- Provides pressure maintenance and protection against surges created by instantaneous demand, such as fire flow and main breaks, and instantaneous change in supply, such as pumps turning on and off.
- Maintains a reserve capacity for fire protection and pressure maintenance in case of power failure to one or more pump stations. Sufficient storage should be maintained to provide four hours of fire flow demand during a loss of power to the pump station.

Suggested storage capacities are established by the TCEQ. Adequate operational storage is established by determining the required volume to equalize the daily fluctuations in flow during the maximum day demand, plus the reserve volume required for fire protection.

The minimum requirements for storage, according to Chapter 290 of the Texas Administrative Code, are as follows:

- Total Storage - Equal to 200 gallons per connection.
- Elevated Storage - Equal to 100 gallons per connection; or
- Elevated Storage – Equal to 200 gallons per connection for a firm pumping capacity reduction from 2.0 gallons per connection to 0.6 gallons per connection.

III. Pump Stations

Pumping capacities must provide the maximum demand or the peak hour demand required by the water system or the suggested capacities established by the TCEQ. Pumping capacity should supply the maximum demand with sufficient redundancy to allow for the largest pump at the pump station to be out of service. This is known as firm pumping capacity.

Each pump station or pressure plane must have two or more pumps that have a total capacity of 2.0 gallons per minute per connection, or have a total capacity of at least 1,000 gallons per minute and the ability to meet peak hour demand with the largest pump out of service, whichever is less. If the system provides elevated storage capacity of 200 gallons per connection, two service pumps with a minimum combined capacity of 0.6 gpm per connection are required.

B. IMPACT FEE CAPITAL IMPROVEMENTS PLAN

The purpose of a water system master plan is to provide the City with a logical strategy for upgrading and expanding its water distribution system to accommodate future growth and for addressing existing system deficiencies. The impact fee capital improvements plan is



developed using projects identified during the master planning process. State law only allows cost recovery associated with eligible projects in a ten (10) year planning window from the time of the impact fee study. The following details the projects and the eligible recoverable cost.

Two (2) projects are determined eligible for recoverable cost through impact fee over the next 10 years. The City of Farmersville's total cost of these projects is \$2,563,950. Because these projects will be fully utilized by 2023 all the cost is recoverable. After debt service costs are added and the 50% credit reduction calculation is complete, \$1,664,400 is recoverable through impact fees serving the 10-year system needs. These impact fee capital improvements are shown in **Table 3.1** and illustrated in **Figure 3.1**.

**Table 3.1 Water Impact Fee Capital Improvements
Project Cost and 10-Year Recoverable Cost**

Project	2013 Required Capacity (Percent Utilization)	2023 Required Capacity (Percent Utilization)	2013-2023 Required Capacity (Percent Utilization)	Total Project Cost	2023 Projected Recoverable Cost
1	0 %	100 %	100 %	\$ 1,198,265	\$ 1,198,265
2	0 %	100 %	100 %	\$ 1,351,235	\$ 1,351,235
Water Impact Fee Study	0 %	100 %	100 %	\$ 14,450	\$ 14,450
Total				\$2,563,950	\$ 2,563,950

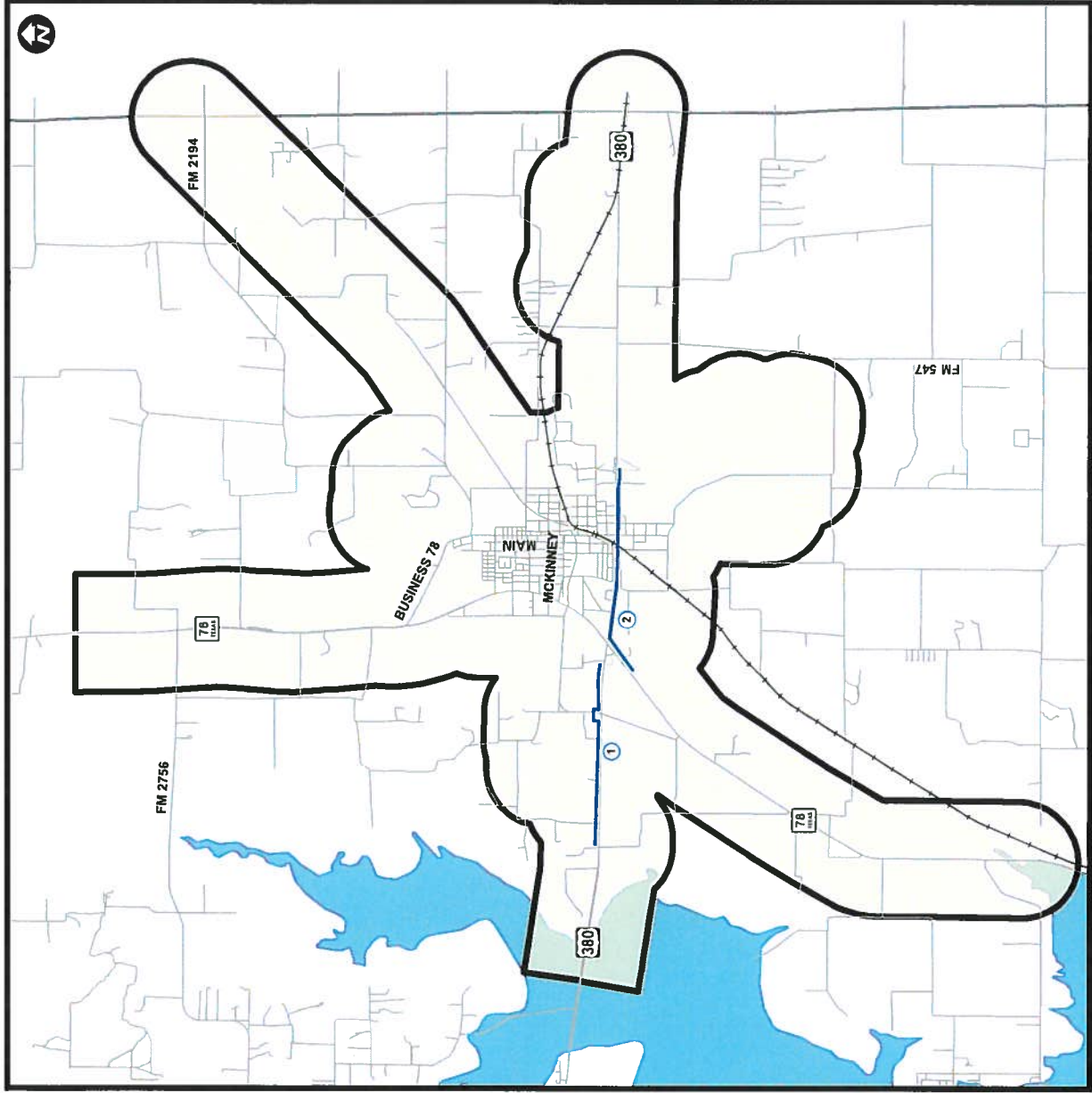


Figure 3.1
City of Farmersville
Water Impact Fee
Capital Improvements Plan

Impact Fee CIP Project Descriptions

1 16" Water Line
2 16" Water Line

0 2,500 5,000 Feet

Kimley-Horn
 and Associates, Inc.



C. WATER IMPACT FEE CALCULATION

Chapter 395 of the Local Government Code defines a service unit as follows, “Service Unit means a standardized measure of consumption attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards and based on historical data and trends applicable to the political subdivision in which the individual unit of development is located during the previous 10 years.” Therefore, the City of Farmersville defines a *service unit* based on historical water usage over the past 10 years as compared to the estimated residential units. The residential unit is the development type that predominately uses 3/4” meter. The measure of consumption per service unit is based on a 3/4” meter and the data shown in **Table 3.2**.

Table 3.2 Water Service Unit Consumption Calculation

Year	Population	Residential Units (2.66 persons/unit)	Water Usage Average Day Demand (GPD)	Consumption per Service Unit (GPD)
2003	3,274	1,231	651,814	529
2004	3,276	1,232	676,822	549
2005	3,285	1,235	709,548	575
2006	3,328	1,251	720,578	576
2007	3,339	1,255	494,945	394
2008	3,334	1,253	642,044	512
2009	3,319	1,248	603,792	484
2010	3,301	1,241	619,534	499
2011	3,351	1,260	766,093	608
2012	3,401	1,279	604,104	472
Average Consumption per Service Unit				520

GPD – Gallons Per Day

Based on the City’s 10-year growth projections and the resulting water demand projections, water service will be required for an additional 1,269 service units. The calculation is as follows:

- A service unit, which is a unit of development that consumes approximately 520 gallons per day (GPD), is a typical residential connection that uses a 3/4” meter. **Table 3.3** outlines the future water demand projections and its relationship to the additional service units projected for the next 10-years.



Table 3.3 Water 10-year Additional Service Units Calculation

Year	Average Day Demand (GPD)	Service Unit Demand (GPD)	Service Units
2013	766,000	520	1,473
2023	1,426,000	520	2,742
10-year Additional Service Units			1,269

Impact fee law allows for a credit calculation to credit back the development community based on the utility revenues or ad valorem taxes that are allocated for paying a portion of future capital improvements. The intent of this credit is to prevent the City from double charging development for future capital improvements via impact fees and utility rates. If the city chooses not to do a financial analysis to determine the credit value they are required by law to reduce the recoverable cost by 50 percent. The city has chosen not to calculate the credit value. Therefore, the maximum recoverable cost for impact fee shown below is 50 percent of the Pre Credit Recoverable Cost.

A breakdown of the 10-year recoverable costs and the associated impact fee per service unit is as follows:

Table 3.4 Water 10-year Recoverable Cost Breakdown

Recoverable Impact Fee CIP Costs	\$ 2,563,950
Estimated Debt Service	\$ 764,850
Pre Credit Recoverable Cost for Impact Fee	\$ 3,328,800
Credit for Utility Revenues	(\$ 1,664,400)
Maximum Recoverable Cost for Impact Fee	\$ 1,664,400

$$\text{Impact fee per service unit} = \frac{\text{10-year recoverable costs}}{\text{10-year additional service units}}$$

$$\text{Impact fee per service unit} = \frac{\$1,664,400}{1,269}$$

$$\text{Impact fee per service unit} = \$1,312$$

Therefore, the maximum assessable impact fee per service unit is \$1,312.

For a development that requires a different size meter, a service unit equivalent is established at a multiplier based on its capacity with respect to the 3/4" meter. The maximum impact fee that could be assessed for other meter sizes is based on the value shown on Table 3.5, Service Unit Equivalency Table for Commonly Used Meters.



Table 3.5 Water Service Unit Equivalency Table for Commonly Used Meters

Meter Size*	Maximum Continuous Operating Capacity (GPM)**	Service Unit Equivalent	Maximum Assessable Fee Water
3/4"	15	1	\$ 1,312
1"	25	1.67	\$ 2,191
1 1/2"	50	3.33	\$ 4,369
2"	80	5.33	\$ 6,993
3"	160	10.67	\$ 13,999
4"	250	16.67	\$ 21,871
6"	500	33.33	\$ 43,729

* Operating capacities obtained from American Water Works Association (AWWA) C-700-09 and C-702-10.



4. WASTEWATER

In accordance with the Chapter 217 of the Texas Administrative Code (Design Criteria for Domestic Wastewater Systems) the following design criteria is followed when planning for future wastewater infrastructure.

A. DESIGN CRITERIA

I. Sewer Trunk Lines (Interceptors)

The design criteria for sewer trunk lines or interceptors is based on the TCEQ requirements that meet peak wet weather design flows with no overflows while maintaining a minimum of 2 feet per second (ft/sec) cleaning velocity and a maximum of 8 ft/sec velocity.

II. Lift Stations Pumping Capacity

The design criteria for lift station pumping shall be to provide firm pumping capacity to meet 125% of the peak wet weather design flows. The firm pumping capacity is defined as the available total pumping capacity with the largest pump out of service.

III. Lift Station Wet Well Capacity

The design criteria for lift station wet wells are to provide adequate volumes to limit pump cycling to once every 10 minutes. Based on this criterion, the required operating volume for each pump can be calculated as

$$\begin{aligned} V &= tQ/4 \quad \text{where,} \\ t &= \text{Maximum pump cycling time} = 10 \text{ minutes} \\ Q &= \text{Lead pump discharge rate in gallons per minute (gpm)} \\ V &= \text{Required wet well volume between pump start and stop elevation} \end{aligned}$$

IV. Force Mains

The design criteria recommended for force mains is to meet the required pumping capacity of the lift station at a velocity less than 8 ft/sec and a maximum discharge pressure of 100 psi and to allow a minimum of 2 ft/sec second scouring velocity during a single pump operation.

B. IMPACT FEE CAPITAL IMPROVEMENTS PLAN

The purpose of a wastewater master plan is to provide the City with a logical strategy for upgrading and expanding its wastewater collection system to accommodate future growth and for addressing existing system deficiencies. The impact fee capital improvements plan is developed using projects identified during the master planning process. State law only allows cost recovery associated with eligible projects in a ten (10) year planning window from the



time of the impact fee study. The following details the projects and the eligible recoverable cost.

Twelve (12) projects are determined eligible for recoverable cost through impact fee over the next 10 years. The City of Farmersville's total cost of these projects is \$12,729,793. The projected recoverable cost through impact fee is \$8,847,501. After debt service costs are added and the 50% credit reduction calculation is complete, \$6,757,985 is recoverable through impact fees serving the 10-year system needs. These impact fee capital improvements are shown in **Table 4.1** and illustrated in **Figure 4.1**.

**Table 4.1 Wastewater Impact Fee Capital Improvements
Project Cost and 10-Year Recoverable Cost**

Project	2013 Required Capacity (Percent Utilization)	2023 Required Capacity (Percent Utilization)	2013-2023 Required Capacity (Percent Utilization)	Total Project Cost	2023 Projected Recoverable Cost
1	0 %	67 %	67 %	\$ 878,456	\$ 588,565
2	0 %	67 %	67 %	\$ 244,220	\$ 163,627
3	0 %	67 %	67 %	\$ 606,673	\$ 406,471
4	0 %	67 %	67 %	\$ 577,561	\$ 386,966
5	0 %	67 %	67 %	\$ 308,108	\$ 206,433
6	0 %	67 %	67 %	\$ 151,762	\$ 101,681
7	0 %	67 %	67 %	\$ 781,955	\$ 523,910
8	0 %	67 %	67 %	\$ 1,072,809	\$ 718,782
9	0 %	67 %	67 %	\$ 1,715,161	\$ 1,149,158
10	0 %	67 %	67 %	\$ 644,260	\$ 431,655
11	0 %	67 %	67 %	\$ 504,851	\$ 338,250
*Elm Creek WWTP	0 %	73 %	73 %	\$ 5,229,527	\$ 3,817,555
Wastewater Impact Fee Study	0 %	100 %	100 %	\$ 14,450	\$ 14,450
Total				\$ 12,729,793	\$ 8,847,501

*Project cost and percent utilization is based on the North Texas Municipal Water District's February 2010 Wastewater Feasibility Report, Levon Lake East Side Regional Wastewater System; Cities of Farmersville, Wylie, Lavon, and Nevada.

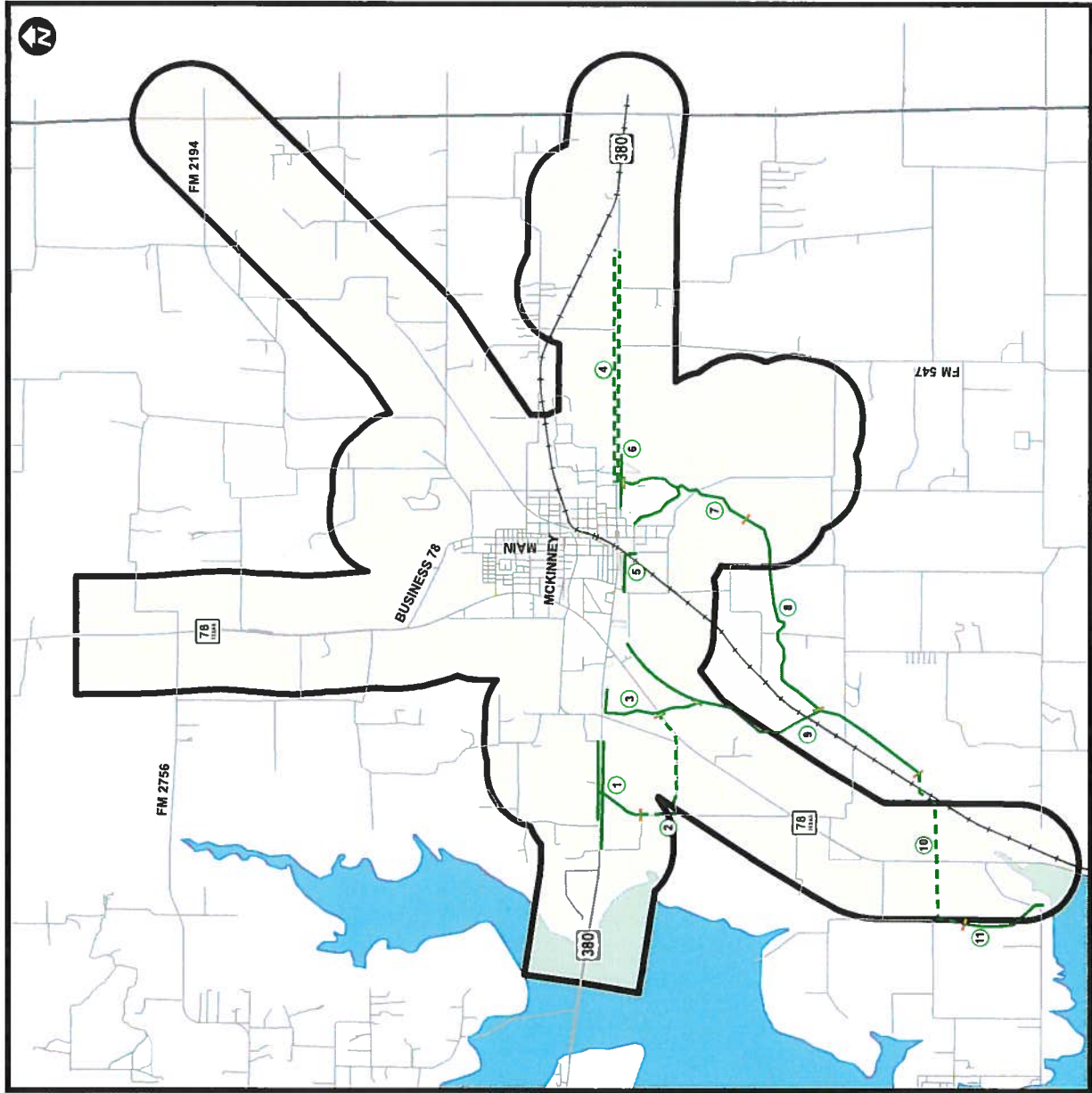


Figure 4.1
City of Farmersville
Wastewater Impact Fee
Capital Improvements Plan

- CIP Projects**
- Gravity Main
 - - Force Main
 - Farmersville ETJ and Water & Wastewater Service Area Boundary
 - Rail Road
 - Roads
 - Waterbodies
 - Project Limits

- Impact Fee CIP Project Descriptions**
- | | |
|--------------------|---------------------|
| 1 8" Gravity Main | 7 10" Gravity Main |
| 2 4" Force Main | 8 12" Gravity Main |
| 3 10" Gravity Main | 9 12" Gravity Main |
| 4 6" Force Main | 10 6" Force Main |
| 5 10" Gravity Main | 11 12" Gravity Main |
| 6 8" Gravity Main | |

0 2,500 5,000 Feet

Kimley-Horn
 and Associates, Inc.



C. WASTEWATER IMPACT FEE CALCULATION

Chapter 395 of the Local Government Code defines a service unit as follows, “Service Unit means a standardized measure of consumption attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards and based on historical data and trends applicable to the political subdivision in which the individual unit of development is located during the previous 10 years.” Therefore, the City of Farmersville defines a *service unit* based on historical wastewater discharge over the past 10 years as compared to the estimated residential units. The residential unit is the development type that predominately uses a 3/4” meter. The measure of discharge per service unit is based a 3/4” meter the data shown in **Table 4.2**.

Table 4.2 Wastewater Service Unit Consumption Calculation

Year	Population	Residential Units (2.66 persons/unit)	Wastewater Average Day Flow (GPD)	Flow per Service Unit (GPD)
2003	3,274	1,231	310,789	252
2004	3,276	1,232	381,868	310
2005	3,285	1,235	338,438	274
2006	3,328	1,251	239,436	191
2007	3,339	1,255	429,507	342
2008	3,334	1,253	319,975	255
2009	3,319	1,248	369,721	296
2010	3,301	1,241	373,463	301
2011	3,351	1,260	322,005	256
2012	3,401	1,279	307,186	240
Average Flow per Service Unit				272

GPD – Gallons Per Day

Based on the City’s 10-year growth projections and the resulting wastewater flow projections, wastewater service will be required for an additional 1,617 service units. The calculation is as follows:

- A service unit, which is a unit of development that discharges approximately 272 gallons per day (GPD), is a typical residential connection that uses a 3/4” meter. **Table 4.3** outlines the future wastewater discharge projections and its relationship to the additional service units projected for the next 10-years.



Table 4.3 Wastewater 10-year Additional Service Unit Calculation

Year	Average Day Flow (GPD)	Service Unit Flow (GPD)	Service Units
2013	530,000	272	1,949
2023	970,000	272	3,566
10-year Additional Service Units			1,617

Impact fee law allows for a credit calculation to credit back the development community based on the utility revenues or ad valorem taxes that are allocated for paying a portion of future capital improvements. The intent of this credit is to prevent the City from double charging development for future capital improvements via impact fees and utility rates. If the city chooses not to do a financial analysis to determine the credit value they are required by law to reduce the recoverable cost by 50 percent. The city has chosen not to calculate the credit value. Therefore, the maximum recoverable cost for impact fee shown below is 50 percent of the Pre Credit Recoverable Cost.

A breakdown of the 10-year recoverable costs and the associated impact fee per service unit is as follows:

Table 4.4 Wastewater 10-year Recoverable Cost Breakdown

Recoverable Impact Fee CIP Costs	\$8,847,501
Debt Service	\$4,668,469
Pre Credit Recoverable Cost for Impact Fee	\$13,515,970
Credit for Utility Revenues	(\$6,757,985)
Maximum Recoverable Cost for Impact Fee	\$6,757,985

$$\text{Impact fee per service unit} = \frac{\text{10-year recoverable costs}}{\text{10-year additional service units}}$$

$$\text{Impact fee per service unit} = \frac{\$6,757,985}{1,617}$$

$$\text{Impact fee per service unit} = \$4,179$$

Therefore, the maximum assessable impact fee per service unit is \$4,179.

For a development that requires a different size meter, a service unit equivalent is established at a multiplier based on its capacity with respect to the 3/4" meter. The maximum impact fee that could be assessed for other meter sizes is based on the value shown on **Table 4.5, Service Unit Equivalency Table for Commonly Used Meters**.



Table 4.5 Wastewater Service Unit Equivalency Table for Commonly Used Meters

Meter Size*	Maximum Continuous Operating Capacity (GPM)**	Service Unit Equivalent	Maximum Assessable Fee Wastewater
3/4"	15	1	\$ 4,179
1"	25	1.67	\$ 6,979
1 1/2"	50	3.33	\$ 13,916
2"	80	5.33	\$ 22,274
3"	160	10.67	\$ 44,590
4"	250	16.67	\$ 69,664
6"	500	33.33	\$ 139,286

* Operating capacities obtained from American Water Works Association (AWWA) C-700-09 and C-702-10.



Appendices

**CITY OF FARMERSVILLE
CONSTRUCTION ESTIMATES FOR
WATERLINE IMPROVEMENTS**

May 15, 2013

Construction Cost:

Approx. 18,800 L.F. 16-Inch PVC Water Distribution Line

Material & Installation @ \$75.00 per L.F.

\$ 1,410,000.00

Road Bores

\$ 265,000.00

Driveway Bores

\$ 125,000.00

Misc. Crossings

\$ 75,000.00

Valves, Fittings Tie-Ins, etc - L.S.

\$ 250,000.00

Total for 16-Inch Water Distribution Line

\$ 2,125,000.00

Estimated Construction Cost

\$ 2,125,000.00

Construction Contingency @ 10%

\$ 212,500.00

Total Estimated Construction Cost:

\$ 2,337,500.00

Section A - Engineering Services:

Basic Engineering Services @ 6.0% *

\$ 140,250.00

Section B - Compensation for Resident Inspection:

Inspection @ 2.0% *

\$ 46,750.00

Section C - Staking and Testing Services

Surveying, Staking and Testing

\$ 25,000.00

Total Estimated Engineering and Testing Costs:

\$ 212,000.00

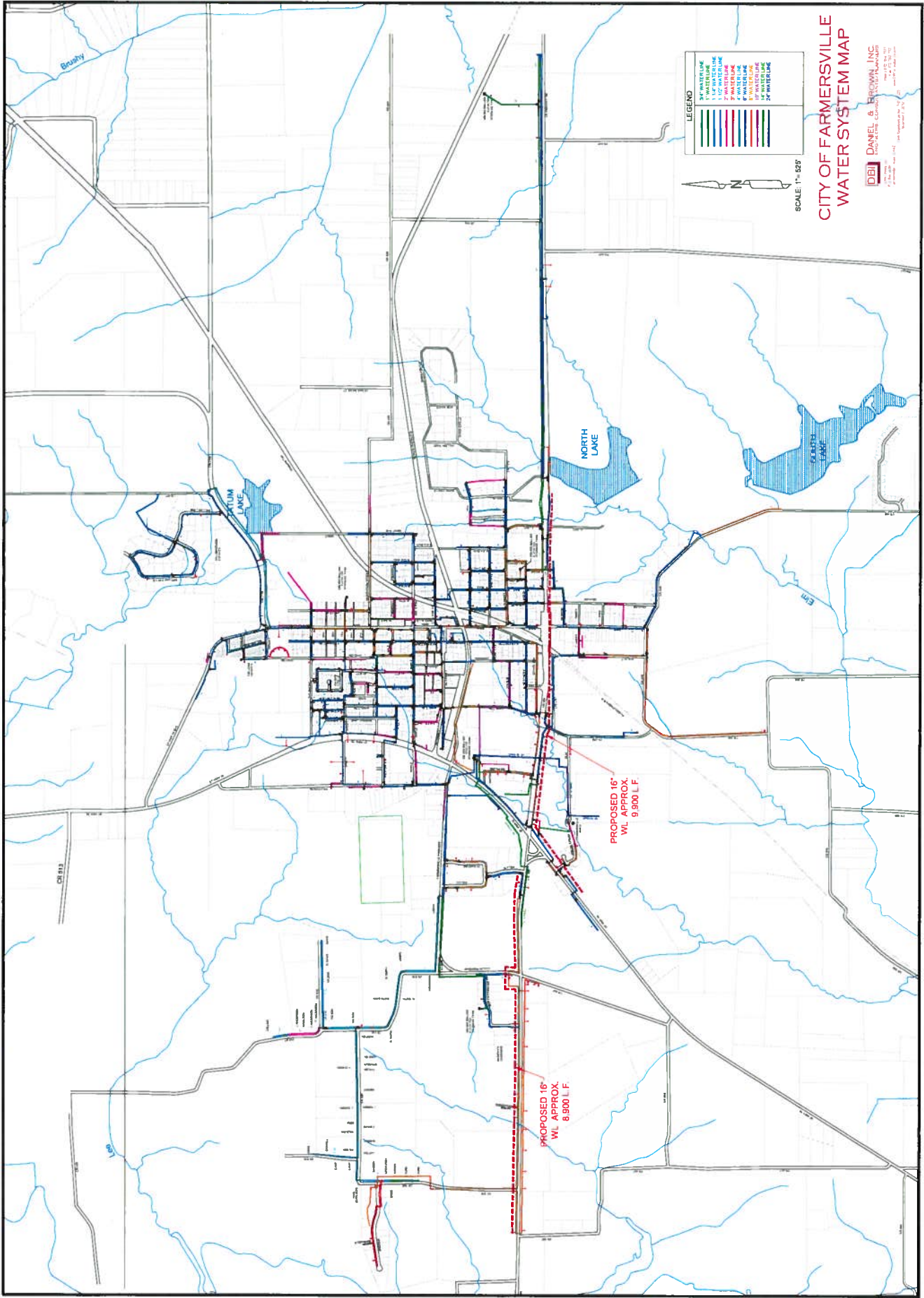
Total Estimated Non-construction Costs:

\$ 212,000.00

Total Project Budget Cost:

\$ 2,549,500.00

* Percentage of Total Estimated Construction Cost.



CITY OF FARMERSVILLE WATER SYSTEM MAP

DBI DANIEL & BROWN, INC.
ENGINEERS & ARCHITECTS
1000 N. 10TH ST., SUITE 100
FARMERSVILLE, TX 77834
TEL: 281.344.1111
WWW.DANIELANDBROWN.COM

CITY OF FARMERSVILLE
CONSTRUCTION ESTIMATES FOR
SEWER LINE IMPROVEMENTS
May 15, 2013

Construction Cost:

Construct Approx. 6,500 LF. 4" Force Main @\$25.00 per LF.	\$ 162,500.00
Construct Approx. 18,000 LF. 6" Force Main @\$35.00 per LF.	\$ 630,000.00
Construct Approx. 10,500 LF. 8" Gravity Main @\$45.00 per LF.	\$ 594,000.00
Construct Approx. 17,200 LF. 10" Gravity Main @\$55.00 per L.F.	\$ 946,000.00
Construct Approx. 32,300 LF. 12" Gravity Main @\$65.00 per LF.	\$ 2,099,500.00
Road Bores	\$ 425,000.00
Driveway Bores	\$ 225,000.00
Misc. Crossings	\$ 175,000.00
Manholes, Fittings Tie-Ins, etc. - L.S.	\$ 375,000.00
Estimated Construction Cost	<u>\$ 5,632,000.00</u>
Construction Contingency @ 10%	\$ 563,200.00

Total Estimated Construction Cost: **\$ 6,195,200.00**

Section A- Engineering Services:

Basic Engineering Services @ 6.0% * \$ 371,712.00

Section B- Compensation for Resident Inspection:

Inspection @ 2.0% * \$ 123,904.00

Section C- Staking and Testing Services

Surveying, Staking and Testing \$ 45,000.00

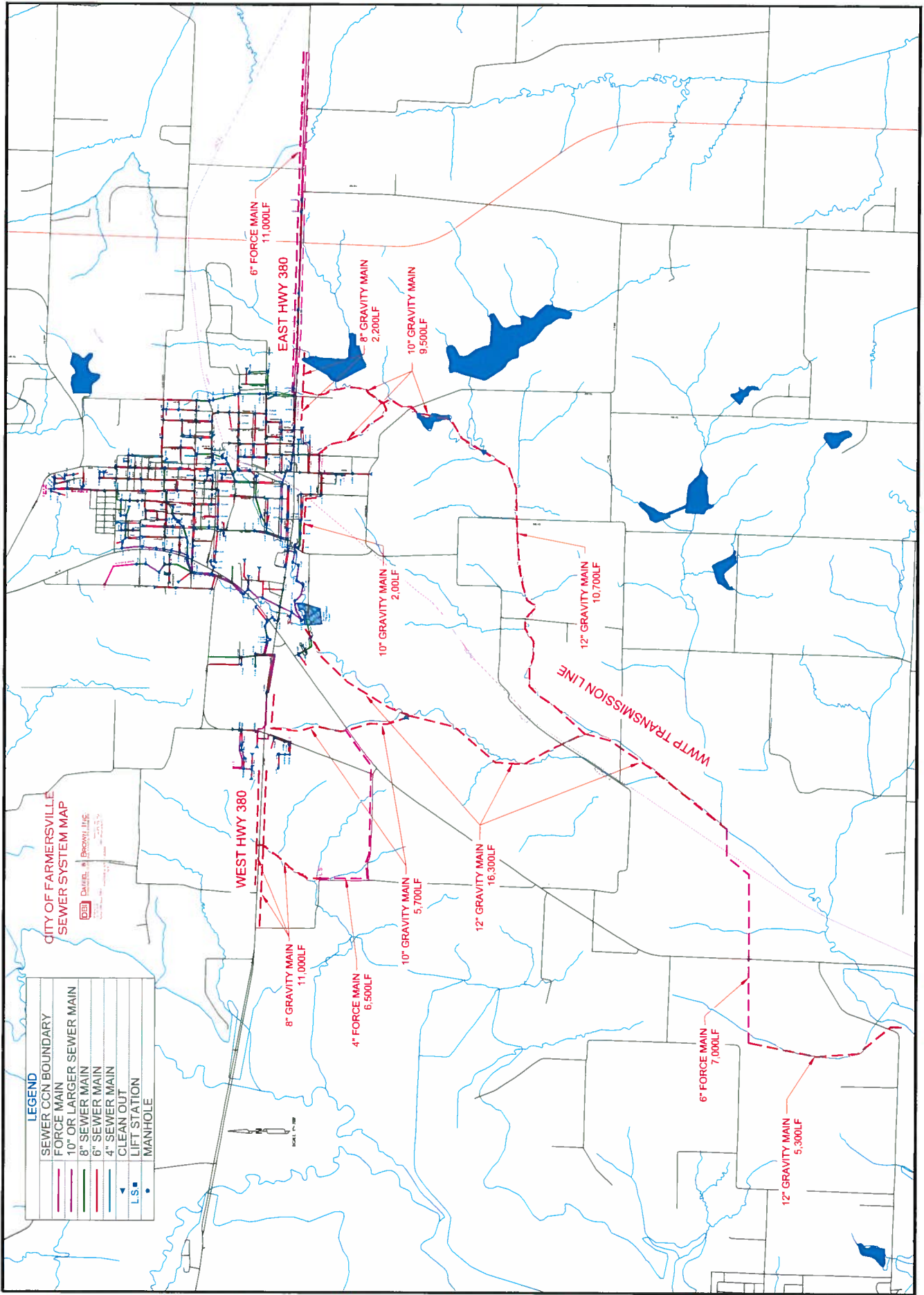
Total Estimated Engineering and Testing Costs: **\$ 540,616.00**

Land, Easement and Right-of-Way Costs: **\$ 750,000.00**

Total Estimated Non-construction Costs: **\$ 1,290,616.00**

Total Project Budget Cost: **\$ 7,485,816.00**

* Percentage of Total Estimated Construction Cost.



**CITY OF FARMERSVILLE
ORDINANCE # O-2013-0910-005**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS ADOPTING UPDATED LAND USE ASSUMPTIONS, ADOPTING THE WATER AND WASTEWATER IMPACT FEE UPDATE, DETERMINING THE AMOUNT OF IMPACT FEE TO BE COLLECTED BY "SERVICE UNIT" FOR NEW DEVELOPMENT; AND AMENDING THE CODE OF ORDINANCES OF THE CITY OF FARMERSVILLE, TEXAS THROUGH THE AMENDMENT OF APPENDIX A, "MASTER FEE SCHEDULE," BY AMENDING ARTICLE II, "ELECTRICITY, WATER, SEWER, AND REFUSE," BY AMENDING SECTION 2-5 ENTITLED "IMPACT FEES" TO REFLECT THE ASSESSMENT AND COLLECTION OF WATER AND WASTEWATER IMPACT FEES ADOPTED HEREBY; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING ENGROSSMENT AND ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Farmersville ("City Council") adopted an Impact Fee Program on September 23, 2003 by and through Resolution #2003-42 in compliance with Chapter 395 of the Texas Local Government Code regarding the calculation, assessment and collection of impact fees for water and wastewater facilities; and

WHEREAS, Texas Local Government Code Section 395.052 requires a city imposing utility impact fees to update the land use assumptions and capital improvements plans at least once every five years; and

WHEREAS, the City of Farmersville, Texas ("City") has undertaken the review and update of the land use assumptions and capital improvements plans for water and wastewater utility services necessary to serve new development; and

WHEREAS, the City provided notice as required by law and held a public hearing regarding updated Land Use Assumptions, updated Capital Improvements Plans and updates to the manner of imposing impact fees before the Capital Improvements Advisory Commission ("CIAC") on or about July 15, 2013; and

WHEREAS, the CIAC has submitted a written report to the City Council of the City of Farmersville, Texas recommending the adoption of the updated Land Use Assumptions and Water and Wastewater Impact Fee Update and the manner of imposing impact fees within the City's corporate limits and extraterritorial jurisdiction; and

WHEREAS, the City Council finds that the Town has complied with Chapter 395 of the Texas Local Government Code in the amendment of the land use assumptions, capital improvements plan, and imposition of impact fees; and

WHEREAS, the City Council of the City of Farmersville, after notice and public hearing as required by law and upon due deliberation and consideration of the recommendation of the CIAC and of all testimony and information submitted during said public hearings, has determined that it is in the public's best interest and in support of the health, safety,

morals, and general welfare of the citizens of the City that the updated Land Use Assumptions and updated Capital Improvement Plans should be adopted and that certain provisions regarding the manner of imposing impact fees should be amended.

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

SECTION 1. FINDINGS INCORPORATED

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Farmersville, and they are hereby approved and incorporated into the body of this Ordinance as if restated herein in their entirety.

SECTION 2. LAND USE ASSUMPTIONS ADOPTED

The City Council hereby adopts the Land Use Assumptions as set forth in the 2013 Water and Wastewater Impact Fee Update dated June 2013, attached hereto as Exhibit A and incorporated herein for all purposes allowed by law.

SECTION 3. WATER SYSTEM CAPITAL IMPROVEMENT PLAN ADOPTED

The City Council hereby adopts the Water System Capital Improvement Plan as set forth in the 2013 Water and Wastewater Impact Fee Update dated June 2013, attached hereto as Exhibit A and incorporated herein for all purposes allowed by law.

SECTION 4. WASTEWATER SYSTEM CAPITAL IMPROVEMENT PLAN ADOPTED

The City Council hereby adopts the Wastewater System Capital Improvements Plan as set forth in the 2013 Water and Wastewater Impact Fee Update dated June 2013, attached hereto as Exhibit A and incorporated herein for all purposes allowed by law.

SECTION 5. SERVICE UNIT EQUIVALENT ADOPTED

The City Council hereby adopts a service unit equivalent of a ¾" water meter to be used for the calculation of the impact fee amount to be assessed and collected to serve new development within the City's corporate limits and its extraterritorial jurisdiction for purpose of both water impact fees and wastewater impact fees.

SECTION 6. IMPACT FEE ADOPTED

The City Council hereby determines that water impact fees and wastewater impact fees shall be assessed and collected within the City's corporate limits and its extraterritorial jurisdiction at a rate of sixty percent (60%) of the maximum amount (post-credit) that may be collected by the City as impact fees, rounded down to the nearest full dollar, as reflected on Table 2.1 of the 2013 Water and Wastewater Impact Fee Update dated June 2013, attached hereto as Exhibit A and incorporated herein by reference for all purposes allowed by law.

SECTION 7. APPENDIX A, MASTER FEE SCHEDULE

From and after the effective date of this ordinance the Master Fee Schedule shall be modified to reflect the maximum impact fee to be assessed and collected per service unit (post-credit) for wastewater and water facilities as follows.

- A. IMPACT FEES TO BE COLLECTED ON NEW DEVELOPMENTS RECORD PLATTED ON OR AFTER OCTOBER 1, 2013; AND, ON NEW DEVELOPMENTS FOR WHICH PLATTING IS NOT REQUIRED.

Meter Size (in inches)	Maximum Continuous Operating Capacity (GPM)	Service Unit Equivalent	Water Impact Fee	Wastewater Impact Fee
¾"	15	1	\$ 787	\$ 2,507
1"	25	1.67	\$ 1,314	\$ 4,187
1 ½"	50	3.33	\$ 2,621	\$ 8,349
2"	80	5.33	\$ 4,195	\$ 13,364
3"	160	10.67	\$ 8,399	\$ 26,754
4"	250	16.67	\$ 13,122	\$ 41,798
6"	500	33.33	\$ 26,237	\$ 83,571

B. IMPACT FEES TO BE COLLECTED ON NEW DEVELOPMENTS RECORD PLATTED ON OR AFTER SEPTEMBER 23, 2003 AND BEFORE OCTOBER 1, 2013, AND NOT REQUIRING A REPLAT.

Meter Size	Service Unit Equivalent	Water Impact Fee	Wastewater Impact Fee
¾"	1.00	\$ 760	\$ 740
1"	1.67	\$ 1,269	\$ 1,236
1½"	3.33	\$ 2,531	\$ 2,464
2"	5.33	\$ 4,051	\$ 3,944
3"	10.00	\$ 7,600	\$ 7,400
4"	16.67	\$ 12,669	\$ 12,336
6"	33.33	\$ 25,331	\$ 24,664
8"	53.33	\$ 40,531	\$ 39,464
10"	76.67	\$ 58,269	\$ 56,736

SECTION 8. PENALTY

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Farmersville, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 9. SEVERABILITY

It is hereby declared to be the intention of the City Council that the several provisions of this Ordinance are severable, and if any court of competent jurisdiction shall judge any provisions of this Ordinance to be illegal, invalid, or unenforceable, such judgment shall not affect any other provisions of this Ordinance which are not specifically designated as being illegal, invalid or unenforceable.

SECTION 10. REPEALER

This Ordinance shall be cumulative of all other Ordinances, resolutions, and/or policies of the City, whether written or otherwise, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Any and all ordinances, resolutions, and/or policies of the City, whether written or otherwise, which are in any manner in conflict with or inconsistent with this Ordinance shall be and are hereby repealed to the extent of such conflict and/or inconsistency.

SECTION 11. PUBLICATION

The City Secretary of the City of Farmersville is hereby directed to publish in the Official Newspaper of the City of Farmersville the Caption, Penalty and Effective Date Clause of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

SECTION 12. ENGROSSMENT AND ENROLLMENT

The City Secretary of the City of Farmersville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Farmersville and by filing this Ordinance in the Ordinance records of the City.

SECTION 13. SAVINGS

All rights and remedies of the City of Farmersville are expressly saved as to any and all violations of the provisions of any Ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 14. EFFECTIVE DATE

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by Texas law.

PASSED on first reading on the 27th day of August, 2013, and second reading on the 10th day of September, 2013, at properly scheduled meetings of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

APPROVED THIS 10th day of September, 2013.

APPROVED:

BY: _____
Joseph E. Helmberger, P.E., Mayor

ATTEST:

Edie Sims, City Secretary



TO: Mayor and Councilmembers

FROM: City Manager Ben White

DATE: August 27, 2013

SUBJECT: Second Reading – Consider, discuss and act upon an ordinance amending Chapter 77, "Zoning," of the Code of Ordinances of the City of Farmersville, Article III "New Types of Land Use; Districts", Section 77-138, "Specific Use Permits"

- Ordinance is attached for review
- The Council approved the first reading of the ordinance presented on August 13th.

ACTION: Approve or disapprove the ordinance as presented.

**CITY OF FARMERSVILLE
ORDINANCE # O-2013-0827-001**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF CHAPTER 77, "ZONING," THROUGH THE AMENDMENT OF ARTICLE III "NEW TYPES OF LAND USE; DISTRICTS," BY DELETING EXISTING SECTION 77-138, "SPECIFIC USE PERMITS," IN ITS ENTIRETY AND REPLACING SECTION 77-138 WITH A NEW SECTION 77-138 THAT IS ALSO ENTITLED "SPECIFIC USE PERMITS"; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING ENGROSSMENT AND ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Farmersville adopted Ordinance No. 2004-01 establishing a Comprehensive Zoning Ordinance ("Zoning Ordinance") on February 10, 2004, in accordance with the requirements of the Texas Zoning Enabling Act, Texas Local Government Code Chapter 211; and

WHEREAS, the City desires to amend the provision regarding the consideration and granting of Specific Use Permits for certain uses identified in the Use Charts to the Zoning Ordinance as being permitted within a particular zoning classification upon the approval of a Specific Use Permit by the City Council of the City of Farmersville, Texas; and

WHEREAS, after notice and public hearing the Planning and Zoning Commission has recommended approval of the text amendment regarding Specific Use Permits to the City Council; and,

WHEREAS, all legal requirements, conditions, and prerequisites have been complied with prior to this recommended text amendment coming before the City Council of the City of Farmersville; and

WHEREAS, the City Council of the City of Farmersville, after notice and public hearing as required by law and upon due deliberation and consideration of the recommendation of the Planning and Zoning Commission of the City of Farmersville and of all testimony and information submitted during said public hearings, has determined that, in the public's best interest and in support of the health, safety, morals, and general welfare of the citizens of the City, the text amendment to the Zoning Ordinance regarding Specific Use Permits described herein is hereby adopted and the Zoning Ordinance is hereby amended to reflect the adoption of such changes in all things; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, THAT:

SECTION 1. INCORPORATION OF FINDINGS

All of the above premises are hereby found to be true and correct legislative and factual determinations of the City of Farmersville and are hereby approved and incorporated into the body of this Ordinance and made a part hereof for all purposes allowed by law as if fully set forth herein.

SECTION 2. AMENDMENT OF CHAPTER 77, "ZONING," THROUGH THE AMENDMENT OF ARTICLE III "NEW TYPES OF LAND USE; DISTRICTS," BY DELETING EXISTING SECTION 77-138, "SPECIFIC USE PERMITS," IN ITS ENTIRETY AND REPLACING SECTION 77-138 WITH A NEW SECTION 77-138 THAT IS ALSO ENTITLED "SPECIFIC USE PERMITS."

From and after the effective date of this Ordinance, Chapter 77, "Zoning," is amended through the amendment of Article III "New Types of Land Use; Districts," by deleting existing Section 77-138, "Specific Use Permits," in its entirety and replacing Section 77-138 with a new Section 77-138 that is also entitled "Specific Use Permits" to read as follows:

"Sec. 77-138. Specific Use Permits.

The City Council by an affirmative vote may, after public hearing and proper notice to all parties affected, and after recommendations from the Planning and Zoning Commission that the use is in general conformance with the Comprehensive Plan of the City and containing such requirements and safeguards as are necessary to protect adjoining property, authorize the granting of a Specific Use Permit for those uses indicated by "S" in the schedule of uses to this Zoning Ordinance, according to the following criteria:

- (1) An application for a Specific Use Permit shall be accompanied by a plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size, height, construction materials, and locations of buildings; the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings, and fences; and the relationship of the intended use to all existing properties and land uses in all directions (the "Plan"). A Specific Use Permit that will require the construction of a new structure shall be accompanied by said Plan. A Plan may not be required if a Specific Use Permit is applied for that will locate in an existing structure, if the City Manager or his designee determines that the existing site adequately addresses the above

elements and a Plan is not necessary to evaluate the Specific Use Permit.

- (2) In recommending that a Specific Use Permit for the premises under consideration be granted, the Planning and Zoning Commission shall determine that such uses are harmonious with and adaptable to building structures and uses of abutting property and other property within 200 feet of the premises under consideration, and shall make recommendations regarding the adequacy of the streets, alleys and sidewalks abutting and adjacent to the proposed use (subject to the City's Subdivisions Ordinance), means of ingress and egress from and to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures, and whether the building is compatible for the use under consideration.
- (3) Every Specific Use Permit granted under these provisions shall be considered as an amendment to the Zoning Ordinance and shall remain applicable to the property so long as all conditions imposed at the time of granting said permit continue to be met and no substantive change in the use of the property occurs. In the event the building, premises, or land use under the Specific Use Permit is voluntarily vacated for a period in excess of 180 days, the use of the same shall thereafter conform to the regulations of the original zoning district of such property unless a new and separate Specific Use Permit is granted for continuation of the same.
- (4) In granting a Specific Use Permit, the City Council may impose conditions that shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the City for use of the building on such property pursuant to such Specific Use Permit. Such conditions are not precedent to the granting of a Specific Use Permit, but shall be construed as conditions precedent to the granting of the certificate of occupancy.
- (5) No Specific Use Permit shall be granted unless the applicant, owner, and grantee of the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the Specific Use Permit, as attached to the site plan drawings and approved by the City Council.
- (6) A building permit shall be applied for and secured within six months from the time of granting the Specific Use Permit; provided, however, that the City Council may authorize an extension of this time upon recommendation by the Planning and Zoning Commission, except in the case of a private street development, which shall have no limit

regarding the application and securing of a building permit. If a building permit has not been secured within six months from the time of granting the Specific Use Permit, or if a building permit has been issued but subsequently allowed to lapse, a City-initiated zoning change will be placed on the agenda of the Planning and Zoning Commission and City Council to consider the revocation of the Specific Use Permit.

- (7) No building, premises, or land used under a Specific Use Permit may be enlarged, modified, structurally altered, or otherwise changed unless a separate Specific Use Permit is granted for such enlargement, modification, structural alterations, or change.
- (8) The board of adjustment shall not have jurisdiction to hear, review, reverse, or modify any decision, determination, or ruling with respect to the granting, extension, revocation, modification or any other action taken relating to such Specific Use Permit.
- (9) When the City Council authorizes granting of a Specific Use Permit, the official zoning district map shall be amended according to its legend to indicate that the affected area has conditions and limited uses, said amendment to indicate the appropriate zoning district for the approved use and suffixed by an "S" designation.
- (10) A Specific Use Permit issued by the City shall be transferable from one owner or owners of the subject property to a new owner or occupant of the subject property, and Subsection (5) of this Section shall be applicable to the new owner or occupant of the property. However, a Specific Use Permit issued for a private club shall not be considered a property right but a personal privilege of the permit holder in accordance with the Texas Alcoholic Beverage Code, and thus shall not be transferable or assignable from one owner or owners of the permitted property to a new owner or occupant of the permitted property."

SECTION 3. PENALTY

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Farmersville, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 4. SEVERABILITY

It is hereby declared to be the intention of the City Council that the several provisions of this Ordinance are severable, and if any court of competent jurisdiction shall judge any provisions of this Ordinance to be illegal, invalid, or unenforceable, such judgment shall not affect any other provisions of this Ordinance which are not specifically designated as being illegal, invalid or unenforceable.

SECTION 5. REPEALER

This Ordinance shall be cumulative of all other Ordinances, resolutions, and/or policies of the City, whether written or otherwise, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Any and all ordinances, resolutions, and/or policies of the City, whether written or otherwise, which are in any manner in conflict with or inconsistent with this Ordinance shall be and are hereby repealed to the extent of such conflict and/or inconsistency.

SECTION 6. PUBLICATION

The City Secretary of the City of Farmersville is hereby directed to publish in the Official Newspaper of the City of Farmersville the Caption, Penalty and Effective Date Clause of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

SECTION 7. ENGROSSMENT AND ENROLLMENT

The City Secretary of the City of Farmersville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Farmersville and by filing this Ordinance in the Ordinance records of the City.

SECTION 8. SAVINGS

All rights and remedies of the City of Farmersville are expressly saved as to any and all violations of the provisions of any Ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 9. EFFECTIVE DATE

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by Texas law.

PASSED on first reading on the ____ day of _____, 2013, and second reading on the ____ day of _____, 2013, at properly scheduled meetings of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

APPROVED THIS ____ day of _____, 2013.

APPROVED:

BY: _____
Joseph E. Helmberger, P.E., Mayor

ATTEST:

Edie Sims, City Secretary



TO: Mayor and Councilmembers

FROM: City Manager Ben White

DATE: August 27, 2013

SUBJECT: Consider, discuss and act upon the City Financial Reports

- Financials are attached for review

ACTION: Approve or disapprove the financial reports as presented.

**City of Farmersville
Investment and Budget Report**

July 2013

Prepared by: Daphne Hamlin

SUMMARY OF CASH BALANCES JULY 2013

ACCOUNT: FNB (0815)

	Restricted	Assigned	Account Balance
Clearing Accounts			
General Fund		\$ 213,191.22	
Refuse Fund		\$ 55,344.73	
Water/Wastewater Fund		\$ (14,834.68)	
Electric Fund		\$ (106,392.63)	
SRO Support ISD	\$ 14,719.05		
CC Child Safety	\$ 11,873.12		
Law Enf. Training	\$ 343.61		
Debt Service Revenue Payment(66.67%, \$228K)	\$ 147,472.03		
2012 Bond	\$ (12,637.65)		
Disbursement Fund	\$ (94,508.97)		
Library Donation Fund	\$ 1,382.46		
Court Tech/Sec	\$ 18,175.53		
Grants	\$ (375,206.53)		
2006 C/O	\$ (361.70)		
CC Bond Farmersville Parkway	\$ 180,000.86		
CC Bond Floyd	\$ (49,667.75)		
Equipment Replacement	\$ 41,049.52		
TOTAL:	\$ (117,366.42)	\$ 147,308.64	\$ 29,942.22
Debt Service Accounts			
County Tax Deposit (FNB 0807)(Debt Service)	\$ 194,748.31		
Debt Service Reserve (Texpool 0014) (2 months rsv)	\$ 107,694.09		
TOTAL:	\$ 302,442.40		\$ 302,442.40
Appropriated Surplus Investment Accounts			
Customer meter deposits (Texpool 0008)	\$ 107,485.85		
2005 C/O (Texstar X750)	\$ 4,119.40		
2012 G/O Bond Fire Truck (Texstar X110)	\$ 4,334.27		
2012 G/O Bond, streets, water, wastewater (Texstar 0120)	\$ 1,326,877.16	-	
TOTAL:	\$ 1,442,816.68	\$ -	\$ 1,442,816.68
Unassigned Surplus Investment Accounts			
Gen Fund Acct. (Texpool 0004)(Reso. 90 Day)	\$ 666,085.00	\$ 101,824.88	
Refuse Fund Acct. (Texpool 0009)	\$ 75,246.84		
Park Improvement (Texpool 0002)	\$ 1,750.24		
Water/WW Fund (Texpool 0003)(Operating 90 day)	\$ 422,978.18		
Water/WW Fund (Texpool 00017)(Capital)	\$ 390,624.94		
Elec. Fund (Texpool 0005) (Operating)	\$ 50,000.00		
Elec. Fund (Texpool 0016)(Capital)	\$ 129,526.39		
Elec. Surcharge (Texpool 0015)	\$ 34,078.87		
Money Market Acct. (FNB 092)		\$ 172,630.15	
TOTAL:	\$ 1,770,290.46	\$ 274,455.03	\$ 2,044,745.49
Contractor Managed Accounts Nonspendable			
NTMWD Sewer Plant Maint. Fund	\$ 13,844.00		
Sharyland PCRF Fund	\$ 270,539.00		
TOTAL APPROPRIATED SURPLUS	\$ 284,383.00	\$ -	\$ 284,383.00
TOTAL CASH & INVESTMENT ACCOUNTS	\$ 3,682,566.12	\$ 421,763.67	\$ 4,104,329.79

SUMMARY OF CASH BALANCES JULY 2013

FEDC 4A Board Investment & Checking Account				
FEDC 4A Checking Account(Independent Bank 3124)	\$	159,936.47		
FEDC 4A Investment Account (Texpool 0001)	\$	366,476.62		
FEDC 4A Certificate of Deposit (Independent Bank)	\$	250,000.00		
TOTAL:	\$	776,413.09	\$	- \$ 776,413.09

FCDC 4B Board Investment & Checking Account				
FCDC 4B Checking Account (Independent Bank 3035)	\$	104,139.78		
FCDC 4B Investment Account (Texpool 0001)	\$	84,802.79		
TOTAL:	\$	188,942.57	\$	- \$ 188,942.57

TIRZ Account				
County Tax Deposits (FNB 0815)				
TOTAL:	\$	-	\$	- \$ -

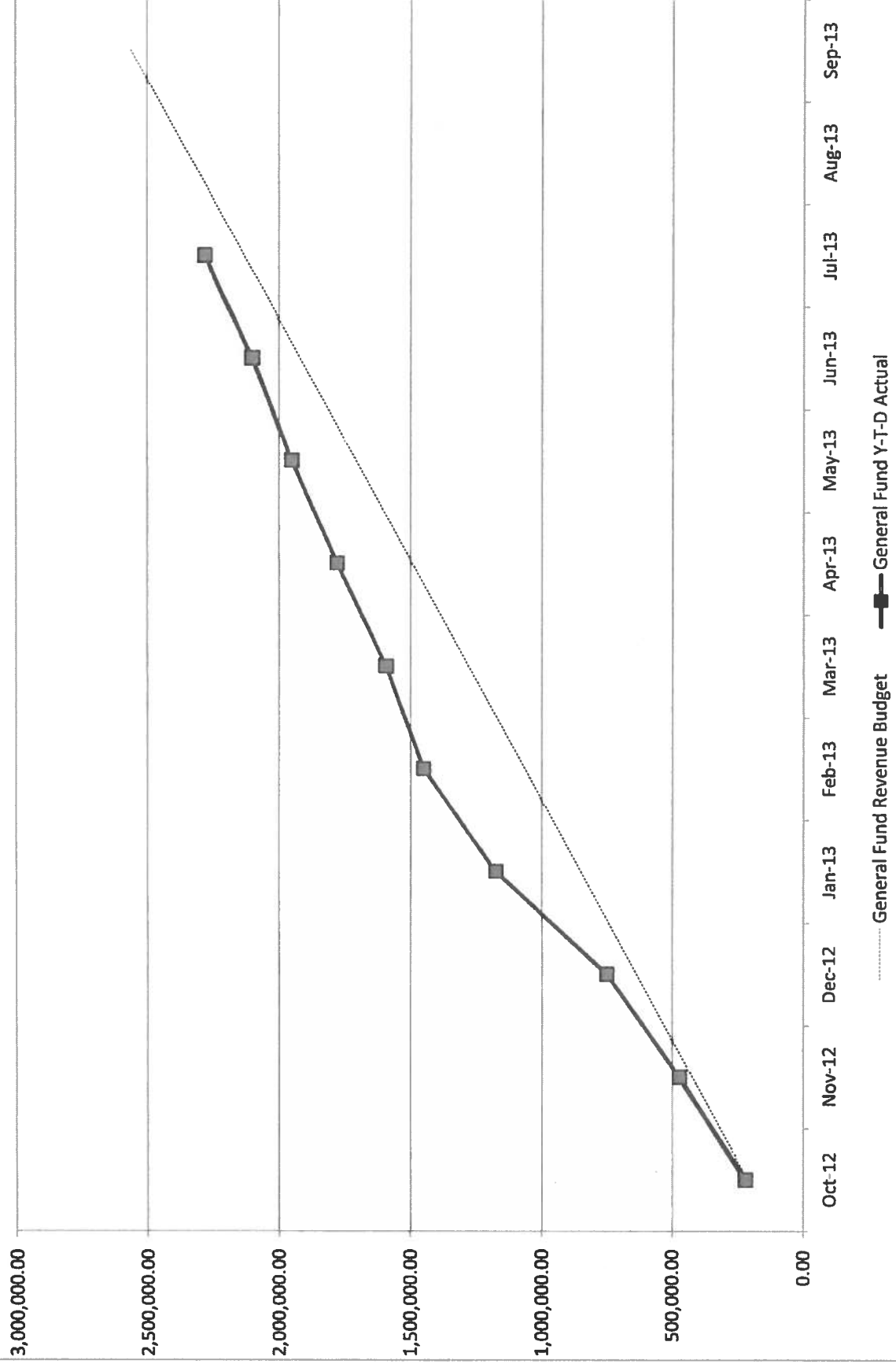
Note: Salmon color used to indicate an item dedicated to a specific project or need

MONTHLY BUDGET REPORT
JULY 2013 (10/12 MONTHS OR 83.33% OF FISCAL YEAR)
GENERAL FUND

		CURRENT FISCAL YEAR						
		CURRENT BUDGET	CURRENT MONTH	Y-T-D	ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
REVENUE								
PROPERTY TAX		714,483	6,961		698,498	-	15,985	97.76%
SALES TAX		329,501	35,122		296,787	-	32,714	90.07%
FRANCHISE FEES		63,097	2,047		56,033	-	7,064	88.80%
LICENSES/ PERMITS		34,150	2,335		22,883	-	11,267	67.01%
MUNICIPAL CT FINES		95,000	10,274		74,142	-	20,858	78.04%
4B SUPPORT/ REIMB		59,340	-		69,325	-	(9,985)	116.83%
FIRE RUN PAYMENTS		109,500	22,239		88,535	-	20,965	80.85%
LEASES/ RENTALS		42,968	4,139		32,110	-	10,858	74.73%
MISCELLANEOUS INCOME		42,000	7,934		50,136	-	(8,136)	119.37%
INTEREST		1,000	37		927	-	73	92.70%
TRANSFERS IN		1,069,935	89,160		891,610	-	178,325	83.33%
TOTAL REVENUE		2,560,974	180,248		2,280,986	-	279,988	89.07%
EXPENDITURES (BY DEPARTMENT)								
CITY COUNCIL		23,915	370		17,195	-	6,720	71.90%
ADMINISTRATION		488,087	31,318		331,535	-	156,552	67.93%
MUNICIPAL COURT		105,800	6,619		75,432	-	30,368	71.30%
LIBRARY		161,094	8,880		116,963	-	44,131	72.61%
CIVIC CENTER		12,250	5,686		14,590	-	(2,340)	119.10%
POLICE		838,475	55,364		677,853	5,319	155,303	80.84%
FIRE		268,430	22,739		213,032	-	55,398	79.36%
STREET DEPT		327,284	18,368		198,264	-	129,020	60.58%
PUBLIC WORKS BUILDING		111,233	9,457		77,669	-	33,564	69.83%
PARKS DEPT		249,302	17,549		229,931	-	19,371	92.23%
DEBT SERVICE (LEASES)		76,469			73,975	-	2,494	96.74%
TRANSFERS OUT		2,000				-	2,000	0.00%
TOTAL EXPENDITURES		2,664,339	176,350		2,026,439	5,319	632,581	76.06%
NET REVENUES OVER (UNDER) EXPENDITURES		(103,365)	3,898		254,547		(352,593)	

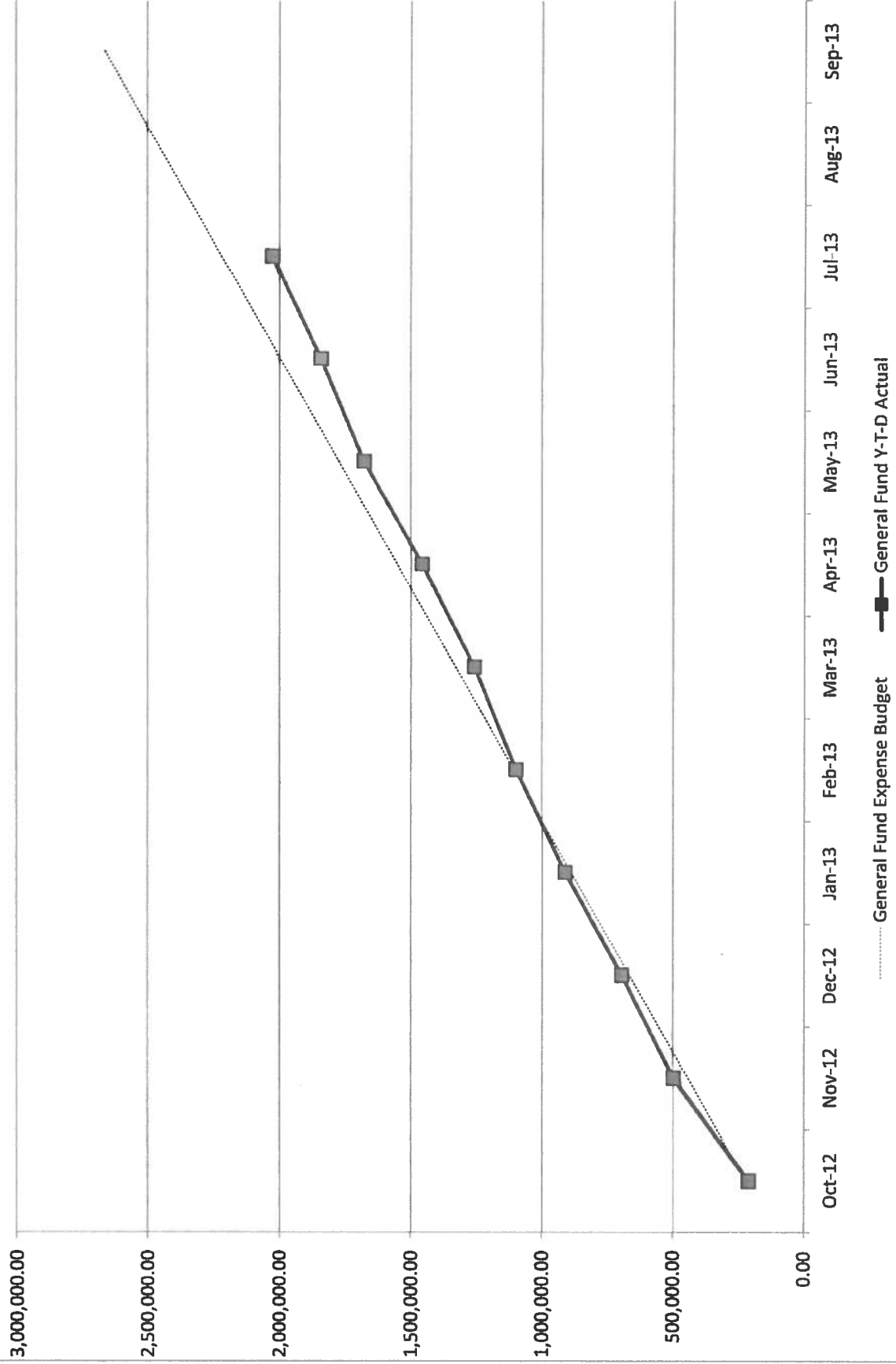
General Fund Revenue Progress

Budget Year 10/2012 thru 9/2013

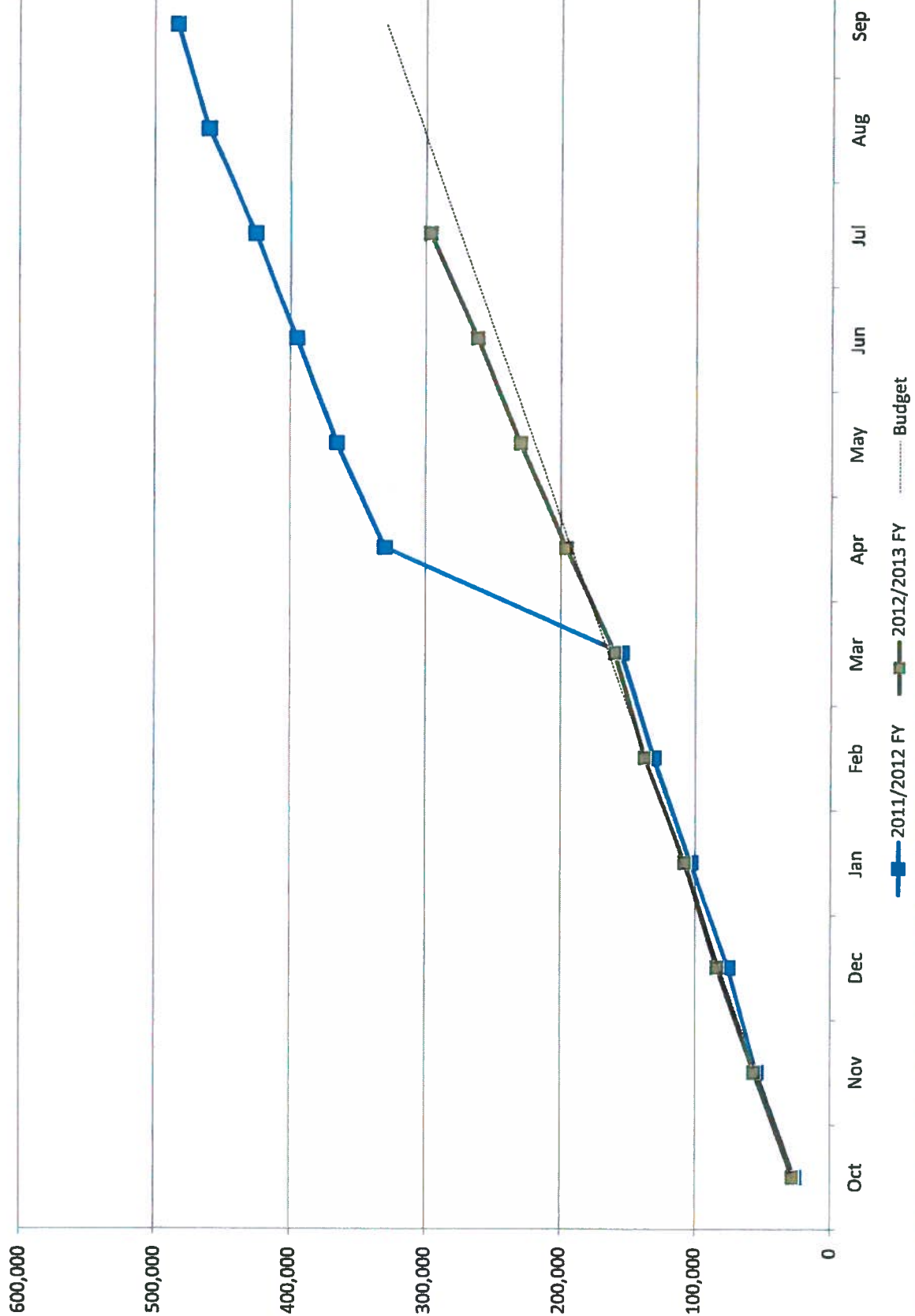


General Fund Expense

Budget Year 10/2012 thru 9/2013



Sales Tax Chart



MONTHLY BUDGET REPORT

JULY 2013 (10/12 MONTHS OR 83.33% OF FISCAL YEAR)

INTEREST & SINKING FUND

CURRENT FISCAL YEAR						
	CURRENT BUDGET	CURRENT MONTH	Y-T-D	ACTUAL	BUDGET BALANCE	% OF BUDGET
REVENUE						
PROPERTY TAX	328,335	3,071		321,533	6,802	97.93%
BOND PROCEEDS				6,038	(6,038)	
INTEREST	600	31		439	161	73.17%
TRANSFERS IN					-	0.00%
TOTAL REVENUE	328,935	3,102		328,010	925	99.72%
EXPENDITURES (BY DEPARTMENT)						
DEBT SERVICE PRINCIPAL	186,250			187,500	(1,250)	100.67%
DEBT SERVICE INTEREST	137,780			71,820	65,960	52.13%
PAYING AGENT FEES				-	-	0.00%
TOTAL EXPENDITURES	324,030	-		259,320	64,710	80.03%
NET REVENUES OVER (UNDER)						
EXPENDITURES	4,905	3,102		68,690		

MONTHLY BUDGET REPORT

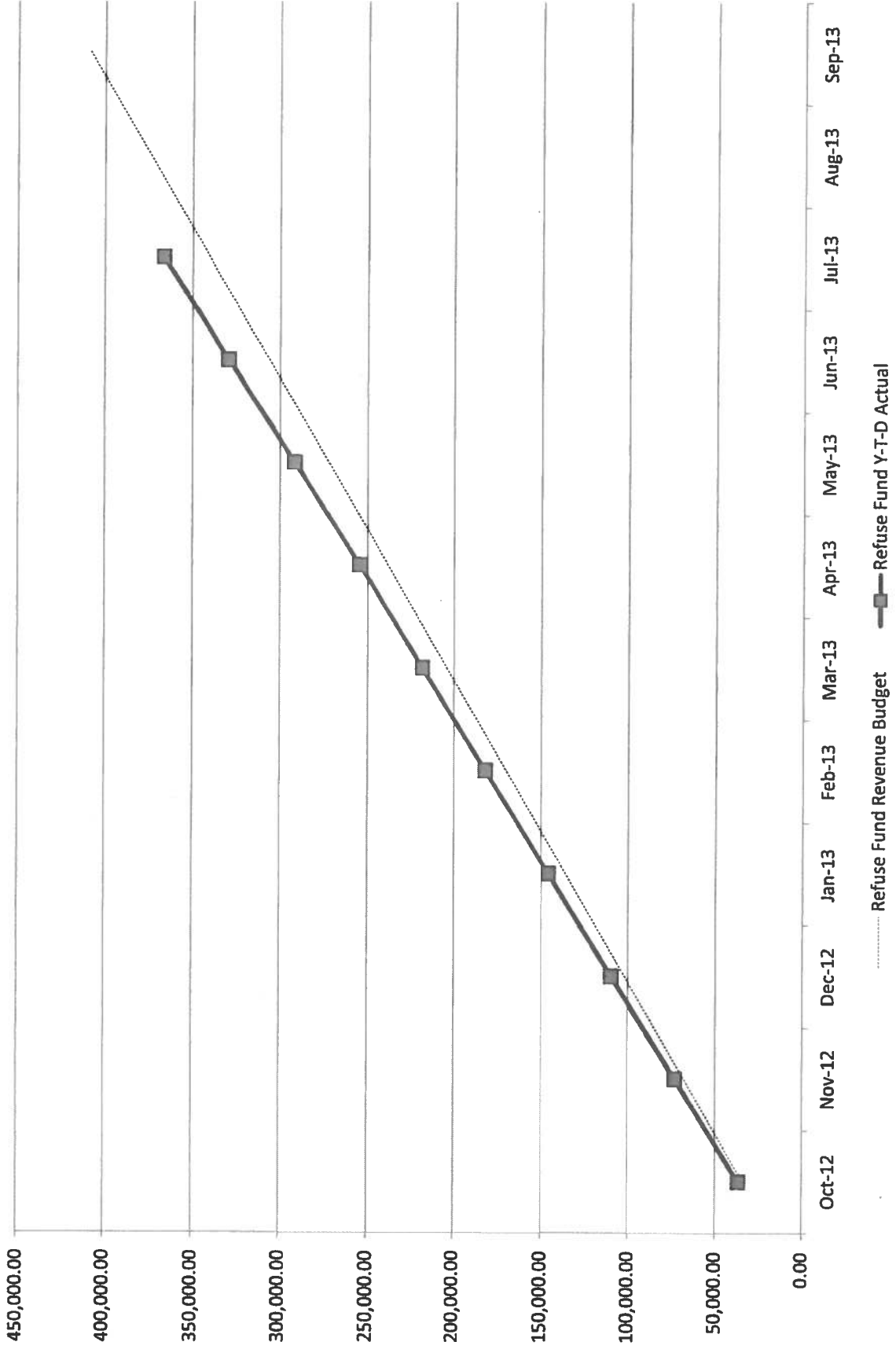
JULY 2013 (10/12 MONTHS OR 83.33% OF FISCAL YEAR)

REFUSE UTILITY FUND

	CURRENT FISCAL YEAR					% OF BUDGET
	CURRENT BUDGET	CURRENT MONTH	Y-T-D	ACTUAL	Y-T-D ENCUMBRANCE	
REVENUE						
RESIDENTIAL COLLECTION	225,466	20,153		197,033		28,433 87.39%
COMMERCIAL COLLECTION	170,290	16,115		158,057		12,233 92.82%
BRUSH COLLECTION	1,000	-		1,460		(460) 146.00%
PENALTIES	6,396	678		5,829		567 91.14%
RECYCLING	4,956	404		4,030		926 81.32%
INTEREST	125	4		66		59 52.80%
TOTAL REVENUE	408,233	37,354		366,475		41,758 89.77%
EXPENSES						
PERSONNEL	-	-		185		(185) 0.00%
PROFESSIONAL SERVICES						- 0.00%
MAINTENANCE						- 0.00%
OPERATING EXPENSES	326,603	28,482		251,090		75,513 76.88%
ADMIN SUPPORT	6,455	538		5,380		1,075 83.35%
SUPPLIES	75			(56)		75 0.00%
MISCELLANEOUS						56 0.00%
CAPITAL OUTLAY						- 0.00%
TRANSFERS OUT	75,100	6,258		62,583		12,517 83.33%
TOTAL EXPENDITURES	408,233	35,278		319,182		89,051 78.19%
NET REVENUES OVER (UNDER) EXPENSES	-	2,076		47,293		(47,293)

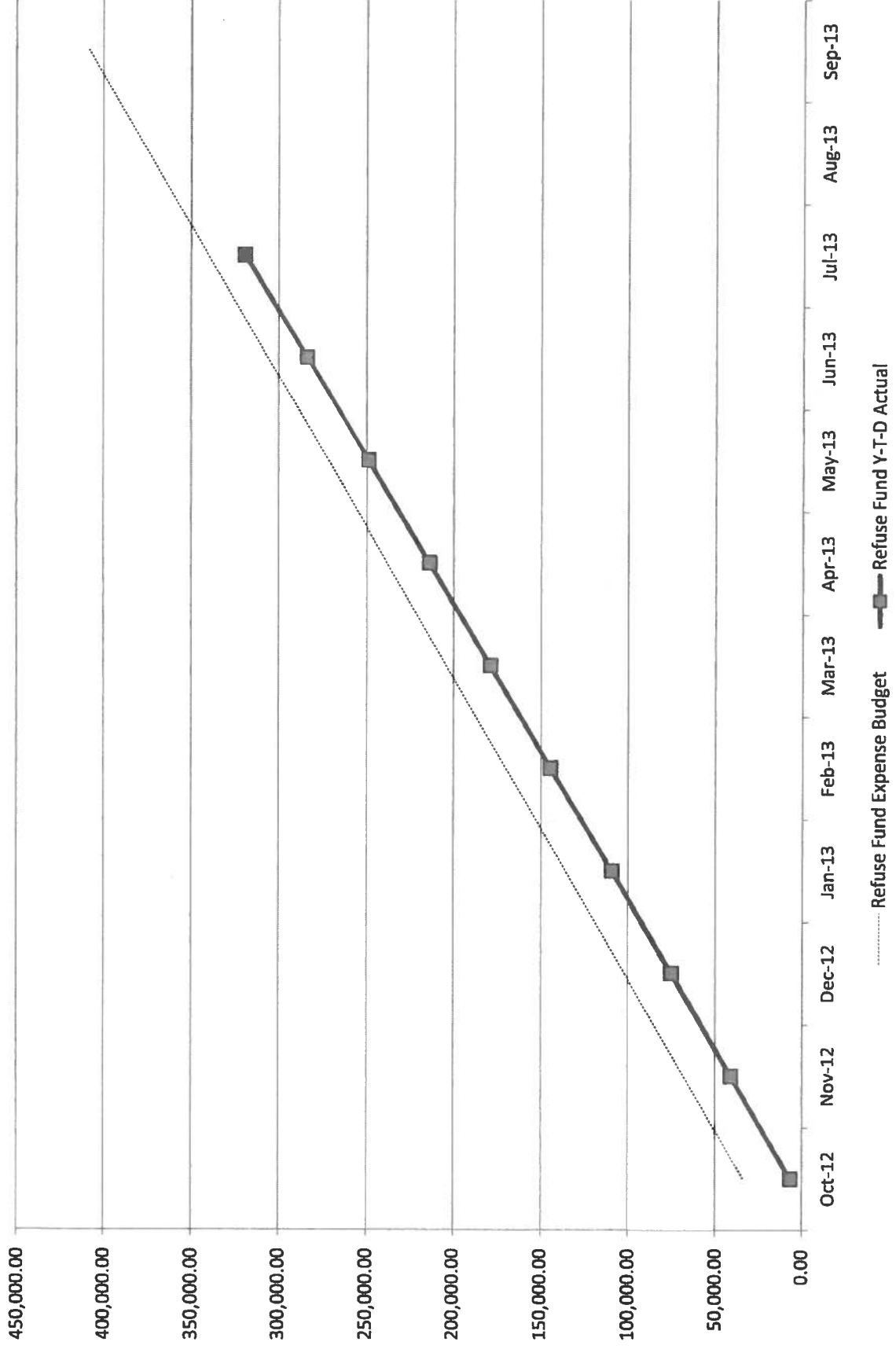
Refuse Fund Revenue Progress

Budget Year 10/2012 thru 9/2013



Refuse Fund Expense

Budget Year 10/2012 thru 9/2013



MONTHLY BUDGET REPORT

JULY (10/12 MONTHS OR 83.33% OF FISCAL YEAR)

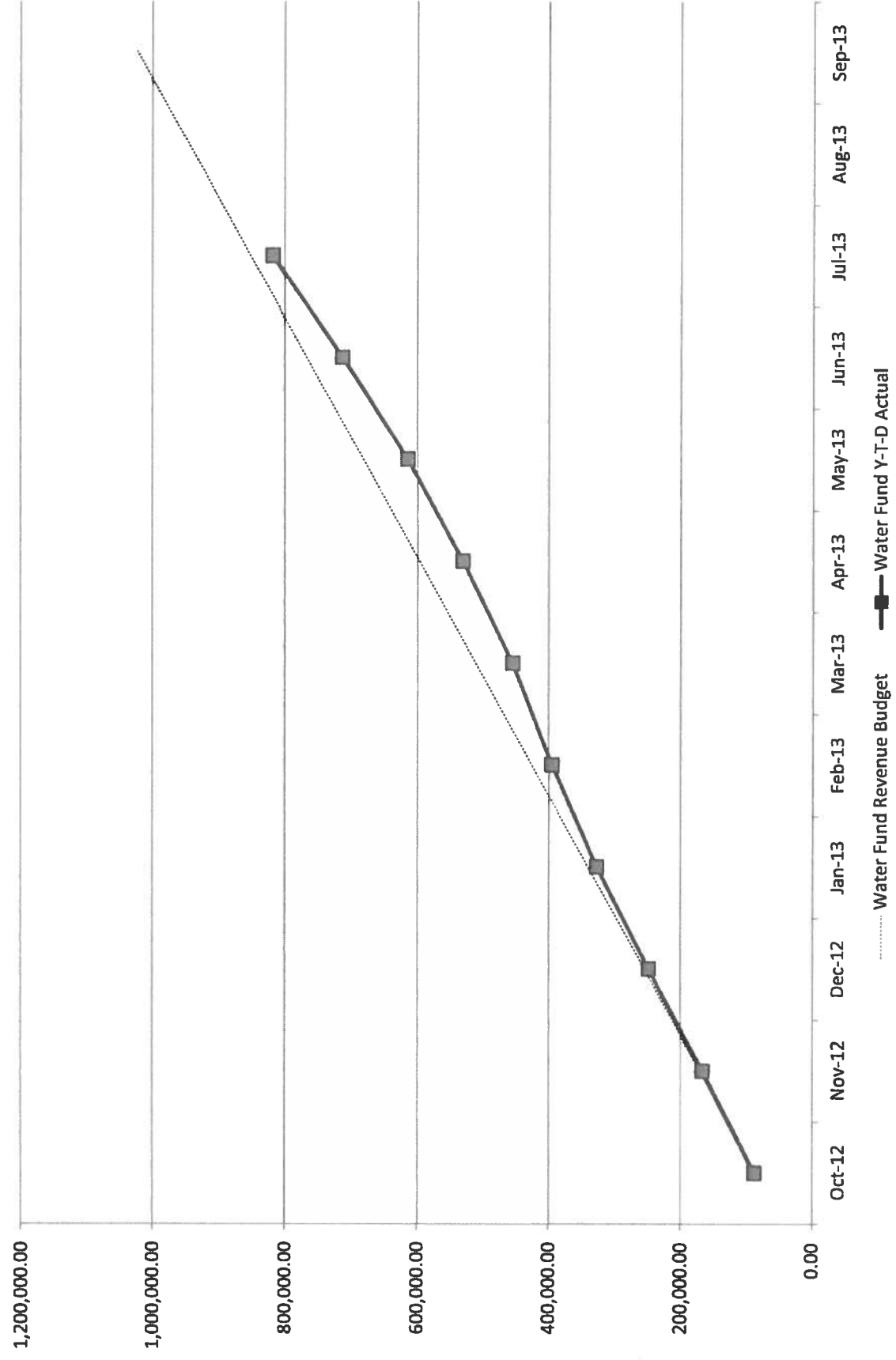
WATER & WASTEWATER UTILITY FUND

REVENUE	CURRENT FISCAL YEAR					% OF BUDGET
	CURRENT BUDGET	CURRENT MONTH	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	
WATER REVENUES						
CC CONV FEE	-	-	-	-	-	
IMPACT FEES			4,051		(4,051)	
WATER SALES	1,002,980	102,498	785,764		217,216	78.34%
CONNECTION FEE	3,500	500	2,785		715	79.57%
PENALTIES & RECONNECT FEES	17,000	1,836	13,084		3,916	76.96%
TAP FEES		-	3,700		(3,700)	0.00%
TRANSFERS IN						
OTHER INCOME		\$ -	8,480		(8,480)	0.00%
	1,023,480	104,834	817,864	-	205,616	79.91%
SEWER REVENUES						
SEWER	654,909	63,319	556,828		98,081	85.02%
TAP FEES						0.00%
PENALTIES	12,000	1,683	12,183		(183)	101.53%
IMPACT FEES		-	3,944		(3,944)	
	666,909	65,002	572,955	-	93,954	85.91%
INTEREST EARNED						
	1,000	64	1,094	-	-	0.00%
	-	-	-	-	(94)	109.40%
TOTAL ALL REVENUES	1,691,389	169,900	1,391,913	-	299,476	82.29%
WATER EXPENSES						
ADMINISTRATION EXPENSES						
PERSONNEL	75,543	9,111	110,657		(35,114)	146.48%
PROFESSIONAL SERVICES	1,500	-	57		1,443	3.80%
MAINTENANCE	6,700	730	8,975		(2,275)	133.96%
UTILITIES	17,500	1,452	11,376		6,124	
SUPPLIES	750	-	-		750	0.00%
MISCELLANEOUS	1,000	296	1,818		(818)	181.80%
PERSONNEL						
PROFESSIONAL SERVICES	107,760	15,194	179,282		(71,522)	166.37%
OPERATING	59,155	3,528	30,936		28,219	52.30%
MAINTENANCE	106,000	10,247	89,977		16,023	84.88%
UTILITIES	13,500	922	3,639		9,861	26.96%
	29,400	2,792	22,246		7,154	75.67%

SUPPLIES	479,598	-	392,420	87,178	81.82%
MISCELLANEOUS	4,200	-	1,162	3,038	27.67%
CAPITAL OUTLAY	-	-	-	-	0.00%
EQUIPMENT TRANSFER	-	-	-	-	-
TRANSFERS OUT	121,874	10,156	101,561	20,313	83.33%
TOTAL WATER EXPENSES	1,024,480	54,428	954,106	70,374	93.13%
WASTEWATER EXPENSES					
PERSONNEL	139,812	1,654	21,319	118,493	15.25%
PROFESSIONAL SERVICES	2,000	195	5,171	(3,171)	258.55%
MISCELLANEOUS	14,000	6,657	9,995	4,005	71.39%
MAINTENANCE	248,630	17,199	197,079	51,551	79.27%
OPERATING EXPENSES	-	-	-	-	-
SUPPLIES	-	-	(74)	74	-
UTILITIES	8,166	603	5,937	2,229	72.70%
DEBT SERVICE	109,700	-	86,440	23,260	78.80%
CAPITAL OUTLAY	-	-	-	-	-
EQUIPMENT TRANSFER	-	-	-	-	-
TRANSFERS OUT	144,601	12,050	120,500	24,101	83.33%
TOTAL WASTEWATER EXPENSES	666,909	38,358	446,367	220,542	66.93%
TOTAL ALL EXPENSES	1,691,389	92,786	1,400,473	290,916	82.80%
NET REVENUES OVER (UNDER) EXPENSES	-	77,114	(8,560)	78,934	-

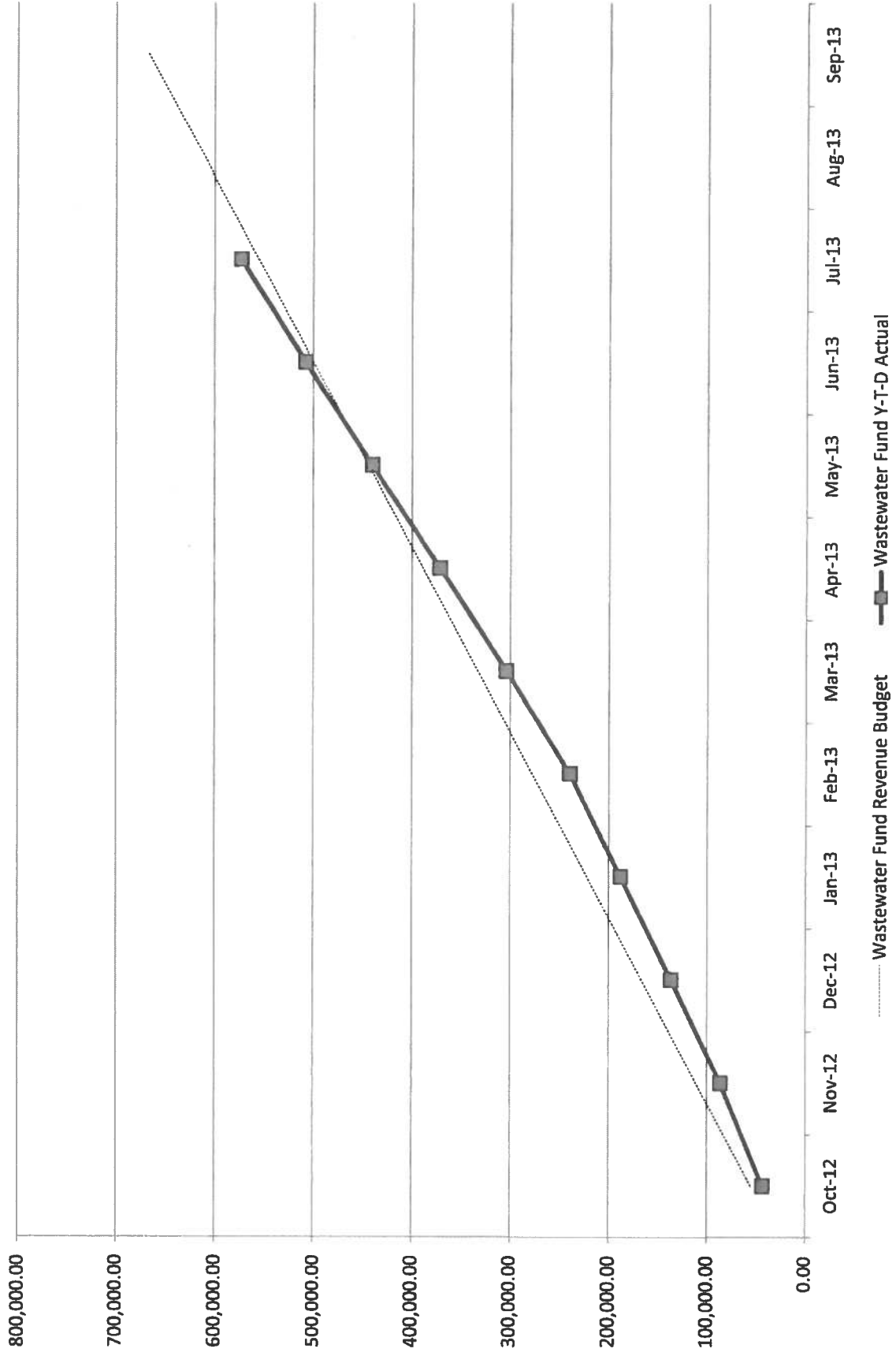
Water Fund Revenue Progress

Budget Year 10/2012 thru 9/2013



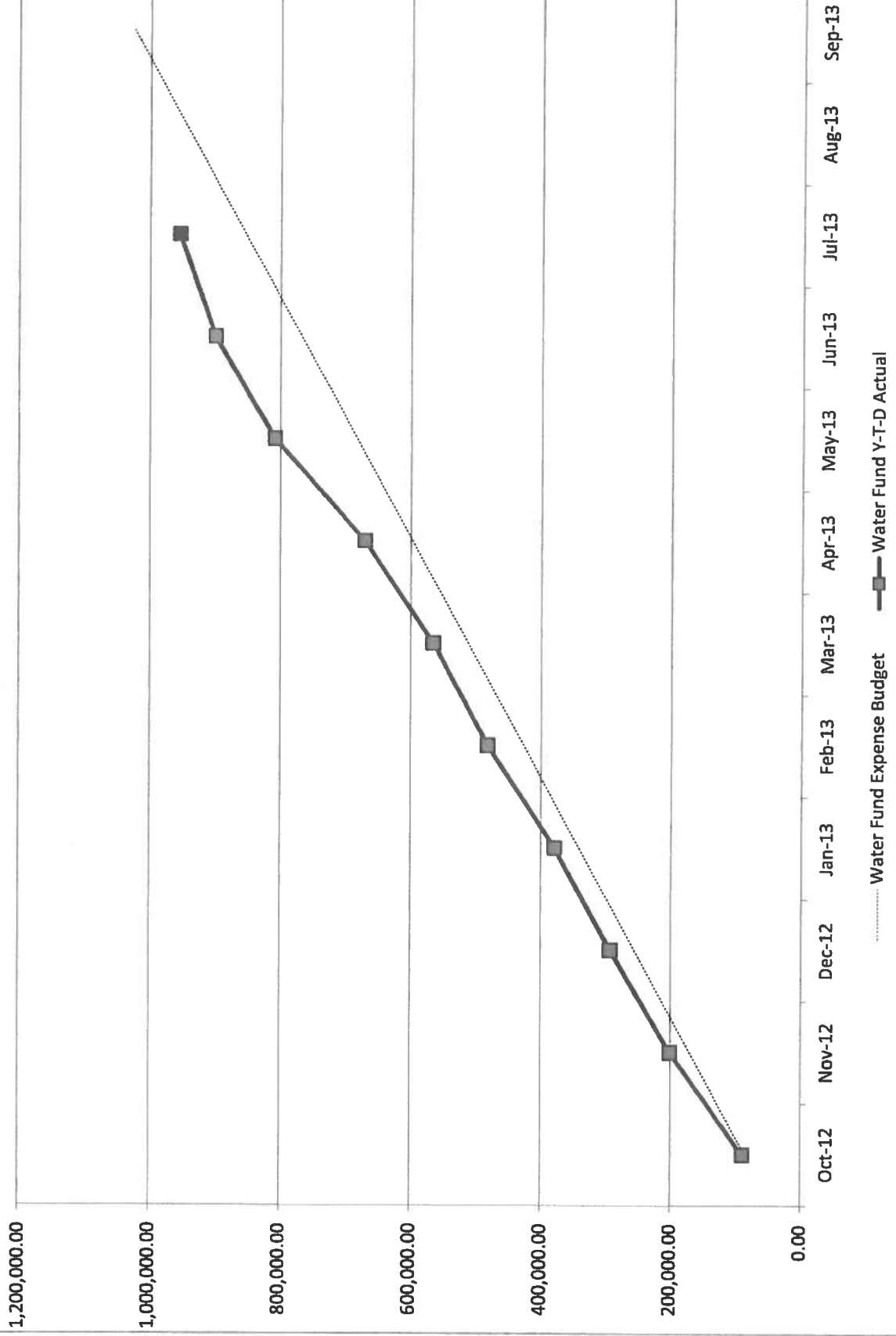
Wastewater Fund Revenue Progress

Budget Year 10/2012 thru 9/2013



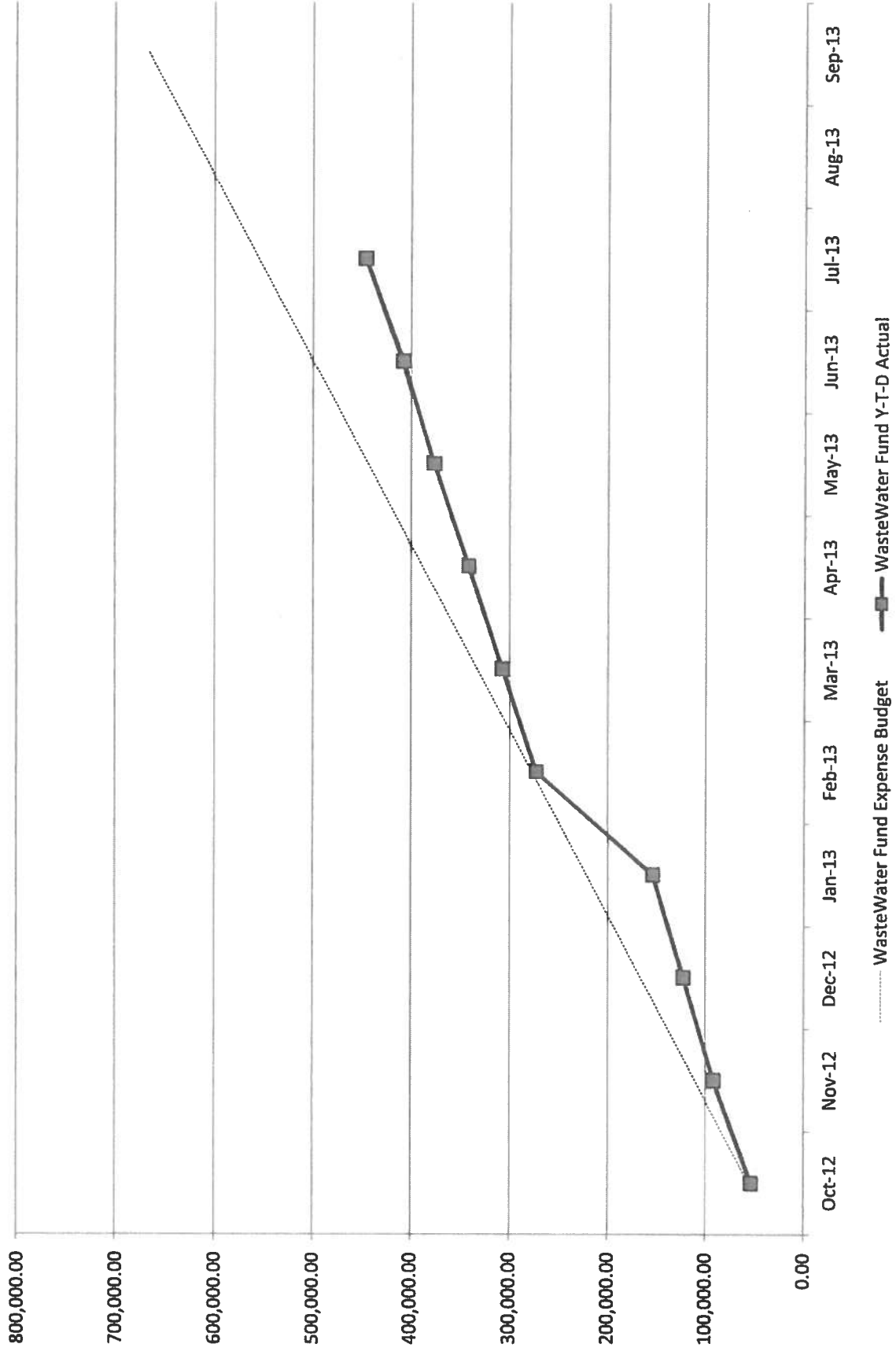
Water Fund Expense

Budget Year 10/2012 thru 9/2013

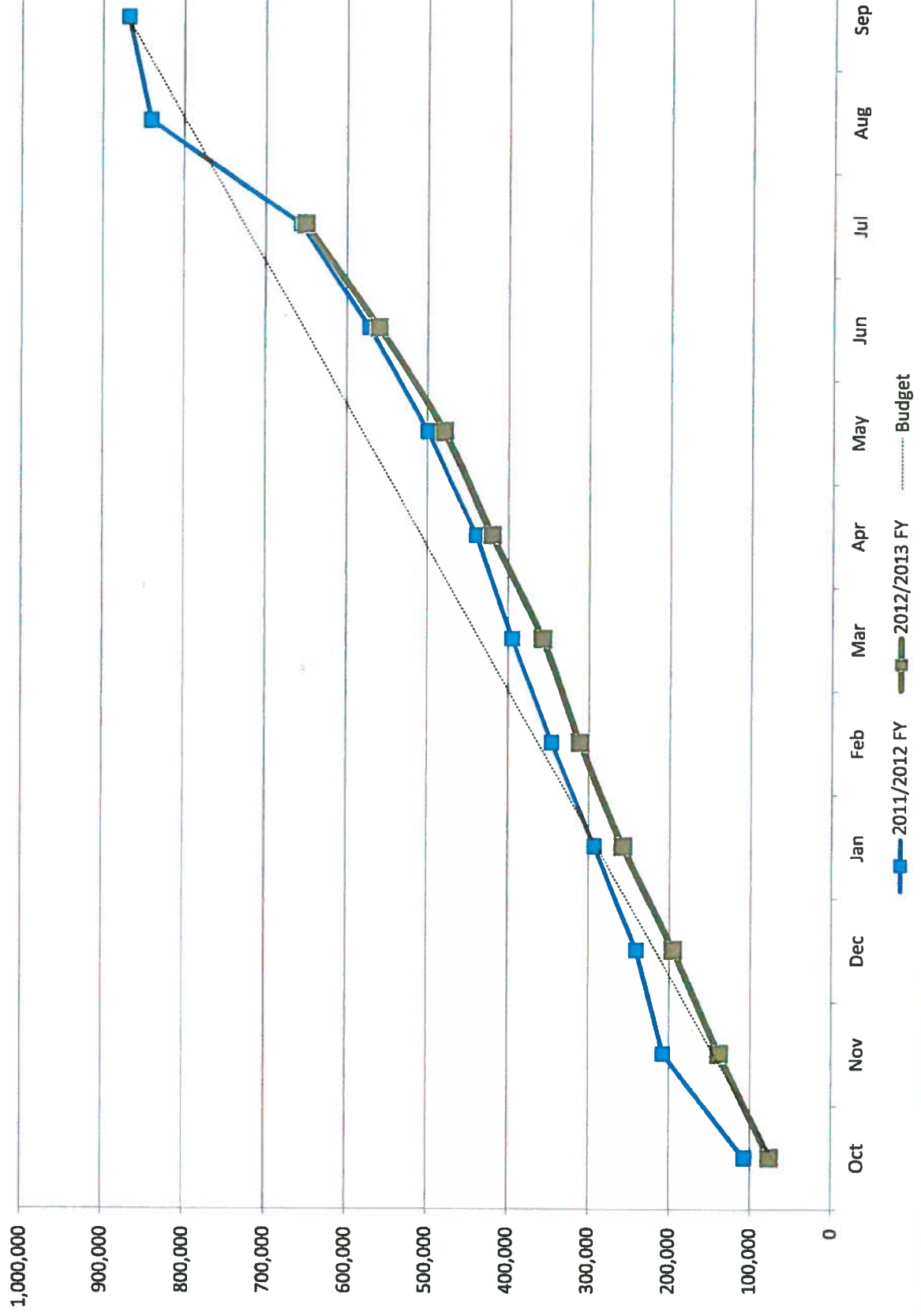


Wastewater Fund Expense

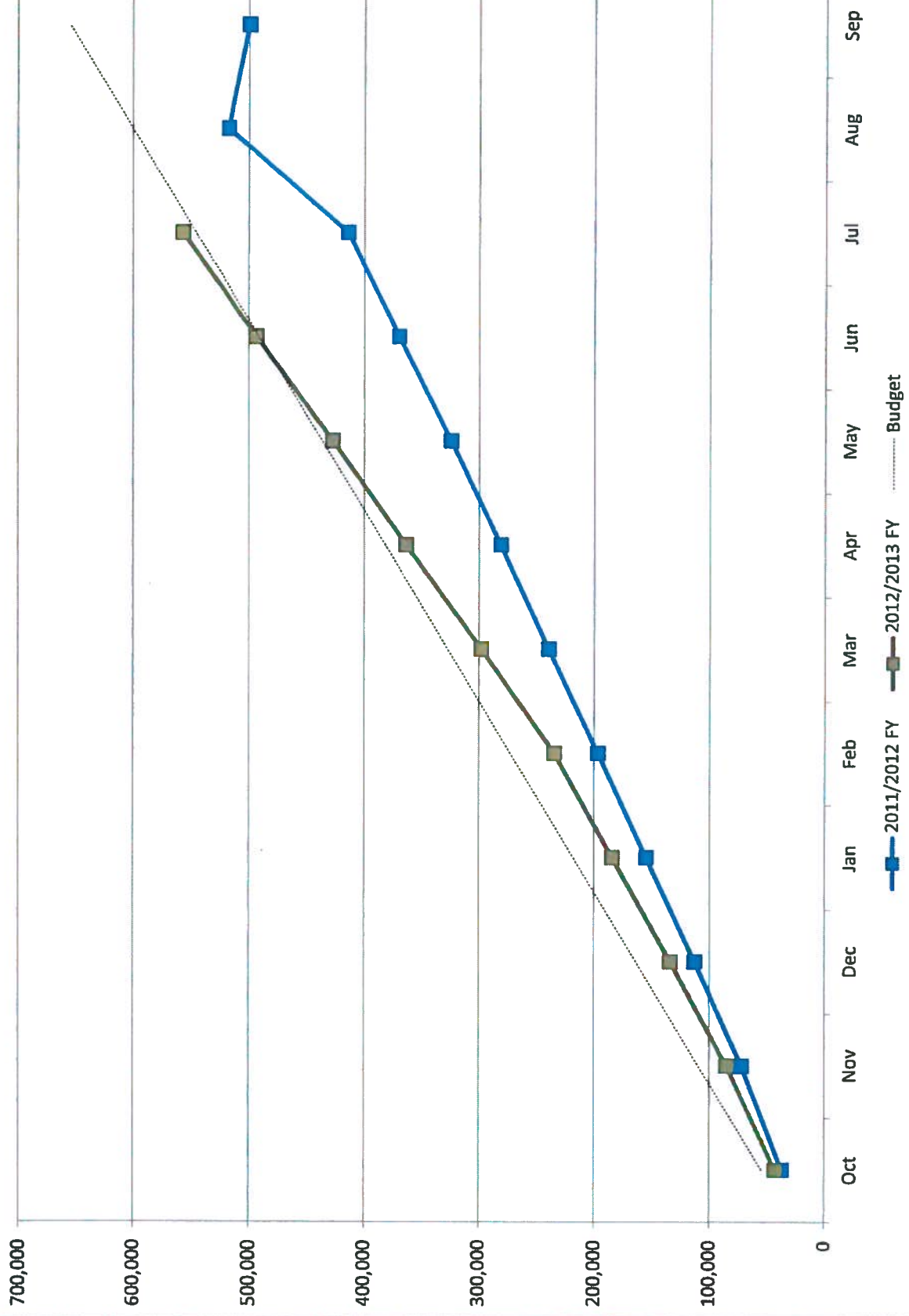
Budget Year 10/2012 thru 9/2013



City Water Sales



City Sewer Sales



MONTHLY BUDGET REPORT

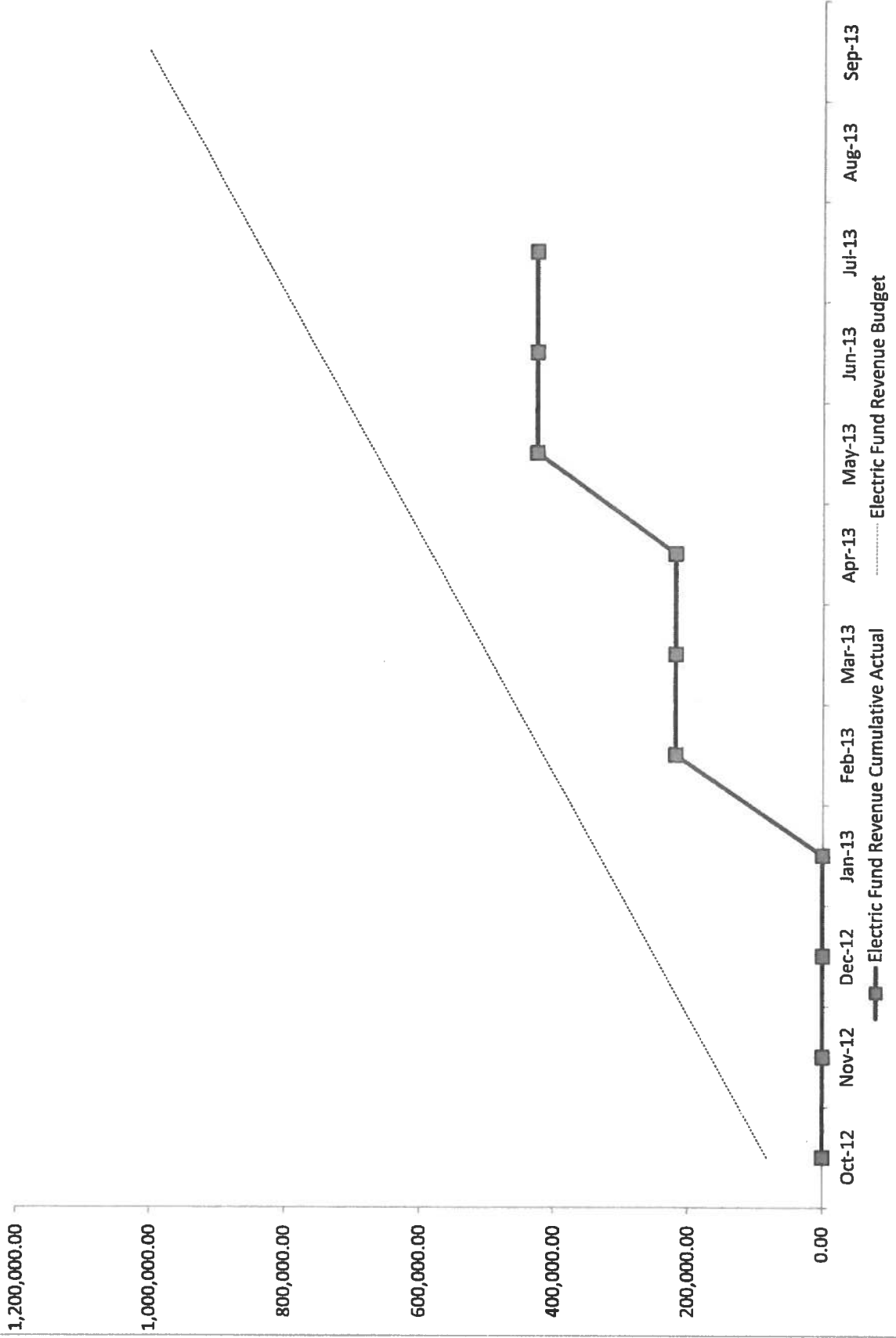
JULY 2013 (10/12 MONTHS OR 83.33% OF FISCAL YEAR)

ELECTRIC UTILITY FUND

	CURRENT FISCAL YEAR						% OF BUDGET
	CURRENT BUDGET	CURRENT MONTH	Y-T-D	ACTUAL	ENCUMBRAN	BUDGET BALANCE	
REVENUE							
MANAGEMENT AGREEMENT	850,000			424,583		425,417	49.95%
MISC		-				-	
INTEREST	250	10		163		87	65.20%
SURCHARGE	150,000	-		34,073		115,927	22.72%
TOTAL REVENUE	1,000,250	10		458,819	-	541,431	45.87%
EXPENSES							
PERSONNEL SERVICES	16,200	2,618		30,851		(14,651)	190.44%
PROFESSIONAL SERVICES	105,000	11,521		16,332		88,668	15.55%
MAINTENANCE						-	
OPERATING EXPENSES						-	0.00%
UTILITIES						-	0.00%
MISCELLANEOUS	25,000	3,346		15,947		9,053	0.00%
EQUIPMENT TRANSFER						-	
CAPITAL OUTLAY	150,000					150,000	0.00%
TRANSFERS OUT	704,050	58,670		528,037		176,013	75.00%
TOTAL EXPENSES	1,000,250	76,155		591,167	-	409,083	59.10%
NET REVENUES OVER (UNDER)							
EXPENSES	-	(76,145)		(132,348)	-	132,348	

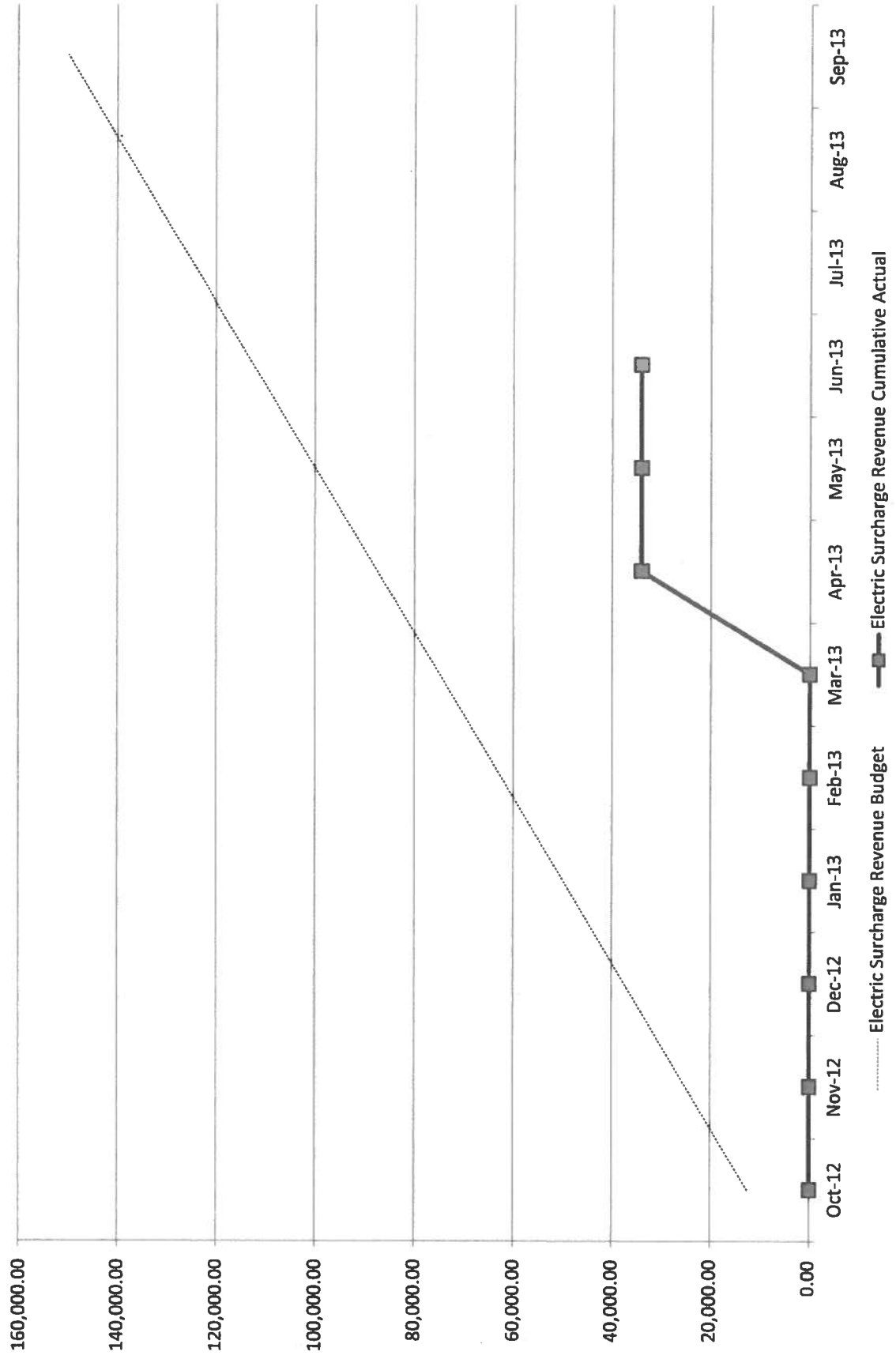
Electric Fund Revenue Progress

Budget Year 10/2012 thru 9/2013



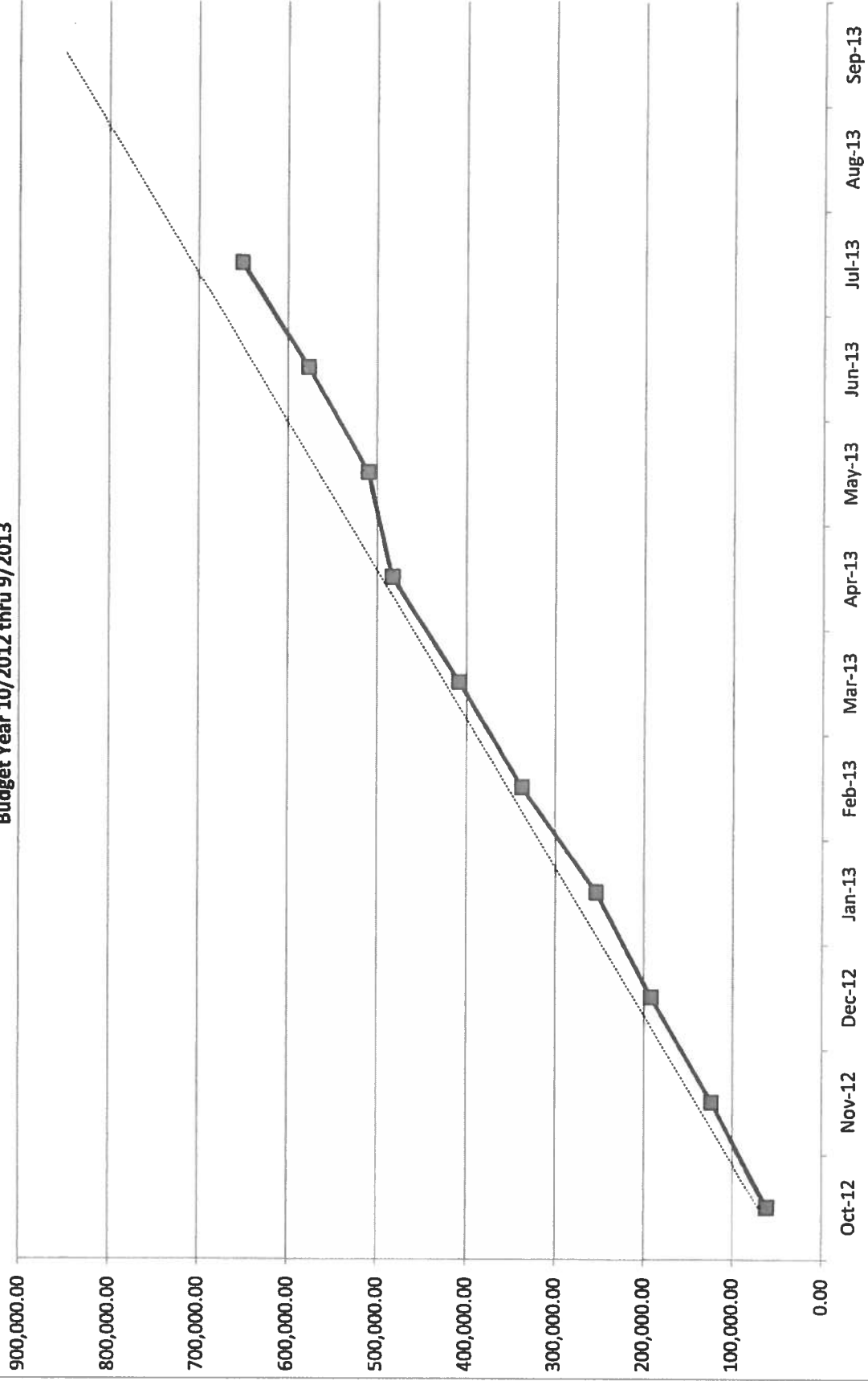
Electric Fund Surcharge Revenue Progress

Budget Year 10/2012 thru 9/2013



Electric Fund Expense

Budget Year 10/2012 thru 9/2013





TO: Mayor and Councilmembers

FROM: City Manager Ben White

DATE: August 27, 2013

SUBJECT: Update and discussion regarding the electrical system

- City Manager Ben White will update the Council regarding the electrical system

ACTION: Council to receive update and discussion only. No action required.



TO: Mayor and Councilmembers

FROM: City Manager Ben White

DATE: August 27, 2013

SUBJECT: Consider, discuss and act upon accepting Phil Weiss' resignation from the Farmersville Community Development Corporation

- Phil Weiss' resignation letter is attached for review


ACTION: Consider, discuss and act upon accepting the resignation from the FCDC

August 7, 2013

Joe Helmberger, Mayor

Thank you all for giving me the opportunity to serve the community of Farmersville on the 4B board. As most of you know I run my own business in Plano, TX. We are growing and as we do it is getting harder to leave work early to make the meetings at 5:45 pm when my office does not close till 5:30 pm each day. At this point I feel it best to resign from the board so that I do not affect the board when I cannot attend the meetings. Again thank you all for the opportunity and hopefully in the future my schedule will be more flexible.

Sincerely

A handwritten signature in black ink, appearing to read "Phil Weiss". The signature is written in a cursive, somewhat stylized font. The first name "Phil" is written with a large, looped "P" and the last name "Weiss" follows in a similar cursive style.

Phil Weiss



TO: Mayor and Councilmembers

FROM: City Manager Ben White

DATE: August 27, 2013

SUBJECT: Consider, discuss and act upon appointing a replacement to the Farmersville Community Development Corporation

- Candidate replacement is attached for review.

ACTION: Approve or disapprove a replacement for the FCDC.

FARMERSVILLE COMMUNITY DEVELOPMENT CORP. (4B)

Term: Two years - Two Terms Max
Residency Requirements: **Live in Fisd**

Name	Address
Phillip Weiss – RESIGNED (Replacement will complete his term ending May 2014) 1 st Term Began 9/12 – Term ends 5/14	
Donna Williams 1 st Term Began 5/13 – Term ends 5/15	1985 Hwy 78 North
Leaca Caspari - President 1 st Term Began 5/12 – Term ends 5/14	405 Summit PO Box 130
Dick Seward 1 st Term Began 5/12 – Term ends 5/14	14340 CR 550
Barbara Stooksberry 1 st Term Began 5/13 – Term ends 5/15	614 N. Main
David Ketcher 1 st Term Began 5/13 – Term ends 5/15	17247 CR 605
Phillip Weiss 1 st Term Began 9/12 – Term ends 5/14	2425 CR 697
David Reynolds 2 nd Term Began 5/13 – Term ends 5/15	5258 CR 660

MEETS: 2nd Monday of the month, 5:45 p.m.

STAFF LIAISON: Main Street Manager, Adah Leah Wolf

COUNCIL LIAISON: **Jim Foy**

Candidate

Address agrees with Bylaws

Paul Kelly	300 Hwy 78 #211
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TO: Mayor and Councilmembers

FROM: City Manager Ben White

DATE: August 27, 2013

SUBJECT: Consider, discuss and act upon appointing two members to the Senior Citizens Advisory Committee

- Candidate replacement is attached for review.

ACTION: Approve or disapprove a replacement for the Senior Citizens Advisory Committee.

SENIOR CITIZENS ADVISORY COMMITTEE

Term: Three Years – Two Terms Max
Residency Requirements: 1 Year within City Limits

Name	Address
Wilma Rains (Needs replacement) 1 st Term Began 5/09 – Term ends 5/12	605 Yucca Ln
Debbie Zilk (Needs replacement) 1 st Term Began 5/10 – Term ends 5/13	611 Jouette St.
Heidi Ratliff 2 nd Term Began 5/11 – Term ends 5/14	1320 Red Oak Circle
Tom Waitschies 1 st Term Began 5/11 – Term ends 5/14	216 Jouette
Peggy James 2 nd Term Began 5/11 – Term ends 5/14	301 Wilcoxson St

Center Number: 972-782-8231

MEETS: Called as needed

COUNCIL LIAISON: **John Klostermann**

STAFF: Paula Jackson

Candidate

Residence agrees with residency requirements

Billy J. Harrison	403 Sherry Lane
Rafiq Huddleston	316 Farr Hill Lane



TO: Mayor and Councilmembers

FROM: City Manager Ben White

DATE: August 27, 2013

SUBJECT: Consider, discuss and act upon revising the noise ordinance regarding construction noise

- Existing ordinance is attached for review

ACTION: Council to give direction to revise the ordinance as presented.

**CITY OF FARMERSVILLE
ORDINANCE # O-2012-0724-001**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED, THROUGH THE AMENDMENT OF CHAPTER 44, "NUISANCES," THROUGH THE AMENDMENT OF ARTICLE II "NOISE REGULATION," BY AMENDING THE TITLE OF DIVISION 2 OF SAID ARTICLE II TO HEREAFTER BE AND READ "NOISE DISTURBANCES," AND BY DELETING EXISTING SECTIONS 44-49 THROUGH 44-51, THEREOF, AND REPLACING SAID SECTIONS WITH NEW SECTIONS 44-49 THROUGH 44-51, ENTITLED "DEFINITIONS," "SPECIFIC NOISE DISTURBANCE PROHIBITED" AND "EXEMPTIONS," RESPECTIVELY; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING ENGROSSMENT AND ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Farmersville realize that noise nuisances can be detrimental or offensive to the inhabitants of the City; and

WHEREAS, the City's duty is to protect the citizens of Farmersville to assist the enjoyment of life, health and not have contention regarding public peace and comfort; and

WHEREAS, all legal requirements, conditions, and prerequisites have been complied with prior to this recommended text amendment coming before the City Council of the City of Farmersville; and

WHEREAS, the City Council of the City of Farmersville, after notice and public hearing as required by law and upon due deliberation and consideration, the City Council is of the opinion and finds that disturbing noise, the intensity and duration to be detrimental to the public health, safety, or general welfare of the citizens of the City;

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

SECTION 1. INCORPORATION OF FINDINGS

All of the above premises are hereby found to be true and correct legislative and factual determinations of the City of Farmersville and are hereby approved and incorporated into the body of this Ordinance and made a part hereof for all purposes allowed by law as if fully set forth herein.

SECTION 2. AMENDMENT OF ARTICLE II "NOISE REGULATION," OF CHAPTER 44, "NUISANCES," BY AMENDING THE TITLE OF DIVISION 2 OF SAID ARTICLE II TO HEREAFTER BE AND READ "NOISE DISTURBANCES," AND BY DELETING EXISTING SECTIONS 44-49 THROUGH 44-51 ENTITLED "DEFINITIONS," "SPECIFIC NOISE DISTURBANCE PROHIBITED," AND "EXEMPTIONS," RESPECTIVELY.

From and after the effective date of this Ordinance, the title of Division 2 of Article II of Chapter 44, "Nuisances," of the Code of Ordinances is hereby amended to be and read "Noise Disturbances" and existing Sections 44-49 through 44-51, thereof, are hereby amended by deleting said sections in their entirety and replacing said sections with new Sections 44-49 through 44-51 entitled "Definitions," "Noise Nuisance," and "Exemptions," respectively, to read as follows:

"DIVISION 2 – NOISE DISTURBANCES

Sec. 44-49. - Definitions. The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City means the City of Farmersville, employees or any authorized representative of the city.

Construction means any site preparations, assembly, erection, substantial repair, alteration or similar action (excluding demolition) of public or private right-of-way surfaces, structures, utilities or similar property.

Demolition means any dismantling, intentional destruction or removal of public or private right-of-way surfaces, structures, utilities or similar property.

Device means any mechanism which is intended to produce, or which actually produces noise when operated or handled.

Engine braking means the use of retarding forces within an engine to slow a vehicle down, as opposed to using an external braking mechanism, such as friction brakes or magnetic brakes. This term applies to petrol engines and other engines that throttle air intake.

Motor vehicle means any vehicle propelled by mechanical power such as, but not limited to, any passenger car, truck, truck-trailer, semi-trailer, camper, motorcycle, mini-bike, pocket bike, go-cart, dune buggy or racing vehicle.

Muffler means any apparatus consisting of baffles, chambers, or acoustical absorbing material whose primary purpose is to transmit liquids or gases while causing a significant reduction in sound emission.

Noise disturbance means any sound which annoys or disturbs, or which causes or tends to cause an adverse psychological or physiological effect upon, the sensibilities of a reasonable, prudent, adult person; and any

unreasonably loud or disturbing noise which renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.

Noise disturbance per se means not requiring extraneous evidence or support to establish the existence of a noise disturbance.

Nonresidential district means any district not classified by the zoning ordinance as containing residential homes, apartments or condominiums.

Owner means any person having supervision or control of any property.

Power equipment means any motorized electric- or fuel-powered equipment including but not limited to, tractors, lawnmowers, and other similar devices or equipment.

Power model vehicle means any self-propelled airborne, waterborne, or land-borne plane, vessel, or vehicle, which is not designed to carry persons including, but not limited to, any model airplane, boat, car or rocket.

Property means any lot, tract, parcel of land or a portion thereof, occupied or unoccupied, improved or unimproved, public or private within the territorial limits of the city.

Property boundary means an imaginary line exterior to any enclosed structure, at the ground surface and its vertical extension, which separates the real property owned by one person from that owned by another person.

Quiet zone means property on which a school, hospital, nursing home, assisted living facility, clinic, library or other noise sensitive facility is operated.

Residential district means any district classified by the zoning ordinance as containing residential homes, apartments, condominiums or dwelling units.

Roadway means any street, alley, parkway, sidewalk or gutter.

Sound means a temporal or spatial oscillation in pressure, or other physical quantity, in a medium with internal forces that causes compression and rarefaction of that medium, and which propagates at finite speed to distant points.

Vibration means a temporal and spatial oscillation of displacement, velocity or acceleration in a solid material.

Sec. 44-50. - Specific noise disturbance prohibited.

- 1) No person shall allow, make or cause to be made any unreasonable loud or disturbing noise which is offensive to the sensibilities of a reasonable, prudent adult person, renders the enjoyment of life or property uncomfortable, interferes with public peace and comfort, or causes a noise disturbance as defined.
- 2) The following includes, but is not limited to, activities which can create unreasonably loud or disturbing noises in violation of this article including activities which are noise disturbances per se, unless an exemption applies.
- 3) *Animals.* Owning, keeping, possessing or harboring any animal or fowl which by frequent or habitual noise making, unreasonably disturbs or interferes with the peace, comfort or repose of citizens, or causes a noise disturbance as defined herein. The provision of this article shall apply to all private or public facilities including any animal shelter or commercial kennel, which holds or treats animals.
- 4) *Radios, television sets, musical instruments, loud speaking amplifiers and similar devices.*
 - a) The using, operating or permitting to be played, used or operated any sound production or reproduction device, radio, receiving set, musical instrument, drums, phonograph, television set, loudspeakers and sound amplifiers or other machine or device for the producing or reproducing of sound within a residential district, or quiet zone, or within 500 feet of any residence or quiet zone, in such a manner as to cause a noise disturbance. Furthermore, any such activity shall create a noise disturbance per se if conducted between the hours of 10:00 p.m. to 6:00 a.m.
 - b) The using, operating or permitting to be played, used or operated any sound production or reproduction device, radio, receiving set, musical instrument, drums, phonograph, television set, loudspeaker and sound amplifiers or other machine or device for the producing or reproducing of sound within a nonresidential area in such a manner as to cause a noise disturbance.
 - c) The using, operating or permitting to be played, used or operated any sound production or reproduction device, radio, receiving set, musical instrument, drums, phonograph, television set, loudspeakers and sound amplifiers or other machine or device that produces or reproduces sound for the purpose of attracting attention to any cause or demonstration, or to any performance, show, sale or display of merchandise so as to attract attention to such cause,

demonstration or premises when such use is done in a manner which causes a noise disturbance.

- d) The using, operating permitting to be played, used or operated any sound production or reproduction device, radio, receiving set, musical instrument, drums, phonograph, television set, loudspeakers and sound amplifiers or other machine or device on trucks or other moving vehicles for the purpose of attracting attention to any cause or demonstration, or for advertising any show, sale or display of merchandise when such use is done in a manner which causes a noise disturbance.
- 5) *Vehicular sound amplification systems.* Operating or controlling a motor vehicle in either a public or private place within the city and operating any sound device which is part of, or connected to, any radio, stereo receiver, compact disc player, cassette tape player, or other similar device in the motor vehicle in such a manner that, when operated, it is audible at a distance of 30 feet, or when operated, causes a person to be aware of the vibration accompanying the sound at a distance of 30 feet from the source when such operation is done in a manner which causes a noise disturbance.
- 6) *Yelling, shouting, etc.* The yelling, shouting, crying, hooting, whistling or singing of peddlers, hawkers or any other person in such a manner to cause a noise disturbance.
- 7) *Loading operations.* The loading or unloading of any vehicle in such a manner as to cause a noise disturbance.
- 8) *Construction/maintenance work.*
 - a) Operating or permitting to be operated any equipment used in construction, maintenance, repair, alteration or demolition work on buildings, structures, streets, alleys, lawns, golf courses or appurtenances thereto and/or the erection, including excavation, demolition, alteration or repair of any building within a residential district or quiet zone, or within 500 feet of any residence or quiet zone, in such a manner as to cause a noise disturbance. Furthermore, any such activity shall create a noise disturbance per se if conducted between the hours of 10:00 p.m. and 6:00 a.m.
 - b) Operating or permitting to be operated any gravel pit, rock crusher, or other machinery for the separation, gathering, grading, loading or unloading of sand, rock or gravel within a residential district or quiet zone, or within 500 feet of any residence or quiet zone, in such a manner as to cause a noise disturbance. Furthermore, any such activity shall

create a noise disturbance per se if conducted between the hours of 10:00 p.m. and 6:00 a.m.

- c) Operating or permitting to be operated any gravel pit, rock crusher or other machinery for the separation, gathering, grading, loading or unloading of sand, rock or gravel within a nonresidential district in such a manner as to cause a noise disturbance.
 - d) Operating or permitting to be operated any equipment used in construction, maintenance, repair, alteration or demolition work on buildings, structures, streets, alleys, lawns, golf course or appurtenances thereto within a nonresidential district in such a manner as to cause a noise disturbance.
- 9) *Power equipment.*
- a) Operating or permitting to be operated any power equipment (as defined herein and excluding construction equipment which is specifically regulated above) within a residential district or quiet zone, or within 500 feet of any residence or quiet zone, in such a manner as to cause a noise disturbance. Furthermore, any such activity shall create a noise disturbance per se if conducted between the hours of 10:00 p.m. and 6:00 a.m.
 - b) Operating or permitting to be operated any power equipment (as defined herein and excluding construction equipment which is specifically regulated above) within a nonresidential district in such a manner as to cause a noise disturbance.
- 10) *Motor vehicles – repairs or testing.*
- a) The repairing, rebuilding, modifying or testing of any motor vehicle (including off-road vehicles) or watercraft within a residential district or quiet zone, or within 500 feet of any residence or quiet zone, in such a manner as to cause a noise disturbance. Furthermore, any such activity shall create a noise disturbance per se if conducted between the hours of 10:00 p.m. and 6:00 a.m.
 - b) The repairing, rebuilding, modifying or testing of any motor vehicle (including off-road vehicles) or watercraft within a nonresidential district in such a manner as to cause a noise disturbance.
- 11) *Motor vehicles – running loud or out of repair.*
- a) The use of any automobile, motorcycle, or other vehicle so out of repair, so modified, or so loaded, which emits or creates loud or unnecessary grating, grinding or rasping noise, the excessive spinning of the tires, or the racing of a

motor vehicle engine unnecessarily within a residential district or quiet zone, in such a manner as to cause a noise disturbance. Furthermore, such activity shall create a noise disturbance per se if conducted between the hours of 10:00 p.m. and 6:00 a.m.

- b) The use of any automobile, motorcycle or other vehicle so out of repair, so modified, or so loaded, which emits or creates loud or unnecessary grating, grinding, or rasping noise, the excessive spinning of the tires, or the racing of a motor vehicle engine unnecessarily within a nonresidential district in such a manner as to cause a noise disturbance.
- 12) *Motor vehicles -- exhaust.* The discharge into the open air of the exhaust of any motor vehicle in such a manner as to cause a noise disturbance, except as discharged through a muffler or other device which effectively and efficiently prevents loud and unusual noises and annoying smoke.
- 13) *Motor vehicles -- engine braking.* Engine braking occurs when the retarding forces within an engine are used to slow a vehicle down, as opposed to using an external braking mechanism such as friction brakes or magnetic brakes which causes a noise disturbance.
- 14) *Motor vehicles -- jake braking.* Engine braking used mainly in large diesel trucks and works by opening the exhaust valves at the top of the compression stroke, resulting in adiabatic expansion of the compressed air, so the large amount of energy stored in that compressed air is not returned to the crankshaft, but is released into the atmosphere which causes a noise disturbance.
- 15) *Explosive devices.* Explosive sound sources including, but not limited to, the use of fireworks, explosives, and the firing of guns or other explosive devices in such a manner as to cause a noise disturbance; provided however, that no such noise disturbance shall be deemed to exist when the activity is allowed or sanctioned by ordinance or other authority and the activity is conducted in strict accordance with said ordinance or authority.
- 16) *Powered model mechanical devices.*
 - a) The flying of model aircraft powered by internal combustion engines, whether tethered or not, or the firing or operating of model rocket vehicles or other similar noise producing devices, within a residential district or quiet zone, or within 500 feet of any residence or quiet zone, in such a manner as to cause a noise disturbance. Furthermore, any such activity shall create a noise disturbance per se if conducted between the hours of 10:00 p.m. and 6:00 a.m.

- b) The flying of model aircraft powered by internal combustion engines, whether tethered or not, or the firing or operating of model rocket vehicles or other similar noise producing devices within a nonresidential district in such a manner as to cause a noise disturbance.
- 17) *Quiet Zone.* Creating a noise disturbance on any street adjacent to any school, hospital, nursing home, assisted living facility, clinic, library or other noise sensitive facility.
- 18) *Vibration.* Using or causing to use any device that creates any ground vibration, which is perceptible without instruments at any point on or beyond the property boundary of the source.

Sec. 44-51. – Exemptions.

The following sources of potential noise disturbances shall be exempt from the regulations of this article:

- 1) Safety signals, storm warning sirens or horns and the testing of such equipment, emergency vehicle sirens or horns used when responding to an emergency, and emergency pressure relief valves.
- 2) Sound caused in the performance of emergency or public service work, including police, fire and public utility operations, acting in the performance of lawful duties to protect the health, safety or welfare of the community.
- 3) Sounds caused by natural phenomena.
- 4) Activities conducted on public streets, squares, parks and playgrounds which are approved, sponsored or sanctioned by the city such as a parade, fireworks, sporting event, musical production, or other activity that has the approval of the city council or a city department authorized to grant such approval.
- 5) Activities conducted on public or private school grounds including, but not limited to, school athletic and school entertainment events which are approved, sponsored or sanctioned by the school."
- 6) Sounds created by locomotives as they travel through the City.

SECTION 3. PENALTY

Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$500.00. A separate offense shall be deemed committed upon each day during or on which a violation or failure to comply occurs or continues to occur. Allegation and

evidence of a culpable mental state is not required for the proof of an offense defined by this article.

SECTION 4. SEVERABILITY

It is hereby declared to be the intention of the City Council that the several provisions of this Ordinance are severable, and if any court of competent jurisdiction shall judge any provisions of this Ordinance to be illegal, invalid, or unenforceable, such judgment shall not affect any other provisions of this Ordinance which are not specifically designated as being illegal, invalid or unenforceable.

SECTION 5. REPEALER

This Ordinance shall be cumulative of all other Ordinances, resolutions, and/or policies of the City, whether written or otherwise, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Any and all ordinances, resolutions, and/or policies of the City, whether written or otherwise, which are in any manner in conflict with or inconsistent with this Ordinance shall be and are hereby repealed to the extent of such conflict and/or inconsistency.

SECTION 6. PUBLICATION

The City Secretary of the City of Farmersville is hereby directed to publish in the Official Newspaper of the City of Farmersville the Caption, Penalty and Effective Date Clause of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

SECTION 7. ENGROSSMENT AND ENROLLMENT

The City Secretary of the City of Farmersville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Farmersville and by filing this Ordinance in the Ordinance records of the City.

SECTION 8. SAVINGS

All rights and remedies of the City of Farmersville are expressly saved as to any and all violations of the provisions of any Ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 9. EFFECTIVE DATE

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by Texas law.

PASSED on first reading on the 10th day of July, 2012, and second reading on the 24th of July, 2012, at properly scheduled meetings of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

APPROVED THIS 24th DAY OF JULY, 2012.

APPROVED:

BY: 
Joseph E. Helmberger, P.E., Mayor

ATTEST:


Edie Sims, City Secretary

