

**FARMERSVILLE CITY COUNCIL
REGULAR SESSION AGENDA
October 13, 2015, 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
- Announcements relating to items of public interest: Announcements regarding local or regional civic and charitable events, staff recognition, commendation of citizens, traffic issues, upcoming meetings, awards, acknowledgement of meeting attendees, birthdays, and condolences.
 - Due to the upcoming holidays, Council Meeting dates for November and December have been changed to:
 - November 17th** (Monthly Reports will be presented on 11/17/15)
 - December 1st and December 15th** (Monthly Reports will be presented on 12/15/15)
 - Early Voting for the November 3rd Election will be held in City Hall Council Chambers, October 19th through 23rd from 8am-5pm
 - The Chamber of Commerce's 5th annual Trick It Up Bike Ride will begin at 9am on October 24th
 - The Chamber of Commerce's Scare Around the Shed will held from 4pm-7pm on October 24th at the Onion Shed

II. CONSENT AGENDA

Items in the Consent Agenda consist of non-controversial or "housekeeping" items required by law. Council members may request prior to a motion and vote on the Consent Agenda that one or more Items be withdrawn from the Consent Agenda and considered individually. Following approval of the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.

- A. City Council Minutes
- B. Police Department Report
- C. Code Enforcement/Animal Control Report
- D. Fire Department Report
- E. Municipal Court Report
- F. Warrant Officer Report
- G. Public Works Report
- H. Library Report
- I. City Manager's Report

III. INFORMATIONAL ITEMS

These Informational Items are intended solely to keep the City Council apprised of the actions and efforts of the various boards and commissions serving the City of Farmersville. Council members may deliberate and/or request further information or clarification regarding any one or more of the items contained in this provision. City Council approval of, or action on, these items is not required or requested.

- A. FEDC (4A) Meeting Minutes
- B. FEDC (4A) Financial Report
- C. FCDC (4B) Meeting Minutes
- D. FCDC (4B) Financial Report
- E. Planning & Zoning Minutes
- F. Capital Improvements Advisory Commission Minutes
- G. Citizens Advisory Committee
- H. Sign Board of Appeals Minutes
- I. Parks Board Minutes
- J. Main Street Board Minutes
- K. Main Street Report
- L. Building & Property Standards Minutes
- M. TIRZ Minutes
- N. Library/Civic Center Board Minutes
- O. Farmersville Public Housing Authority
- P. North Texas Municipal Water District Board Agenda
- Q. Zoning Board of Adjustment Minutes

IV. READING OF ORDINANCES

- A. Second Reading – Consider, discuss and act upon a Freedom of Information Act ordinance
- B. Second Reading – Consider, discuss and act upon an amendment to the Master Fee Schedule regarding a rate increase for the water
- C. Only Reading – Consider, discuss and act upon a budget amendment for purchase of a safety radar trailer and radar recording equipment for the Police Department

V. REGULAR AGENDA

- A. Consider, discuss and act upon a resolution appointing the newspapers of major circulation
- B. Consider, discuss and act upon information regarding users of the International Swimming Pool and Spa Code, 2012 Edition
- C. Consider, discuss and act upon alley designations used in town
- D. Consider, discuss and act upon a Solid Waste Guide from Progressive Waste Solutions

- E. Consider, discuss and act upon a contract renewal with Itron for software and hardware to operate the electronic meters
- F. Consider, discuss and act upon a wellness program for City employees
- G. Consider, discuss and act regarding direction to amend existing ordinances pertaining to training and functions of each board, committee and commission

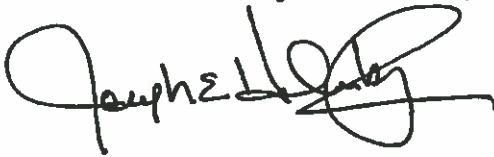
VI. PUBLIC COMMENT

- 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. If a speaker inquires about an item that is not included on this Agenda the City Council, or City Staff, may only respond with: (1) a statement of specific factual information; (2) a recitation of existing policy; or, (3) a proposal that the item be placed on the agenda of a future meeting.

VII. REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS

VIII. ADJOURNMENT

Dated this the 9th day of October, 2015.



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 October 9, 2015 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



Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

November 2015

1

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3

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FCDC Meeting
at 5:45pm

10

11

City offices
closed for
Veteran's Day

12

13

14

15

16

P&Z Meeting
at 6:00pm

17

Council
Meeting at
6:00pm

18

19

FEDC Meeting
at 7:00pm

20

21

22

23

24

25

26

City offices
closed for
Thanksgiving

27

City offices
closed for
Thanksgiving

28

29

30

Notes:

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

December 2015

		1 Council Meeting at 6:00pm	2	3	4	5
6	7	8	9	10	11	12
13	14 FCDC Meeting at 5:45pm	15 Council Meeting at 6:00pm	16	17 FEDC Meeting at 7:00pm	18	19
20	21 P&Z Meeting at 6:00pm	22	23	24 City offices closed for Christmas	25 City offices closed for Christmas	26
27	28	29	30	31	Notes:	

Scare Around the Shed – October 24th

Sponsored by the [Farmersville Chamber of Commerce](#)



Vendors are welcome at Scare Around The Shed!

Spaces are available for \$30.00 – FREE to Chamber Members.

For More Information Please Email: lisa@farmersvillechamber.com

Trick It Up Bike Ride — Oct 24

Sponsored by [Farmersville Chamber of Commerce](http://FarmersvilleChamber.com)

Whether you ride for fun, for the challenge or just the passion of pedaling, when you ride in the Farmersville Trick It Up Bike Ride you will see some beautiful country from our point of view.

Trick It Up

October 24, 2015

www.farmersvillechamber.com

Group Rates Available
\$30 Early Registration
Farmersville, Texas
972-782-6533

THE RIDE REGISTRATION
FORM IS ONLINE
30, 40, 50, 62 Mile Rides
And, A Family Ride



Farmersville Chamber of Commerce

Call if you want to be a Bike Sponsor.

The 2015 Farmersville Chamber of Commerce
5th Annual Trick It Up Bike Ride
October 24, 2015.



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: CONSENT AGENDA - City Council Minutes

Electronic minutes are found at the following link:

http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.jsp

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
August 25, 2015

The Farmersville City Council met in regular session on August 25, 2015 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Joe Helmberger, John Klostermann, John Politz, Michael Hesse, Leaca Caspari and Jim Foy. Staff members present were City Manager Ben White, Police Chief Mike Sullivan, Fire Chief Kim Morris, City Attorney Alan Lathrom, Finance Director Daphne Hamlin, Warrant Officer Rick Ranspot, Main Street Manager Adah Leah Wolf, Librarian Trisha Dowell and City Secretary Edie Sims.

Item I) CALL MEETING TO ORDER, ROLL CALL

Mayor Helmberger called the meeting to order. Edie Sims called the roll and announced a quorum was present. Mayor Helmberger welcomed all guests and visitors. Edie Sims offered the invocation. Mayor Helmberger led the audience in the Pledge of Allegiance to the American Flag and the Texas Flag.

Mayor Helmberger announced those wanting to speak on an item not subject to a Public Hearing to come forward.

Marsha Hinze, residing at 809 Westgate, stated she and her husband Tony Gist moved to Farmersville in 1971. Ms. Hinze spoke of the Town Hall meeting and how it abruptly ended 19 minutes prior to 8pm with 8 people standing in line to speak. Ms. Hinze stated she is concerned the Muslim population are trying to get a foothold into our town, into the schools and the City Council. We will not be able to say the Pledge of Allegiance or fly our flags. Many of the flags, such as the MIA and POW flags are not begin flown because of the Muslims. Ms. Hinze stressed the importance for the community to attend the meetings and the citizens to be informed. She also stated she thinks the cemetery issue should have been brought to the public and given the public the opportunity to vote on the issue. The Farmersville Times has made a mockery of the citizens of Farmersville. She is confident in the City leaders but asked the leaders to listen to the citizens.

Gwen Reynolds, residing at 5258 CR 660, stated she has been in conversation with a representative of the IACC, head of the Plano Mosque. Per Ms. Reynolds, the representative has expressed concerns to her regarding continuing with the cemetery in Farmersville. Ms. Reynolds stated she is continuing her efforts to speak with the IACC to discourage their cemetery plans in Farmersville. Ms. Reynolds stated she attended the training for the Planning and Zoning Commission last night and was proud to see the initiative to learn the rules and guidelines. She also stated she was shocked the Master Plan and maps were not displayed.

Cathy Strong, residing at 314 Woodard, stated she has lived in Farmersville for several years and Woodard Street has yet to have a street sign. Meals on Wheels, deliveries and other services are being affected by the lack of street signage. She has paid her taxes for many years and would like to see street signage. She felt embarrassed to offer directions by landmarks rather than having proper street signage.

Sandy Sossaman, residing at 800 Shinn Circle, re-emphasized the street signage need for Farr Hill Lane and Summit Streets. She does the billing for Verona Water Supply and patrons are often unable to come to her residence without difficulty due to lack of signage.

Mayor Helmberger read a proclamation proclaiming Sunday, September 6, 2015 as Public Safety Sunday with the event being held at Pathway Church on FM 547.

Mayor Helmberger read a proclamation proclaiming Saturday, August 29, 2015 as Marcel and Mathilde Schmetz Day with an event being held at the Rike Library at 10:30am on August 29th.

Item II – A) ONLY PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE PROPOSED FARMERSVILLE COMMUNITY DEVELOPMENT CORPORATION PROJECTS AND BUDGET FOR FISCAL YEAR 2015-2016

Mayor Helmberger opened the Public Hearing at 6:17pm and asked for those FOR the Farmersville Community Development Corporation Projects and Budget for Fiscal Year 2015-2016 to come forward. Paul Kelly, Chairman of the FCDC, came forward stating the projects and budget were well thought out and the Board worked very hard to provide the best for Farmersville. With no others coming forward to speak FOR the proposed budget, Mayor Helmberger requested those OPPOSING the proposed budget to come forward.

Diane Piwko, residing at 200 McKinney Street, came forward stating the National Registry project has been on the FCDC's project list for 6 years and it still is not completed. She stated the Council needs to make sure this project gets completed. She and other downtown businesses are losing 20% of tax credits due to our City not being in the National Register. It seems this project cannot be pushed through and after this length of time, this project should not be FCDC's project but become the City's project to complete. The last action taken was in March 2015. This affects tourism and our historic preservation.

With no one else coming forward, the Public Hearing was closed at 6:20pm. Leaca Caspari asked Adah Leah Wolf the status of the National Register. Ms. Wolf stated the goal has been met and the information has been submitted to the State.

ITEM II – B) ONLY PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE PROPOSED FARMERSVILLE ECONOMIC DEVELOPMENT CORPORATION PROJECTS AND BUDGET FOR FISCAL YEAR 2015-2016

Mayor Helmberger opened the Public Hearing at 6:21pm and asked for those FOR the Farmersville Economic Development Corporation Projects and Budget for Fiscal Year 2015-2016 to come forward. Kevin Meguire, Vice-Chairman for the FEDC, came forward stating the projects and budget is straightforward. FEDC's focus is the need for wastewater. There has been interest in Farmersville but due to the lack of infrastructure, it is costing us opportunities. FEDC is forecasting for the downtown initiative.

With no one else coming forward, Mayor Helmberger asked for those OPPOSING the projects and budget for FEDC to come forward. With no one coming forward, Mayor Helmberger closed the Public Hearing at 6:24pm.

Mayor Helmberger stated he appreciated both FCDC and FEDC's commitment to the City of Farmersville.

ITEM II – C) FIRST PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE PROPOSED 2015 PROPERTY TAX RATE FOR THE CITY OF FARMERSVILLE

Mayor Helmberger opened the Public Hearing at 6:27pm and asked for those FOR the proposed tax rate to come forward. With no one coming forward, Mayor Helmberger requested those OPPOSING the proposed tax rate to come forward. With no one coming forward, Mayor Helmberger closed the Public Hearing at 6:28pm.

ITEM III – A) CONSIDER, DISCUSS AND ACT UPON CITY FINANCIAL REPORTS

Mayor Helmberger questioned Finance Director Daphne Hamlin the timeline of the warrant purge. Warrant Officer Rick Ranspot was available and stated the first phase of the purge has been completed. A warrant round-up is being planned and contacts are being made with defendants who have warrants through our Court. City Manager Ben White stated the figures are being transferred to our books to reflect the purge.

Jim Foy stated the water revenues does not reflect this month. Ms. Hamlin stated the water bills have not been sent out but should be by the end of this week. Mr. Foy stated he would like to see how this month fared. John Klostermann motioned to approve the City Financial Reports with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM III – B) CONSIDER, DISCUSS AND ACT UPON DECREASE IN FUNDING FOR THE LIBRARY FROM COLLIN COUNTY

Librarian Trisha Dowell came before the Council informing of a decrease in funding from Collin County in the amount of \$15,000 to the City of Farmersville. A total of \$240,000 was cut from the County's budget affecting all the libraries in Collin County that was being funded by Collin County. Commissioner's Court voted to deny this funding as this service is not deemed an essential County service per Mayor Helmberger. Mayor Helmberger also stated the County Commissioners have spoken of removing funding for Fire Departments.

Ms. Dowell stated the funding being cut approximates to 9% of the Library's budget. Mayor Helmberger stated Council can cut the budget or charge non-city residents for the services. This will affect the budget for a planned employee status from part-time employee to full-time. Ms. Dowell reported of a total of 4,945 patrons, 1,541 are live in the County which is 40% of the circulation. Mayor Helmberger requested a proposal regarding non-citizen users at the next meeting. Mayor Helmberger stated he would prefer not cutting our budget, but if it is required, a budget amendment will be necessary. Ms. Dowell stated several of the Librarians being affected by the budget cut are attending the County Commissioner's public hearings. Their next meetings will be held on September 8th and 14th.

Services provided to all patrons include educational materials, assistance with applying for jobs and creating resumes, college classes can be taken at the Library, research, public access computers, applying for benefits and other services.

Judy Brandon, Chairman of the Library Board, came forward stating she had not heard of this information and would respectfully request the Library Board be offered the opportunity to discuss and make a recommendation to the Council. The Library is a vital part of this community.

Leaca Caspari commended the job informing the Council of this issue and asked this information be made available to the public. Mayor Helmberger stated the City of Wylie is seriously considering adopting fees to offset their deficiency from Collin County. No action was taken by Council.

ITEM III – C) CONSIDER, DISCUSS AND ACT UPON SWIMMING POOL STANDARDS INCLUDING BACKWASH STANDARDS

City Manager Ben White stated when other International Building Codes were adopted several years ago, the International Swimming Pool and Space Code, 2012 Edition was not in existence. This Code is well written and includes the issue of backwashing. A General Compliance section of the Code was included with the Council packet for review. The Code also covers public swimming pools and semi-private pools such as a hotel or spa.

Mr. White recommended adopting the Code with a caviat included for the backwashing to be contained to the storm water drainage. Another note, anything built from this day forward would need to be in compliance with the adopted ordinance. The only pools grandfathered would be the existing pools; however the backwashing would be required for all pools.

Michael Hesse questioned if it would be prudent to ask metroplex installers of which codes and standards are being followed. Todd Madvig is our local pool installer/operator. Per Mr. White, we can go farther to ask this question, or could poll other cities. However, the Code presented is a new code and it is unknown how many cities have this Code adopted. Council concurred to hold processing an ordinance until a report is made with compliance.

ITEM III – D) CONSIDER, DISCUSS AND ACT UPON TENANT RIGHTS INFORMATION

Mayor Helmberger opened this item for discussion stating there are several rental properties in need of repair. With that, consideration was made regarding inspection of rental properties. This topic was objected by local realtors and local landlords. Realtors suggested before the City takes actions, to educate renters. An informational brochure was created for this purpose. Mayor Helmberger stated he would like these brochures to be included with our water billing.

Code Enforcement can be accomplished from a street perspective, but not inside the structures. The brochure is a regurgitation of Texas Young Lawyers Association. The brochure can also be made available at the Chamber of Commerce, the City's website and with our Code Enforcement Officer. Council concurred this information is valuable

and needs to be disseminated. Mayor Helmberger stated the Collin County Realtors Association has agreed to provide the printed material at no cost to the City.

ITEM III – E) CONSIDER, DISCUSS AND ACT UPON AWARDING THE BID FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT WASTEWATER PROJECT

City Manager Ben White stated the project bids were originally rejected as the alternates were less expensive than the actual project price due to a new technique call pipe bursting. The project was re-bid using pipe bursting as the preferred method with typical excavation as the alternate.

The lowest bid was \$245,500 provided by LeeTech Energy Services, LLC with the original cost being \$297,000. There is a cost savings for the City to allow funding for more projects. Grand Prairie uses LeeTech Energy Services and they are the approved vendor for Roto-Rooter. Mr. White recommended LeeTech Energy Services be awarded the bid. Jim Foy motioned to award the bid to LeeTech Energy Services with Leaca Caspari seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM III – F) CONSIDER, DISCUSS AND ACT UPON A CONTRACT AMENDMENT WITH COLLIN COUNTY FOR EMS SERVICES DURING 2015-2016 FISCAL YEAR

A contract amendment was submitted from Collin County reflecting a cost share adjustment which benefited our budget \$1,790.79. Jim Foy motioned to approve the contract amendment with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM III – G) CONSIDER, DISCUSS AND ACT UPON A CHANGE ORDER FOR PHASE III OF THE CHAPARRAL TRAIL FOR PAVEMENT MARKINGS, DIRT WORK, SIGNAGE AND ADDITIONAL DECOMPOSED GRANITE

City Manager Ben White informed the Council of a Change Order for the Chaparral Trail that will take care of the Trail crossing at FM 2194. There has been contention between the City and TxDOT regarding the crossing. TxDOT requires the crossing be at a 90° angle. With their 90° angle policy, the City had to adjust the cost of the project which is the purpose of the Change Order. Mayor Helmberger stated it was critical to mark the crossings at this highway intersection due to vehicles traveling at high rates of speed. Council questioned when the work would be completed with Mr. White replying the contractor was placed on hold while the Change Order was being approved. The work should be underway in September. Another hold-up is the powder coating of the kiosks. Michael Hesse questioned if there are plans of lighting the crossings in the future. Mr. White stated he will look into this need and investigate funding.

ITEM III – H) CONSIDER, DISCUSS AND ACT UPON DONATING THE CONEX STORAGE CONTAINERS UTILIZED BY CITY HALL

City Manager Ben White informed the Council the Conex storage containers previously used by City Hall for records were in terrible condition. The roof was leaking, the floors were rotten, and the overall condition was poor. These containers were emptied

some time ago and used for the train derailment training. Since these containers no longer serve the City of Farmersville's purpose, Mr. White stated he would like the Council to consider donating these containers to the City of Melissa who has expressed an interest. The City of Melissa has also offered to pay all costs to have the containers removed. Since the City of Farmersville does not allow these types of structures, we need to be an example and follow our own standards.

John Klostermann motioned to donate the storage containers to the City of Melissa with Jim Foy seconding the motion. Michael Hesse stated the City should now mow the area that is overgrown. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM III – I) UPDATE ON CHAPARRAL TRAIL PROJECT

City Manager Ben White indicated the construction completion date is scheduled during September 2015. The only activities remaining are the bollards, kiosks, crossings and drainage. We are waiting on the correct color to be painted on the kiosks according to the City's branding.

ITEM III – J) UPDATE ON STREET, WATER AND WASTEWATER GENERAL OBLIGATION BOND PROJECTS

During a recent rain event, issues arose on Santa Fe Street causing the construction to stop and residents along the construction area to be very frustrated. The soil has had lime installed which is now creating a problem on Sid Nelson as well as South Washington. The north side of the curbs along Santa Fe have been poured with concrete. With 5-6 more good weather days, the curbing will be completed. If no rain next week, asphalt should be poured along South Washington and Santa Fe Streets. Sid Nelson may be still 3-4 weeks out. The construction has been an imposition to the citizens, but the final product is not far away.

Once these streets are completed, the construction will turn to Locust Street if there are funds remaining. The street signs are on order along Highways 78, 380 and Gotcher Street. From there Woodard, Main Street, McKinney Street and the main thoroughfares including Orange and Sycamore will have signage. Once those have signs are completed, then Maple and Hamilton Streets. The signs are being installed in 3 to 4 phases with Highway frontages, then main thoroughfares first.

Since an issue was brought up regarding a business at Farr Hill Lane and Summit, this sign will also be installed. There is currently \$95,000 in the budget for the sign project through the bond funds. The signs will match what is installed at Onion Alley and South Main. City Manager Ben White displayed the sample signs for the audience.

The water and wastewater projects are nearing the end. Items 24-26 on the project list are being accomplished through CDBG grant funds. These projects are anticipated to begin next month. The Floyd Street liftstation project is in engineering now. This project is expected to refurbish the existing liftstation. This particular project may extend beyond this year's end.

ITEM III – K) UPDATE ON HIGHWAY 380 PROJECT

The Walnut Street railroad crossing should be completed by the end of September. City Manager Ben White stated he has been very persuasive to have the Main Street Bridge open for the Old Time Saturday event the first Saturday of October. TxDOT may delay construction due to this major event. There is not much progress presently. Construction completion should not be long after the crossing is completed. There is still an issue with drainage but will not be fully resolved until the railroad bridge is completed.

Jim Foy stated he still is requesting signage along Highway 380 to direct to our historic downtown. Mayor Helmberger stated the Marketing Committee is working on that issue.

ITEM IV) EXECUTIVE SESSION – DELIBERATION OF MATTERS RELATED TO THE CITY SECRETARY

Council exited into Executive Session at 7:15pm.

Council resumed the regular meeting from Executive Session at 7:44pm with no action from the Executive Session.

ITEM V) REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS

John Klostermann requested the Council to address issues from the Planning and Zoning Commission regarding the Comprehensive Plan, the Thoroughfare Plan and the Subdivision Plan. Exact discussion points can be gathered from the last P&Z minutes.

John Politz requested an update on the traffic signal. No one else requested items for future agendas.

ITEM VI) ADJOURNMENT

Council adjourned at 7:47pm.

APPROVED

ATTEST

Joseph E. Helmberger, P.E., Mayor

Edie Sims, City Secretary

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
September 1, 2015

The Farmersville City Council met in special session on September 1, 2015 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Helmberger, John Klostermann, John Politz, Leaca Caspari and Jim Foy. Council member not present was Michael Hesse. Staff members present were City Manager Ben White and City Secretary Edie Sims.

Item I) CALL MEETING TO ORDER, ROLL CALL

Mayor Helmberger called the meeting to order. Edie Sims called the roll and announced a quorum was present. Mayor Helmberger welcomed all guests and visitors. Mayor Helmberger offered the invocation and lead the audience in the Pledge of Allegiance to the American Flag and the Texas Flag.

Item II – A) SECOND PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE PROPOSED 2015 PROPERTY TAX RATE FOR THE CITY OF FARMERSVILLE

Mayor Helmberger opened the Public Hearing at 6:01pm and asked for anyone to speak for the tax rate proposed of \$0.859000 per \$100 value for 2015. With no one coming forward, Mayor Helmberger asked for anyone opposing the proposed tax rate to come forward. With no one coming forward, the Public Hearing was closed at 6:01:30pm.

ITEM V) REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS

No one requested items for future agendas.

ITEM VI) ADJOURNMENT

Council adjourned at 6:01:32pm.

APPROVED

Joseph E. Helmberger, P.E., Mayor

ATTEST

Edie Sims, City Secretary

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
September 8, 2015

The Farmersville City Council met in regular session on September 8, 2015 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Joe Helmberger, John Klostermann, John Politz, Michael Hesse, Leaca Caspari and Jim Foy. Staff members present were City Manager Ben White, Police Chief Mike Sullivan, Fire Chief Kim Morris, City Attorney Alan Lathrom, Finance Director Daphne Hamlin, Warrant Officer Rick Ranspot, Assistant to the City Manager Paula Jackson, Librarian Trisha Dowell, Farmersville Electric Foreman Jeremy Jones and City Secretary Edie Sims.

Item I) CALL MEETING TO ORDER, ROLL CALL

Mayor Helmberger called the meeting to order. Edie Sims called the roll and announced a quorum was present. Mayor Helmberger welcomed all guests and visitors. Jim Foy offered the invocation with Mayor Helmberger leading the audience in the Pledge of Allegiance to the American Flag and the Texas Flag.

Several visitors came to the meeting to speak during the forum on non-agenda items.

Delilah Parker, residing at 713 Pecan Creek Court, came to express her concerns of the smart meters. Ms. Parker stated she has been reading about smart meters and is disconcerted about radiation from these meters as well as the cost. She stated she hoped each member has done their homework and researched the impact of their decisions will affect the citizens. Per her research, smart meters last 5-7 years versus the old analog style which can last 10-15 years. Since June, Ms. Parker's rates have tripled. Many in her neighborhood have experienced the same utility rate increases. There is an expected increase during summer months, but not triple the cost in comparison to hotter summers in the past.

Alfred Torres, residing at 711 Pecan Creek Court, stated he is new to Farmersville as he have lived here since May. He has little complaint regarding Farmersville other than the newly received utility bill. The smart meter has more than doubled his cost and does not see how more than 2 months use can be on 1 bill. Questions were asked of who sets the rates, how the smart meters are paid for and are the residents responsible for the meters. Mr. Torres ended stating there are many questions and would like to see resolutions.

Mayor Helmberger stated the rate itself has not increased. The Power Cost Adjustment (PCA) has increased per City Manager Ben White which is due to transmission peak costs. The rates have remained the same since we took the utility over a year ago. Further information will be discussed in an agenda item during this meeting.

Donna Williams, residing at 1985 Highway 78 North but owns a business at 100 McKinney Street, came before the Council concerned of several issues. There is not enough handicapped parking or ramps on the square. She experienced a vehicle stopping in the middle of traffic to allow a handicapped person to enter onto the square. There are handicapped customers who come to her store almost weekly. When Ms. Williams was preparing to open her store, she was required to have the building handicapped accessible; however parking and walking is not handicapped accessible. On days her husband works at the store, he uses the only handicapped parking (as he is handicapped) which means there are no other spaces for others who need the handicapped parking. Another issue Ms. Williams relayed is the stop signs at the square. No one ever stops. Ms. Williams also had previously suggested changing the parking in the center median to accommodate vision turning from the square onto Main Street. She has witnessed numerous occasions where drivers travel the wrong way on McKinney Street at the square and the trees have yet to be trimmed in front of her store. When she was permitting for her sign, the signage allowed is very small in comparison to other signs downtown. With the corner tree overtaking her building, her sign is not visible. Mayor Helmberger replied the City is applying for a grant regarding ADA accessibility.

Elissa Ray, residing at 708 Pecan Creek Court, stated she concurs with the previous speakers regarding the electric rates increasing. She wished to challenge the fact that the rates did indeed increase. City Manager Ben White indicated the Power Cost Adjustment (PCA) has indeed increased, but not the actual rate. The PCA varies due to costs incurred for transmission and other associated energy costs. Ms. Ray stated since the first of the year, she has noticed the rate increasing from \$0.03 per kWh to a current rate of \$0.14 per kWh.

Mayor Helmberger read a proclamation declaring October 3, 2015 as Old Time Saturday Day. Jim Foy announced his wife's daughter gave the family a grandchild, number 13 for him. Congratulations were shared.

Item II) CONSENT AGENDA

Mayor Helmberger asked for any items to be pulled for discussion with Jim Foy requesting the Police Department Report, Fire Department Report and Public Works Report be pulled. With no other items being pulled for discussion, John Klostermann motioned to approve Items A, C, E, F, H, and I with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

Item B – Police Department Report: Jim Foy stated per the report on Agency Assists, this seems to be a large part of the calls made by our Police Department. Mr. Foy questioned if these assists were to Collin County with Police Chief Sullivan replying yes and other local agencies as well. Princeton helps cover for Farmersville and vice-versa. With no other questions, Jim Foy motioned to approve the Police Report as presented with Michael Hesse seconding the motion. A poll of the Council was taken as

follows: John Klostermann yes, John Politz, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

Item D – Fire Department Report: Jim Foy noted the information on the Fire Department Report regarding Lexington Nursing Home as needing clarification. Mr. Foy asked if tours of the facility ensured the locations of the sprinkler system, cut-offs, etc. Chief Kim Morris responded Mr. Foy's clarification was correct. It is good when new businesses open their facilities for safety inspection of the final product. Jim Foy motioned to approve the Fire Department Report as presented with Leaca Caspari seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

Item G – Public Works Report: Jim Foy found a couple of interesting items. He questioned how far TxDOT would install the overlay on Highway 78. City Manager Ben White indicated the hot mix is planned to go through the entirety of Farmersville and is planned for March 2016. This product will not be chip and seal but will be asphalt. The project will include the rough aprons interfacing with City streets.

Mr. Foy also questioned the signal light planned for the intersection of Highway 78 and Farmersville Parkway. Mr. White stated the project is expected to begin in February 2016. The poles are on order along with the parts for the signal light. We are also awaiting the parts for the signal device to allow the Fire Department passage during emergencies. Jim Foy motioned to approve the Fire Department Report as presented with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

Item III) INFORMATIONAL ITEMS

Council did not request any information or clarification regarding Informational Items.

ITEM IV – A) CONSIDER, DISCUSS AND ACT UPON APPROVING THE COMMUNITY DEVELOPMENT CORPORATION PROPOSED PROJECTS FOR BUDGET YEAR 2015-2016

Jim Foy stated the budget presented is the same budget from the public hearing and motioned to approve the budget as presented. John Politz seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – B) CONSIDER, DISCUSS AND ACT UPON APPROVING THE ECONOMIC DEVELOPMENT CORPORATION PROPOSED PROJECTS FOR BUDGET YEAR 2015-2016

Jim Foy stated the Economic Development Corporation's budget is the same budget as was presented at a recent public hearing and motioned to approve the budget

with Michael Hesse seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – C) CONSIDER, DISCUSS AND ACT UPON AN AGREEMENT WITH COLLIN COUNTY REGARDING DISPATCH SERVICES FOR FISCAL YEAR 2015-2016

Mayor Helmberger noted the last agreement presented was problematic and not approved. Police Chief Mike Sullivan stated the agreement presented has been changed in accordance with the City's request with the same cost as last year and the agreement to conclude in one year's time. Leaca Caspari questioned if the verbiage for termination was sufficient, with the answer being yes. Leaca Caspari motioned to approve the agreement as presented with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – D) CONSIDER, DISCUSS AND ACT UPON INFORMATION REGARDING LIBRARY FUNDING AND BUDGET ACCOMMODATIONS, INCLUDING A PROPOSAL FOR NON-CITIZEN PATRONS

Librarian Trisha Dowell stated she has attended the budget hearings at Collin County Commissioner's Court. The funding that was recently pulled from the County's budget for local libraries was unanimously placed back into the budget. Commissioner's Court may revoke funding for next year and this will be potentially discussed in January 2016. Council had previously mentioned considering an ordinance to charge non-city patrons; however this item will be discussed based upon funding for next year. No action was taken by Council.

ITEM IV – E) CONSIDER, DISCUSS AND ACT UPON A CONTRACT WITH THE TOCKER FOUNDATION FOR A LIBRARY GRANT

Librarian Trisha Dowell stated the Rike Library has been funded through the Tocker Foundation for \$5,000 to supply a book drop. The document presented has the Librarian's name as signor for the agreement. Mayor Helmberger stated Ms. Dowell does not have the authority to sign but will sign the document with his name as signatory for the Library. John Klostermann motioned to approve the contract with Mayor Helmberger's signature and Michael Hesse seconded the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – F) CONSIDER, DISCUSS AND ACT UPON NOMINATION(S) FOR BOARD MEMBER(S) TO SERVE ON THE COLLIN CENTRAL APPRAISAL DISTRICT

Mayor Helmberger asked for nominations to serve on the Collin Central Appraisal District Board of Trustees. John Politz volunteered. Leaca Caspari motioned to approve a resolution nominating John Politz to serve on the Collin Central Appraisal District Board of Trustees with Jim Foy seconding the motion. A poll of the Council was taken as follows:

John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – G) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION ADOPTING A DEBT MANAGEMENT POLICY

A Debt Management Policy was presented to the Council. This is a new policy recommended by our bonding agency. The only change mentioned was removing a section on number 3, “and the principal points of contact shall be the office First Southwest” and not tie to a particular company and use “financial advisor.” Jim Foy motioned to approve the resolution with the amendment stated with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM IV – H) CONSIDER, DISCUSS AND ACT UPON DIRECTING THE PLANNING AND ZONING COMMISSION TO REVIEW THE COMPREHENSIVE PLAN, THE THOROUGHFARE PLA AND THE SUBDIVISION ORDINANCE TO: 1) CONSIDER POSSIBLE ADJUSTMENTS AND CHANGES TO SUCH DEVELOPMENT REGULATIONS TO BETTER ACCOMMODATE NEW DEVELOPMENT PROVIDING VALUE AND ENDURING QUALITY TO THE CITY; 2) MODIFY DEVELOPMENT REGULATIONS REGARDING THE DENSITY OF PROPOSED DEVELOPMENT PROJECTS AND IDENTIFYING A BALANCE BETWEEN LOT SIZE, ROAD WIDTH, AND THE POSSIBLE USE OF REAR ENTRY GARAGES TO LESSEN ROADWAY CONGESTION; 3) CONSIDER POSSIBLE CHANGES TO THE MINIMUM LOT DIMENSIONS FOR NEW DEVELOPMENT WITH A FOCUS ON REDUCING THE PERCEIVED NEGATIVE IMPACTS OF SMALL LOT RESIDENTIAL USES; 4) CONSIDER POSSIBLE CHANGES REGARDING HOMEOWNER'S ASSOCIATIONS; AND 5) REVIEW AND CONSIDER POSSIBLE CHANGES TO THE LAYOUT OF ROADS IN THE THOROUGHFARE DEVELOPMENT PLAN TO AVOID UNUSABLE REMNANTS OF LAND

John Klostermann, Council Liaison for the Planning & Zoning Commission, stated City Attorney Alan Lathrom offered an excellent training for the Planning & Zoning Commission. From that training, the Commission requested the Council to allow several items be reviewed. Mayor Helmberger stated the listing per the agenda would be beneficial to review. Jim Foy stated there have been recent issues brought forward of street widths. There is also issues of bigger homes on smaller lots as well as density issues. Mr. Klostermann stated each item will be reviewed by P&Z individually for recommendations. Another topic to be discussed is small lots not wide enough to offer street parking and rear entry garages with increased smaller lot developments. Council offered a consensus to send this review to P&Z.

ITEM IV – I) UPDATE ON SIGNAL INSTALLATION AT THE INTERSECTION OF HIGHWAY 78 AT FARMERSVILLE PARKWAY

City Manager reiterated from the Public Works Report, the parts for the signal light are on order and construction is being expected in February 2016.

ITEM IV – J) BRIEFING ON AUTOMATED METER READING SYSTEM

City Manager Ben White and Farmersville Electric Foreman Jeremy Jones presented the program for the Automated Meter Reading systems. During the presentation, a live version of the system was displayed showing the connectivity between the meters and the collector device which retrieves the information and forwards to City Hall. An interesting aspect of the system allows information to be seen at 9-10 minute intervals up to one day intervals. This system will help read water meters as well as electric meters which allows great efficiency rather than spending multiple days on reading and re-reading meters.

Currently the water meters in some areas have not been installed therefore the network is depicting those areas as not successful. Meters that are successful are in real time. Various things can be investigated electronically via the smart meters such as tampering or usages outside normal ranges. Another asset is leak detection within one days use. The system has been programmed to understand minimal usages and can send information when usages are questioned. By having this service, a customer can be notified and can make adjustments, such as have a plumber make corrections/repairs.

Once more meters are deployed, the signal strength will increase to seek the best route back to City Hall where the base is located. Per Jeremy Jones, the smart meter's goal is to get the data back to base as quickly as possible and will find the best route to make the goal. The system is very efficient and user friendly. There is expectations of having this data available to the customers, but will be in the future.

The Automated Meter Reading system will be very beneficial regarding misreads as well. Typically, two days are spent traveling to meters and correcting misreads. Mr. White referred to a question Delilah Parker had during the open comment section regarding the smart meters referencing the research and radiation. An extensive amount of research on this type of system was performed prior to presenting to the City Council. There is no difference in the radiation from the smart meters than the typical cell phones. Another question asked during the open comment section referred to the cost of the smart meters. The meters cost approximately \$150 per meter. The smart meters are double in cost of a standard meter, but over time the smart meters outweigh the benefits by saving valuable time reading meters as well as the accuracy.

Mr. White stated he knew many customers had questions regarding high utility bills. Water was used for irrigating, which is expensive. If leaks were accounted as the reason for the high bills, the smart meters would allow the timeframe to show when the leak occurred. Jeremy Jones opened a window of the program to show the water meter side of the system and gave an example of daily water usage of the Mayor's water meter.

Mayor Helmberger stated he installed an efficient drip irrigation system and in fact the smart meter reflected when the water turned on and had usage versus no usage. If a leak had occurred, the program would show inconsistencies.

The electric meters have a component through Tantalus which has a certain reliability. It is not known the exact life of these components; however compared to the standard meters used, the older meters degrade and slow down over time which are then a liability to the City. Mr. White stated he will make a comparison of old style versus smart meters to compare accuracy.

Commercial three-phase meters are also being installed. One of those is a polyphase meter installed at the High School Ag Barn. This particular meter helps set voltages of each phase which is an improvement of the system. Feedback can be received in moments, especially when voltage is an issue. Peaks can be monitored to help size transformers and lines. By having the system modeled, the feedback helps the electric grid. Another advantage of this system allows information when a feeder goes down. Our Foreman can see an issue on his portable computer the voltages and respond to a troubled area rather than searching.

Mr. White also indicated generators are being installed at City Hall to allow the server to continue its mission so troubleshooting the grid can continue without lack of power to the main server.

Michael Hesse questioned if this information would be available to the customers online via our website to see usage. Mr. White stated the grid must be completely in-line with the system before that can occur. However, privacy of each customer must be of great concern. Tantalus will be working with the City to make this information available to each individual customer in the future. This information will help to know each property's usage and allow to make adjustments or change habits. Currently, consumption graphs are on each utility bill. To provide security, it would be more reasonable to utilize our current system, Incode, for providing detailed usage information. Trying to deploy the network of the system will be Step 2 which also gets more information in the public's hands.

Elissa Ray, residing at 708 Pecan Creek Court, returned to the podium expressing concern of the security of hers and others utility bills available to everyone. Ms. Ray was informed no one else will have access to her specific information other than City Staff.

Leaca Caspari expressed concern the need to better explain the actual cost and rates not going up but the fees. Mr. White explained the Power Cost Adjustment (PCA) and how the City of Farmersville's base surcharge electric rate is \$0.0052 and any wholesale costs above that are recovered through the PCA which is passed through to our customers. The PCA has gone up due to substation costs from Sharyland and transmission costs which are generation points to Farmersville. Power is shipped through the grid and we buy power from Garland Power and Light. The power is then shipped through transmission lines where we are charged. Farmersville Electric has experienced

slight increases in costs for transmission and the remainder of the increase is from Sharyland's substation. Currently, Farmersville Electric is playing catch up as we were behind 1-2 months.

Jim Foy stated our rate has remained 12¢ per kWh and the PCA has brought a variance of approximately 7/10% from 12¢ to 12.7¢. Sharyland has seen dramatic increases. It is fortunate we are no longer associated with that company. Mr. Foy also stated according to the Public Utility Commission, 97% of meters are now smart meters. Most cities charge each residence for the meters plus monthly rates. If a customer wants to return to an analog meter, the customer in other cities are charged \$300 plus a monthly fee of \$18 just to have an analog meter.

Mr. White stated our customers are not being charged for the meter. The whole intent is to save money by also saving trouble to the citizens of misreads and having data. Currently 1/2 of the water meters have been installed and 30% of the electric meters installed. The electric meters install much quicker as water meters are underground.

Again the topic of having the data available to the customers resumed. Mr. White stated analog meters have mechanical components that typically slow down. Calibration is expensive for every meter but samples of a few could be done to show the differences of analogs versus smart meters. Michael Hesse stated he had a new analog meter installed after the last ice storm. He would like an accuracy analysis on his meter. Jeremy Jones stated when Sharyland left, there was no guarantee that meters installed were, in fact, new. Meters were designated as new, but were found to be used meters.

Michael Hesse stated he has fielded a large number of calls from residents regarding high utility bills.

Gwen Reynolds, residing at 5258 CR 660, stated she is a customer of Fannin County Electric Co-op and with a 4,000 square foot house, her bill is never over \$360. Mayor Helmberger stated there are a lot of variables that must be considered.

City Manager Ben White added to Mayor Helmberger's comments by stating cooling and heating degree days have an effect on electric usage. Farmersville has experienced a big increase over the last 3 months for cooling needs. Residential usage is proportionate to high degree days. Customers have expressed last year's usage to be more than this year's usage; however the cost with several 100⁰+ days was less last year than this year with less 100⁰ days than last year. Leaca Caspari stated the Council, who also live here and pay the bills here, are experiencing the same issues for their utility bills. Michael Hesse asked if information can be disseminated to educate our residents how to help lower bills, such as radiant barrier and other helpful hints.

ITEM V – A) ONLY READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO ADOPT THE BUDGET FOR THE FISCAL YEAR 2015-2016

Jim Foy motioned to approve the budget as presented and thanked the staff for their hard work and efforts. Leaca Caspari seconded the motion. A poll of the Council

was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – B) ONLY READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO ADOPT THE GENERAL OBLIGATION BOND SERIES 2012 ANNUAL BUDGET FOR FISCAL YEAR 2015-2016

Finance Director Daphne Hamlin informed the Council the bond sale of \$2,975,000 will be sold September 11, 2015 which is the final portion of the bond sales. Leaca Caspari motioned to approve the ordinance as presented with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – C) ONLY READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO ADOPT THE TAX RATE FOR FISCAL YEAR 2015-2016

The tax rate presented is \$0.859000, which Jim Foy wanted to mention again had the bond voted by the citizens not taken place, the tax rate would be 15¢ lower. The amount used for Interest and Sinking is 47¢ which is up 12¢ from last year. Jim Foy motioned to approve the ordinance as presented with the tax rate of \$0.859000 with John Klostermann seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM V – D) ONLY READING – CONSIDER, DISCUSS AND ACT UPON AN ORDINANCE TO ADOPT THE 2015 TAX APPRAISAL ROLL

John Klostermann motioned to adopt the 2015 Tax Appraisal Roll with John Politz seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, John Politz yes, Michael Hesse yes, Leaca Caspari yes and Jim Foy yes. Motion passed with full Council approval.

ITEM VI) REQUEST FOR CONSIDERATION OF PLACING ITEMS ON FUTURE AGENDAS

Leaca Caspari stated she would like to discuss why various committees are not meeting and their functions; what issues has the ADA Committee address; difficulties maneuvering the downtown area; and grant improvements for ADA compliancy.

Michael Hesse requested discussion regarding the radar equipment to be purchased by the Police Department.

Mayor Helmlinger requested the Freedom of Public Information ordinance, information regarding swimming pools and an ordinance regarding the NTMWD rate increase pass through be placed on the next agenda.

No one else requested items to be placed on a future agenda.

ITEM VII) ADJOURNMENT

Council adjourned at 7:36:02pm.

APPROVED

Joseph E. Helmberger, P.E., Mayor

ATTEST

Edie Sims, City Secretary

DRAFT

FARMERSVILLE CITY COUNCIL
MEETING MINUTES
September 29, 2015

The Farmersville City Council met in special session on September 29, 2015 at 6:00pm in the Council Chambers at City Hall with the following members present: Mayor Helmberger, John Klostermann, Leaca Caspari and Jim Foy. Council members not present were John Politz and Michael Hesse. Staff members present were City Manager Ben White, City Attorney Alan Lathrom, Police Chief Mike Sullivan, Librarian Trisha Dowell and City Secretary Edie Sims.

Item I) CALL MEETING TO ORDER, ROLL CALL

Mayor Helmberger called the meeting to order. Edie Sims called the roll and announced a quorum was present. Mayor Helmberger offered the invocation and led the audience in the Pledge of Allegiance to the American Flag and the Texas Flag.

Item II – A) PUBLIC HEARING TO DISCUSS PARK AND RECREATION NEEDS IN THE COMMUNITY

Mayor Helmberger opened the Public Hearing at 6:02pm and asked for anyone to speak for park and recreation needs in the community. City Manager Ben White indicated there are several needs at the Spain Athletic Complex including fence repairs/replacements, field re-leveling, improvements to the dugouts, concessions, and lighting of the fields. One of the requirements for this grant will be to install a sensory garden which we are excited about doing. With no one coming forward, Mayor Helmberger asked for anyone opposing park and recreation needs to come forward. With no one coming forward, the Public Hearing was closed at 6:02:30pm.

Item III – A) CONSIDER, DISCUSS AND ACT UPON SUBMISSION OF A GRANT APPLICATION TO THE TEXAS PARKS & WILDLIFE DEPARTMENT RECREATIONAL GRANTS PROGRAM FOR FUNDING TO CONSTRUCT IMPROVEMENTS TO J.W. SPAIN ATHLETIC COMPLEX, THE AMOUNT OF FUNDING AVAILABLE, ELIGIBLE ACTIVITIES, AND MATCH REQUIREMENTS

Mayor Helmberger requested Kathy Broyles, a representative for Grantworks, to explain the grant. Ms. Broyles indicated the application is for a Texas Parks & Wildlife grant which is a 50/50 matching grant totaling \$150,000.

John Klostermann motioned to approve the grant submission with Jim Foy seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

Item III – B) CONSIDER, DISCUSS AND ACT UPON A RESOLUTION PROHIBITING DRILLING AND MINING, OR THE REOPENING OF ANY ABANDONED WELL OR MINE IN ANY PUBLIC PARK LOCATED WITHIN THE CITY LIMITS OF FARMERSVILLE , TEXAS

Mayor Helmberger questioned the reason for this resolution required by the grant. Kathy Broyles, representative for Grantworks, indicated this is a standard requirement of Texas Parks & Wildlife and could have some to do with fracking. With no further questions, Jim Foy motioned to approve the resolution as presented with Leaca Caspari seconding the motion. A poll of the Council was taken as follows: John Klostermann yes, Leaca Caspari and Jim Foy yes. Motion passed with full Council approval.

ITEM IV) ADJOURNMENT

Council adjourned at 6:06:16pm.

APPROVED

Joseph E. Helmberger, P.E., Mayor

ATTEST

Edie Sims, City Secretary



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: CONSENT AGENDA - Police Department Report



Farmersville Police Department
134 North Washington Street
Farmersville, TX 75442
972-782-6141

Farmersville Police Department Monthly Report September-15

Total Calls For Service:

415

Tier 1 Crimes

Robbery:

0

Assault:

3

Theft:

3

Burglary:

7

Motor Vehicle Theft:

0

Tier 2 Crimes

Forgery:

1

Fraud:

1

Criminal Mischief:

1

Weapons:

0

DWI:

1

Public Intoxication:

1

Disorderly Conduct:

0

Drugs:

0

Miscellaneous

Traffic Stops:

164

Citations:

78 (92 violations)

Alarms:

8

Major Accidents:

4

Minor Accidents:

2

Agency Assist:

42

Cases filed with the District Attorney's Office:

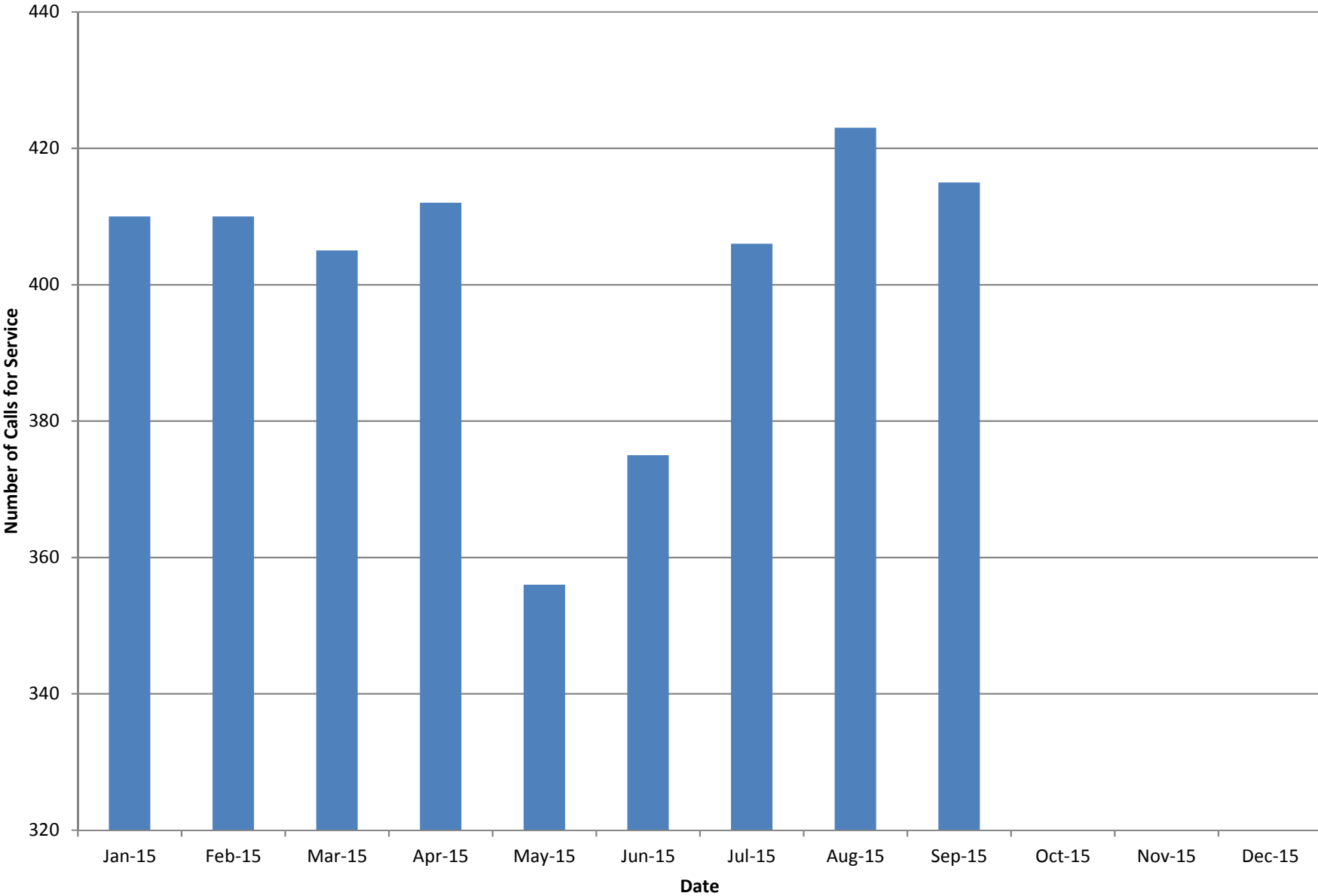
Felony:

5

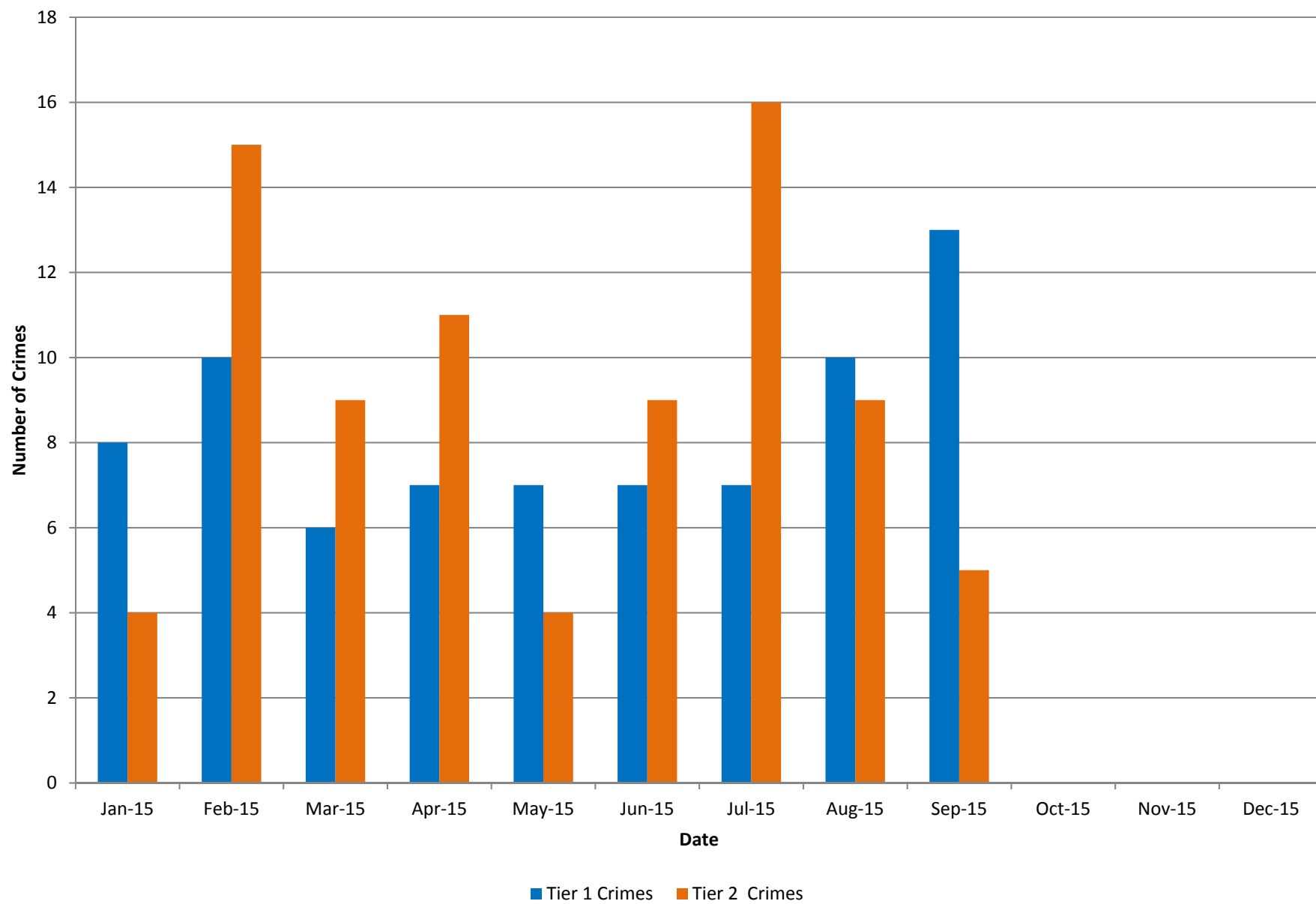
Misdemeanor:

4

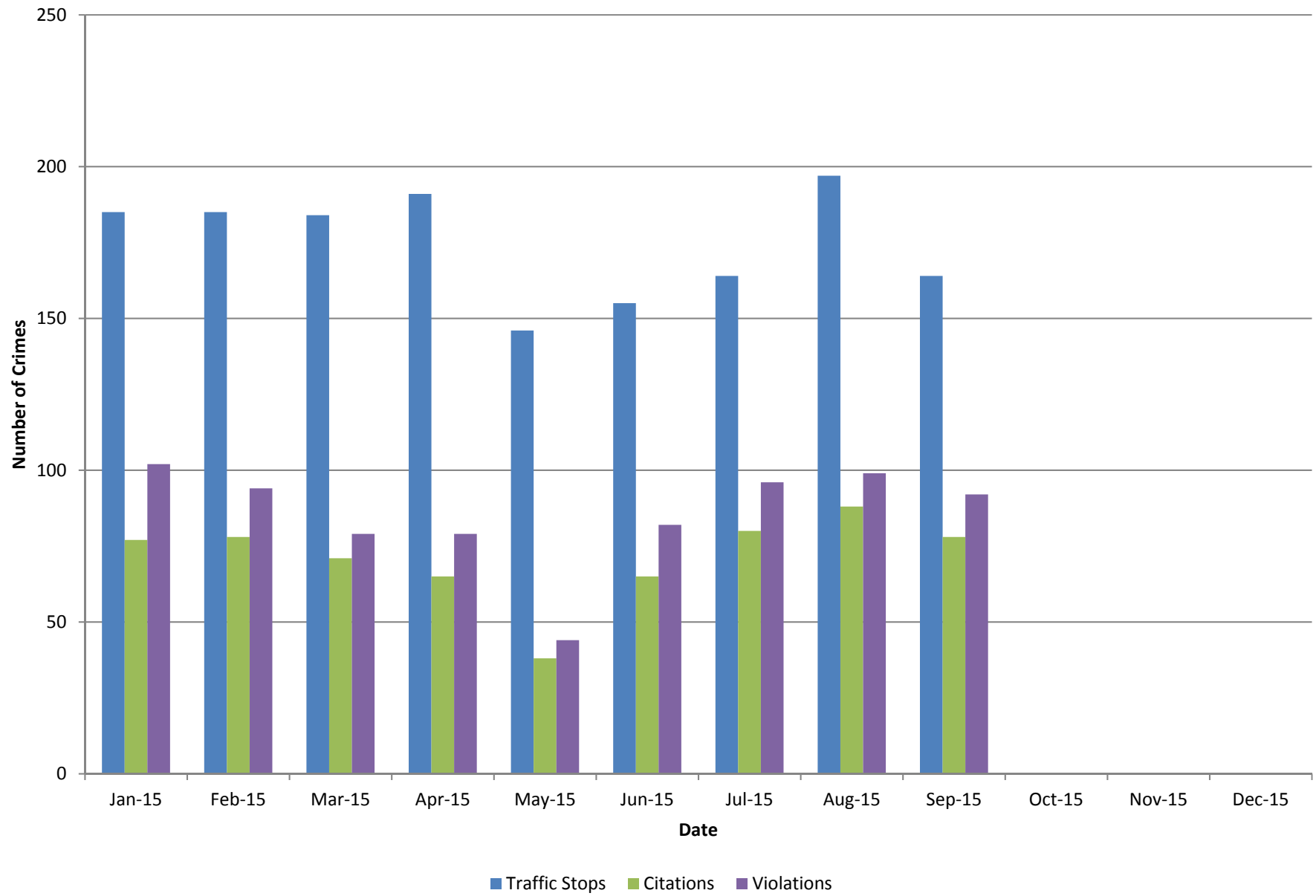
Police Department Calls for Service



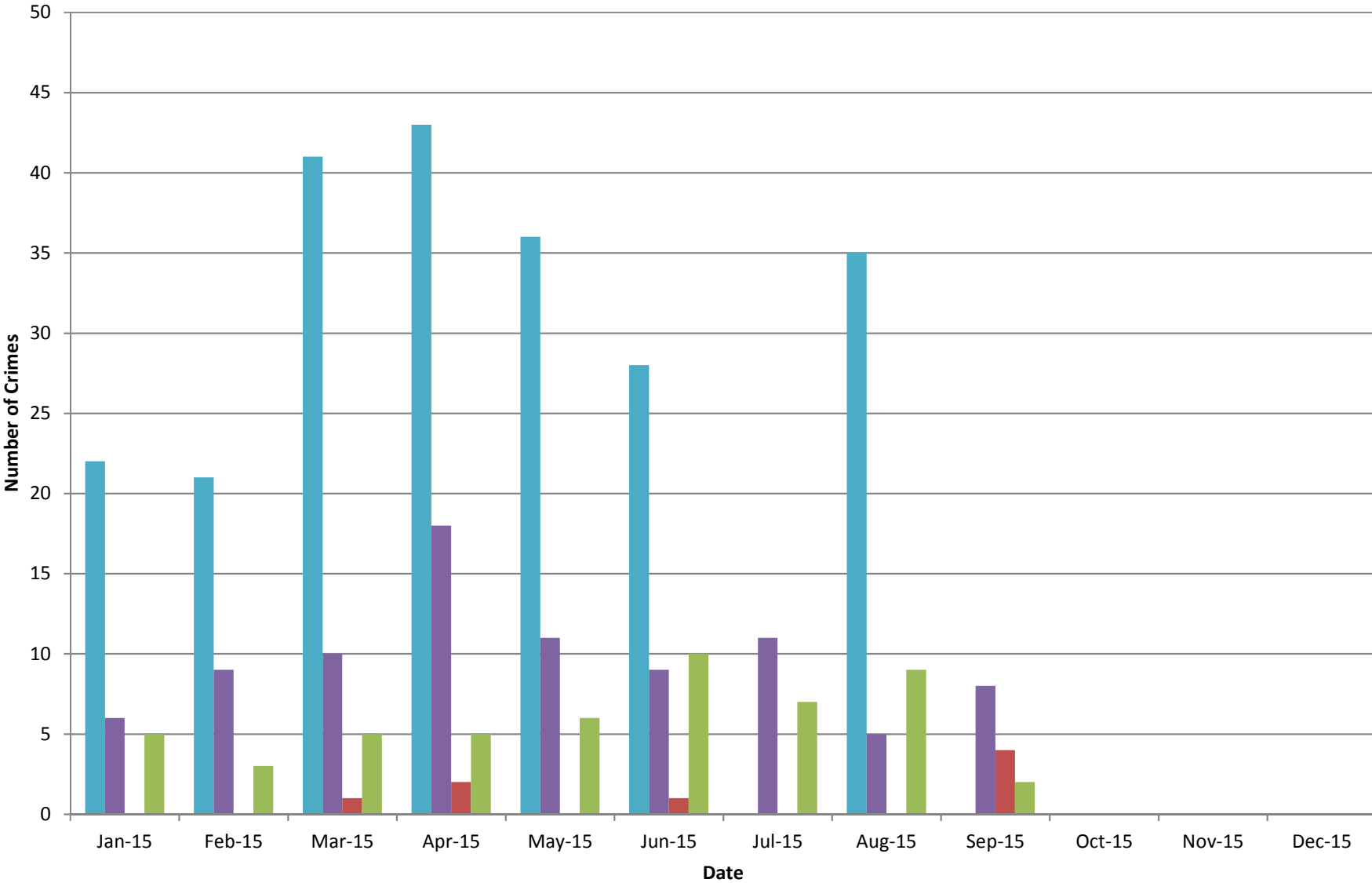
Uniform Crime Reporting



Traffic Enforcement



Police Activity



Agency Assist Alarms Major Accidents Minor Accidents



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: CONSENT AGENDA – Code Enforcement/Animal Control Report

**Farmersville Police Department
Code Enforcement**

Date	Address	Violation	Inspect	Warn	Notice	Cite	Proactive	Reactive	Closed	Notes/CFS
04/15/2015										
09/01/2015	610 N. Washington	Parking on Side Walk	X			X	X		09/01/2015	Citation Issued
09/01/2015	302 Woodard	Grill not Perm	X	X			X		09/01/2015	Neighbor can move grill
09/02/2015	701 SH 78	Pole Sign	X		X		X			Letter Sent 9/8/2015
09/02/2015	Hayward-SH 78	Grass, Weed eat	X		X		X			Final Notice Sent 9/8/2015
09/03/2015	106a Beech	Grass	X	X	X		X		09/23/2015	NON 9/3/2015
09/03/2015	313 Audie Murphy	Weed Eat, Brush	X		X		X		09/24/2015	Final Notice Sent 9/8/2015
09/03/2014	202 S.Rike	Trailer	X	X			X		09/03/2015	Recheck
09/03/2015	400 McKinney	Brush	X	X	X		X		09/03/2014	Recheck
09/08/2015	109 College	Brush	X				X		9/17/2015	City Called-Progressive Left some Brus
09/11/2015	Kmart Food	Outdated Products	X	X			X		09/24/2015	Spoke w/Owner
09/11/2015	1202 Audie Murphy	Cert of Occup	X	X			X		09/12/2015	Sent to City Hall
09/14/2015	Catrachois	Banner Signs	X	X			X		09/17/2015	Spoke w/Owner
09/14/2015	King	Stickered Car	X	X			X		09/15/2015	Registratiion Out
09/15/2015	303 Summit	Grass	X		X		X		09/29/2015	Letter Sent 9/18/2015
09/15/2015	310 Summit	Grass	X		X		X		09/29/2015	Letter Sent 9/18/2015
09/16/2015	613 Maple	Grass	X		X		X			Send Final Notice
09/16/2015	413 Maple	Grass	X		X		X		09/29/2015	Letter Sent 9/18/2015
09/16/2015	219 Maple	Grass	X	X			X		09/17/2015	Spoke w/Owner
09/16/2015	207 Maple	,Grass	X	X			X		09/16/2015	Spoke w/Owner
09/16/2015	AT&T Bldg	Grass	X		X		X		10/05/2015	Send Final Notice
09/16/2015	116 Woodard	Brush	X	X	X		X			Final Notice Sent 9/18/2015
09/16/2015	204 Woodard	Brush B/Y	X	X			X		09/22/2015	Left Card
09/16/2015	206 Woodard	Debris, Brush	X	X			X		10/02/2015	Spoke w/Owner
09/16/2015	311 Woodard	Truck F/Y	X	X			X		09/22/2015	Left Card
09/16/2015	315 N. Main	Grass	X		X		X		10/02/2015	Send Final Notice
09/16/2015	Mondy-Murchison	Grass	X		X		X			Send Final Notice
09/16/2015	307 N. Main	Grass	X	X			X		09/29/2015	Spoke w?owner
09/16/2015	306 N. Main	Grass	X		X		X		09/29/2015	Letter Sent 9/18/2015
09/16/2015	PR 100 #10	Tires	X	X			X		09/16/2015	Recheck
09/16/2015	106a Beech	Grass	X	X	X		X		09/23/2015	Final Notice Sent 9/18/2015
09/16/2014	106b Beech	Grass	X		X		X		09/23/2015	Letter Sent 9/18/2015
09/16/2015	114 Beech	Grass	X		X		X		09/29/2014	Letter Sent 9/18/2015
09/16/2015	416 Orange	Grass	X		X		X		9/29/2015	Letter Sent 9/18/2014
09/16/2015	412 Orange	Grass	X		X		X		09/29/2015	Letter Sent 9/18/2015
09/16/2015	209 Abbey	Numerous	X		X		X		09/16/2015	Recheck

**Farmersville Police Department
Code Enforcement**

Date	Address	Violation	Inspect	Warn	Notice	Cite	Proactive	Reactive	Closed	Notes/CFS
04/15/2015										
09/16/2015	Moffett-Audie Murphy	Grass	X	X	X		X		09/16/2015	Recheck
09/16/2015	607 N. Washington	Signs on Poles	X	X			X		09/16/2015	Recheck
09/17/2015	305 Haughton	Brush S/Y	X		X		X			Letter Sent 9/21/2015
09/17/2015	212 Haughton	Grass	X	X			X		09/22/2015	Left Card
09/17/2015	209 Lincoln	Grass	X		X		X		10/02/2015	Letter Sent 9/21/2015
09/17/2015	Gooch-N. Lincoln	Grass	X		X		X		10/02/2015	Letter Sent 9/21/2015
09/17/2015	405 McKinney	Grass B/Y	X		X		X			Letter Sent 9/21/2015
09/17/2015	509 McKinney	Grass	X		X		X			Letter Sent 9/21/2015
09/17/2015	603 Maple	Grass S/Y, Debris	X		X		X		10/02/2015	Letter Sent 9/21/2015
09/17/2015	214 N. Hamilton	Grass Side Lot	X		X		X		10/02/2015	Letter Sent 9/21/2015
09/17/2015	318 N. Hamilton	Grass	X	X			X		09/22/2015	Left Card
09/17/2015	407 N. Hamilton	Grass	X		X		X			Letter Sent 9/21/2015
09/17/2015	410 N. Hamilton	Tree Branch F/Y	X		X		X		10/02/2015	Letter Sent 9/22/2015
09/17/2015	513 Pendleton	Furniture S/Y	X	X	X		X			NOV 9/17/2015
09/17/2015	607 Maple	Trailer w/Brush S/Y	X		X		X		10/02/2015	Letter Sent 9/21/2015
09/17/2015	Horner-McKinney	Grass	X		X		X		10/05/2015	Letter Sent 9/21/2015
09/17/2015	313 S. Johnson	Grass	X		X		X			Letter Sent 9/21/2015
09/17/2015	502 Mimosa	Brush F/Y, B/Y	X	X			X		09/22/2015	Left Card
09/17/2015	214 Neathery	Grass	X	X	X		X		10/02/2015	NON 9/22/2015
09/17/2015	210 Neathery	Grass	X	X			X		10/05/2015	NOV 10/2/2015
09/17/2015	207 Neathery	Grass, Brush	X	X			X		10/02/2015	Spoke w/Owner
09/17/2015	206 Neathery	Grass	X	X	X		X			Send Final Notice
09/17/2015	310 S. Washington	Brush B/Y	X		X		X		10/05/2015	Letter Sent 9/21/2015
09/17/2015	310 S. Washington	Cars F/Y, S/Y	X		X		X		10/02/2015	Letter Sent 9/21/2015
09/17/2015	106 Santa Fe	Grass	X	X			X		10/02/2015	Spoke w/Owner
09/17/2015	400S. Johnson	Grass	X	X			X		10/02/2015	Spoke w/Owner
09/17/2015	402 Johnson	Grass B/Y	X	X	X		X		10/02/2015	NOV 9/22/2015
09/17/2015	200S. Main	Grass	X		X		X			Send Final Notice
09/17/2015	301 College	Grass B/Y	X	X			X		10/05/2015	Spoke w/owner
09/17/2015	305 College	Grass	X		X		X		09/29/2015	Letter Sent 9/21/2015
09/17/2015	Murphy-Houston	Grass	X		X		X		10/02/2015	Letter Sent 9/21/2015
09/17/2015	107 N. Hamilton	Grass, Weedeat Arounc	X		X		X			Letter Sent 9/21/2015
09/17/2015	551 W. Audie Murphy	Grass	X		X		X		10/02/2015	Letter Sent 9/21/2015
09/22/2015	108 Houston	Truck F/Y	X		X		X		10/07/2015	Letter Sent 9/23/2015
09/22/2015	208 Murchison	Grass-Back Yard	X		X		X		10/07/2014	Letter Sent 9/23/2015

**Farmersville Police Department
Code Enforcement**

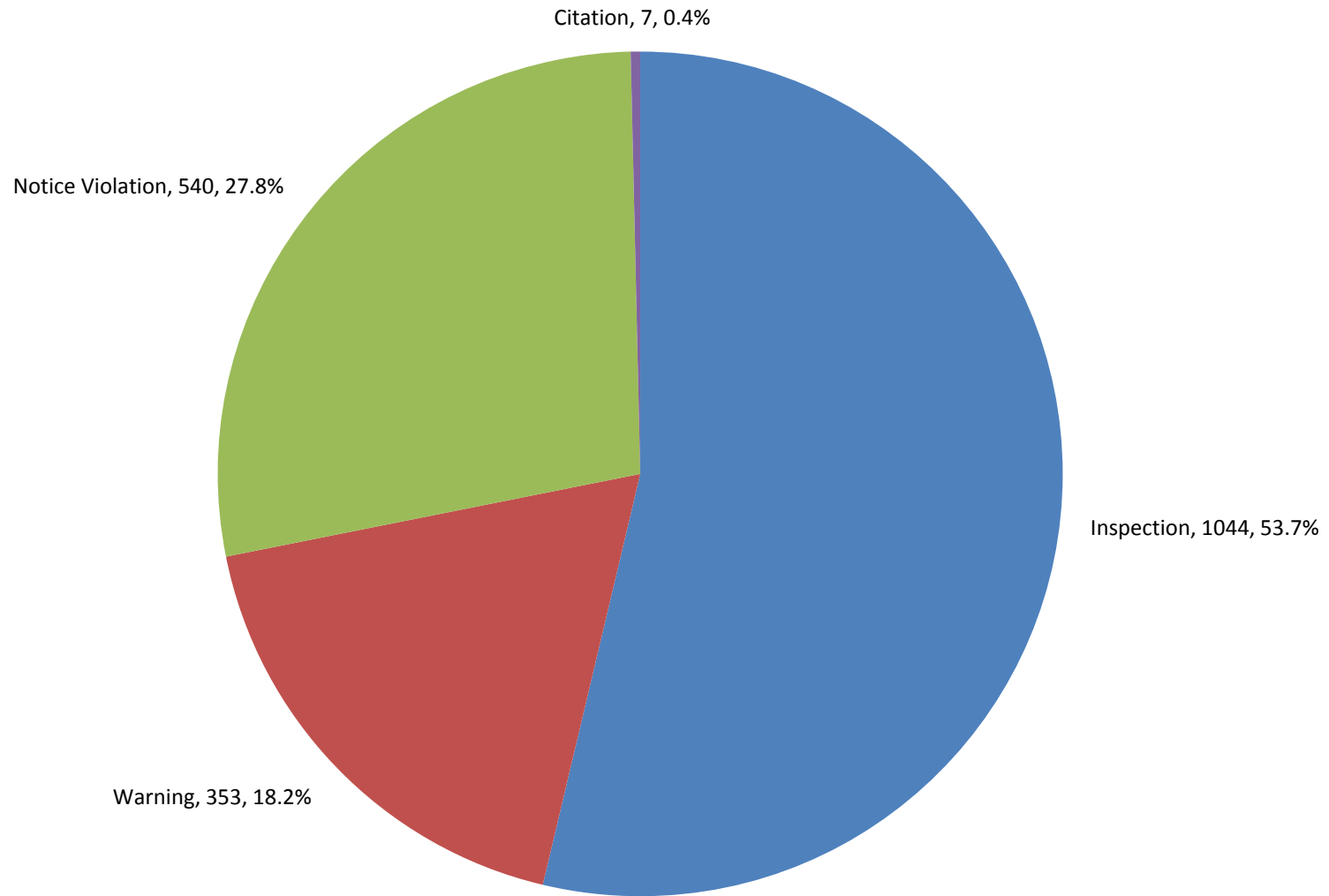
Date	Address	Violation	Inspect	Warn	Notice	Cite	Proactive	Reactive	Closed	Notes/CFS
04/15/2015										
09/22/2015	408 Sherry	Grass	X		X		X		10/07/2015	Letter Sent 9/23/20154
09/22/2015	315 N. Hamilton	Grass	X	x			X		10/02/2015	Letter Sent 9/23/2015
09/23/2015	Crossroad Terrace	Discuss Living Space	X				X		09/23/2015	Inspect Apt 1 Oct 15
09/23/2015	307 Audie murphy	Numerous	X	X	X		X			NOV 10/2/2015
09/23/2015	200 Beech (VacantLots)	Grass	X		X		X		09/29/2014	Letter Sent 9/23/20145
09/23/2015	311 N. Main	Abandoned A/C's	X		X		X		10/07/2015	Letter Sent 9/23/2015
09/24/2015	701 SH 78	Grass	X		X		X			Letter Sent 9/28/2015
09/24/2015	715 Pecan Creek	Tree, Grass	X	X	X		X		9/24/20154	Recheck
09/24/2015	Hayward-SH 78	Weed Eat Fence	X		X		X			Letter Sent 9/28/2015
09/24/2015	Celebration Station	Brush	X		X		X			Letter Sent 9/28/2015
09/24/2014	1010 McKinney	Grass	X		X		X		09/24/2015	Recheck
09/24/2015	Mounger-Wilcoxson	Grass	X		X		X		09/24/2015	Recheck
09/24/2015	Mounger-SH 78	Grass	X		X		X		09/24/2015	Recheck
09/24/2015	108 Wilcoxson	Grass	x		X		X		09/24/2015	Recheck
09/24/2015	503 Houston	Grass	X		X		X			Final Notice Sent 9/28/20145
09/24/2015	213 N. Main	Weed Eat	X		X		X		09/24/2015	Recheck
09/24/2015	315 N. Washington	Grass, Tub	X		X		X		10/07/2015	Letter Sent 9/28/2015
09/24/2015	418 N Washington	Fridge B/Y	X	X			X			Spoke w/Owner
09/24/2015	421 N. Main	Weed Eating	X		X		X		09/24/2015	Recheck
09/24/2015	1009 S. Main	Debri S/Y	X		X		X		09/24/2015	Recheck
09/24/2014	1017 S. Main	Brush B/Y	X		X		X			Letter Sent 9/28/2015
09/24/2015	208 Abbey	Car F/Y, S/Y	X		X		X			Final Notice Sent 9/28/2015
09/24/2014	202 Abbey	Cars on Lot	X		X		X			Final Notice Sent 9/28/2015
09/24/2014	201 Summit	Brush	X		X		X		9/24/20145	Recheck
09/24/2015	313 Audie Murphy	Weed Eating	X		X		X		09/24/2015	Recheck
09/24/2015	314 Rolling Hills	Brush, Grass	X		X		X		09/24/2015	Recheck
09/24/2015	202 Farr Hill	Weed Eating	X		X		X		09/24/2015	Recheck
09/24/2015	1402 Willow Brook	Brush	X		X		X		09/24/2015	Recheck
09/24/2015	307 Orange	Cars S/Y	X		X		X			Final Notice Sent 9/28/2015
09/24/2015	112 S. Rike	Cars F/y, S/Y	X		X		X		09/24/2015	Recheck
09/29/2015	1215 Willow Ln	Grass	X		X		X			Letter Sent 10/1/2015
09/29/2015	115 Beech	Grass	X		X		X		10/05/2015	Letter Sent 10/1/20154
09/29/2015	504 Orange	Numerous	X	X			X			Left Card
09/29/2015	Douglas-Audie Murphy	Grass	X		X		X			Letter Sent 10/1/2015
09/29/2015	415 S. Rike	Grass	X		X		X			Letter Send 10/1/2015

**Farmersville Police Department
Code Enforcement**

Date	Address	Violation	Inspect	Warn	Notice	Cite	Proactive	Reactive	Closed	Notes/CFS
09/29/2015	108 Pendleton	Grass	X		X		X		910/7/20145	Letter Sent 10/1/2015

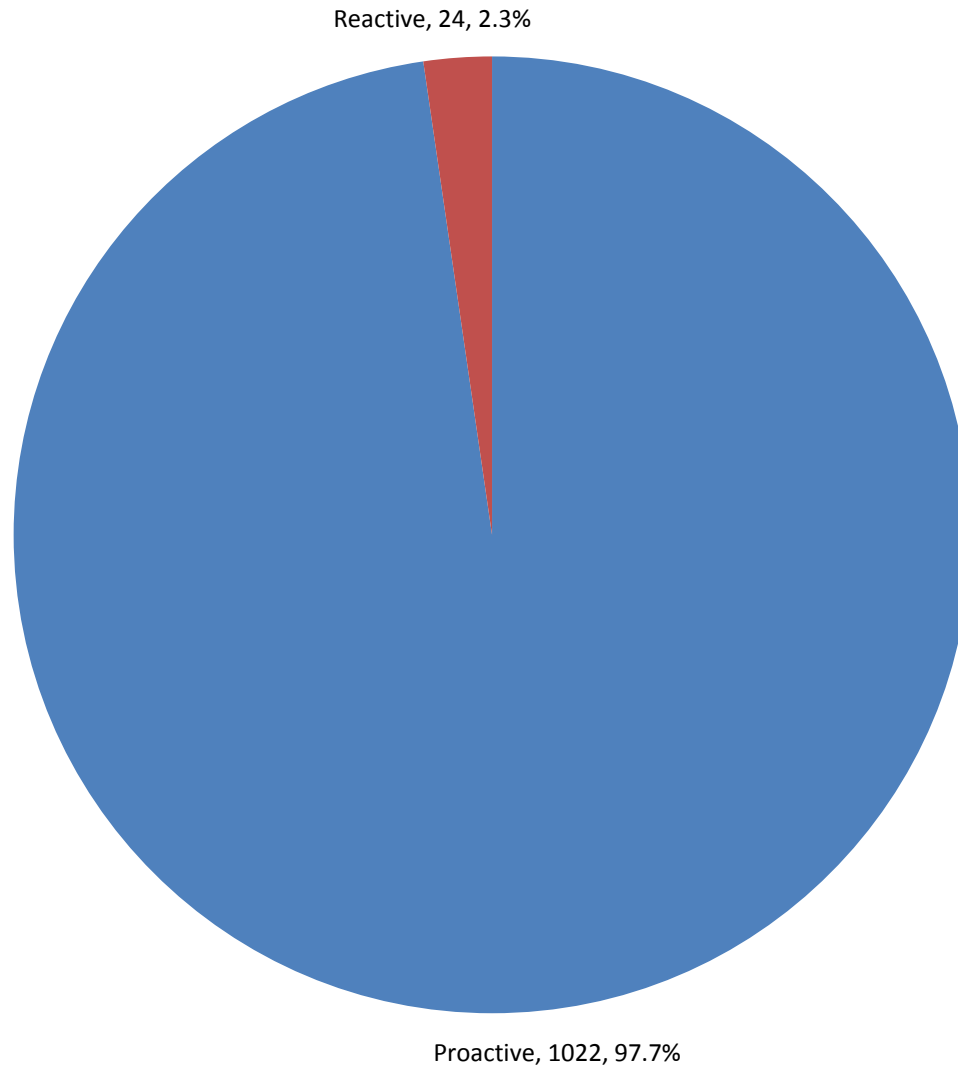
Code Enforcement Activity Results

City of Farmersville Police Department

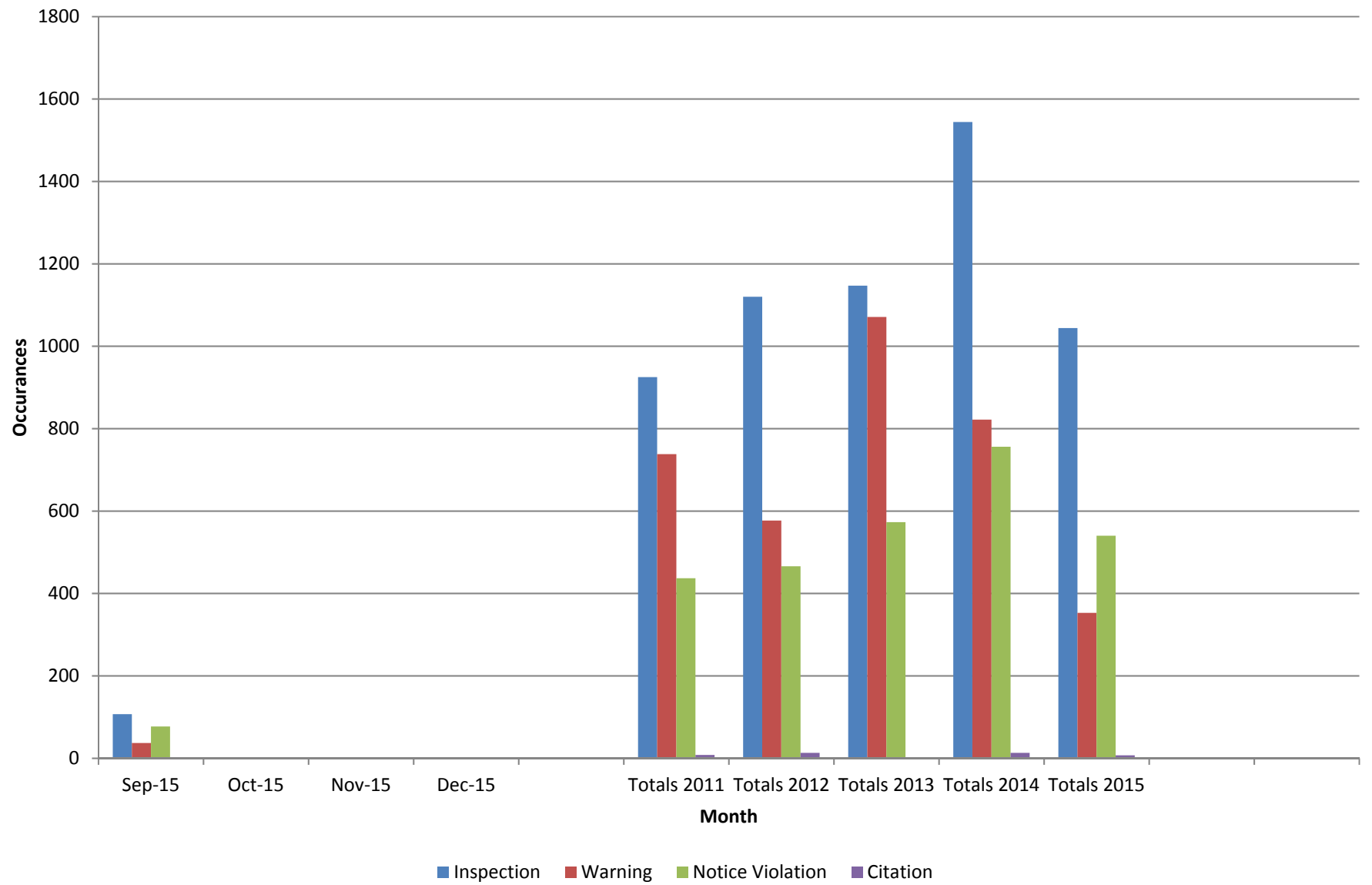


Code Enforcement Activity Results

City of Farmersville Police Department



Code Enforcement Activity Results City of Farmersville Police Department

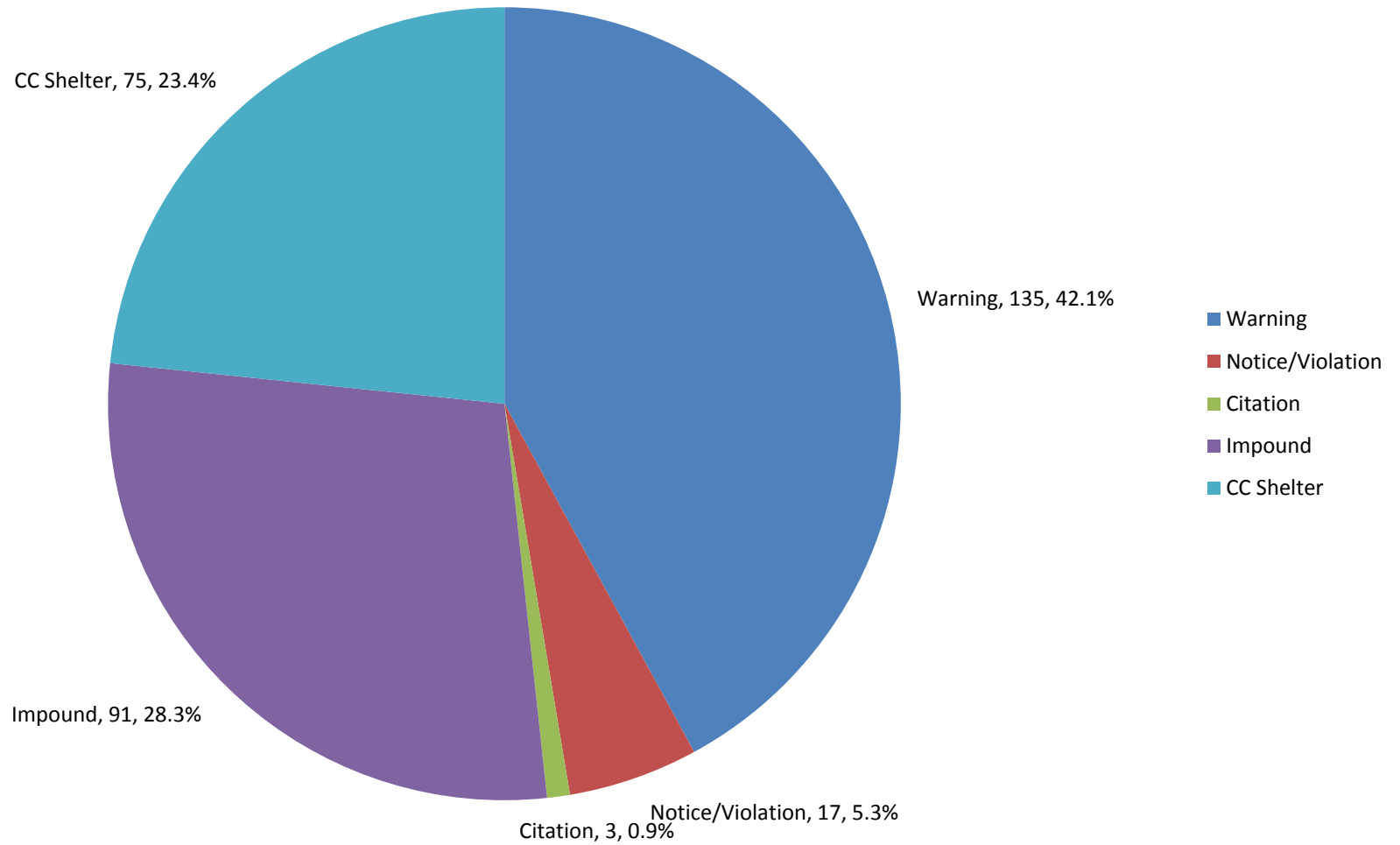


FARMERSVILLE POLICE DEPARTMENT
PUBLIC SERVICE OFFICER: ANIMAL CONTROL MONTHLY REPORT

DATE	TYPE OF CALL	ADDRESS	VIOLATION	WARNING	NOTICE/VIOL	CITATION	IMPOUND	CC SHELTER	CFS#
09/01/2015	Dog Complaint	209 Rolling Hills	Fed Dog						
09/02/2015	Animal Abuse	209 Rolling Hills	Took Dog CCAS					X	Pictures Taken
09/02/2015	Loose Dogs	513 Pendleton	Put in Garage	X					Left Card
09/02/2015	Loose Dog	1003 Maple	Returned to Owner	X					
09/02/2015	Pick Up Trap	410 Summit	Relocate Trap						
09/02/2015	Stray Dog	1427 Red Oak	Set Trap						
09/02/2015	Loose Dogs	513 Pendleton	Notice of Violation		X				
09/02/2015	Dead Possum	420 Sherry	Disposed Of						
09/03/2015	Check Trap	1427 Red Oak	Empty						
09/03/2015	Loose Dog	513 Pendleton	Citation			X			
09/04/2015	Loose Dog	Jackson	Returned to Owner						
09/08/2015	Loose Dog	Neathery	Went in Fence						
09/08/2015	Loose Dog	Maple	Ereturned to Owner	X					
09/09/2015	Loose Dogs	513 Pendleton	Left Card	X					
09/11/2015	Loose Dog	1427 Red Oak	Unable to Catch						
09/11/2015	Loose Dog	S. Johnson	unable to locate						
09/12/2015	Stray puppy	601 Jackson	Pound				X		
09/12/2015	Loose Dogs	610 N. Washington	Citation			X			
09/14/2015	Pick Up Dog	Pound	CCAS					X	
09/14/2015	Loose Dogs	209 Rolling Hills	Spoke w/Owner	X					
09/14/2015	Stray Fo	S. Main	Unable to Locate						
09/14/2015	Loose Pony	SH 78	Secured in Fence						
09/15/2015	Loose Dog	Summit	Returned to Owner						
09/15/2015	Release	134 N. Washington	CCAS					X	
09/16/2015	Abused Dogs	206 Neathery	Dog Ok						
09/17/2015	Loose Dog	Locust	Wenr into Woods						
09/18/2014	Loose Dog	513 Pendleton	Spoke w/Owner	X					
09/19/2015	Barking Dogs	407 N. Main	Spoke w/Owner	X					
09/22/2015	Stray Dog	Pendleton	CCAS					X	
09/23/2015	Pick Up Traps	1427 Red Oak							
09/23/2015	Loose Dogs	Maple	Returned to Owner	X					
09/24/2015	Loose Dog	415 Haughton	NOV		X				
09/29/2015	Stray Dog	Willow Brook	Went into Woods						
09/29/2015	Dog Complaint	204 Candy	Spoke w/Owner	X					
09/29/2015	Loose Dog	202 Woodard	Put In Fence	X					
9/30/2015	Loose Dogs	Gaddy	Impounded				X		

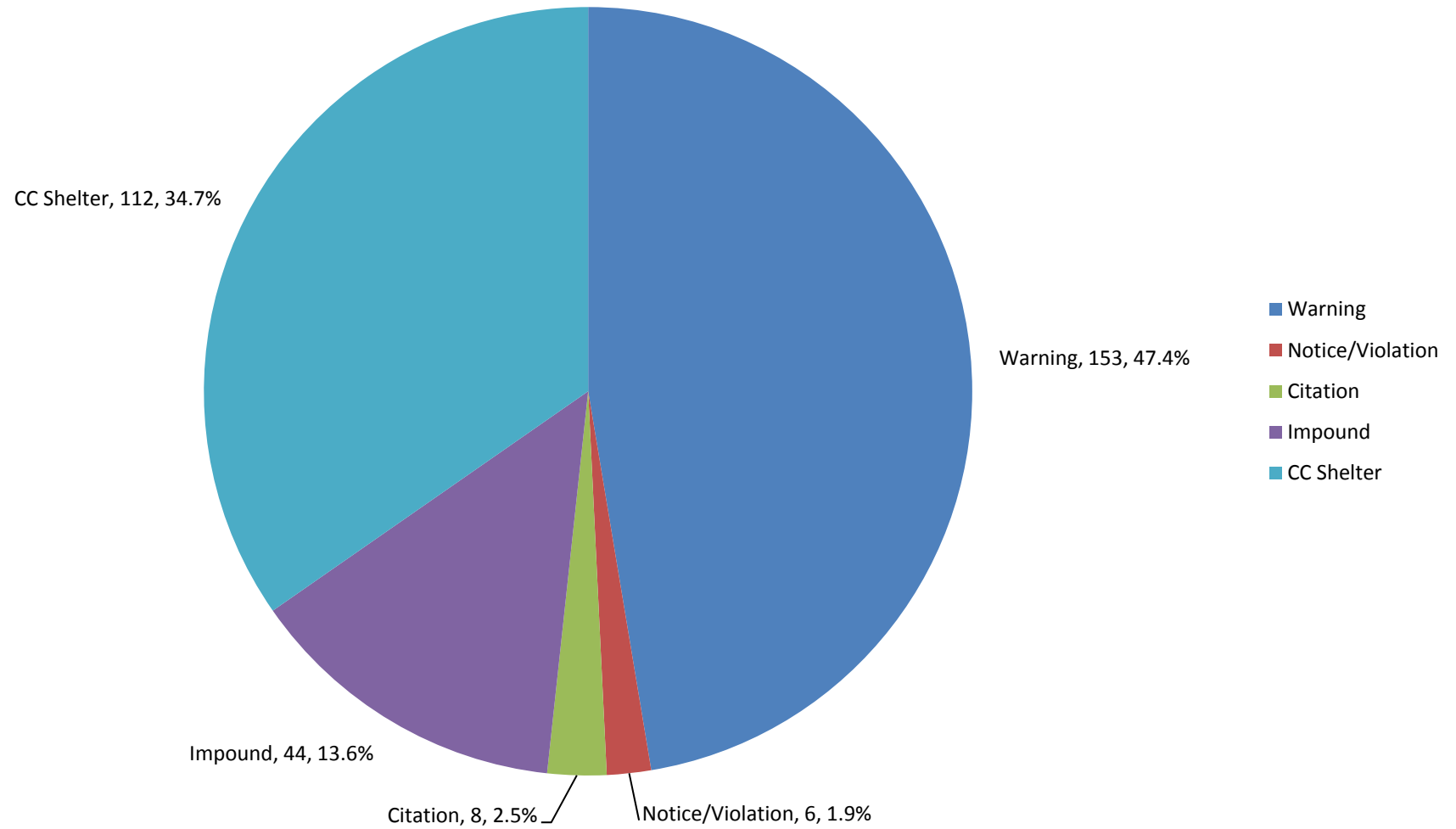
Animal Control Activity Results

Farmersville Police Department
Cumulative, Calendar Year 2014



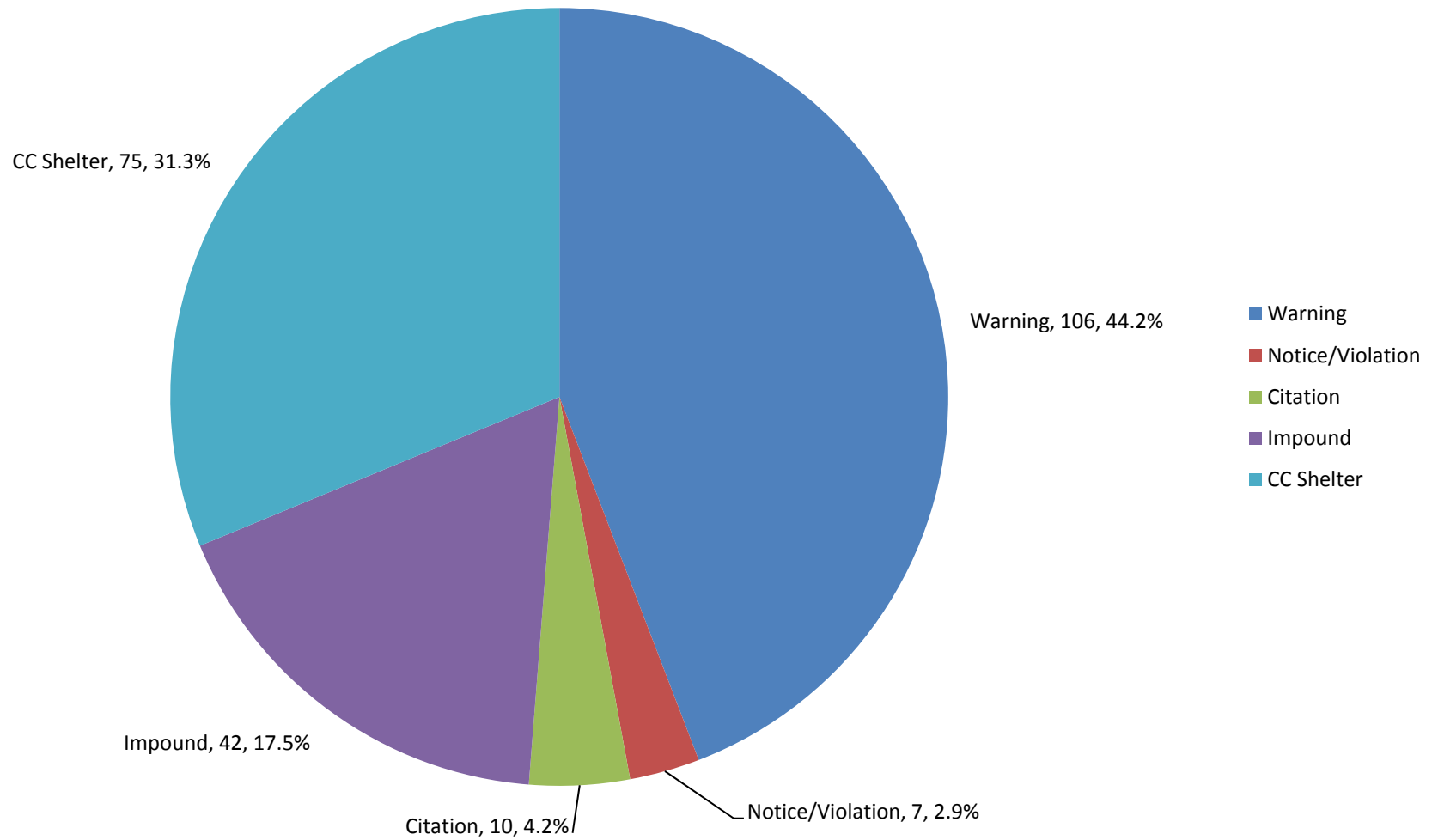
Animal Control Activity Results

Farmersville Police Department
Cumulative, Calendar Year 2014



Animal Control Activity Results

Farmersville Police Department
Cumulative, Calendar Year 2015





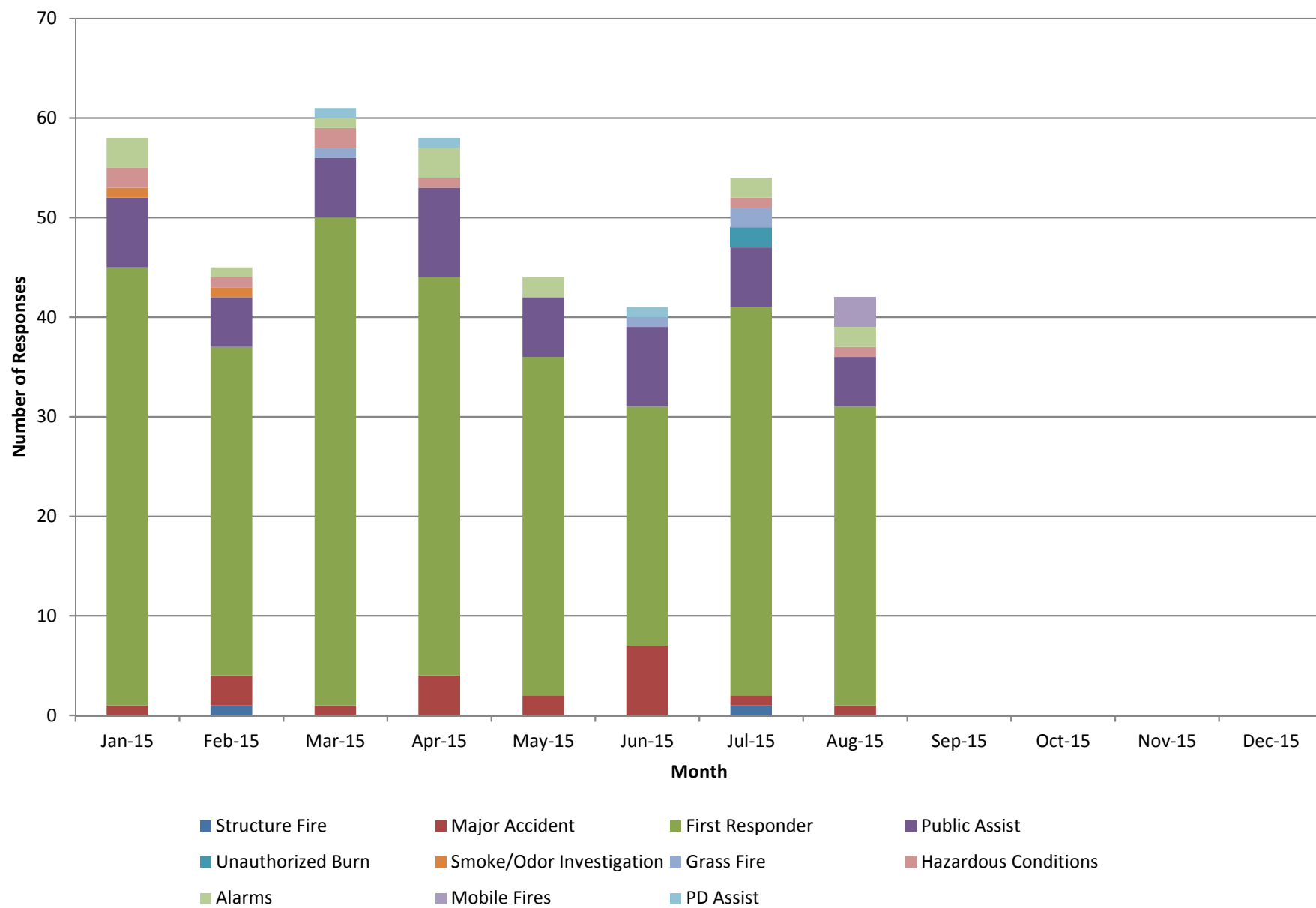
TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: CONSENT AGENDA – Fire Department Report

**FARMERSVILLE FIRE DEPARTMENT
MONTHLY CITY COUNCIL REPORT
AUGUST, 2015**

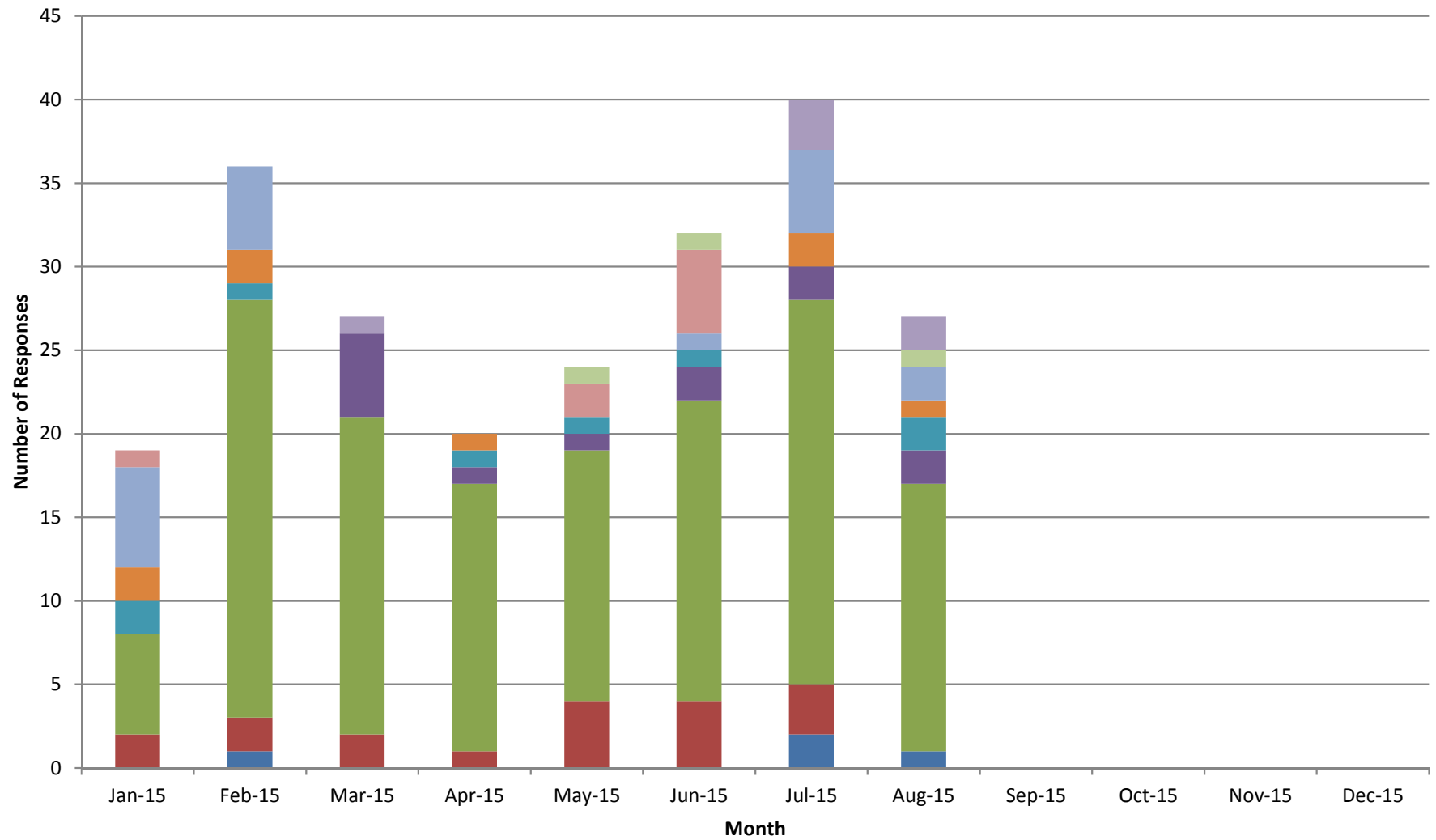
1. The department assisted in the town hall meeting by keeping a first response vehicle in the area should it be required. Chief Morris was on the inside to assist any medical issues that may have arisen.
2. The department was requested to wash down the drive ways of the new Lexington Nursing Home to prepare for striping. They made a \$500 contribution..
3. The Lexington Nursing Home would like to host a second meeting with the department to give members a tour of the finished product and to familiarize themselves with the set up. They are also going to provide a meal for the occasion.
4. The department has accepted a jet ski donated by the Corps of Engineers to be used by Public Safety officials as needed. Training will be provided at an unscheduled date as of this time.
5. The department assisted in a "Water Shuttle" training class held at Lake Lavon.

KIM R. MORRIS
Farmersville Fire Chief

Farmersville Fire Department City Responses

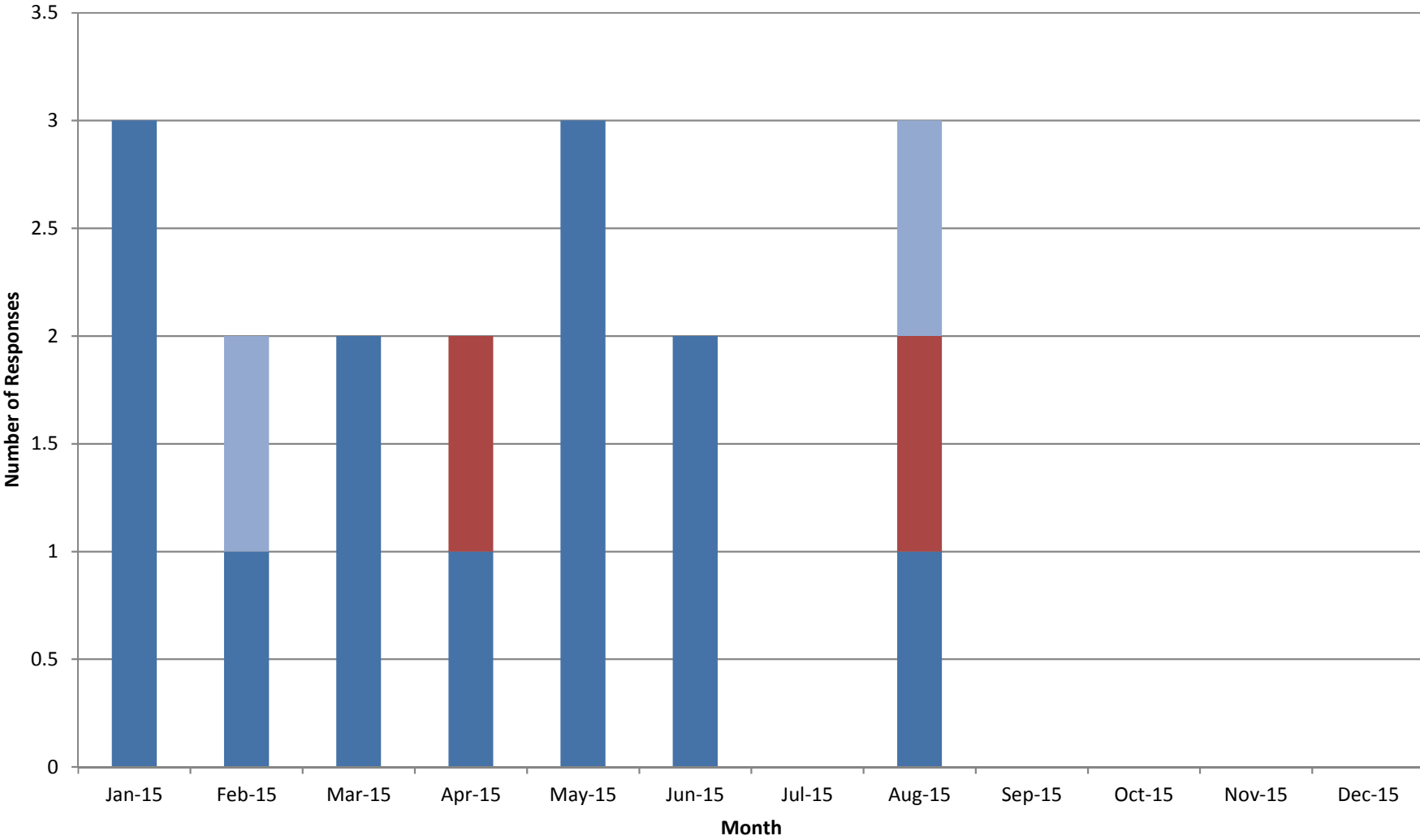


Farmersville Fire Department County Responses



- Structure Fire
- Unauthorized Burn
- Alarms
- Major Accident
- Smoke/Odor Investigation
- Mobile Fires
- First Responder
- Public Assist
- Grass Fire
- Hazardous Conditions
- PD Assist

Farmersville Fire Department Mutual Aid Responses



- Structure Fire

■ Major Accident

■ First Responder

■ Public Assist

■ Unauthorized Burn

■ Smoke/Odor Investigation

■ Grass Fire

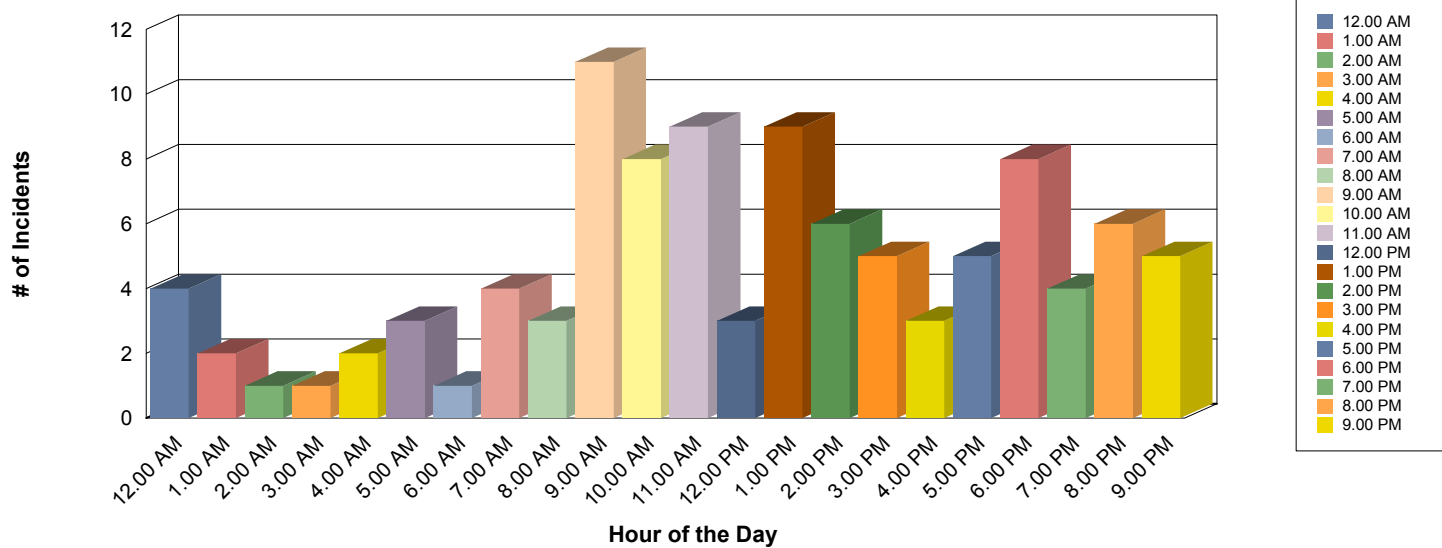
■ Hazardous Conditions

■ Alarms

■ Mobile Fires

■ PD Assist

Incident Totals by Hour



Hour of the Day: 12.00 AM

Total # of Incidents: **4.00**

% of Total Incidents: **3.88%**

Hour of the Day: 1.00 AM

Total # of Incidents: **2.00**

% of Total Incidents: **1.94%**

Hour of the Day: 2.00 AM

Total # of Incidents: **1.00**

% of Total Incidents: **0.97%**

Hour of the Day: 3.00 AM

Total # of Incidents: **1.00**

% of Total Incidents: **0.97%**

Hour of the Day: 4.00 AM

Total # of Incidents: **2.00**

% of Total Incidents: **1.94%**

Hour of the Day: 5.00 AM

Total # of Incidents: **3.00**

% of Total Incidents: **2.91%**

Hour of the Day: 6.00 AM

Total # of Incidents: **1.00**

% of Total Incidents: **0.97%**

Hour of the Day: 7.00 AM

Total # of Incidents: **4.00**

% of Total Incidents: **3.88%**

Hour of the Day: 8.00 AM

Total # of Incidents: **3.00**

% of Total Incidents: **2.91%**

Hour of the Day: 9.00 AM

Total # of Incidents: **11.00**

% of Total Incidents: **10.68%**

Hour of the Day: 10.00 AM

Total # of Incidents: **8.00**

% of Total Incidents: **7.77%**

Hour of the Day: 11.00 AM

Total # of Incidents: **9.00**

% of Total Incidents: **8.74%**

Hour of the Day: 12.00 PM

Total # of Incidents: **3.00**

% of Total Incidents: **2.91%**

Hour of the Day: 1.00 PM

Total # of Incidents: **9.00**

% of Total Incidents: **8.74%**

Hour of the Day: 2.00 PM

Total # of Incidents: **6.00**

% of Total Incidents: **5.83%**

Hour of the Day: 3.00 PM

Total # of Incidents: **5.00**

% of Total Incidents: **4.85%**

Hour of the Day: 4.00 PM

Total # of Incidents: **3.00**

% of Total Incidents: **2.91%**

Hour of the Day: 5.00 PM

Total # of Incidents: **5.00**

% of Total Incidents: **4.85%**

Hour of the Day: 6.00 PM

Total # of Incidents: **8.00**

% of Total Incidents: **7.77%**

Hour of the Day: 7.00 PM

Total # of Incidents: **4.00**

% of Total Incidents: **3.88%**

Hour of the Day: 8.00 PM

Total # of Incidents: **6.00**

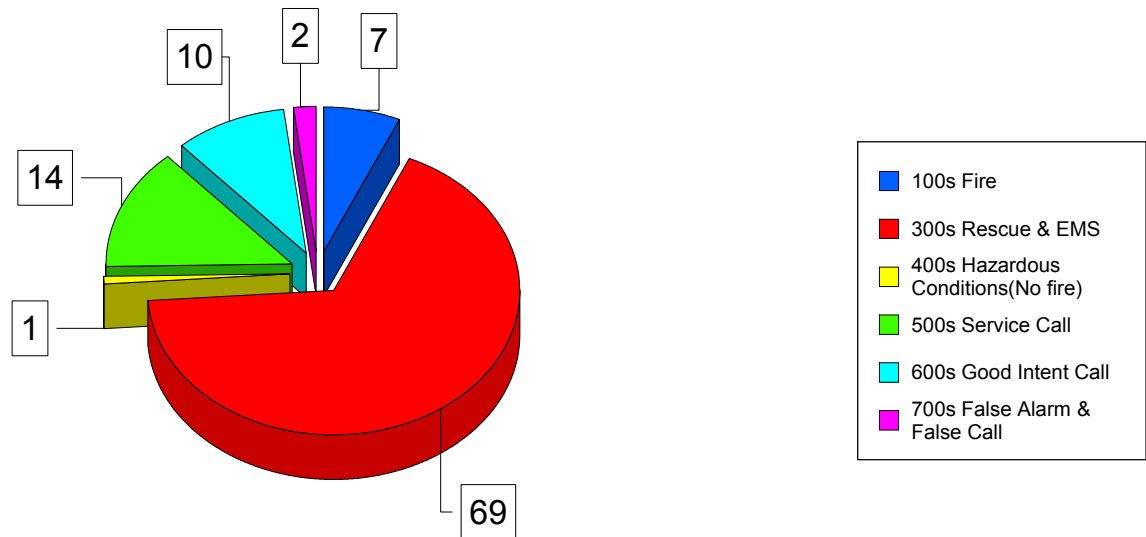
% of Total Incidents: **5.83%**

Hour of the Day: 9.00 PM

Total # of Incidents: **5.00**

% of Total Incidents: **4.85%**

Grand Total Incidents: 103.00



Graphed Items are sorted by Incident Type

Type Of Incident:**Total Of Incidents:****Percentage Value:**

100 Series-Fire	7	6.80%
300 Series-Rescue & EMS	69	66.99%
400 Series-Hazardous Conditions(No fire)	1	0.97%
500 Series-Service Call	14	13.59%
600 Series-Good Intent Call	10	9.71%
700 Series-False Alarm & False Call	2	1.94%

Grand Total: 103

Type Of Incident Most Frequent: 300 Series-Rescue & EMS

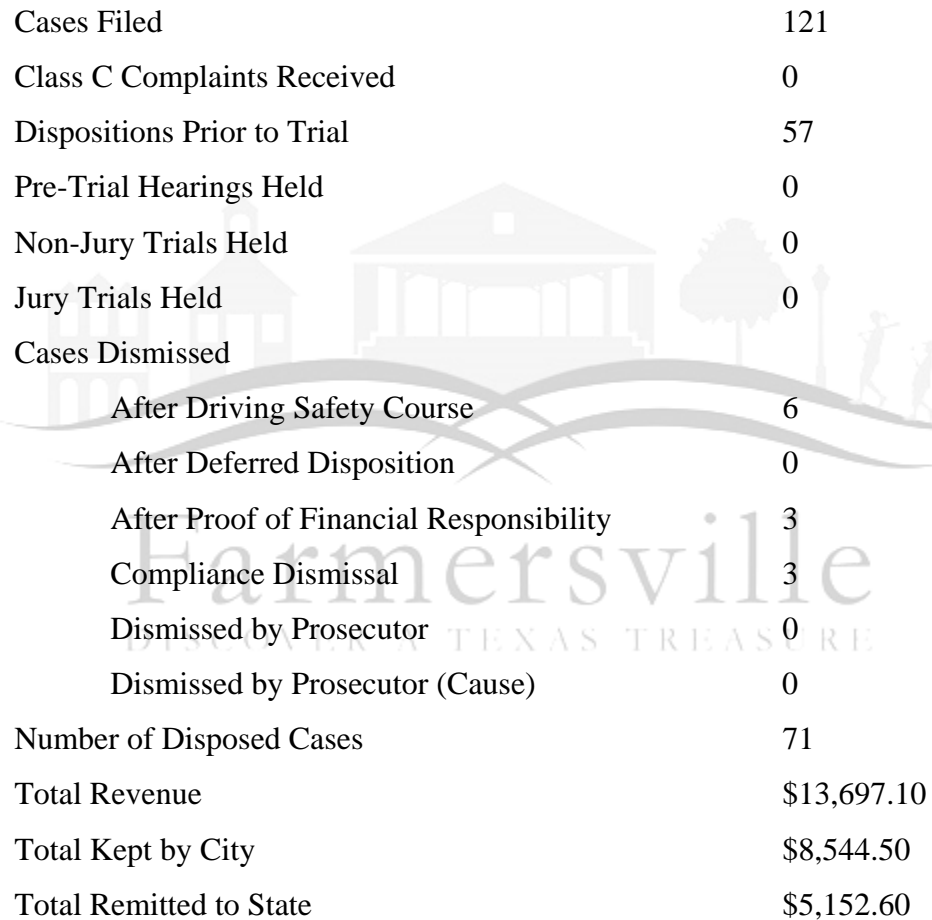
Print Date: 10/3/2015



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: CONSENT AGENDA – Municipal Court Report

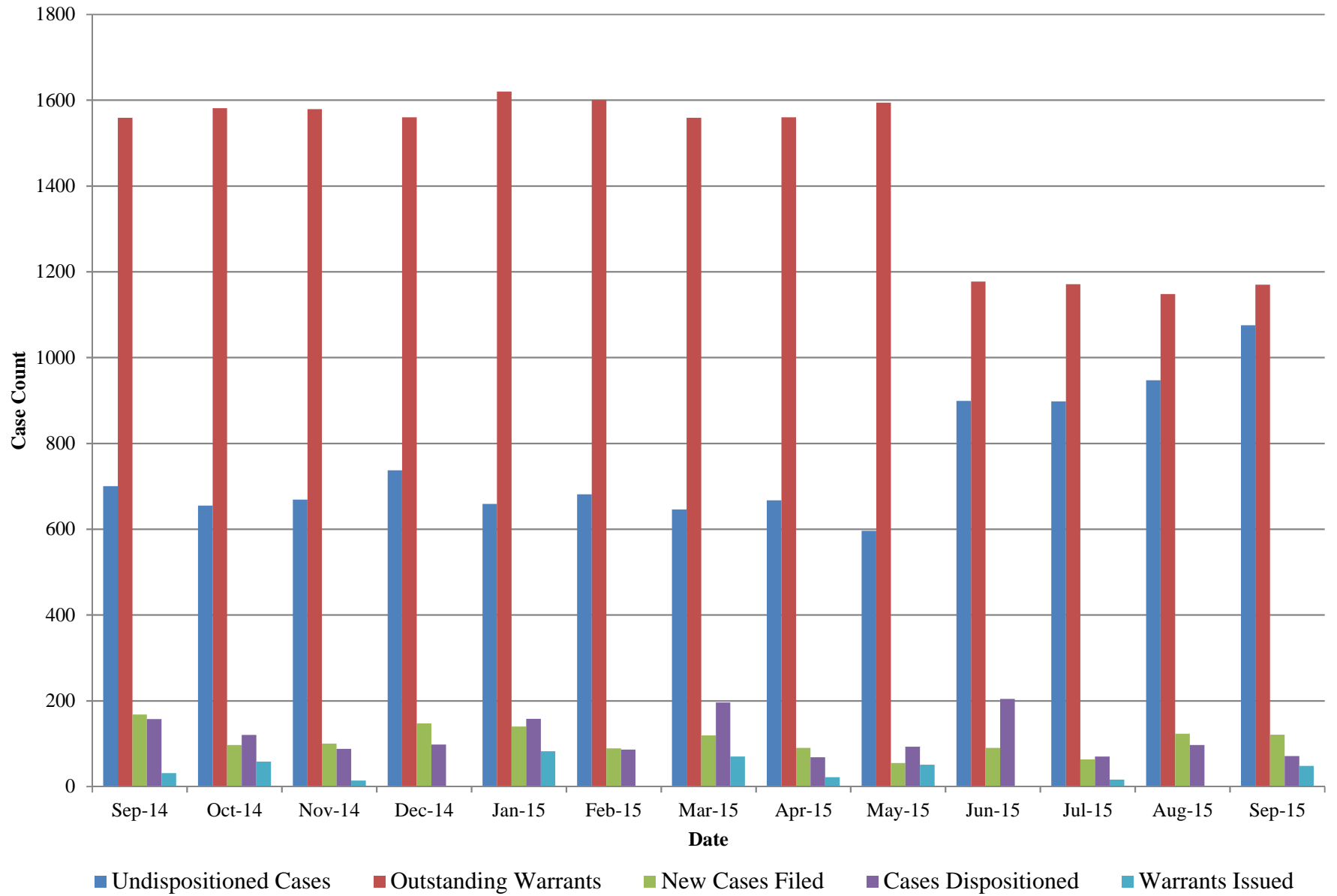
FARMERSVILLE MUNICIPAL COURT

MONTHLY REPORT SEPTEMBER 2015

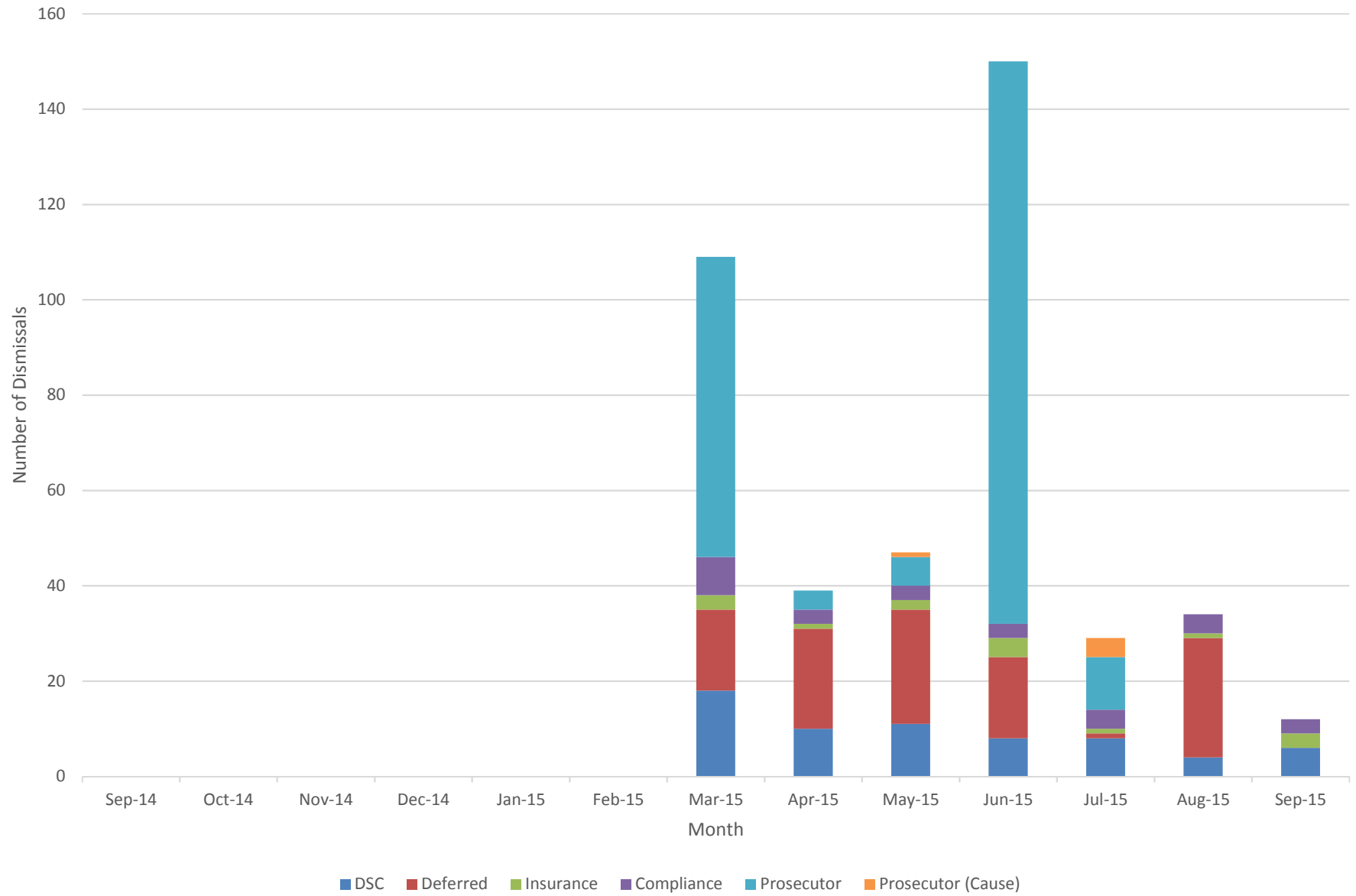


Cases Filed	121
Class C Complaints Received	0
Dispositions Prior to Trial	57
Pre-Trial Hearings Held	0
Non-Jury Trials Held	0
Jury Trials Held	0
Cases Dismissed	
After Driving Safety Course	6
After Deferred Disposition	0
After Proof of Financial Responsibility	3
Compliance Dismissal	3
Dismissed by Prosecutor	0
Dismissed by Prosecutor (Cause)	0
Number of Disposed Cases	71
Total Revenue	\$13,697.10
Total Kept by City	\$8,544.50
Total Remitted to State	\$5,152.60

Municipal Court Case and Warrant Rate



Dismissals





TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: CONSENT AGENDA – Warrant Officer Report

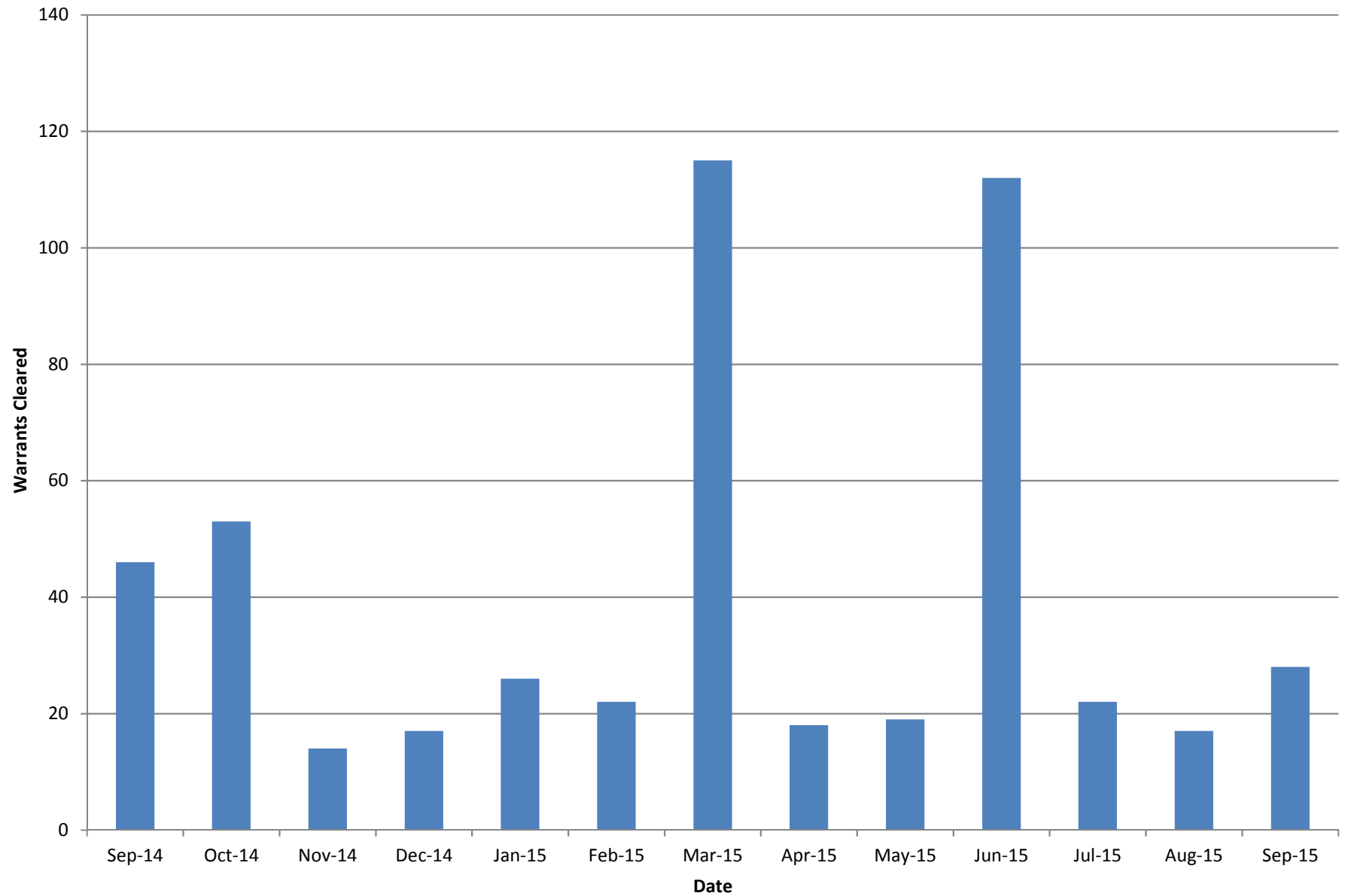


FARMERSVILLE MUNICIPAL COURT WARRANT OFFICER REPORT

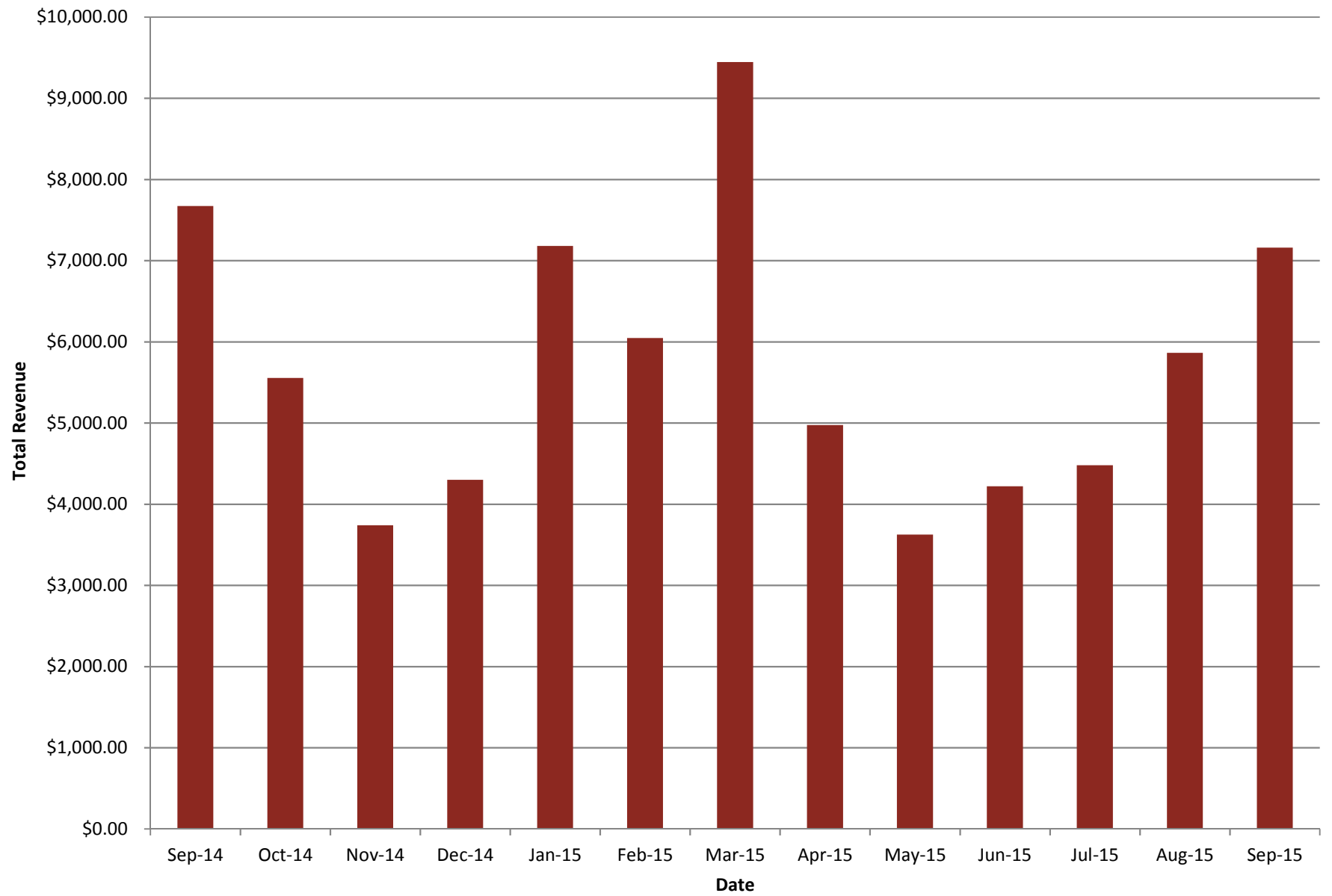
SEPTEMBER 2015

Total Outstanding Warrants	1170
Total Due from Outstanding Warrants	\$361,837.85
New Warrants Issued by Court	48
Total Warrants Cleared	28
Warrants Cleared by Arrest	10
Total on Payment Plan	170
Total Warrant Revenue	\$7,159.10
Total Time Served Credit	\$4,940.00
Total Cash Payments/Bonds Applied	\$2,219.10
Service Attempts (Including Served)	20
Process Served	18

Total Warrants Cleared



Total Warrant Revenue



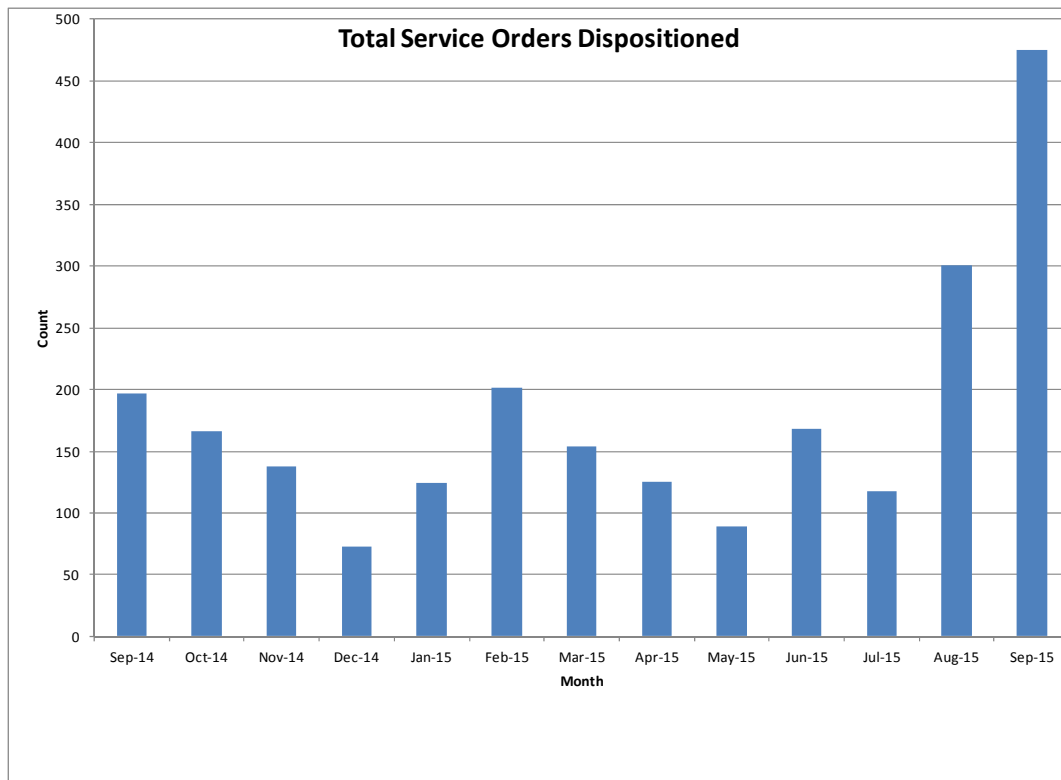


TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: CONSENT AGENDA – Public Works Report



Public Works Monthly Report

Service Order Status



Service Order Group	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15
Utility Billing	54	67	32	22	31	29	31	19	42	47	33	52	53
Street System	2	4	4	2	1	1	13	13	8	10	17	2	4
Water System	86	41	61	37	56	81	30	27	10	52	14	30	47
Waste Water System	5	4	4	2	8	5	5	6	2	1	6	1	1
Storm Water System	0	0	0	0	0	2	0	0	2	0	0	0	0
Property and Building	5	2	4	2	0	3	7	6	2	2	2	2	4
Electrical System	22	29	19	3	12	59	37	37	12	28	26	194	346
Refuse System	20	15	9	5	14	17	24	10	6	20	13	12	18
Projects	0	0	0	0	0	0	0	0	0	0	0	0	0
Vehicles	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Works	0	3	1	0	0	1	0	0	0	2	0	0	0
Miscellaneous	3	1	4	0	2	3	7	7	5	6	7	8	2
Total	197	166	138	73	124	201	154	125	89	168	118	301	475

Note:

1. Number of outstanding service orders, 22 days or older (backlog): 30
2. Number of elevated service orders: 4 completed, 0 outstanding

Public Works General

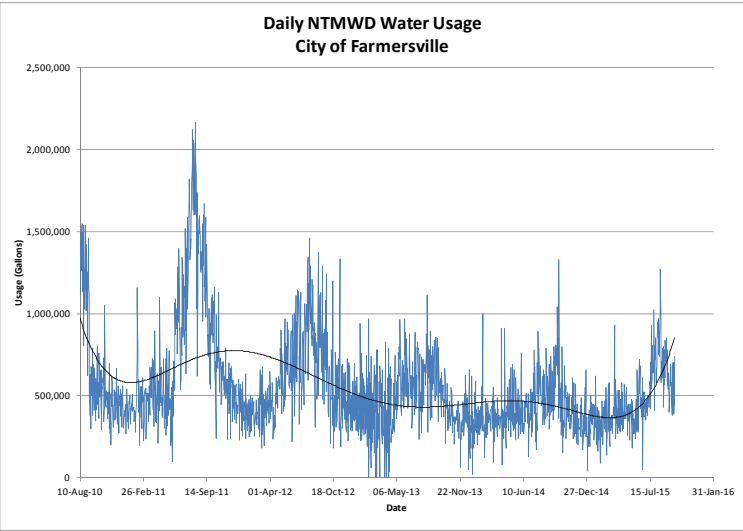
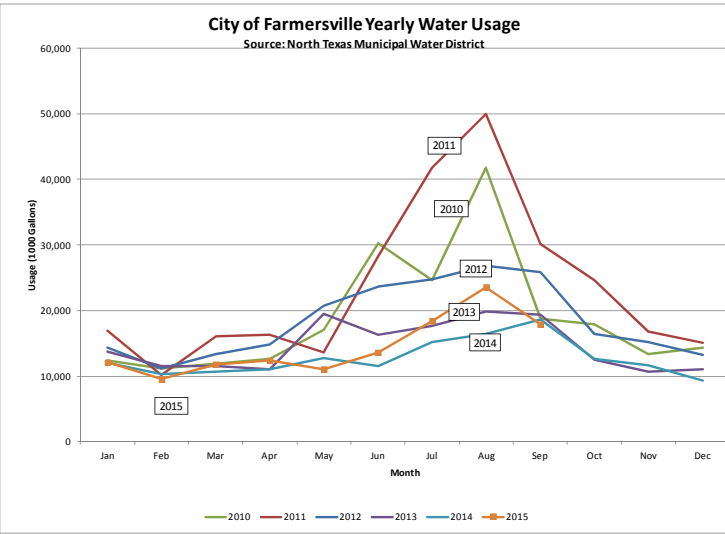
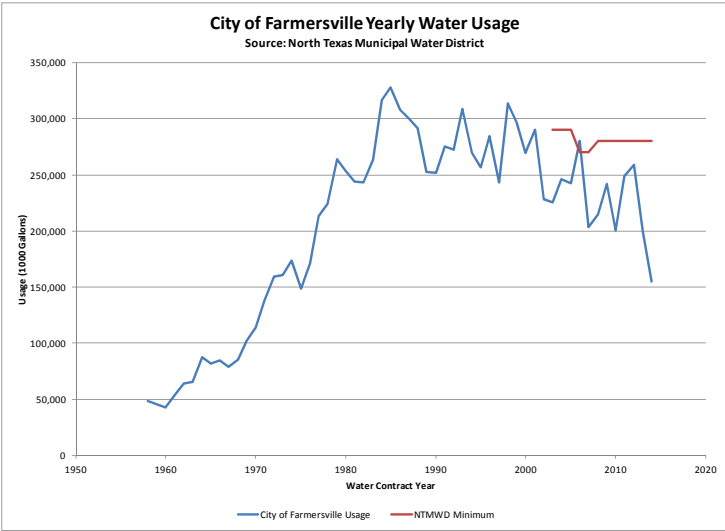
1. No increase in lost time accidents for the year.
 - a. Total Number for 2014-2015: 0
2. Total lost days for 2014-2015: 0
 - a. Accidents in Month: None

Street System

1. Project Backlog
 - a. Maintenance resurfacing and panel replacement.
 - i. Farmersville Parkway Panel Replacement at Washington.
 - ii. Jackson Street
 - iii. Maple Street
 - iv. North Washington Street by intermediate school, drainage issues
 - v. Hale Street
 - vi. Gaddy Street, King Street to Windom Street
 - vii. Propect
 - viii. Old Josephine Highway
 - b. Install remainder of school zone signs.
2. GO Bond related projects. See project status below.
3. Signal light progress corner of Farmersville Parkway and SH 78. February installation.
4. US 380 Highway Project status.
 - a. 1st Railroad Bridge, Passing Track: Complete.
 - b. 2nd Railroad Bridge, Main Track: October 2015
 - c. 380 Roadway, East Bound: Complete.
 - i. East Bound Off-Ramp (Southwest Ramp), Complete
 - ii. East Bound On-Ramp (Southeast Ramp), Complete.
 - d. 380 Roadway, West Bound: Complete.
 - i. West Bound Off-Ramp (Northeast Ramp), Complete
 - ii. West Bound On-Ramp (Northwest Ramp), Complete
 - iii. Street interconnection, Floyd: Complete
 - iv. Street interconnection, Mimosa: Complete
 - v. Street interconnection, Rike: Complete
 - vi. Street interconnection, Hamilton: Complete
 - vii. Street interconnection, Beene: Complete
 - viii. Street interconnection, Raymond: Complete
 - ix. Street interconnection, Orange: Complete
 - e. Main Street Bridge Construction: Complete
 - i. Main Street Roadway: Complete
 - f. Hill Street Crossing: Complete.
 - g. Walnut Street Crossing: November 2015
 - h. Main/Summit Street Crossing:
 - i. Passing track: Complete
 - ii. Main track: November 2015

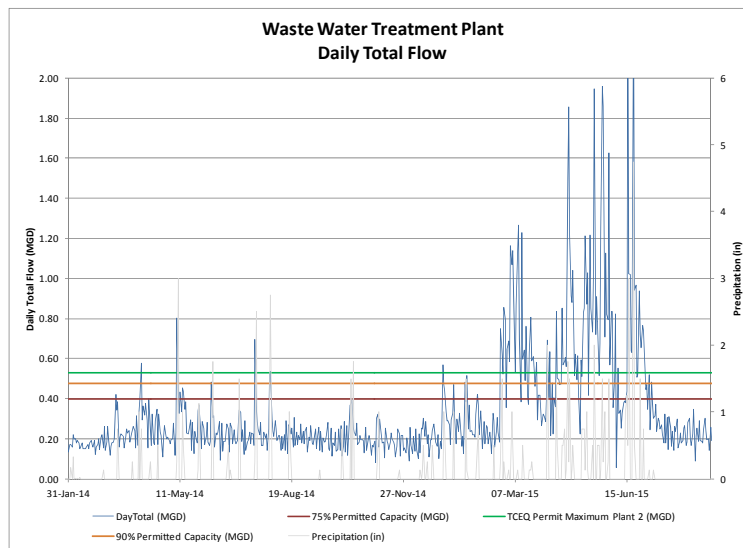
Water System

1. Project backlog
 - a. GO Bond related engineering. See project status below.
 - b. Recoat inside of north elevated water tank.
 - c. Transfer NTMWD customers to CoF along Hwy 380.
 - d. Install water line on Lee Street to replace extremely poor 2" galvanized line.
 - e. Waterline extension for Caddo Park.
2. Accomplished first meter read with automated meter reading system.
3. Continuing to deploy new automated meter reading system. The following meters have been deployed:
 - a. West of SH78
 - b. East of Floyd Road
 - c. FM 2194, Willowbrook, and Merit Road (north of Murchison)
 - d. Pecan Creek
 - e. 100% of the meters along SH78.
 - f. Lincoln Heights.
 - g. Currently working on meters north of US 380 in area bounded by Summit, South Main, Audie Murphy Parkway, Floyd.
4. Meter Report (1424 +6):
 - a. Residential Meters (1177, + 4)
 - b. Commercial Meters (193, + 0)
 - c. Industrial Meters (29, +0)
 - d. Public Meters (19, +0)
 - e. Wholesale Meters (6, +0)
5. Consumption Report (Calendar Year Start 21 Dec 2014), 20 August 2015 Month thru 21 September 2015, 32 days)
 - a. Inflow (NTMWD), Calendar Year to Date: 123,720,000
 - b. Inflow (NTMWD), Month: 17,900,000
 - c. Unmetered Usage, Calendar Year to Date: 568,568 gallons
 - d. Unmetered Usage, Month: 209,120 gallons
 - e. Real Losses, Calendar Year to Date: 0 gallons
 - f. Real Losses, Month: 0 gallons
 - g. Usage, Calendar Year to Date 116,560,500 gallons
 - h. Usage, Month: 18,014,940
 - i. Usage, Average Daily Water Usage for the Month: 562,967 gallons
 - j. Calendar Year Water Loss Percentage (to date): 5.33%



Waste Water System

1. Project backlog:
 - a. Community Development Block Grant (CDBG) to fund sewer system project. See project status below.
 - b. GO Bond related engineering. See project status below.
2. Continued projects to help with infiltration
 - a. Received new manholes to fix infiltration issues between MH 129 and MH 289 close to the wastewater treatment plant.
 - b. Completed inspecting line north and east of manhole 162 (Service Center) for infiltration issues.
3. Wastewater Treatment Plant Status
 - a. Interceptor alignment set. Easements complete and mailed. Wastewater master plan in work and due for completion by end of year.



Storm Water System

1. Project backlog:
 - a. Currently on hold concerning drainage issue behind Hurst Antiques. Waiting on structural reinforcement of the Candy Kitchen roof before demolition of remaining structures.
 - b. Drainage issues behind May Furniture building.

Property and Buildings

1. See action item list below for Fire Marshal findings.
2. City Hall
 - a. Backlog: Mark front door ramp area with yellow warning stripes.
 - b. Backlog: Install new generator.
 - c. Backlog: Upgrade parking lot to address ADA requirements at front entrance.
 - d. Backlog: Additional window tinting.
 - e. Backlog: Fix upstairs window.
3. Chamber of Commerce
 - a. Backlog: Upgrade parking lot to address ADA requirements at front entrance.

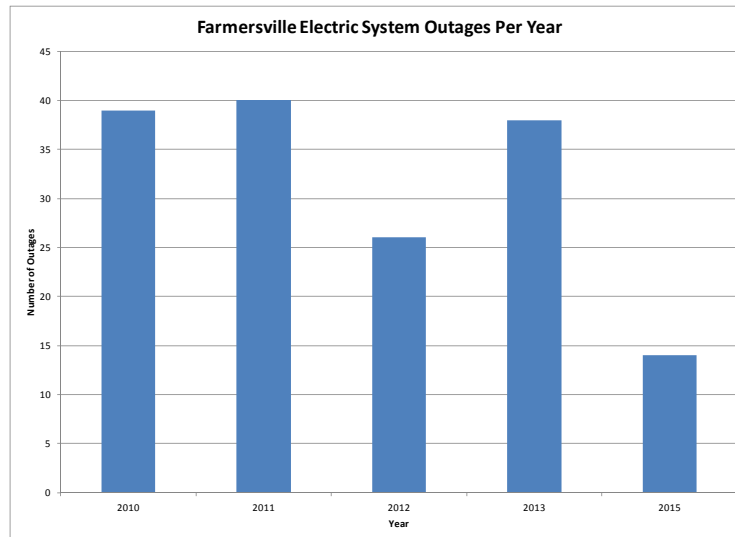
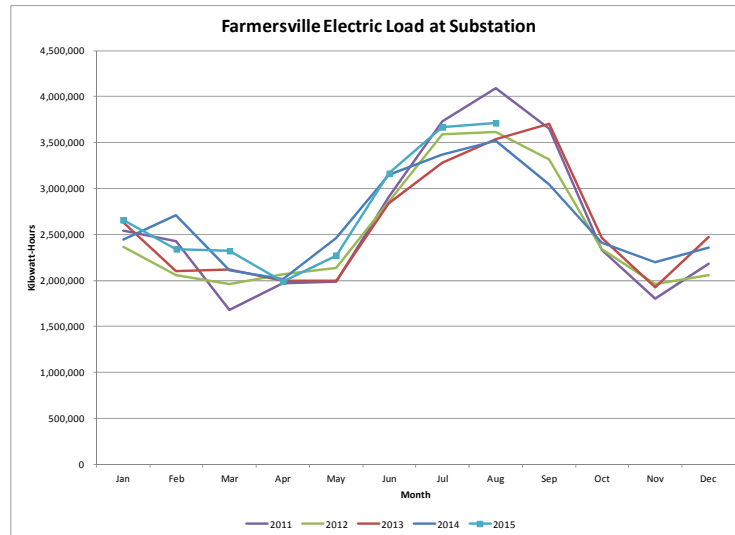
4. Public Works Annex
 - a. No new news.
5. JW Spain
 - a. Awaiting contract for JW Spain engineering planning services. Halff and Associates selected as engineer.
6. Onion Shed
 - a. No new news.
7. West Onion Shed
 - a. Work on Heritage Museum continues. Building dried in.
8. Charles R. Curington Public Safety Building
 - a. No new news.
9. Chaparral Trail
 - a. See project status below.
10. Riding Arena.
 - a. No new news.
11. Public Works Service Center
 - a. Working on new inventory system.
12. Rambler Park.
 - a. Backlog: Move gazebo closer to splash pad.
 - b. Backlog: Sidewalk connector to the gazebo.
13. North Lake
 - a. Police shooting range construction underway.
14. South Lake Park
 - a. Backlog: The following items are due for replacement/maintenance:
 - i. Repair/remove broken portal.
 - ii. Replace hanging bars, 10.
 - iii. Replace missing grill, qty 2.
 - iv. Replace bench at the boat ramp.
 - v. Replace weak boards on fishing pier.
 - vi. Improve hose bib installation
15. Civic Center/Library
 - a. Backlog: Handicap ramp compliance issues.
 - b. Backlog: Handicap parking striping and signage.
16. Best Center
 - a. Backlog: Change locks.
17. Senior Center
 - a. Backlog: Concrete for entrance area.
 - b. Backlog: Lights for the parking lot.
18. City Park
 - a. Backlog: The following items are due for replacement/maintenance
 - i. Place engineered wood fiber box around slide.
 - ii. Remove rock from underneath playground equipment and replace with engineered wood fiber.
19. Downtown
 - a. Backlog: Install banner mounts.

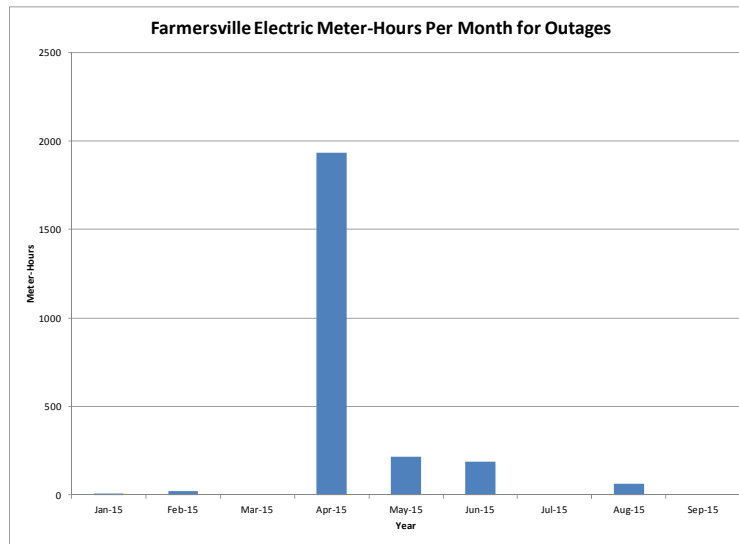
20. Install historical markers for the following items:
 - a. Backlog: Old city standpipe location.
 - b. Backlog: Ramblers Baseball Park.
 - c. Backlog: Old Train Depot site.
 - d. Backlog: Downtown square, William Gotcher
 - e. Backlog: Looney-Dowlin First Public School

Electrical System

1. Meter Report (1570 +4):
 - a. Residential Meters (1282 + 2)
 - b. Commercial Meters (227 + 2)
 - c. Industrial Meters (16)
 - d. Public Meters (45)
2. Consumption Report (Month 20 August 2015 thru 21 September 2015, 32 days)
 - a. Usage, Month: 3,273,211 kW-Hr.
3. Fusing and segmentation project. Fusing design is complete. Sectionalizing approach is currently being engineered. This project will help increase system reliability.
4. McCord continues working on electrical system standards.
5. Backlog: Install statement billing
6. Backlog: Install average billing
7. Tree Trimming
 - a. 100 block Hill St
 - b. 600 block Maple St
 - c. 100 block South Main St
 - d. Haughton and Pendleton
 - e. 1400 block Pecan Creek
 - f. 500 block Pendleton
8. Pole change outs and new poles
 - a. Sid Nelson St project: 100% complete.
9. Wire upgrade. Copper to aluminum/resizing
 - a. Sid Nelson St project: 100% complete.
10. Transformer resizing.
11. Capital Projects
 - a. No new news.
12. Lighting upgrades
 - a. Sid Nelson St
 - b. 100 block Hill St
 - c. 300 Woodard St
 - d. 700 block Windom
 - e. 300 block Sycamore
 - f. 900 block South Main St
 - g. Rike at Summit
 - h. 300 block Rike
 - i. 600 block Jouette

- j. 300 block Farr Hill Ln
- 13. Fusing & Sectionalizing.
 - a. No new news.
- 14. Removal of open wire secondary. (replaced with triplex unless omitted)
 - a. Sid Nelson St project: 100% complete.
- 15. Automated Meter Infrastructure System
 - a. To date, approximately 530 meters have been replaced with smart meters.
 - b. Accomplish first meter read with new automated meter reading system.





DATE OFF	TIME OFF	DATE ON	TIME ON	HOURS	ADDRESS	Feeder	TROUBLE	CAUSE	ACTION TAKEN	WEATHER	TEMP	WIND	# OF METERS	METER-HOURS
Sep-15									NO OUTAGES					

Refuse System

1. No new news.

Inspections, Permits, Plats

1. Amy Carwash building continues progressing. Slowly!!
2. Nursing center on West Audie Murphy Parkway complete. Grand opening 14 October 2015.
3. Camden Park development still in works.

Vehicles/Tools

1. Received new ice maker for Service Center.
2. Received 2 new trailers to help with parts delivery and overall efficiency.

Special Projects/Loans/Grants

Description	Total Project Estimate	City's Share	Estimated Construction Begin Date	Estimated Construction Completion Date	Comments and Status
Chaparral Trail Grant Collin County Open Space (Phase III)	\$300,000	\$150,000 (4B, \$60K 2013) (4B, \$60K 2014) (CoF, \$30K 2014)	Feb-15	Oct-15	Activity left to complete: kiosks, crossings, drainage. Complete activity: Onion Shed parking lot, benches, trash cans, decomposed granite, bridge, crack sealing, railing, sign backing, sign blades, bollards.
Waste Water System Community Development Block Grant (CDBG)	\$275,000	\$41,250 (Cash from Bond)			Construction beginning Oct 2015 on Hwy 78 and Abby Road pipe bursting.
Waste Water Treatment Plant Texas Revolving Fund	\$14,000,000	Loan, 100%			Application turned in. Funded delayed to next calendar year. Started work on procuring a design engineer for the treatment plant.
Farmersville Parkway Phase III Collin County Bond	\$3,800,000	\$1,900,000	On-Hold	On-Hold	On hold awaiting matching funding, 50%.
Floyd Street Extension Collin County Bond	\$200,000	\$100,000	On-Hold	On-Hold	On hold awaiting matching funding, 50%

General Obligation Bond Projects

Project Number	Project Name	Current Budget	Actual Bond CTD	Status	Estimated Construction Start Date	Estimated Construction End Date
Street Projects						
1	Sycamore Street Panel Replacement (Hwy 78 to Jackson)	156,119	156,119	Complete	Apr-13	Aug-14
2	Orange Street Overlay (380 to Old Josephine, Partially County Funded)	59,589	59,589	Complete	Oct-14	Nov-14
3	CR557 Overlay (US 380 to SH 78), Majority County Funded	265	265	Complete	Oct-12	Jul-13
4	Westgate Overlay (Hwy 78 to Wilcoxson)	203,627	203,627	Complete	Dec-13	May-14
5	Hamilton Overlay (McKinney to Yucca)	342,243	342,243	Complete	May-14	Sep-14
6	Hamilton Street Overlay (Yucca to Gaddy)			Complete	May-14	Sep-14
7	Central Overlay (College to Prospect)	103,607	103,607	Complete	Apr-14	May-14
8	Beech Street Overlay (Main to Beene)	247,718	247,718	Complete	Aug-14	Oct-14
9	Windom Overlay (Maple to McKinney)	48,053	48,053	Complete	Nov-14	Nov-14
10	South Washington Overlay (Farmersville Parkway to Sid Nelson)	145,410	67,602	Complete	Mar-15	Sep-15
11	Sid Nelson Overlay (South Washington to Hamilton)	240,963	688	Construction	Aug-15	Oct-15
12	Hamilton Street (380 to Farmersville Parkway)	1,384,000	22,209	Engineering	Nov-15	Apr-16
13	Santa Fe Reconstruct (Johnson to Main)	92,001	35,813	Complete	Mar-15	Sep-15
14	Locust Street Overlay	207,510	274	Complete	Aug-15	Sep-15
15	Street Signs and Installation	95,000	2,048	Ready for Construction	Dec-14	Dec-15
Street Projects Total		3,326,105	1,289,856	2,036,249		
Street Projects GO Bond Allocation		3,575,000				
Water Projects						
16	North ET/North Main Street	689,310	689,310	Complete	Apr-14	Feb-15
17	Sycamore St/Hwy 78/N Washington			Complete	Apr-14	Oct-14
18	Hamilton St	24,737	24,737	Complete	Jun-14	Jul-14
19	Houston/Austin Street	170,000	19,772	Construction	Jul-15	Oct-15
20	Automated Meter Reading System	520,000	410,116	Construction	Mar-13	Dec-15
21	Bob Tedford Drive	94,699	95,016	Complete	Nov-14	Mar-15
22	S Washington/Sante Fe	150,000	135,970	Complete	Jun-15	Aug-15
23	CR 608/CR 609					
Wastewater Projects						
24	S Main & Abbey – Gravity Main	18,750		Construction	Oct-15	Dec-15
25	Hwy 78 & Maple St – Gravity Main	18,750		Construction	Oct-15	Dec-15
26	Hwy 78 & CR 611 – Gravity Main	18,750		Construction	Oct-15	Dec-15
27	Floyd St – Lift Station	75,000		Engineering	Aug-15	Dec-15
28	Sycamore – Gravity Main	16,497	16,497	Complete	May-13	Jul-13
29	Hamilton St - Gravity Main	16,608	16,608	Complete	Jun-14	Jul-14
30	Hwy 380 & Welch Dr – Gravity Main					
31	Hwy 380 (AFI to Floyd St) – Lift Station & Force Main	550,000		Engineering	Oct-15	Feb-16
32	Locust – Gravity Main					
Water and Wastewater Projects Total		2,363,101	1,408,026	955,076		
Water and Wastewater Projects GO Bond		2,400,000				

Action Item List

Project Name	Project Description	Date of Request	Person Assigned	Service Order Number	Notes	Close Date
Brick and Tree	for all past city council and mayors	14-Jan-13	Paula Jackson		Bricks and trees received. LDS project got delayed so Public Works is planting the trees	Open
Water hole in the sidewalk at Tony's Restaurant	have public works look to see what can be done to correct	14-Jan-13	Public Works	149337		Open
Requirements for thickness of driveways	Research Suddivision and Zoning for the thickness for driveways. Questions regarding 6 in accompanied by geotechnical study	15-Jan-13	Ben White/Paula			Open
Rambler Park	The Playground in in need of mulch	12-Mar-13	Public Works			Open
Goettcher Street Sign	Install street signs related to Goettcher Street	17-May-13	Ben White		Received quotes and downselected supplier. Sign on order with Roadrunner.	Open
Replacement Meter Covers	Replace hand made water meter covers downtown. People are tripping over them.	14-Jan-14	Ben White			Open
Side walk repairs needed	the Sidewalk infront of Independent Bank and infont of McGuire Building	15-Jan-14				Open
City Hall	floor - replacement and duct cleaning	20-Feb-14				Open
City Hall Fire Marshal Action Items	1. provide panic hardware on second exit 2. secure chairs together(when 4 in row) 3. provide fire extinguisher in council chabmbers 4. remove extension cords	25-Mar-14	Ben White		3. Complete	Open
Sewer Plant Fire Marshal Action Items	1. provide fire extinguisher 2. label diesel tank 3. open spaces in elect panel 4. SCBA missing (is this required per emergency plan?)	25-Mar-14	Ben White		1. Complete	Open
J.W. Spain Fire Marshal Action Items	1. Provide commercial ansul system with hood above frier and flat top. <alt-enter> 2. Provide fire extinguisher in concession stand. 3. Repair damaged bleachers.	28-Mar-14	Ben White		2. Complete 3. Complete	Open

Project Name	Project Description	Date of Request	Person Assigned	Service Order Number	Notes	Close Date
Riding Arena Fire Marshal Action Items	1. comply with ICC bleacher requirements 2. provide access to building (key provided did not work	28-Mar-14	Ben White			Open
Public Works Annex Fire Marshal Action Items	No violations Note: recommended to put "Do Not Enter" sign on storage side of the building or provide rails	28-Mar-14	Ben White			Open
Public Safety Building Fire Marshal Action Items	PD: Fire: 1. Repair rear exit sign 2. gas must be stored in metal UL can 3. provide ansul kitchen system or do not cook w/grease vapors. EMS: 1. Provide no smoking sign above oxygen 2. provide ansul kitchen system or do not cook w/grease vapors. 3. do not store combustibles in hot water heater closet.	28-Mar-14	Ben White		PD: No action Fire: 1. Complete 2. Complete 3. Complete EMS 1. Complete 3. Complete	Open
Civic Center Fire Marshal Action Items	1. Provide panic hardware (all doors except main entrance) 2. Post occ load 3. Provide ansul cooking system	28-Mar-14	Ben White		1. Complete 2. Occupant load sign on order	Open
JW Spain Handicap Parking	Install parking places for handicap parking	28-Mar-14	Ben White			Open
Restrooms at parks	Audrey has requested a number of things to be fixed or replaced at the restrooms like signs on the mens and womens and fix the water fountain and the toilet lids	15-Apr-14	Paula Jackson		Ben and I are looking into signs to be placed.	Open
Welcome Sign north	fix the welcome billboard	22-Apr-14	public works		On hold pending artwork completion	Open



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: CONSENT AGENDA – Library Report



Charles J. Rike Memorial Library

203 Orange Street - Farmersville, Texas

www.rikelibrary.com

972-782-6681

September – 2015

Circulation:	2,350
Computer Users:	389
Wi-Fi User Estimate:	65
Visitors:	1,728
Inter-library Loan	
Books loaned to other libraries:	0
Books borrowed for our patrons:	3
Patrons Saved \$ *	\$ 33,731.75
New Patrons:	22
Volunteer Hours Donated:	35 hours 20 minutes

Fiscal Year 2014/2015 Totals

Circulation:	30,601
Computer Users:	4,496
Visitors:	20,663
ILL - Loaned:	35
ILL - Borrowed:	62
Patrons Saved \$:	\$ 437,418.17
New Patrons:	269
Volunteer hours donated:	487 hours 50 minutes

Other random Year-End statistics:

20,663 people walked through our door.

There were 1,541 items added to the collection this year, among those: 416 were videos, 181 were children's fiction, 243 were adult fiction, 211 were junior fiction, 127 were audio books.

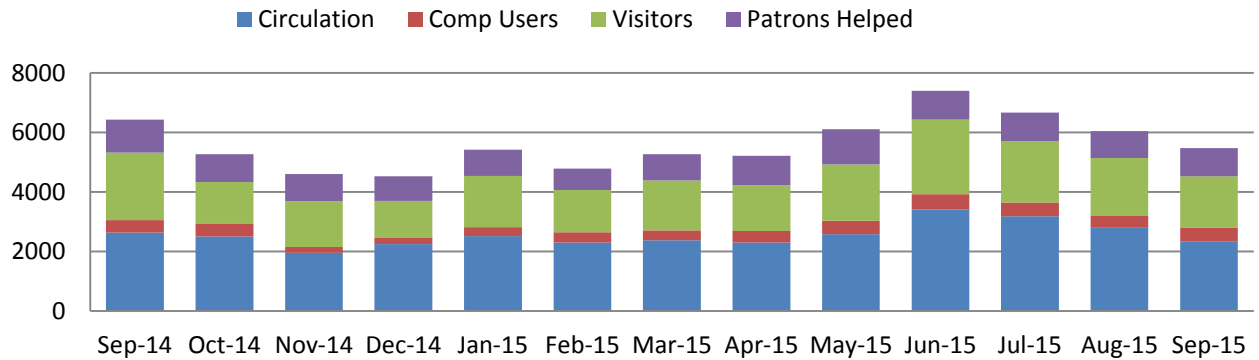
The library circulated 30,601 items, among those: 10,014 were videos, 4,085 were children's books, 3,429 were junior fiction, 4,474 were adult fiction, 1,652 were audio books.

Our top member for FY2015 checked out a total of 415 items for the year.

The library has a total of 26,574 items in the collection, among those: 2,494 are videos, 3,197 are children's books, 1,865 are junior fiction, 3,057 are adult fiction, 1,500 audio books, 5,406 are adult non-fiction.

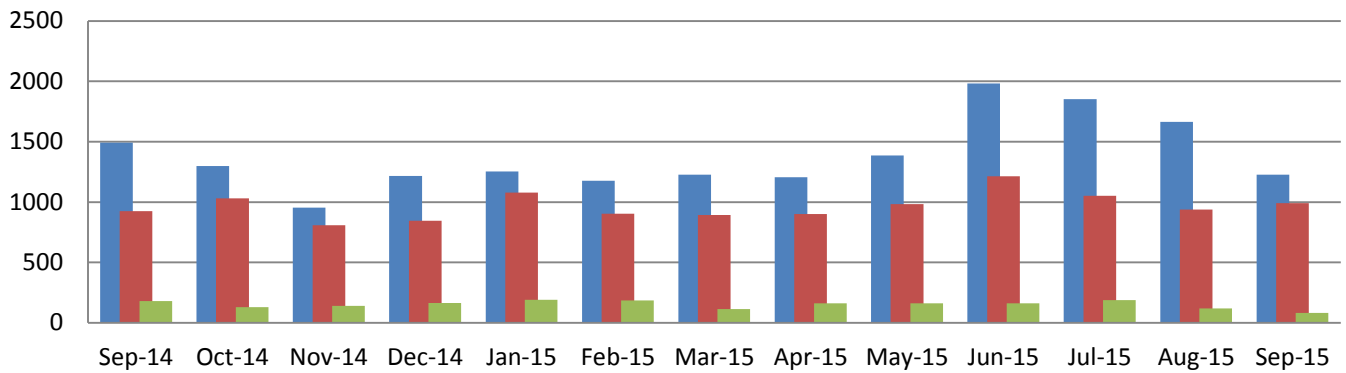
It has been a good year! Thank you all so much!

Library Usage



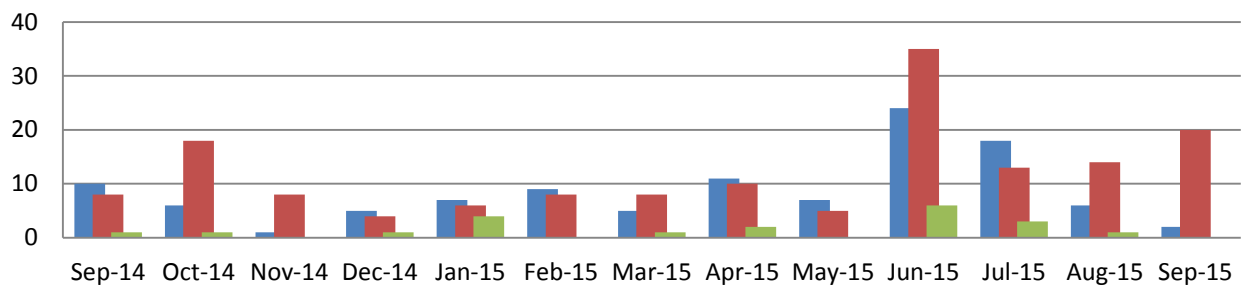
	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15
Patrons Helped	1112	938	905	828	885	721	887	985	1190	966	958	909	941
Visitors	2265	1409	1540	1229	1715	1421	1675	1546	1883	2506	2063	1948	1728
Comp Users	419	421	198	223	302	345	334	382	454	518	467	398	454
Circulation	2642	2504	1958	2251	2521	2306	2378	2305	2586	3414	3185	2794	2350

Circulation by Patron Type



	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15
City	1491	1299	953	1216	1252	1176	1228	1205	1387	1983	1851	1664	1227
County	925	1030	809	846	1078	903	894	900	984	1213	1051	937	992
Other	179	130	140	163	191	186	114	161	160	160	187	119	82

New Patrons



	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15
City	10	6	1	5	7	9	5	11	7	24	18	6	2
County	8	18	8	4	6	8	8	10	5	35	13	14	20
Out of County	1	1		1	4		1	2		6	3	1	



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: CONSENT AGENDA – City Manager's Report



City Manager Monthly Report

City Manager General

1. Attended the following meetings:

Meeting Description	Attended
City Council Meeting	3
Farmersville Economic Development Corporation (FEDC)	1
Farmersville Community Development Corporation (FCDC)	1
Planning and Zoning Commission	1
Citizens Advisory Committee	1
Parks and Recreation Board	1
Main Street Board	1
Downtown Merchants Meeting	0
Capital Improvements Advisory Commission	0
Building and Property Standards Meeting	0
Realtors Meeting	0
Chamber of Commerce Board Meeting	0
Chamber of Commerce Networking Meeting	0
Farmersville Riding Club	0
Northeast Texas Trail Association (NETT)	0

Ordinances and Ordinance Changes

1. Backlog
 - a. New
 - i. Knox boxes.
 - ii. Revise the City's Thoroughfare Plan and the City's design standards to remove areas of disagreement between the documents.
 - b. Change
 - i. Pool backwash standards. (in-work)
 - ii. Standard design details for: water, wastewater, electrical, etc.
 - iii. Master fee schedule.

Contracts

1. Backlog
 - a. J.W. Spain Athletic Complex park planner (in work)
 - b. Farmersville Towne Centre planner (in work)
 - c. Solid Waste
 - d. Recycle

Planning

1. Awaiting contract with Halff and Associates for Towne Centre engineering planning services. FEDC planning on meeting with Halff and Associates before contracting and setting aside funds.

Policy/Procedural Changes

1. Backlog
 - a. Information Technology policy.
 - b. Financial procedures.

Personnel Related Matters

1. Open enrollment complete.
2. Part-Time Librarian converted to Full-Time.
3. Receiving applications for new full-time Fire Fighter and Code Enforcement Officer.

Customer Service Window

1. Worked many calls related to high water and electrical bills in month of August.
2. Implemented first meter reads using Tantalus Automated Meter Reading system.
3. The capability to show customers their historical water and electrical usage a real plus.

Budget/Finance

1. Completed 2015/2016 budget.
2. Preparing year end financials.
3. Second phase of audit planned for December 2015.
4. Received remaining bond funds. Approximately \$2.9M.

Information Technology

1. Upcoming projects
 - a. Better backup processes (98% complete)
 - b. Microsoft Office Suite 2013 (40% complete)
 - c. Hardware and software review audit (80% complete)
 - d. Establish VPN tunnel to service center. Hardware in place but still working on configuration issues.
2. Install car printers for Police Department (50% complete)

Special Events

1. Supported Old time Saturday.

2. Supporting Trick It Up Bike Ride and Scare Around the Shed on 24 Oct 2015.



TO: Mayor and Councilmembers

FROM: City Manager Ben White

DATE: October 13, 2015

SUBJECT: INFORMATIONAL ITEM – FEDC (4A) Meeting Minutes

Electronic minutes are found at the following link:

http://www.farmersvilletx.com/government/agendas_and_minutes/economic_development/index.jsp

FARMERSVILLE ECONOMIC DEVELOPMENT CORPORATION
MEETING MINUTES
September 17th, 2015

The Farmersville EDC met in regular session on September 17th, 2015 at 7:04 p.m. in the City Council Chambers of City Hall with the following members present: Kris Washam, Jason Lane, Bob Collins and Kevin Meguire. Staff members present were City Accountant Daphne Hamlin, City Manager Ben White and Mayor Joe Helmberger. Absent Chris Lair. Guest recognized Jennifer Giles and Doris Williams.

CALL TO ORDER

Chairman Collins convened the meeting at 7:04 p.m. and announced a quorum was present.

RECOGNITION OF CITIZENS AND VISITORS

Guest recognized Jennifer Giles and Doris Williams

UPDATE REGARDING COLLIN COLLEGE CAMPUS

Chairman Collins updated the EDC Board regarding changes within Collin College. The new master plan and long range plan for all new facilities is scheduled for board approval this upcoming Tuesday.

UPDATE ON INFRASTRUCTURE INFILTRATION

Mr. White updated the 4A EDC Board regarding infiltration. Mr. White stated work continues to correct infiltration issues. There are three (3) new man holes currently under investigation located at Santa Fe and Main Street. Chairman Collins asked if current issues are being addressed. Mr. White said the public works crew are addressing the infiltration issues they have already detected. Chairman Collins asked if the camera used to detect issues if the resolution is adequate to pinpoint issues. Mr. White stated as long as the camera is not underwater pictures are clear. Mr. Lane asked of the problems you have identified so far and the bulk of the sewer system is clay pipe what are the biggest issues regarding the clay pipe. Mr. White stated for example on Santa Fe the lines where crushed, a total replacement of water and sewer lines were completed before the new street was installed. Mr. White stated when Public Works identifies an issue due to sewer back up the crew replaces lines.

UPDATE ON CITY OF FARMERSVILLE ISSUED PERMITS.

Mr. White stated he is aware of the increase in permits because of the increase in revenues. Mr. White asked to keep this item on future agendas and will give the EDC Board an update.

RECEIVE REPORT ON STATUS OF COLLIN COLLEGE SMALL BUSINESS DEVELOPMENT CENTER REGARDING ASSISTING SMALL BUSINESSES

Mr. White stated having great success with scheduled presentations at Civic Center, Rotary and Chamber. Mr. White asked to keep this item on future agendas and will give the EDC Board updates on progress.

DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED CITY OF FARMERSVILLE WASTEWATER FACILITY ENGINEER

Mr. White provided a progress report for engineering related projects currently under design or construction. Mr. White said Engineering Firm Kimely Horn will present a preliminary master plan and the new interceptor line. Daniel and Brown have issued documentation on easements. Chairman Collins asked how many properties are involved. Mr. White stated approximately 10-12. Mr. White is scheduled to share with the EDC Board on October 15, 2015 meeting the master plan.

DISCUSSION AND POSSIBLE ACTION REGARDING FARMERSVILLE TOWNE CENTRE PLANNER

No update to provide. Keep on future agendas for updates.

RECEIVE REPORT ON STATUS OF FIBER-OPTIC CABLE FOR THE CITY

Mr. White stated the project is on a holding pattern until first quarter 2016. City of Farmersville Electric Department will play an intricate roll in the installation, some training is involved. Chairman Collins stated this will offer more bandwidth to the downtown area.

DISCUSSION AND POSSIBLE ACTION REGARDING GRANT, DEVELOPMENT AND ANNEXATION AGREEMENT FOR THE EAST INDUSTRIAL PARK.

Mr. White distributed to the EDC Board a copy of the proposed agreement. Mr. White stated a local business is needing land for expansion. EDC will provide the infrastructure once the property is annexed into the City. Chairman Collins asked for Mr. White to move forward with the agreement.

DISCUSSION AND POSSIBLE ACTION REGARDING AWARDED FAÇADE GRANT TO DIANE PIWKO

4A EDC Board reviewed documents of the completed façade grant presented by Doris Williams and Jennifer Giles. Mrs. Washam motioned to approve the completed façade grant, Mr. Meguire second the motion. All in favor. Motion passed unanimously

DISCUSSION AND POSSIBLE ACTION REGARDING ITEMS LISTED FOR PAYMENT

Mr. Meguire motioned to approve the items listed for payment as presented Mrs. Washam second the motion. All in favor. Motion passed unanimously.

CONSIDERATION AND POSSIBLE ACTION REGARDING FINANCIAL STATEMENTS FOR AUGUST 2015, AND REQUIRED BUDGET AMENDMENTS

Mr. Meguire motioned to approve the financial statements for August 2015 as presented Mrs. Washam second the motion. All in favor. Motion passed unanimously.

CONSIDERATION AND POSSIBLE APPROVAL OF THE MINUTES OF THE AUGUST 20TH, 2015 MEETING

Mr. Lane motioned to approve August 20th, 2015 minutes as presented Mr. Meguire second the motion. All in favor. Motion passed unanimously.

DISCUSSION IN CONTEMPLATION OF PLACING ITEMS ON FUTURE AGENDA

EDC Training

ADJOURNMENT

Meeting adjourned at 7:57 p.m.

Bob Collins, President

ATTEST:

Kris Washam, Secretary



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: INFORMATIONAL ITEM – FEDC (4A) Financial Report

**Farmersville Economic Development Corp 4A
Investment and Budget Report**

September 2015

Prepared by: Daphne Hamlin

Farmersville Economic Development Corp 4A

September 2015

Statement Balance 9-1-2015	\$89,011.19
Deposits:	
Sales Tax:	\$19,904.20
Cking Int .05%	\$3.62
CD Interest	\$74.32
Transfer to Texpool	
Cleared Checks 1263 and 1264	\$(26,000.00)
Transfer Fee	
Statement balance 9-31-2015	<hr/> \$82,993.33

Outstanding Transactions

Sales Tax
Transfer to Texpool
CD Interest
Check

Balance 10-07-2015	\$82,993.33
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Farmersville Economic Development Corporation
Cumulative Income Statement
For the 12 Months Ended, September 30, 2015

	FY 2015	October	November	December	January	February	March	April	May	June	July	August	September	YTD
Beginning Bank Balance	Budget	\$294,282.00	\$300,074.89	\$67,686.23	\$63,764.93	\$78,129.46	\$98,530.66	\$110,202.89	\$124,679.84	\$144,531.63	\$162,136.79	\$181,466.46	\$89,011.19	
Deposits														
Sales Tax Collections	\$200,000.00	\$16,546.49	\$17,755.33	\$21,003.44	\$14,286.73	\$20,323.58	\$20,056.31	\$14,397.72	\$19,984.22	\$18,274.77	\$19,250.47	\$19,767.99	\$19,904.20	\$221,571.25
Interest Income cking	\$1,100.00	\$12.88	\$9.34	\$3.34	\$3.49	\$3.30	\$4.54	\$4.92	\$5.65	\$6.07	\$7.28	\$6.71	\$3.62	\$71.14
Transfer from Texpool to First Bank														\$-
Transfer funds to CD														\$-
Transfer to Texpool														\$-
Transfer Fee														\$-
CD Interest Earned		\$71.91	\$74.32	\$71.92	\$74.31	\$74.32	\$67.12	\$74.31	\$71.92	\$74.32	\$71.92	\$74.31	\$74.32	\$40.00
Total Revenue	\$201,100.00	\$16,631.28	\$17,829.67	\$21,006.78	\$14,290.22	\$20,326.88	\$20,060.85	\$14,402.64	\$19,989.87	\$18,280.84	\$19,257.75	\$19,774.70	\$19,907.82	\$875.00
Expenses:														
Administration	\$1,000.00	\$5.00												\$1,000.00
Meeting Expenses	\$1,000.00	\$233.39					\$455.74							\$689.13
Dues/School/Travel	\$500.00													\$-
Office Supplies	\$200.00		\$187.65											\$187.65
Marketing/promotion Expenses														
Marketing/Promotion Expenses/Advertising	\$10,000.00	\$10,000.00												\$-
Collin College Sponsorship	\$7,500.00													\$-
Small Business Entrepreneurship Conf	\$500.00						\$7,500.00							\$10,000.00
Legal Service	\$2,500.00	\$600.00					\$500.00							\$7,500.00
Farmersville Chamber	\$1,000.00													\$500.00
Farmersville Rotary	\$500.00													\$600.00
Total Expenditures	\$24,700.00	\$10,838.39	\$187.65				\$8,455.74						\$1,000.00	\$19,476.78
Directive Business Incentives														
Collin College Project(sewer/street/electric)	\$100,000.00													\$-
NTMWD Regional WW Treatment	\$150,000.00											\$87,324.28		\$87,324.28
Electrical Study	\$25,000.00													\$-
Farmersville Towne Centre	\$30,000.00								\$210.00	\$750.00				\$-
Façade Grant Program	\$50,000.00			\$25,000.00								\$25,000.00	\$25,000.00	\$75,000.00
Total Development Cost	\$355,000.00								\$210.00	\$750.00		\$112,324.28	\$25,000.00	\$162,324.28
Total Expenditures	\$379,700.00	\$10,838.39	\$187.65	\$25,000.00			\$8,455.74		\$210.00	\$750.00		\$112,324.28	\$25,000.00	\$181,801.06
Revenue vs Expenditures	(\$178,600)													\$-
From Reserves	\$178,600.00													\$-
Balance Budget	\$-	\$10,838.39	\$187.65	\$25,000.00								\$112,324.28	\$26,000.00	\$181,801.06
Total Expenditures														
Ending Bank Balance		\$300,074.89	\$67,686.23	\$63,764.93	\$78,129.46	\$98,530.66	\$110,202.89	\$124,679.84	\$144,531.63	\$162,136.79	\$181,466.46	\$89,011.19	\$82,993.33	
CD Investment		\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	
Texpool Balance		\$366,633.91	\$616,644.63	\$616,666.56	\$616,690.91	\$616,711.79	\$616,736.92	\$616,763.51	\$616,792.46	\$616,821.63	\$616,854.65	\$616,892.17	\$616,935.26	
Interest Earned		\$8.37	\$10.72	\$21.93	\$24.35	\$20.88	\$25.13	\$26.59	\$28.95	\$29.17	\$33.02	\$37.52	\$43.09	
Total Available Funds		\$916,708.80	\$934,330.86	\$930,431.49	\$944,820.37	\$965,242.45	\$976,939.81	\$991,443.35	\$1,011,324.09	\$1,028,958.42	\$1,048,321.11	\$955,903.36	\$949,928.59	



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: INFORMATIONAL ITEM – FCDC (4B) Meeting Minutes

Electronic minutes are found at the following link:

http://www.farmersvilletx.com/government/agendas_and_minutes/community_development/index.jsp

FARMERSVILLE COMMUNITY DEVELOPMENT CORPORATION BOARD (4B)

MINUTES ~ September 14, 2015

CALL TO ORDER, ROLL CALL AND RECOGNITION OF VISITORS

The Farmersville Community Development Corporation Board met on September 14, 2015 in the City Council Chambers at City Hall. President Paul Kelly convened the meeting at 5:48 p.m. and announced that a quorum was present after roll call. The following board members were present: Donna Williams, Paul Kelly, Mike Goldstein, Cynthia Craddock-Clark and Dick Seward. Kim Potter and John Garcia were absent. President Kelly welcomed Main Street Manager Adah Leah Wolf, City Council Liaison Leaca Caspari, City Manager Ben White, Jason Lane, and Jeff Moore.

CONSIDER FOR APPROVAL AUGUST 10, 2015 MEETING MINUTES

Dick Seward motioned to accept the August 10, 2015 minutes as written. Mike Goldstein seconded the motion, which passed the full Board.

CONSIDERATION AND POSSIBLE APPROVAL OF ITEMS FOR PAYMENT

Mike Goldstein motioned to approve the items presented for payment; Donna Williams seconded the motion, which passed the full board.

CONSIDERATION AND POSSIBLE ACTION REGARDING FINANCIAL STATEMENTS FOR AUGUST 2015 AND ANY REQUIRED BUDGET AMENDMENTS

Donna Williams motioned to accept the August 2015 financial statements as written. Dick Seward seconded the motion, which passed the full board.

CITY MANAGER REPORT—BEN WHITE

City Manager Ben White reported that the city will be applying for a Texas Parks and Wildlife grant for improvements at the Spain Complex, and will be applying for a Texas Capital Fund Grant for infrastructure improvements in the courtyard area behind the old Candy Kitchen building. Streets currently being repaved are Washington, Santa Fe, Locust and Side Nelson. The next street will be Hamilton. The fishing pier at Southlake Park is being refurbished. The oak trees downtown along McKinney Street have been trimmed.

MAIN STREET MANAGER UPDATE—ADAH LEAH WOLF

Main Street Manager Adah Leah Wolf presented a written report for August, and highlighted the following: As a result of the Main Street Program's successful internship program, several businesses in town are considering pursuing internships with Texas A & M at Commerce. The Main Street board is planning a field trip to Rockwall Main Street this week. Administrative tasks have included archiving numerous years of Main Street Program and 4B files. The Downtown Shoppers Guide has been revised. The Heritage Museum construction continues; it is soon to be "dried in." The façade of the Shinn building at 107 McKinney Street has been repaired and improved. The Happy Cucumber held their open house last weekend and is now open at 201 McKinney Street. "Little Bloomers" store, featuring infant and children's clothing is going in at 109 S. Main Street (where The French Bunny was located). The Downtown Merchants will meet this Thursday at Fancy Fibers at 9 AM. October will be a busy month

with Old Time Saturday (October 3), National Night Out (6th), Ride Across Texas (10th), NETT board/membership meeting (23rd) and Farmersville 1900 (26-30).

TRAINING WORKSHOP: ECONOMIC DEVELOPMENT SALES TAX

Jeff Moore of Brown & Hofmeister presented a Power Point presentation for the board, focusing on Type B Sales Tax and board responsibilities and guidelines.

DISCUSSION OF PLACING ITEMS ON FUTURE AGENDAS

The next meeting will be on October 12, 2015. An update from the Marketing Committee will be placed on the agenda, and possibly an update also from the Chamber.

ADJOURNMENT

There being no further business, President Kelly adjourned the meeting at 7:13 PM.

Signatures:

Paul Kelly, President

Donna K. Williams, Secretary



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: INFORMATIONAL ITEM – FCDC (4B) Financial Report

**Farmersville Community Development Corp 4B
Investment and Budget Report**

September 2015

Prepared by: Daphne Hamlin

Farmersville Community Development Corp 4B
September 2015

Statement Balance 9-1-2015	\$99,809.39
Deposits:	
Sales Tax:	\$19,904.20
Cking Int .05%	\$4.33
Transfer to Texpool	
Transfer from Texpool	\$-
Checks 2379,2383-2385,2388-2391	<u>\$(2,394.36)</u>
Balance 09-30-2015	\$117,323.56

Outstanding Transactions

Sales Tax	
Transfer to Texpool	
CD Interest	
Checks 2348,2386-2387	\$(287.61)
<u>Balance 10-7-2015</u>	<u>\$117,035.95</u>

Farmersville Community Development Corporation
Financial Statement
For the Fiscal Year Ended September 30, 2015

10/07/2015

	FY2015	October	November	December	January	February	March	April	May	June	July	August	September	Actual	%
	Budget													YTD	
Revenue:															
Sales Tax Collections	\$225,000	\$16,546	\$17,755	\$21,003	\$14,287	\$20,323	\$20,056	\$14,398	\$19,984	\$18,275	\$19,250	\$19,788	\$19,904.00	\$221,570	98.48%
Interest Income	\$ 500	\$ 6	\$ 6	\$ 6	\$ 5	\$ 7	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 5	\$ 4.00	\$ 64	12.71%
Reimbursement for Marketing															
Jazz Event Deposits							\$ 7,287	\$ 316						\$7,603	
Reimbursement for Main Street Mgr.	\$ 17,400														
Transfer from TEXPOOL/or cash in bank															
Total Revenue	\$ 242,900	\$ 16,552	\$ 17,761	\$ 21,009	\$ 14,292	\$ 20,330	\$ 27,348	\$ 14,719	\$ 19,989	\$ 18,280	\$ 19,255	\$ 19,793	\$ 19,908.00	\$ 229,237	94.37%
Expenses:															
Main Street:					\$ 59,381										
Salary	\$ 70,000	\$ 868	\$ 187	\$ 1,318	\$ 1,190	\$ 1,354	\$ 110	\$ 627	\$ 470	\$ 1,245	\$ 430		\$ 944	\$ 59,381	84.83%
Supplies														8,743	
Total Main Street	\$ 70,000	\$ 868	\$ 187	\$ 1,318	\$ 60,571	\$ 1,354	\$ 110	\$ 627	\$ 470	\$ 1,245	\$ 430	\$ 0	\$ 1,034	\$ 68,214	97.45%
Miscellaneous	\$ 2,000			\$ 1,000								350	150	\$1,500	75.00%
Marketing Program	\$ 13,000	\$ 13,000												13,000	100.00%
Reimburse city for accounting	\$ 1,000												1,000	1,000	100.00%
Chaparral Trail Improvements	\$ 60,000											60,000		60,000	100.00%
Collin College Scholarship sponsorship	\$ 2,500			\$ 2,500										2,500	100.00%
Chamber of Commerce	\$ 5,000						\$ 5,000							5,000	100.00%
May Taxes	\$ 1,000						\$ 593							593	59.30%
Christmas Activities	\$ 8,000				\$ 8,000									8,000	100.00%
Land Purchase	\$ 20,000	\$ 4,998			\$ 4,998			\$ 4,998			\$ 4,998			19,992	99.96%
Fire Works	\$ 5,000							\$ 5,000						5,000	100.00%
Bain Honaker House Restoration	\$ 5,000	\$ 5,000												5,000	100.00%
National Register District Project	\$ 4,500	\$ 643	\$ 920	\$ 741		\$ 733	\$ 1,040					420		4,497	99.93%
Herb Ellis Jazz Event	\$ 9,000				\$ 4,597	\$ 9,074	\$ 1,130		\$ 3,931	\$ 4,269				14,801	164.46%
Onion Shed Repair	\$ 8,200													8,200	100.00%
Bleachers for Spain Complex	\$ 3,700			\$ 3,243										3,243	87.65%
Farmersville Heritage Museum	\$ 25,000							\$ 25,000						25,000	100.00%
Total Expenses	\$ 242,900	\$ 24,509	\$ 1,107	\$ 8,802	\$ 73,569	\$ 6,684	\$ 15,817	\$ 36,755	\$ 4,401	\$ 5,514	\$ 5,428	\$ 60,350	\$ 2,604	\$ 245,540	101.09%
Excess Revenue Over Expenses	-	(7,957)	16,654	12,207	(59,277)	13,646	11,531	(22,036)	15,588	12,766	13,827	(40,557)	17,304		

Farmersville Community Development Corporation
Financial Statement
For the Fiscal Year Ended September 30, 2015

10/07/2015

	October	November	December	January	February	March	April	May	June	July	August	September
Beginning Bank Balance	133,432.32	\$125,474.21	\$142,040.29	\$154,247.95	\$ 94,970.95	\$108,613.47	\$120,143.85	\$98,107.06	\$113,695.25	\$126,460.90	140,289.24	99,731.55
Deposits:												
Sales tax deposits	16,546.49	17,755.33	\$21,003.44	14,286.73	20,323.58	\$20,056.31	\$14,397.72	\$19,984.22	\$18,274.77	\$19,250.47	\$19,787.99	\$19,904.20
Interest income-bank	5.56	5.61	\$6.40	5.27	3.88	\$4.86	\$4.97	\$5.02	\$4.76	\$5.77	\$4.89	\$4.33
Transfer to TexPool												
Transfer From Texpool to First Bank												
Jazz Event						\$7,286.52	\$316.25					
Reimbursement for Marketing												
Reimbursement for Main Street Mgr.												
Adjusting Entry												
Total Revenues	149,984.37	143,235.15	163,050.13	169,539.95	115,298.41	135,961.16	\$134,862.79	\$118,096.30	\$131,974.78	\$145,717.14	160,081.92	\$119,640.08
Disbursements:												
Main Street Salary				\$59,380.62								
Miscellaneous			\$1,000.00								\$350.37	\$150.00
Main Street Supplies	\$868.60	\$187.81	\$1,318.30	\$1,190.20	\$1,354.21	\$110.31	\$627.10	\$470.05	\$1,244.88	\$429.72		\$1,034.00
Marketing Program	\$13,000.00											
Reimburse city for accounting												\$1,000.00
Chaparral Trail Improvements											\$60,000.00	
Collin College Scholarship sponsorship			\$2,500.00			\$5,000.00						
Chamber of Commerce						\$592.66						
May Taxes				\$8,000.00								
Christmas Activities				\$4,998.18			\$4,998.18			\$4,998.18		
Land Purchase	\$4,998.18			\$4,998.18			\$5,000.00					
Fire Works												
Bain Honaker House Restoration	\$5,000.00											
National Register District Project	\$643.38	\$920.34	\$740.88		\$732.84	\$1,040.34						\$420.00
Herb Ellis Jazz Event					\$4,597.89	\$9,074.00	\$1,130.45					
Onion Shed Repair								\$3,931.00	\$4,269.00			
Bleachers For Spain Complex			\$3,243.00									
Farmersville Heritage Museum							\$25,000.00					
Total Expenses	24,510.16	1,108.15	\$8,802.18	\$73,569.00	\$6,884.94	\$15,817.31	\$36,756.73	\$4,401.05	\$5,513.88	\$5,427.90	\$60,350.37	\$2,604.00
Ending Bank Balance	125,474.21	142,040.29	154,247.95	94,970.95	108,613.47	120,143.85	98,107.06	113,695.25	126,460.90	140,289.24	99,731.55	117,036.08
TEXPOOL Balance	84,839.20	\$84,841.20	\$84,884.18	\$84,847.49	\$84,850.35	\$84,853.86	\$84,857.53	\$84,861.53	\$84,865.54	\$84,870.05	\$84,875.24	\$84,881.19
Interest Income-TEXPOOL	\$1.94	\$2.00	\$2.98	\$3.31	\$2.86	\$3.51	\$3.67	\$4.00	\$4.01	\$4.51	\$5.19	\$5.95
Total Available Funds	210,313.41	226,881.49	239,132.13	179,818.44	193,463.82	204,997.71	182,964.59	198,556.78	211,326.44	225,159.29	184,608.79	201,917.27

Signed:



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: INFORMATIONAL ITEM – Planning & Zoning Minutes

Electronic minutes are found at the following link:

http://www.farmersvilletx.com/government/agendas_and_minutes/planning_and_zoning/index.jsp

FARMERSVILLE PLANNING & ZONING COMMISSION
REGULAR SESSION MINUTES
September 21, 2015

The Farmersville Planning and Zoning Commission met in regular session on September 21, 2015 at 6:32 p.m. at the City of Farmersville Council Chambers with the following members present: Bryce Thompson, Mark Vincent, Sarah Jackson-Butler, Charles Casada, Todd Rolen and Chad Dillard. Commissioner absent was Craig Overstreet. Staff members present were City Attorney Alan Lathrom and City Secretary Edie Sims. Council Liaison John Klostermann was present.

CALL TO ORDER AND RECOGNITION OF CITIZENS/VISITORS

Chairman Bryce Thompson called the meeting to order at 6:32pm. Edie Sims called roll and announced that a quorum was present. Edie Sims offered the invocation and led the audience in the Pledge of Allegiance to the American and Texas Flags.

Item II – A) PUBLIC HEARING TO CONSIDER, DISCUSS AND ACT A SPECIFIC USE PERMIT ON A LEASE SPACE LOCATED ON BLOCK 1, TRACT 92 OF THE D.J. JAYNES SURVEY, ABSTRACT NO. 471, AND WHICH LEASE SPACE IS MORE COMMONLY KNOWN AS 1055 WEST AUDIE MURPHY PARKWAY, SUITE 133, FARMERSVILLE, COLLIN COUNTY, TEXAS, FOR THE OPERATION OF A BANQUET/MEETING HALL

Chairman Bryce Thompson opened the Public Hearing at 6:34pm and asked for those FOR the Specific Use Permit to come forward. With no one coming forward, Mr. Thompson asked for those OPPOSING the Specific Use Permit to come forward. With no one coming forward, Mr. Thompson closed the Public Hearing at 6:34:50pm.

The Commission discussed this item with Todd Rolen questioning the maximum capacity of the space. City Manager Ben White replied the Fire Marshal sets the capacity and will be part of the process before the operator opens their business. Mark Vincent questioned if a sprinkler system is installed and the area is safe. Mr. White stated the Fire Marshal will confirm that all requirements will be met before the occupant can open their business. Charles Casada questioned if the number of parking spaces to be provided will be sufficient for all the businesses in the complex. Mr. White extended information regarding a church being located in this facility and there were more vehicles for that building space use than what will be for the requestors use.

Todd Rolen stated the drawing does not correctly reflect the appropriate location of the driveway. Chad Dillard expressed concerns and would like to limit the hours of operation. Sarah Jackson-Butler stated she had concerns if alcohol was on the premises and preferred a requirement for security. Todd Rolen expressed concern of the floor space for tables. Mr. White stated this too shall be the responsibility of the Fire Marshal's Office regarding the design and use of the space.

Sarah Jackson-Butler motioned to approve the Specific Use Permit conditioned upon limiting the hours of operation to no later than midnight and requiring security when alcohol is on the premises. Mark Vincent seconded the motion. Motion passed 4 to 1 with Todd Rolen opposing.

Item II – B) PUBLIC HEARING TO CONSIDER, DISCUSS ACT UPON A REQUEST TO CHANGE THE ZONING ON APPROXIMATELY 100.81 ACRES OF LAND IN THE

W.B. WILLIAMS SURVEY, ABSTRACT NO. 952, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS, FROM PLANNED DEVELOPMENT (PD) DISTRICT WITH SINGLE-FAMILY 3 (SF-3), MULTI-FAMILY 2 (MF-2) AND COMMERCIAL (C) DISTRICT USES TO PLANNED DEVELOPMENT DISTRICT WITH SINGLE-FAMILY 3 (SF-3) DISTRICT USES, MULTI-FAMILY 2 (MF-2) DISTRICT USES AND COMMERCIAL (C) DISTRICT USES, AND APPROVING CERTAIN EXCEPTIONS TO THE REQUIREMENTS ESTABLISHED BY THE BASE ZONING OF SINGLE-FAMILY 3 (SF-3) DISTRICT

Chairman Thompson opened the Public Hearing at 6:44pm and asked for those FOR the zoning request to come forward. Jeff Crannell, engineer for the development, came forward stating the zoning change proposed will allow Single-Family 3 (SF-3) zoning on 2/3 of the site. The current zone from 2012 for 55+ residents is not a strong enough market therefore the request is for straight SF-3 with no changes from our current SF-3 requirements. There have been minor tweaks, but all the City's requirements have been met. On the north corner of the property, a detention pond was included with an open space area. The project is very large and hope for a positive impact to Farmersville. A regional lift station will be installed off the property and on Highway 380 to serve far more people than will be in the development. Mr. Crannell continued the plan is simple and meets all the City's ordinances.

Chairman Thompson questioned the acquisition of the Texas New Mexico property for an entry into the subdivision. This has not been purchased to date. Mr. Crannell explained there are 2 points of access and the development can be built without the "stub"; but at a later date the "stub" will be a third point of access as there is plans to purchase the TNMP property. Charles Casada asked why this portion has not been already purchased since the last approval in 2012. With only 50' of the property being utilized and the remainder will go into right-of-way, this property will be the last portion to be purchased upon an approved plan. Mr. Casada continued his questions regarding the change from 55+ restricted development to a non-restricted development. Mr. Crannell stated he is expecting some active adults to purchase homes, but the developer does not want to preclude others from living in this subdivision. The zoning of certain areas was questioned, whether remaining the same from the 2012 approved plan or not. Mr. Crannell stated the southern half of the property is remaining the same zoning from 2012.

Chairman Thompson asked for anyone else to come forward who is FOR the zoning change. With no one coming forward, Mr. Thompson asked for those OPPOSING the zoning change. Diane Piwko, residing at 200 McKinney Street, came forward stated she has attended Planning & Zoning meeting from the beginning of this project. There are issues with low drainage, city services and school being impacted. Now with smaller homes there will be more children and a limited income development. Ms. Piwko questioned why impact studies are not being required. Farmersville deserves better and needs SF-2 to be prosperous and not have starter neighborhoods. There needs to be homes that will encourage long term business owners. If these are the bare minimum standards, then the standards need to be improved.

Gwen Reynolds, residing at 5258 CR 660, stated one of the two of the principle parties for this development goes by the name of Ted Zadeh, which is real name is Mohammed Akhavizadeh. President Obama is focusing on North Texas for refugee

relocation for Muslims. Camden Park is a low income housing development. With this many homes, the economics of Farmersville will change. These homes will turn into rent houses and is not advantageous for Farmersville to build this way. Look at the development at Highways 78 and 205 in Lavan. We don't need that type of development in Farmersville. How do fire trucks get down streets? This is a bad idea, especially at this time. There has not been enough research and this is not beneficial to Farmersville. Why are we doing this to Farmersville and our kids? Is money that important?

Richard Smith, residing at 617 CR 610, stated he owns two pieces of property that adjoin the northern side of this development. Mr. Smith stated he is against the exceptions or variances. When the property was originally platted, the design was for 300+ homes and has changed to consolidate single family dwellings on 56 acres rather than 77 acres. The plans have now changed to build on 60% of the lot versus what the City's Subdivision Regulations require. In 2012, with variances, the revisions would have deed restrictions for age 55+ and now the restrictions are being lifted. The City does not have the funds to improve Farmersville Parkway and there is no guarantee the College will build on their property. Another issue is sewer capacity whether it is adequate for this amount of population. Mr. Smith stated he understood the City is working with North Texas Municipal Water District for a regional wastewater treatment facility. However, nothing has been started and how many houses will go up before a sewer plant is built. What fines must the City pay for problems brought by this development? Mr. Smith requested the Commission to reject this plat.

Bryce Thompson asked Mr. Smith if he had been contacted regarding drainage issues on his property that would come from this development. Mr. Smith stated no.

Randy Smith, residing at 508 CR 610, stated he concurred with the previous statements and added traffic is a big problem along with the impact of the school system. With 18 acres dedicated for multi-family, how many units will be built? With the City's current sewer situation, how will a liftstation accommodate all the zones presented? What about emergency services? Since the 2012 proposal will no longer be in place and the developer is proposing the 2006 proposal, it seems there are numerous proposals without approvals. Mr. Smith stated he agreed Farmersville does not need entry level housing. When the project is finished and the density as shown, how many will build high end homes? There is also a concern of rental properties.

Bryce Thompson asked Mr. Smith if he had been contacted regarding drainage issues on his property that would come from this development. Mr. Smith stated no.

With no one else coming before the Commission in opposition of the zoning request, Chairman Thompson closed the Public Hearing at 7:11:58pm.

City Attorney Alan Lathrom suggested re-opening the Public Hearing to allow a rebuttal and address the issues brought forward during the Public Hearing. Chairman Thompson re-opened the Public Hearing at 7:12:59pm. Jeff Crannell, engineer for the development, came forward stating he has asked Mr. Richard Smith to meet with him on site and will work with all the adjoining property owners. With exception of the minimum lot sizes, no requirements in the SF-3 zone have been changed.

There will be an impact on the traffic, and yes, let's hope so stated Mr. Crannell. That is why there was a change from the age restriction as the market does not show a higher need for that type of development. Mr. Crannell stated he has also spoke with

the Midkiff's, who are directly west of the development property, regarding the drainage concerns. Mr. Crannell stated he is happy to meet with any having concerns at any time. Market studies show smaller square footage is the desired home. If a homebuyer wants a smaller home, or a larger home, all demands can be made. The homes will be built for homeowners; however cannot stop people from buying investment properties as rental properties. The development is to build new homes and follow all the ordinances. The school has not been approached as of yet. With the development, there is great hope to improve the sewer system. The plan is for a nice neighborhood.

Chairman Thompson asked if impact studies were done regarding sewer, traffic and schools. Mr. Crannell stated the sewer will be impacted and will be placed along Highway 380 to positively impact the City. City Manager Ben White stated our wastewater system is currently having infiltration problems. If those issues are solved, this will increase our capacity to 68-70%. The City cannot grow much beyond our wastewater treatment capacity, but planning is underway. A traffic analysis will be done where the City wants to expand. Mr. Crannell stated services are added upon the need, such as firefighting. Mr. White indicated Farmersville Fire has the largest fire district in Collin County. The City does not have control over the growth within the fire district. Tax dollars are received to help cover the costs of this growth. Mr. White further stated the Police Chief and Fire Chief have reviewed the proposed plans and did not have comment.

Mr. Crannell stated regarding the school system, the developer will work with the schools to coordinate as well once the Concept Plan has been approved for Farmersville ISD to understand and start planning for the impact. Once zoned, FISD can review and prepare for the growth. Superintendent Adams has previously stated schools will be built to meet the need according to Mr. White. Currently all the information is concept exploration.

Todd Rolen stated we cannot place ourselves in the same situation as in Lincoln Heights with the streets. Mr. White stated as presented, the streets meet the current ordinance. Charles Casada stated he would like to see how the property is being zoned before he voted. Mr. White stated the proposal is before the Commission and it meets our current regulations and standards for zoning. The proposal placed before the Commission would replace the current zoning as it stands from 2012.

Mr. Crannell stated he realizes the Commission would prefer larger lot sizes and increase the minimum dwelling to no less than 1,200 square feet to allow larger homes which changes the lot coverage. Some corner lots will have issues due to set backs on two sides. Chairman Thompson stated he was all for the project, but now has concerns and not ready to go forward. City Attorney Alan Lathrom stated with a planned development, the base zoning requirements can be modified and changed to increase the lot depth from 90-100' for a deeper lot.

Charles Casada motioned to disapprove the zoning with Chad Dillard seconding the motion. Motion carried unanimously.

City Attorney Alan Lathrom informed the Commission the applicant can appeal if desires and their case has been placed on the agenda for the City Council. P&Z's recommendation will be forwarded to Council for their meeting tomorrow night.

Item III – A) CONSIDER, DISCUSS AND ACT UPON MINUTES FROM AUGUST 24, 2015 SPECIAL P&Z MEETING

Sarah Jackson-Butler motioned to approve the minutes as presented with Todd Rolen seconding the motion. Motion carried unanimously.

Item III – B) CONSIDER, DISCUSS AND ACT UPON A PRELIMINARY PLAT FOR CAMDEN PARK, A PLANNED DEVELOPMENT, CONTAINING APPROXIMATELY 100.81 ACRES OF LAND IN THE W.B. WILLIAMS SURVEY, ABSTRACT NO. 952, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS

Sarah Jackson-Butler motioned to disapprove the Preliminary Plat for Camden Park with Todd Rolen seconding the motion. Motion carried unanimously.

Item III – C) CONSIDER, DISCUSS AND ACT UPON A FINAL PLAT INCIDENT TO THE POSSIBLE REPLATTING OF ALL OR PORTIONS OF LOTS 1 THROUGH 5, BLOCK A, OF THE ADVANCED FIXTURES ADDITION, BEGIN APPROXIMATELY 25.382 ACRES OF LAND IN THE WILLIAM HEMPHILL SURVEY, ABSTRACT NO. 448, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS

City Manager Ben White introduced owner Tony Ewing, and Kaley Buethe representing Kimley-Horn, engineering firm for the project. Mr. White stated the plans have been reviewed and meet all the City's requirements. There are two existing buildings on the property and a proposed third building. Fire lanes are in the middle of Lot 5 which provide fire lane access to all lots. Todd Rolen questioned the distance between the Lot 5 and the train tracks. Mr. White stated it was close to 500' distance,

Commissioners asked if plans are made for Lots 1-4 which face Highway 380. Ms. Buethe stated she is not aware of any plans at this time. Charles Casada stated this plan adds to the Industrial Park and is zoned and developing. The plan does not change the current zoning. Mark Vincent stated this will be an asset so long as all requirements are met and therefore motioned to approve the Final Plat as presented. Chad Dillard seconded the motion. Motion carried unanimously.

Item IV) WORKSHOP: CONSIDER, DISCUSS AND ACT UPON REVIEWING THE COMPREHENSIVE PLAN, THE THOROUGHFARE PLAN AND THE SUBDIVISION ORDINANCE TO: 1) CONSIDER POSSIBLE ADJUSTMENTS AND CHANGES TO SUCH DEVELOPMENT REGULATIONS TO BETTER ACCOMMODATE NEW DEVELOPMENT PROVIDING VALUE AND ENDURING QUALITY TO THE CITY; 2) MODIFY DEVELOPMENT REGULATIONS REGARDING THE DENSITY OF PROPOSED DEVELOPMENT PROJECTS AND IDENTIFYING A BALANCE BETWEEN LOT SIZE, ROAD WIDTH, AND THE POSSIBLE USE OF REAR ENTRY GARAGES TO LESSEN ROADWAY CONGESTION; 3) CONSIDER POSSIBLE CHANGES TO THE MINIMUM LOT DIMENSIONS FOR NEW DEVELOPMENT WITH A FOCUS ON REDUCTING THE PERCEIVED NEGATIVE IMPACTS OF SMALL LOT RESIDENTIAL USES; 4) CONSIDER POSSIBLE CHANGES REGARDING HOMEOWNER'S ASSOCIATIONS; AND 5) REVIEW AND CONSIDER POSSIBLE CHANGES TO THE LAYOUT OF ROADS IN THE THOROUGHFARE DEVELOPMENT PLAN TO AVOID UNUSABLE REMNANTS OF LAND

City Manager Ben White stated the overall need is to get direction and to start working on sections with proposals for changes. The first section the Commission requested to address is lot sizes. Mr. White stated together the Commission can concentrate on the tables and offer suggestions. One such suggestion was removing SF-3 altogether. Mr. White stated he will investigate other cities and present

information with similarities to Farmersville. Prosper may be a good example. Right-of-way widths will also be discussed with the lot sizes. Mr. White questioned if the Commission wanted to review residential only or to branch into other dimensions and densities, especially for Multi-Family. Charles Casada stated he would prefer to focus on one area and have it perfected before going on to another segment. The Commission agreed to work on residential as a whole first.

Cities to be researched are Murphy, Rockwall, Prosper, Anna and McKinney.

Sarah Jackson-Butler asked if Mr. Klostermann, Council Liaison for the P&Z, could request adding a P&Z Commissioner to the Zoning Board of Adjustment. City Attorney Alan Lathrom indicated we cannot circumvent State Law. No other board member may sit on the Zoning Board of Adjustment.

Item III) ADJOURNMENT

Chairman Bryce Thompson adjourned the meeting. Commission adjourned at 8:11:49pm.

ATTEST:

Chairman Bryce Thompson

Edie Sims, City Secretary

FARMERSVILLE PLANNING & ZONING COMMISSION
SPECIAL SESSION MINUTES
September 29, 2015

The Farmersville Planning and Zoning Commission met in special session on September 29, 2015 at 6:30 p.m. at the City of Farmersville Council Chambers with the following members present: Sarah Jackson-Butler, Craig Overstreet, Charles Casada, Todd Rolen and Chad Dillard. Commissioners absent was Bryce Thompson and Mark Vincent. Staff members present were City Manager Ben White, City Attorney Alan Lathrom, Police Chief Mike Sullivan, Librarian Trisha Dowell and City Secretary Edie Sims. Council Liaison John Klostermann was present.

CALL TO ORDER AND RECOGNITION OF CITIZENS/VISITORS

Vice-Chairman Todd Rolen called the meeting to order at 6:34pm. Edie Sims called roll and announced that a quorum was present. Craig Overstreet offered the invocation and led the audience in the Pledge of Allegiance to the American and Texas Flags.

Item II – A) WORKSHOP DISCUSSION WITH THE OWNER/DEVELOPER TEAM AND CITY STAFF REGARDING THE EXISTING ZONING AND PERMISSIBLE DEVELOPMENT THEREUNDER OF APPROXIMATELY 100 ACRES OF LAND THAT IS GENERALLY SITUATED NORTH OF US HIGHWAY 380 AND WEST OF COUNTY ROADS 610 AND 611 AND LOCATED IN THE W.B. WILLIAMS SURVEY, ABSTRACT A952, TRACT 53, BLOCK 2 OF FARMERSVILLE, COLLIN COUNTY, TEXAS, COMMONLY REFERRED TO AS CAMDEN PARK (“PROPERTY”); THE OWNER/DEVELOPER’S PROPOSED DEVELOPMENT FOR THE PROPERTY; AND, RELATED IMPROVEMENTS

City Manager Ben White came before the Commission to give information that would hopefully help provide understanding of the lot sizes. By using current standards, a drawing to scale provided the maximum building lot coverage, rear, front and side yard setbacks, lot depth, lot width, street width, right-of-way line, utility zones and typical vehicle sizes on the roadway all for Single Family 3 (SF-3) zoning. The drawing depicted a lot area of 4,500 square feet. The minimum lot area for SF-3 is 5,000 square feet. Another drawing showed the same measurements for Single Family 2 (SF-2) zoning where the lot shown was 6,000 square feet and the minimum lot area for SF-2 is 7,200 square feet. Further drawings depicted the SF-3 lot on a collector street, a major thoroughfare sidewalk placement, secondary thoroughfare sidewalk placement, collector roadway sidewalk placement, residential sidewalk placement, the proposed SF-3 lot in Camden Park on a residential street and a residential estate street sidewalk placement.

The drawings were to show the Commission what a SF-3 zoned lot looks like with minimal dimensions. A minimum lot is 50'x100' = 5,000 square feet. Prior to the meeting, several existing streets were measured back of curb to back of curb. North Main and Maple Streets were both 27' wide. Jouette Street is 24' wide where Meadowview and College Streets are 28' feet wide. Sidewalks are required in all new developments. This information was given as the lot and street widths were an issue from the last P&Z meeting.

The last approval for Camden Park was 2012. Currently, the developer could build to the approved 2012 specifications. The developer is proposing a lot measured 40'x80'; however 50'x100' meets the square footage requirement. The biggest difference was the building percentage. The zoning was approved in 2012 with the planned development structured for a different product.

Todd Rolen stated the two streets for ingress/egress is not realistic access for the proposed traffic. Jeff Crannell, engineer for the development, stated the access points were proposed with the plan to purchase the Texas New Mexico Power property before the Final Plat. Charles Casada brought up the TNMP property is not annexed into the City and would need to follow that process before being included in the Planned Development.

Jeff Crannell stated he appreciated the Commission having the workshop so options could be discussed to allow future variations and listen to issues which will hopefully find conclusions to those issues. Mr. Crannell further stated the development is not a spec development and has been properly laid out to meet all the City's codes and guidelines. The original plat was for 333 multi-family homes and restricted so not to build out for quite some time. The reason the development has changed is due to the market for a 55+ adult living is not as strong as predicted. The Commission has asked for larger houses and an open space area. The developer went back to the drawing board and made modifications to accommodate these requests.

Mr. Crannell further explained the use of the TNMP property to be 75% right-of-way and the 100'x100' land has a contract presently, but the owner will not move forward until the City has offered an approved plan in order to move forward. Again Mr. Crannell thanked the Commission for the informal meeting to allow issues to be presented.

Craig Overstreet expressed concern of having mixed use and changing to almost all SF-3. Also the Commercial zone along the right-of-way is concerning. Adjacent land owners have expressed their concerns regarding drainage. This is the largest development this City has seen and it needs character. Mr. Overstreet stated the straight streets are a problem if Lincoln Heights is mirrored. The original plan had curvature and Mr. Overstreet expressed the need to have more SF-2 lots.

Jeff Crannell stated he and the developer will follow all the ordinances and laws regarding the drainage. Early on, the development was designed with detention ponds. Mr. Crannell continued there are 3 points of access planned; 1) off Highway 380 through the Industrial Park (which Mr. Crannell stated he felt would be the heaviest used); 2) CR 610; and 3) through the currently owned TNMP property on CR 610. The street widths are standard in most cities which is 29-31'. The proposed plan is more flexible with smaller lots with a front garage entry. A width of 50' is a standard width. Again Mr. Crannell asked for guidance from the Commission.

Charles Casada stated the street widths in Lincoln Height are not at current standards. Mr. White informed the Commission Lincoln Heights was developed before the current standards were in place. City Attorney Alan Lathrom stated the lot sizes are the same but the right-of-way was amended in 2007. Jeff Crannell stated when the plan was redeveloped in 2012, the hope was to have a 55+ adult living development, but this product is now not marketable as it once was thought. The development presented matches what other cities are developing including Princeton, McKinney, Anna and

Waxahachie where Mr. Ted Zadeh is developing. Mr. Crannell stated he can add a percentage of SF-2, but asked the Commission to give what percentage would be better received. He further continued that lot sizes do not generate the price but the homes do. The home size is what people want to buy. There will be two builders in this development with varying products. Chad Dillard questioned if the SF-2 lots would be sprinkled throughout the development or have a designated area. To have the best impact, Mr. Crannell stated it would be more beneficial to have an area zoned for SF-2, especially along the northern border.

City Manager Ben White indicated a lot on Waterford was 72'x100' with the right-of-way at the curb and no allotment for sidewalks or a place for utilities. There is no setback right-of-way room. The lots are wider and equivalent to the SF-2 widths on the Camden Park plat. The lots are shorter but wider and sidewalks are built on private property.

Currently, there is 35' from the front of the house to the curb. 4 cars can park in the driveway but the sidewalks get taken. Todd Rolen stated he is not for SF-3 for the whole development. Jeff Crannell stated he could arrange the northern border as SF-2 with lots 60'x120'. The southern part of the development would remain commercial.

Craig Overstreet expressed concern of overloading CR 610 with the traffic impact. Mr. White stated one of the two connections on CR 610 would have a traffic light at some point. TxDOT would not entertain installing another light on Highway 380 since the intersection would be so close to the existing light. Mr. Crannell stated the development is not a gated community and he does expect people would travel through the development to connect with Highway 380. Chad Dillard asked if it made sense to increase the lot sizes. Mr. Crannell stated whatever was left would go to an open space area.

Charles Casada was concerned of the acreage difference from 2012 to the current plan regarding commercial. It seems the commercial area is more than residential. Mr. Crannell stated 20 acres has been dedicated for commercial zoning which is slightly less than the original plan in 2006 which had 23 acres. Discussions were held as the possible types of commercial properties that could be built including health care facilities, independent living, and professional offices. It is expected to have one developer for the commercial properties.

Owner and developer Ted Zadeh came before the Council stating he is offering a better product. When asked to build larger homes, he contracted with a national builder. Mr. Zadeh expressed he would prefer to receive a positive direction from the P&Z, but if not, will work with what has already been approved. Competitive is the key and right now, Farmersville must be competitive with Princeton. Mr. Zadeh stated he thought by decreasing the density and offering an attractive product by a national builder the City of Farmersville would be pleased to move forward with this development. Per the conversations, there may not be a choice but to go back with the approved plans from 2012. The problem with those plans remain with the market. A development for 55+ adult seniors is not as prominent as it was in 2012. Mr. Zadeh also stated he has an offer to Texas New Mexico Power for \$12,000 to purchase their property but will not further the purchase until he has an approved plan. The property would then be turned around and donated as right-of-way and will ultimately be useless to him.

Mr. Zadeh further stated the community will eventually grow which will include schools who will build as the need occurs. A skilled nursing facility is now built and Mr. Zadeh expressed he would like to bring doctors to this area.

Charles Casada stated the zoning as approved is for 55+ adult living and was to be regulated from now on; now the zoning has a request to change. Mr. Zadeh stated he might start with 30 homes versus 100. Maybe even some structures could be duplexes. Mr. Zadeh is proposing houses under \$100,000 and is able and ready to spend money in Farmersville. Craig Overstreet offered a discussion item regarding the multi-family zoning. Mr. Zadeh stated this is a different phase of the development and is not under the initial direction. Mr. Zadeh expressed this development will bring \$25,000,000 tax base into the City, but it may take 6-8 years to build out with the approved 55+ age restricted zoning. Mr. Zadeh continued if the zoning is changed to the proposal where homes will cost \$170,000 with the existing contract with a national builder, the City will benefit greatly.

Mr. Zadeh took a moment to express he is a partner with the City of Farmersville. He chose to develop property here rather than other areas. There is more to offer in Farmersville with the quaint downtown, large expanses of land and there is more to offer with attractions. The proposal, he believes, is better and he would like to purchase more land and build more developments in this area.

Consider the school system. There are no houses for their staff. Mr. Zadeh stated he can bring a product that Farmersville will be proud of. Craig Overstreet stated he felt all bases have been touched including drainage, needing more SF-2 zoned lots, and the lineage of the streets.

Charles Casada stated he was placed on this board to look at the community as a whole and his position is to voice what the community wants. If the P&Z and Council approved a plan in 2012, why come back to re-develop and not pursue what was intended? Mr. Casada stated he cannot see where this plan is better. There are no guarantees Collin College will build on their property. This development may affect whether the College makes a decision to build here. Mr. Casada continued he does want Mr. Zadeh to make money, but he felt this development distracts from the entry into our community with commercial zoning and storage facilities. These types of construction are not attracting new people and wants the development to be the most beautiful place.

Mr. Zadeh stated he is a good businessman and has developments in Anna, Terrell, and Fort Worth. The most expensive part of the development will be the infrastructure including water, sewer, storm water and the concrete for streets. The streets will be the same amount of concrete whether for 350 homes or 260 homes. His best interest is more lots with less construction costs. A house with 2 bedrooms and 1 bath does not have as much cost as a three bedroom/2 ½ bath with granite counter tops. Mr. Zadeh would like to improve the housing situation in Farmersville. Mr. Zadeh stated he is taking on the risk, but he is hopeful for the end result. There is more money to be had with smaller lots but will also do what is best for Farmersville and give a product the community can be proud of. Mr. Zadeh continued that he will want granite inside to give a nicer touch. This development will place Farmersville on the map with beautiful elevations. Again Mr. Zadeh expressed he wanted to be a partner with the City. Another development he has worked on is in Denton by Hobson Lane with

approximately 500 homes. Another development is called Forrest Ridge at the corner of Sherman Drive and Loop 288 in Denton with 300-400 homes.

Just to clarify, the water design is regulated by the State and Mr. Zadeh stated he cannot dump water onto other adjoining properties. There will actually be less water after his development than what now exists from the Industrial Park. The southern end of his property is constantly flooded since there is not drainage from the Industrial Park. Mr. Zadeh has not complained regarding this matter simply when his development is under construction, the drainage issue will be resolved. Also, with the Mayor and City Manager being engineer's, there is yet another layer to improve upon. Again Mr. Zadeh stated he cannot arbitrarily dump water onto other properties and will observe all the laws.

Chad Dillard questioned how many SF-2 homes would the developer be willing to include on the plat. Jeff Crannell stated he would envision the entire northern end of the property. Ted Zadeh stated he will include 50 SF-2 lots and reduce the density and install a nice monument entry sign at the TNMP property for the main entry. Mr. Zadeh continued he will also include parkland to meet the open space requirements. All guidelines and specifications will be met. Mr. Zadeh stated living space of 1,500 square feet will be a minimum with the total square footage closer to 2,000 to include the garage. Some homes will be 1,800 square feet of air conditioned area. Mr. Zadeh repeated he will give 50 SF-2 lots and will add in geometry with the entire row of SF-2 lots.

Charles Casada stated the topography lines stop at the corner of the property on the top left of the plat which looks like the water would dump into an existing creek. Jeff Crannell stated he has met with adjoining property owners, including the Midkiff's who live in Round Rock but have property here. The drainage has been designed to carry the increase of water and send to a detention pond. There the detention pond will handle the velocity of erosion. The majority of the issues already exist from the Industrial Park which has no detention pond. The Industrial Park has 80% run-off where the anticipated run-off on this development will be 40% but will continue to mitigate drainage issues along with concerns of adjoining property owners.

Jeff Crannell stated he understands the request and will re-draw the project to reflect 1/3 of the property changed to SF-2. He will also work on finding a better location for the Commercial zone. Today the market is for a single family component that drives this development. The first driving force will be the residential properties which then drives other needs such as the commercial properties.

Mr. Crannell re-enforced the drainage, traffic and utility issues will be addressed and will follow all the City's guidelines and regulations. City Manager Ben White requested Mr. Crannell to repeat what he understood from the P&Z Commissioners' discussion. The changes will include the access point where the property is currently owned by TNMP; add curb and curvature to the streets; add SF-2 (50 additional); increase the square footage; character to the entryway; and extend the road to the South in the Industrial Park.

Ted Zadeh stated if the development proceeds, the wastewater treatment will serve more on Highway 380 where currently none exists. This addition will increase activity along Highway 380 which is a major incentive to other development. Mr. Zadeh stated he has worked with the City regarding rearranging the monies to be spent on

sewer to extend a gravity line which is more cost effective. By making this adjustment, all the area can have sewer with little cost to the City, but sewer capacity on prime frontage property. Also, all the electric lines will be underground and internal to the development.

Item III) ADJOURNMENT

Chairman Bryce Thompson adjourned the meeting. Commission adjourned at 8:10pm.

ATTEST:

Chairman Bryce Thompson

Edie Sims, City Secretary



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: INFORMATIONAL ITEM – Capital Improvements Advisory Commission Minutes

- There was not a meeting of the Capital Improvements Advisory Commission during the month of September 2015.

Electronic minutes are found at the following link:

http://www.farmersvilletx.com/government/agendas_and_minutes/planning_and_zoning/index.jsp



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: INFORMATIONAL ITEM – Citizens Advisory Committee Minutes

- Minutes are attached for review.

Electronic minutes are found at the following link:

http://cms2.revize.com/revize/farmersville/government/agendas_and_minutes/other_boards_and_committees.php

FARMERSVILLE CITIZENS ADVISORY COMMITTEE
SPECIAL SESSION MINUTES
September 21, 2015

The Farmersville Citizens Advisory Committee met in special session on September 21, 2015 at 8:11 p.m. at the City of Farmersville Council Chambers with the following members present: Bryce Thompson, Mark Vincent, Sarah Jackson-Butler, Charles Casada, Todd Rolan and Chad Dillard. Commissioner absent was Craig Overstreet. Staff members present were City Attorney Alan Lathrom and City Secretary Edie Sims. Council Liaison John Klostermann was present.

CALL TO ORDER AND RECOGNITION OF CITIZENS/VISITORS

Chairman Thompson called the meeting to order at 8:11pm. Edie Sims called roll and announced that a quorum was present.

Item II – A) CONSIDER, DISCUSS AND REVIEW PLANNING-RELATED ISSUES AND THE CITY’S COMPREHENSIVE PLAN AND THE SUBMISSION OF RECOMMENDATIONS TO CITY COUNCIL REGARDING SUCH DISCUSSIONS

City Manager Ben White requested to review the Land Use section of the Comprehensive Plan for review. Per the strategy goals for Land Use, the City of Farmersville has been planning for future growth, preserving the environmentally sensitive areas, and following the adopted Comprehensive Plan when evaluating development requests. We have not formalized guidelines; however the Comprehensive Plan has become a vital tool and beginning process when speaking with developers. According to the action list, the Citizens Advisory Committee has begun its requirement to review the Comprehensive Plan on a regular basis and make recommendations to changing conditions.

The next goal under Land Use is to concentrate development in the downtown area, the historic center and along US 380 and SH 78. This particular goal is being accomplished by the development of the Towne Centre. The Farmersville Economic Development Corporation is exploring the planning and development of Towne Centre which will establishing neighborhoods and enriching the area. FEDC is also working with the private sector by offering the Façade Grant to incentivize development in the downtown core. The Towne Centre concept will further development areas along US 380 and SH 78 which is consistent with the goals in the Comprehensive Plan.

Another goal is currently underway by aligning the zoning and subdivision ordinances with desired development patterns to ensure that zoning requirements promote desired land uses as shown on the conceptual land use map. The Planning and Zoning Commission will be further exploring and making recommendations for amending the existing zoning and subdivision ordinances. FEDC is working with an agreement for the property at FM 547 and US 380 and is actively engaging to promote our area.

By moving forward with the Heritage Museum, another goal is being supported to support and invest in the Main Street Program and the historic preservation protecting the character of Main Street. There are currently tax credit opportunities which were long time coming. The State is currently reviewing the National Register status. We are

a little behind regarding the education program for property owners on the value of preservation, but this will come with some time.

The Towne Centre plan will position downtown to become Farmersville's cultural, educational and governmental center and connect Main Street with other parts of the central area. Progress is being made with TxDOT for signage along US 380 at the Main Street Bridge directing people to our downtown area. All entry signs are going through major renovations. Mr. White stated he would like to have electronic signs at the gateways, but this project will be some time before it can become a reality.

Code Enforcement is also another layer to ensure structures are safe and are an asset to the community. A second Code Compliance Officer will be added during next year's budget (Fiscal Year 2015-2016) to emphasize our codes and conduct.

Mr. White stated he will be presenting a red-lined version to the Committee to show improvements that have occurred and this will help slim-line the process of reviewing at the next meeting.

Item III) ADJOURNMENT

The Citizen Advisory Committee adjourned at 8:32pm.

ATTEST:

Bryce Thompson, Vice-Chairman

Edie Sims, City Secretary



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: INFORMATIONAL ITEM – Sign Board of Appeals Minutes

- There was not a meeting of the Sign Board of Appeals during the month of September 2015.

Electronic minutes are found at the following link:

http://www.farmersvilletx.com/government/agendas_and_minutes/planning_and_zoning/index.jsp



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: INFORMATIONAL ITEM – Parks Board Minutes

- Minutes are attached for review.

Electronic minutes are found at the following link:

http://www.farmersvilletx.com/government/agendas_and_minutes/parks_and_recreation_board_meetings.jsp

**CITY OF FARMERSVILLE
PARKS AND RECREATION BOARD MINUTES
SEPTEMBER 1, 2015**

The Farmersville Parks and Recreation Board met in special session on September 1, 2015 at 6:00 p.m. at City Hall with the following members present: Autumn Barton, Todd Rolen, Charles Casada, Suzie Gruzendorf and Bettye Petri. City Manager Ben White and City Staff member Christi Dowdy were also present. Visitors present included Tim & Rhonda McClure and Bowen McClure.

CALL TO ORDER

Christi Dowdy called the meeting to order at 6:00 pm, and called the roll announcing that a quorum was present.

APPROVAL OF MINUTES

Autumn Barton moved to approve the minutes from the June 15, 2015 meeting, and the motion was seconded by Charles Casada. The motion passed all in favor.

DISCUSSION OF MOVIE NIGHTS IN THE PARK

The Board discussed the possibility of having movie nights in the city park and reviewed several options. The most costly option is hiring Fun Flicks to provide the projector and screen at approximately \$1200 per night. Purchasing a projector and screen is a more feasible option but the Board would like to check into partnering with another organization such as the Chamber of Commerce or 4B Board to help with the costs. This item was tabled until Board members can meet with other organizations.

KEEP FARMERSVILLE BEAUTIFUL PROJECTS

The Board discussed having a float in the Christmas Parade to promote the Adopt-A-Spot program. A fall clean-up was also discussed but due to the time limits, this event was not possible to get scheduled.

PRESENTATION FROM LIFE SCOUT REGARDING PROJECT ON CHAPARRAL TRAIL

Bowen McClure gave a presentation to the Board regarding workout stations along the Chaparral Trail. Bowen is a Life Scout and would like to complete this project in order to achieve Eagle Scout. The project consists of four workout stations which include a pull-up bar with dips, a sit-up table, a push-up bar, and a knee-to-elbow. The stations will start at the J. W. Spain Athletic Complex and the next three will be one half mile apart. Bowen asked the Parks Board to fund the materials at a cost of \$8,500. He advised that Bates Machinery and Manufacturing will assist in the steel fabrication, and the City of Farmersville Public Works will supply heavy equipment and some labor. The Farmersville Ag Department will also supply welding fabrication. The Board was very receptive to the presentation and a motion was made by Charles Casada to approve the funding. The motion was seconded by Autumn Barton and passed all in favor.

ITEMS TO BE PLACED ON FUTURE AGENDAS

The Board would like to discuss the float for the Christmas Parade, marketing and PR for Keep Farmersville Beautiful, and participation in the Halloween Trick It Up Bike Ride and Scare On The Shed at the next meeting.

ADJOURNMENT

The meeting was adjourned at 6:48 p.m.

Todd Rolen, Chairman



TO: Mayor and Councilmembers

FROM: City Manager Ben White

DATE: October 13, 2015

SUBJECT: INFORMATIONAL ITEM – Main Street Board Minutes

- The Main Street Board did not meet during the month of September 2015.

Electronic minutes are found at the following link:

http://www.farmersvilletx.com/government/agendas_and_minutes/main_street_board/index.jsp



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: INFORMATIONAL ITEM – Main Street Report

Main Street Report is attached.



Main Street Monthly Report
September 2015
Reported by Adah Leah Wolf,
Main Street Program Manager



ORGANIZATION/ADMINISTRATION:

2, 9, 16, 30	Manager attends city staff meetings.
14	4B Board meeting. Training session on Type B Corporations was provided by Brown & Hofmeister for all board members.
24	Farmersville Heritage Museum Board meeting. Chamber and Rotary Club have pledged donations.
22	Manager attends City Council meeting.
	Main Street Board did not meet this month. We have purchased matching polo shirts for the members, with the Main Street logo on them.
18, 30	Debbie Ranspot assists with administrative tasks.
	We are submitting a Texas Capital Fund grant for ADA improvements, as well as drainage and electric upgrades in the courtyard area, which has six buildings directly surrounding it.

PROMOTION:

5	Farmers & Fleas Market was held. Old Time Saturday information given to all vendors.
	Downtown Shoppers Guide revised.
	Museum Board is having the 1904 downtown panoramic photo digitized to use for display. It shows 24 downtown buildings in it and will be a great historical resource for us.
	City rack cards mailed to State Fair for the Texas Lakes Trail booth.
	City ad placed in Texas Lakes Trail regional map.
24	Farmersville Chamber networking meeting attended.
25	Discussion with filmmaker Dennis Van Vleet regarding potential filming in downtown area.
3, 14	E newsletters sent to friends of downtown, and downtown business and building owners.

DESIGN:

	Farmersville Heritage Museum construction continues, with the installation of windows.
	Downtown Live Oak trees have been trimmed.
	Facade improvements on the Shinn building at 107 McKinney Street have been completed.
	A Volunteer has encouraged business owners into purchasing and flying new American flags in front of their businesses.
	Pete Campbell has painted the building at 107 S. Main green, to match his building at 210 S. Main.
	Design assistance was received for the May building at 136 S. Main Street.
	The city's "annex" building is being remodeled.
	Rex Thain has requested color design assistance for his Victorian Home at 109 College Street.
	Independent Bank has been totally re-roofed.
	City is in the process of rehabilitating the City Annex building.

ECONOMIC RESTRUCTURING:

	The Happy Cucumber has opened at 201 McKinney Street, featuring pickles, relishes, jams, jellies, ice cream, and sandwiches.
17	Downtown Merchants monthly get together, hosted by Fancy Fibers (Mary Berry, owner). Chad Whitaker from the Centennial Committee attended and talked about Old Time Saturday.
	Little Bloomers has opened at 109 S. Main, specializing in infant and children's clothing. The owner is Jennifer Sullivan.
23	Manager met with Princeton City Councilman John Caldwell, to give him basic information about the Main Street Program and how Farmersville has benefited.
	Dan Magers has purchased the building at 120 McKinney Street.



TO: Mayor and Councilmembers

FROM: Ben White, City Manager

DATE: October 13, 2015

SUBJECT: INFORMATIONAL ITEM – Building & Property Standards Commission Minutes

- Building & Property Standards Commission did not meet during the month of September. Their next scheduled meeting is October 29, 2015.

Electronic minutes are found at the following link:

http://71.6.142.67/revize/farmersville/government/agendas_and_minutes/building_and_property_standards_meetings.jsp



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: INFORMATIONAL ITEM – TIRZ Board Minutes

- There was not a meeting of the TIRZ Board during the month of September 2015.

Electronic minutes are found at the following link:

http://71.6.142.67/revize/farmersville/government/agendas_and_minutes/other_boards_and_committees.jsp#revize_document_center_rz305



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: INFORMATIONAL ITEM – Library/Civic Center Board Minutes

- Minutes are attached for review.

Electronic minutes are found at the following link:

http://71.6.142.67/revize/farmersville/government/agendas_and_minutes/library_civic_center_board.jsp

**FARMERSVILLE LIBRARY / CIVIC CENTER BOARD
MEETING MINUTES**

August 27, 2015 at 4:30 P.M.

The Farmersville Library/Civic Center Board met in regular session on August 27, 2015 at 4:30 pm with the following members present: Judy Brandon, Wyndi Veigel, Sharon Spangler, and Sarah Odom. Members absent: Rafiq Huddleston. Staff Members present: Trisha Dowell.

Item I) CALL MEETING TO ORDER, ROLL CALL

The meeting was called to order at 4:30 p.m. by Judy. A quorum was present.

Item II) RECOGNITION OF CITIZENS/VISITORS

There were no visitors.

Item III – A) CONSIDER, DISCUSS AND APPROVE MEETING MINUTES FROM APRIL 23, 2015

Wyndi made a motion to approve the library board minutes and Sharon seconded, motion carried with all in favor.

ITEM III – B) ASSIGN AND VOTE ON BOARD OFFICER POSITIONS

Officer positions were assigned as follows:

President – Judy Brandon. Wyndi motioned, Sarah seconded, all in favor.

Vice President – Sarah Odom. Judy motioned, Wyndi seconded, all in favor.

Secretary – Sharon Spangler. Wyndi motioned, Judy seconded, all in favor.

ITEM III – C) CIVIC CENTER REPORT

Paula was not available to give the Civic Center report but sent the rental information to be presented to the board. Trisha is to ask Paula if the letter that was composed at the last meeting was sent to the organizations, if there was any response to it and what steps the board needs to make next. The report did not include the financials, but showed that there was more rentals and less clean ups. The board requested to view the letter that was composed.

ITEM III – D) LIBRARY REPORT

a. Monthly Reports for: April, May, June and July

Trisha presented the reports for April, May, June and July. Audrey and Trisha submitted a grant proposal to the Tocker Foundation. The grant is for a new book drop, books and audio books on CD.

b. Update on county funding

Trisha attended the County Commissioner hearing; later learning that the county library funding was completely removed from the County budget. Trisha briefed the board on the meetings and county libraries requests to the county and how the libraries are responding to the loss of funding. Trisha put together an information packet to show the board and to present to the commissioners at a future county budget hearing. The board discussed different approaches to the loss of funding, such as charging for membership. The board wants to call a special meeting next week, September 3, to come up with a response to the loss of funding, where there will be further discussion

on a recommendation for the City Council on charging for membership if funding is not returned and composing a letter to the Commissioners.

ITEM III – E) DISCUSS “LITTLE FREE LIBRARY” PROJECT

The Free Little Library is on the square and has been in use. The library has received the free little library packet with the plaque that designates our member number and Trisha plans on having an official “Free Little Library Opening” but has not had time to set a date.

ITEM IV) DISCUSSION OF PLACING ITEMS ON FUTURE AGENDAS

The loss of Collin County funding.

ITEM V) ADJOURNMENT

Sarah made a motion to adjourn the meeting, Wyndi seconded, motion carried. The Library/Civic Center Board adjourned at 5:09 p.m.

Chair

**FARMERSVILLE LIBRARY / CIVIC CENTER BOARD
MEETING MINUTES**

September 3, 2015 at 4:30 P.M.

The Farmersville Library/Civic Center Board met in regular session on September 3, 2015 at 4:30 pm with the following members present: Judy Brandon, Wyndi Veigel, and Sharon Spangler. Members absent: Sarah Odom and Rafiq Huddleston. Staff Members present: Trisha Dowell.

Item I) CALL MEETING TO ORDER, ROLL CALL

The meeting was called to order at 4:33 p.m. by Judy. A quorum was present.

Item II) RECOGNITION OF CITIZENS/VISITORS

There were no visitors.

Item III – A) DISCUSS COUNTY FUNDING

The board discussed what actions to take regarding the loss of county library funding. The board reviewed the letter that was written by a member of the Celina Library Board. Several county librarians and interested parties will attend the September 8th County Commissioner Budget hearing; Trisha will attend that meeting and present the Rike Library information packet to the Commissioners. Wyndi will compose a letter to send to the commissioners and will include the Rike Library information packet from Trisha. The board came up with the beginning recommendation of \$30 per year for membership per card to give to City Council in the event of loss of county funding.

ITEM IV) DISCUSSION OF PLACING ITEMS ON FUTURE AGENDAS

The loss of Collin County funding.

ITEM V) ADJOURNMENT

Judy made a motion to adjourn the meeting, Sharon seconded, motion carried. The Library/Civic Center Board adjourned at 5:08 p.m.

Chair



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: INFORMATIONAL ITEM – Farmersville Public Housing Authority Report

- September Agenda along with July minutes is attached for review.

Electronic agendas are found at the following link:

<http://www.texoma.cog.tx.us/departments/client-services/texoma-housing-partners/>



TCOG Governing Board

Meeting Agenda

Hilton Garden Inn Event Center

5015 US-75, Denison, Texas

Thursday, September 17, 2015 – 5:30 p.m.

A. Call to Order & Declaration of a Quorum

B. Invocation and Pledges

C. Welcome Guests

D. Induct New Governing Board Member for 2015-2016

TCOG Governing Body Pledge:

In accepting this responsibility as a Governing Body member,

Do you pledge:

- To uphold the bylaws of the organization
- To be faithful in attendance
- To strive to achieve the TCOG mission while representing our constituents
- To foster full and active participation of all Governing Body members, and
- To promote our strengths as a region

E. Approval of Minutes: Approve Meeting Minutes for July 2015 – page 3

F. Executive Director's Report

G. Consent

All items on Consent Agenda are considered to be routine by the Council of Governments and will be enacted with one motion. There will not be separate discussion of these items unless a member of the Governing Body or a citizen so requests, in which event these items will be removed from the general order of business and considered in normal sequence.

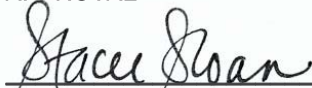
1. **July and August 2015 Liabilities (AF):** Authorize the Secretary/Treasurer to make payments in the amounts as listed.
Stacey Sloan, Finance Director – page 5
2. **U.S. Department of Energy (DOE) Contract (CS):** Ratify the contract with DOE for the Weatherization Assistance Program (WAP) funding.
Brenda Smith, Energy Services Program Manager – page 27

H. Action

1. **2-1-1 Information and Referral Contract (CS):** Authorize Executive Director to execute contract with Texas Health and Human Services (HHSC) for the 2-1-1 Information and Referral Program.
Judy Fullylove, 2-1-1 Program Manager – page 55
2. **Comprehensive Energy Assistance Program (CEAP) Contract (CS):** Authorize Executive Director to execute a revised contract with the Texas Department of Housing and Community Affairs (TDHCA) for CEAP funding.
Brenda Smith, Energy Services Program Manager – page 72
3. **Comprehensive Energy Assistance Program (CEAP) Contract (East Texas) (CS):** Ratify the contract with the Texas Department of Housing and Community Affairs (TDHCA) for Recaptured CEAP funding to serve the East Texas counties of Delta, Franklin, Hopkins, Lamar, Rains, Red River and Titus.
Brenda Smith, Energy Services Program Manager – page 78

4. **DADS Contract for FY2016-2019 (PD):** Authorize the acceptance of the Texas Department of Aging and Disability Services (DADS) contract for Fiscal Years 2016 through 2019.
Judy Conner, MS, CPG, AAA Program Manager – page 103
 5. **Texoma Regional Advisory Council (TRAC) membership and officers (PD):** Approve membership and officers for the Texoma Regional Advisory Council (TRAC).
Judy Conner, MS, CPG, AAA Program Manager – page 154
 6. **Texoma Regional Advisory Council on Aging (TRAC) By-laws (PD):** Approve revision of By-Laws of the Texoma Regional Advisory Council for the Area Agency on Aging.
Judy Conner, MS, CPG, AAA Program Manager – page 156
 7. **Commission on State Emergency Communications (CSEC) FY2016-2017 Contract (PD):** Accept the FY2016-2017 Contract for 9-1-1 Service between Texoma Council of Governments and CSEC.
CJ Durbin-Higgins, Public Safety Program Manager – page 161
 8. **Contract with Vista Com for Recorders (PD):** Approve the contract with Vista Com for the purchase and installation of Recorders in the following Public Safety Answering Points (PSAPs): Cooke County SO, Fannin County SO, Grayson County SO, Bonham PD, Gainesville PD, and Whitesboro PD.
CJ Durbin-Higgins, Public Safety Program Manager – page 175
 9. **FYE 2016 Budget Status Update (AF):** Accept recommendation, if any, regarding TCOG's FYE 2016 Budget.
Stacee Sloan, Finance Director – page 185
- I. **President's Report**
- J. **Adjourn**

APPROVAL



Stacee L. Sloan, Finance Director



Susan B. Thomas, PhD, Executive Director

AS: Aging Services Department
AF: Administration & Finance Department
CS: Client Services Department
PD: Planning & Development Department

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Administration & Finance at 903-813-3510 two (2) work days prior to the meeting so that appropriate arrangements can be made. The above Agenda was posted online at <http://www.tcog.com> and physically posted at the Texoma Council of Governments offices in a place readily accessible to the public. The Agenda was also faxed to the County Clerk offices in Cooke, Fannin and Grayson Counties, Texas on Friday, September 11, 2015.

Members Present: Spanky Carter, Keith Clegg, Cary Wacker, Gary Dale Lewis, Jr., Teresa Adams, Jason Brinkley, Willie Johnson, Jeff Whitmire, Cecil Jones, Frank Budra, Sarah Somers, Jim Atchison

- A. Spanky Carter called the meeting to order and declared a quorum at 5:32 p.m.
- B. Cecil Jones provided the invocation, followed by Jason Brinkley, who led the pledges.
- C. Welcome Guests & Staff: Jenny Craig, Gary Edwards, CJ Durbin-Higgins, Brenda Smith, Judy Conner, Sean Norton, Rayleen Bingham, Mindi Jones, Rodrigo Muyschondt, Kim Burdi, Mrs. Johnson.
- D. Jim Atchison, Willie Johnson, and Gary Dale Lewis, Jr. accepted the TCOG Governing Board Member pledge and were inducted as new Governing Board Members for 2015-2016.
- E. Cary Wacker provided a report to the board on behalf of the Officer Nomination committee indicating the 2015-2016 officer nominations. A motion as made by Cary Wacker to elect the following as officers for 2015-2016: Keith Clegg as President, Spanky Carter as Vice President and Teresa Adams as Secretary/Treasurer. This motion was seconded by Cecil Jones. Motion carried. At this point in time, Judge Carter turned the meeting over to Keith Clegg as the newly-elected President.
- F. A motion was made by Cary Wacker to approve the meeting minutes for June 2015. This motion was seconded by Jason Brinkley. Motion carried.
- G. Executive Director's Report
 - a. Dr. Thomas provided an update on Stacey Sloan and Randy McBroom as they were both absent from the Board Meeting due to illnesses.
 - b. Public Housing Maintenance Program Presentation, Gary Edwards
 - c. Beyond ABC Project Update
 - d. TRAC Bylaws Committee Update
 - e. Affordable Housing Project
 - f. NADO Awards submitted for HOPE GED Program and Texoma Craft Beverage Project & TARC Award.
- H. Consent
 - 1. A motion was made by Cary Wacker to approve the Consent Items. This motion was seconded by Cecil Jones. Motion carried.
- I. Action
 - 1. A motion was made by Teresa Adams to approve the receipt of a \$50,000 grant from The Byrd Fielder Livengood Charitable Trust 2015. This motion was seconded by Cary Wacker. Motion carried.
 - 2. A motion as made by Jason Brinkley to authorize the congregate and home delivered meal budget for the Tri-County Senior Nutrition Project, Inc. (DBA Meals on Wheels of Texoma). This motion was seconded by Spanky Carter. Commissioner Jeff Whitmire voted against the authorization, however, the motion passed by majority decision.
 - 3. Cary Wacker motioned to authorize the execution of Interlocal Agreements for 9-1-1 Public Safety Answering Point (PSAP) services for the period September 1, 2015 through August 31, 2017 with the City of Bonham, Fannin County, Grayson County, City of Whitesboro, City of Gainesville and Cooke County. This motion was seconded by Cecil Jones. Motion carried.
 - 4. A motion was made by Sarah Somers to accept the Funding Year 2015 Homeland Security Grant Program Allocation from the Office of the Governor (OOG), Homeland Security Grant Division. This motion was seconded by Jason Brinkley. Motion carried.
 - 5. A motion was made by Cary Wacker to approve the Interlocal Agreement for Shared Host/Remote 9-1-1 System between TCOG and the cities of Denison and Sherman. This motion was seconded by Teresa Adams. Motion carried.

6. A motion was made by Cary Wacker to authorize submission and, if awarded, the acceptance of the annual Section 8 Family Self-Sufficiency Grant in the amount of \$65,862. This motion was seconded by Frank Budra. Motion carried.
7. No action was taken regarding the FYE2016 Budget.

J. President's Report

K. Keith Clegg adjourned the meeting at 6:26 p.m.

DRAFT



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: INFORMATIONAL ITEM – North Texas Municipal Water District Board Agenda

- September 24, 2015 agenda is attached for review.

Electronic agendas are found at the following link:

https://ntmwd.com/meeting_agendas.html



NORTH TEXAS MUNICIPAL WATER DISTRICT

**505 E. Brown Street • Wylie, Texas 75098
(972) 442-5405 – Phone • (972) 295-6440 – Fax**

**BOARD OF DIRECTORS
REGULAR MEETING
THURSDAY, SEPTEMBER 24, 2015
4:00 P.M.**

Notice is hereby given pursuant to V.T.C.A., Government Code, Chapter 551, that the Board of Directors of North Texas Municipal Water District will hold a regular meeting, open to the public, on Thursday, September 24, 2015, at 4:00 p.m., at the **Hyatt Place Hotel, 5101 President George Bush Freeway, Garland, Texas 75040 (Salons 3 and 4).**

The Board of Directors is authorized by the Texas Open Meetings Act to convene in closed or executive session for certain purposes. These purposes include receiving legal advice from its attorney (Section 551.071); discussing real property matters (Section 551.072); discussing gifts and donations (Section 551.073); discussing personnel matters (Section 551.074); or discussing security personnel or devices (Section 551.076). If the Board of Directors determines to go into executive session on any item on this agenda, the Presiding Officer will announce that an executive session will be held and will identify the item to be discussed and provision of the Open Meetings Act that authorizes the closed or executive session.

AGENDA¹

- I. CALL TO ORDER
- II. INVOCATION – DIRECTOR JAMES KERR
- III. PLEDGE OF ALLEGIANCE
- IV. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG
- V. ROLL CALL AND CONFIRM QUORUM
- VI. PUBLIC COMMENTS

The Board of Directors allows individuals to speak to the Board. Prior to the meeting, speakers must complete and submit a "Public Comment Registration Form." The time limit is five (5) minutes per speaker, not to exceed a total of thirty (30) minutes for all speakers. The Board may not discuss these items, but may respond with factual or policy information.

¹Persons with disabilities who plan to attend the NTMWD Board of Directors meeting and who may need auxiliary aids or services are requested to contact John Montgomery in the NTMWD Administrative Offices at (972) 442-5405 as soon as possible. All reasonable efforts will be taken to make the appropriate arrangements.

VII. OPENING REMARKS

- A. Presentations of awards, recognitions, achievements, etc., of the District, Board Members, and staff
- B. President's Remarks concerning current events, conduct of meeting, posted agenda items, committee assignments, and related matters
- C. Executive Director's Status Report concerning legislation and regulatory matters, budgets, current projects and ongoing programs of the District including the Regional Water System, Regional Wastewater System, Regional Solid Waste System, Watershed Protection, and Water Conservation

VIII. CONSENT AGENDA ITEMS

The Consent Agenda allows the Board of Directors to approve all routine, noncontroversial items with a single motion, without the need for discussion by the entire Board. Any item may be removed from consent and considered individually upon request of a Board member or NTMWD staff member.

- A. Consider Approval of Board of Directors Meeting Minutes – August 27, 2015
(Please refer to Consent Agenda Item No. 15-09-01)
- B. Consider Approval of Monthly Construction Report – August 2015
(Please refer to Consent Agenda Item No. 15-09-02)
- C. Consider Authorizing Change Order No. 1 on Project No. 354, Wylie Water Treatment Plant Chemical Systems Improvements, Phase 1A
(Please refer to Consent Agenda Item No. 15-09-03)
- D. Consider Authorizing Additional Engineering Services on Project No. 385, North System 10 MG Ground Storage Tank Hydraulic Analysis
(Please refer to Consent Agenda Item No. 15-09-04)
- E. Consider Authorizing Additional Engineering Services on Project No. 388, Chapman Pipeline Repairs at Hunt County Road 4301 and South Sulphur River
(Please refer to Consent Agenda Item No. 15-09-05)
- F. Consider Authorizing Additional Engineering Services on Project No. 346, Wilson Creek Regional Wastewater Treatment Plant Advanced Treatment and Headworks Improvements
(Please refer to Consent Agenda Item No. 15-09-06)

IX. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION

- A. **TABLED ITEM:** Consider Authorizing Execution of an Interlocal Agreement between NTMWD and Town of Fairview to Facilitate Road Improvements and Provide for Increasing Weight Limits on Stacy Road, Project No. 396
(Please refer to Administrative Memorandum No. 4468-2)

- B. **TABLED ITEM:** Consider Authorizing Adoption of Resolution No. 15-23 Authorizing the Issuance, Sale and Delivery of North Texas Municipal Water District Stewart Creek West Regional Wastewater System Contract Revenue Bonds, Series 2015; and Approving and Authorizing Instruments and Procedures Relating Thereto
(Please refer to Administrative Memorandum No. 4470-1)
- C. **TABLED ITEM:** Consider Authorizing Award of Construction Contract on Project No. 252, Stewart Creek West Wastewater Treatment Plant Expansion to 10 MGD
(Please refer to Administrative Memorandum No. 4484-1)
- D. Consider Adoption of Resolution No. 15-26 Rejecting All Bids and Authorizing Rebid for Wylie Water Treatment Plant I and II Sludge Handling Improvements, Project No. 367
(Please refer to Administrative Memorandum No. 4494)
- E. Consider Authorizing Award of Construction Contract on Project No. 364, Wylie Water Treatment Plant III Foundation Drain Return Improvements
(Please refer to Administrative Memorandum No. 4495)
- F. Consider Adoption of Resolution No. 15-27 Approving Appropriations for the 2015-16 All Systems Annual Budget, Amending the 2014-15 Annual Budget, and Providing Rates and Charges for the System Services of the North Texas Municipal Water District
(Please refer to Administrative Memorandum No. 4496)
- G. Consider Authorizing Water System Rebates for 2014-15
(Please refer to Administrative Memorandum No. 4497)
- H. Consider Adoption of District Policy No. 41, Indemnification Policy
(Please refer to Administrative Memorandum No. 4498)
- I. Consider Authorizing Change Order No. 7 on Project No. 301, NTMWD Administration Building Structural Repairs, Building Renovations, and Building Additions
(Please refer to Administrative Memorandum No. 4499)
- J. Consider Authorizing Purchase of Additional Office Furniture and Furnishings for NTMWD Administration Building, Project No. 301
(Please refer to Administrative Memorandum No. 4500)
- K. Consider Authorizing Disposal and Auction of Surplus Office Furniture
(Please refer to Administrative Memorandum No. 4501)
- L. Consider Authorizing Change Order No. 3 on Project No. 302, Water Treatment Plant II Filter Underdrain Improvements and Conversion to Biologically Active Filters
(Please refer to Administrative Memorandum No. 4502)

- M. Consider Authorizing Amendment No. 1 to Construction Manager at-Risk Contract on Project No. 366, Lower Bois d'Arc Creek Reservoir Mitigation Property
(Please refer to Administrative Memorandum No. 4503)
- N. Consider Adoption of Resolution No. 15-28 Authorizing Use of Competitive Sealed Proposal Procurement Method Under Texas Government Code Chapter 2269 for Pump Pre-Purchase for High Service Pump Station 1-1 Mechanical Improvements, Project No. 363
(Please refer to Administrative Memorandum No. 4504)
- O. Consider Authorizing Additional Preconstruction Phase Services to Construction Manager At-Risk Agreement on Project No. 269, Trinity River Main Stem Pump Station and Raw Water Pipeline
(Please refer to Administrative Memorandum No. 4505)
- P. Consider Authorizing Change Order No. 6 and Reduction in Retainage on Project No. 128, Lake Texoma Pump Station Modifications
(Please refer to Administrative Memorandum No. 4506)
- Q. Consider Authorizing Change in Scope of Project No. 332 and Adoption of Resolution No. 15-29 Authorizing the Use of Eminent Domain to Acquire Right-of-Way for Project No. 332, Rockwall to Royse City Pipeline No. 2 and East System Ground Storage Tank
(Please refer to Administrative Memorandum No. 4507)
- R. Consider Authorizing Execution of Engineering Services Agreement on Project No. 402, Wylie Water Treatment Plant I Infrastructure Assessment Study
(Please refer to Administrative Memorandum No. 4508)
- S. Consider Authorizing Adjustment in Guaranteed Maximum Price and Authorization to Make Final Payment on Project No. 268, Lake Texoma Outfall to Wylie Water Treatment Plant Raw Water Pipeline
(Please refer to Administrative Memorandum No. 4509)
- T. Consider Authorizing Execution of Engineering Services Agreement on Project No. 401, Princeton Parallel Force Main and Lift Station Improvements
(Please refer to Administrative Memorandum No. 4510)
- U. Consider Authorizing Award of Construction Contract on Project No. 380, Upper East Fork Interceptor System Manhole Improvements, Phase 2
(Please refer to Administrative Memorandum No. 4511)
- V. Consider Authorizing Right-of-Way Acquisition Program and Adoption of Resolution No. 15-30 Authorizing the Purchase of Right-of-Way for Project No. 380, Upper East Fork Interceptor System Manhole Improvements, Phase 2
(Please refer to Administrative Memorandum No. 4512)

- W. Consider Authorizing Execution of Second Amendment to Interlocal Cooperation Agreement between North Texas Municipal Water District and the City of Plano for Regional Composting Program
(Please refer to Administrative Memorandum No. 4513)
 - X. Consider Authorizing Extension of Electricity Purchase Contracts
(Please refer to Administrative Memorandum No. 4514)
 - Y. Consider Adoption of Resolution No. 15-31 Approving a Protocol for Conducting Meetings Among the Governing Bodies and Executive Staff of NTMWD's Member Cities to Address Matters of Common Concern to Member Cities
(Please refer to Administrative Memorandum No. 4515)
- X. ADJOURNMENT



NORTH TEXAS MUNICIPAL WATER DISTRICT

**505 E. Brown Street • Wylie, Texas 75098
(972) 442-5405 – Phone • (972) 295-6440 – Fax**

**BOARD OF DIRECTORS
REGULAR MEETING
THURSDAY, SEPTEMBER 24, 2015
2:30 P.M.**

Notice is hereby given pursuant to V.T.C.A., Government Code, Chapter 551, that the Board of Directors of North Texas Municipal Water District will hold a regular meeting, open to the public, on Thursday, September 24, 2015, at 2:30 p.m., at the **Hyatt Place Hotel, 5101 President George Bush Freeway, Garland, Texas 75040 (Salons 3 and 4).**

The Board of Directors is authorized by the Texas Open Meetings Act to convene in closed or executive session for certain purposes. These purposes include receiving legal advice from its attorney (Section 551.071); discussing real property matters (Section 551.072); discussing gifts and donations (Section 551.073); discussing personnel matters (Section 551.074); or discussing security personnel or devices (Section 551.076). If the Board of Directors determines to go into executive session on any item on this agenda, the Presiding Officer will announce that an executive session will be held and will identify the item to be discussed and provision of the Open Meetings Act that authorizes the closed or executive session.

AGENDA¹

- I. CALL TO ORDER
- II. ROLL CALL AND CONFIRM QUORUM
- III. DISCUSSION ITEM
 - A. Report and Recommendation from Special Purpose Committee on Protocol for Member City Meetings
- IV. ADJOURNMENT

¹Persons with disabilities who plan to attend the NTMWD Board of Directors meeting and who may need auxiliary aids or services are requested to contact John Montgomery in the NTMWD Administrative Offices at (972) 442-5405 as soon as possible. All reasonable efforts will be taken to make the appropriate arrangements.



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: INFORMATIONAL ITEM – ZONING BOARD OF ADJUSTMENT

- The Zoning Board of Adjustment did not meet during the month of September 2015.

Electronic minutes are found at the following link:

http://www.farmersvilletx.com/government/agendas_and_minutes/other_boards_and_committees.php#revize_document_center_rz1512



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: Second Reading – Consider, discuss and act upon a Freedom of Information Act ordinance

- An ordinance is attached for review.

ACTION: Approve or disapprove the ordinance as presented.

**CITY OF FARMERSVILLE
ORDINANCE #2015-1013-002**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF FARMERSVILLE, TEXAS, AS HERETOFORE AMENDED THROUGH THE AMENDMENT OF CHAPTER 2, "ADMINISTRATION," BY CREATING A NEW ARTICLE IX ENTITLED "PUBLIC INFORMATION REQUESTS" THAT AUTHORIZES THE PUBLIC INFORMATION OFFICER TO ESTABLISH REGULATIONS FOR SUBMITTING, RECEIVING, AND PROCESSING REQUESTS FOR PUBLIC INFORMATION (OPEN RECORDS); REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Farmersville, Texas ("City Council"), pursuant to Texas Local Government Code, Sections 51.001 and 51.012, is authorized to adopt an ordinance, not inconsistent with state law, that is for the good government, interest, welfare, peace, or order of the City of Farmersville ("City"), and that is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City is a governmental body subject to the Texas Public Information Act, Chapter 552 of the Texas Government Code; and

WHEREAS, the Texas Public Information Act mandates the disclosure of some information, and authorizes a governmental body to withhold other information; and

WHEREAS, the Public Information Act imposes civil and criminal penalties for the failure to disclose information that is open, and for the unlawful disclosure of information that is confidential; and

WHEREAS, the City is a small organization with limited resources, thus necessitating the efficient operation of City business; and

WHEREAS, section 552.230 the Public Information Act grants the City authority to adopt reasonable rules of procedure under which public information may be inspected and copied efficiently, safely, and without delay; and

WHEREAS, the City Council finds that the following rules of procedure are reasonable and justified, and shall further the public interest in the effective and efficient management of public information.

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

SECTION 1: INCORPORATION OF FINDINGS

The findings set forth above are found to be true and correct and are hereby incorporated into the body of this Ordinance and made a part hereof for all purposes as if fully set forth herein.

SECTION 2: AMENDMENT OF CHAPTER 2, “ADMINISTRATION,” BY CREATING A NEW ARTICLE IX ENTITLED “PUBLIC INFORMATION REQUESTS” THAT AUTHORIZES THE PUBLIC INFORMATION OFFICER TO ESTABLISH REGULATIONS FOR SUBMITTING, RECEIVING, AND PROCESSING REQUESTS FOR PUBLIC INFORMATION (OPEN RECORDS)

From and after the effective date of this Ordinance Chapter 2, “Administration,” of the Code of Ordinances of the City of Farmersville, Texas, (“Farmersville Code”) is hereby amended by adopting a new Article IX entitled “Public Information Act Requests” to be and read as follows:

“ARTICLE IX. PUBLIC INFORMATION REQUESTS

Sec. 2.451. Purpose.

This Chapter provides standards for processing requests for public information pursuant to the Public Information Act, Texas Government Code Chapter 552. This policy provides uniform procedures and guidelines when a City official or employee receives a request for information to ensure that such individuals respond to a request for information in a prompt, professional and efficient manner. The objectives of this Ordinance are to:

- (a) Promote and increase efficiency, responsiveness to the public, and economy in the operation of City government; and
- (b) Provide a fair and equal opportunity for obtaining access to information; and
- (c) Reduce duplication of effort and increase the efficiency with which requests are handled; and
- (d) Demonstrate the City’s commitment to an informed citizenry to further the public’s control over the instruments they have created.

Sec. 2.452. Scope.

This Chapter applies to all data, documents, forms, and information managed or possessed by the City or to which the City has a superior

right of access. This Chapter applies to all requests for information submitted to the City after the date of enactment.

Sec. 2.453. Public Information Officer.

- (A) The City Secretary shall serve as the Public Information Officer for the City.
- (B) In addition to other duties assigned, the Public Information Officer shall:
 - (1) Administer the open records program and provide assistance to department heads in its implementation; and
 - (2) Plan, formulate and prescribe records disposition policies, systems, standards and procedures.

Sec. 2.454. Conflicts.

This Chapter is a guide for City employees and officers. It should in no way be construed as modifying state laws regarding disclosure of public information or the retention of local government records. This Chapter is to be read in harmony with such other City policies and state statutes when possible so as to give effect to the stated purpose of this Chapter.

Sec. 2.455. Requests For Confidential Information.

The Public Information Officer shall consult with the City Attorney, or his or her designee, regarding requested information that may contain privileged, confidential, or exempted information.

Sec. 2.456. Uniformity.

All requests for information are to be treated uniformly without regard to the requestor's identity, motives, or method of submission so long as the request is in writing.

Sec. 2.457. Full Cost Recovery.

To the extent possible, the City must recover the costs of responding to requests for information. Therefore, all requests for information are subject to reasonable charges that include the costs related to reproducing information such as the costs of materials, labor and overhead, as allowed by law. Charges for providing requested information accrue at the time the requestor is advised that the copy is available upon payment of the applicable charges. The Public Information Officer shall impose charges to

inspect or copy requested information in accordance with the guidelines established by the Office of the Attorney General of Texas, when applicable. Exceptions can be made in those rare and unusual situations in which the City Secretary determines that waiving charges is in the public interest. A waiver to payment of the applicable charges can be made only in instances where the Public Information Officer determines that doing so is in the public interest.

Sec. 2.458. Prohibitions.

- (A) Unauthorized Access. It shall be unlawful for any person other than a City officer, official or employee to open City filing cabinets, drawers, binders, or file storage boxes at City Hall without the express permission of the City Manager or the Public Information Officer.
- (B) Unauthorized Removal. It shall be unlawful for any person other than a City officer or employee to remove documents, forms, files, information or data from City Hall without the express permission of the City Manager or the Public Information Officer.
- (C) Unauthorized Destruction. It shall be unlawful for any person other than a City officer or employee to destroy, deface, obscure, tear, shred, or dispose of documents, forms, files, information or data from City Hall without the express permission of the City Manager or the Public Information Officer.
- (D) Unauthorized Disclosure. It shall be unlawful for any person to disclose to the public any confidential documents, forms, files, information or data from City Hall without the express permission of the City Manager or the Public Information Officer.

Sec. 2.459. Enforcement.

- (A) Dissemination. All employees and officers of the City shall be informed of the existence of the policies and procedures adopted pursuant to this ordinance. All City departments shall keep copies available for reference by employees and officers. Failure to reasonably comply with this policy shall be grounds for employee discipline up to and including termination.
- (B) Civil & Criminal Penalties. The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this Ordinance is subject to suit for injunctive relief as well as

prosecution for criminal violations. Any violation of this Ordinance is hereby declared to be a nuisance.

- (C) Criminal Prosecution. Any person knowingly violating any provision of this Ordinance shall, upon conviction, be fined a sum not exceeding five hundred dollars (\$500.00) per violation. An offense under this Ordinance is a Class C misdemeanor.
- (D) Civil Remedies. Nothing in this Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law, including, but not limited to the following:
 - (1) Injunctive relief to prevent specific conduct that violates this Ordinance or to require specific conduct that is necessary for compliance with this Ordinance; and
 - (2) In addition to any other remedies available hereunder, a civil penalty of up to one hundred dollars (\$100.00) per day or portion of a day shall be assessed when it is shown that the defendant was actually notified of the provisions of the Ordinance and after receiving notice committed acts in violation of the Ordinance or failed to take action necessary for compliance with the Ordinance; and
 - (3) Any other relief or processes now or hereafter available."

SECTION 3: CITY OF FARMERSVILLE PUBLIC INFORMATION POLICIES AND PROCEDURES ADOPTED

The City Council of the City of Farmersville, Texas does hereby adopt the City of Farmersville Public Information Policies and Procedures and any attachments thereto, a copy of which is attached hereto as **Exhibit A** and incorporated herein by reference for all purposes allowed by law. The Public Information Officer is hereby authorized and directed to make copies of the attached Public Information Policies and Procedures, or otherwise make it available for City employees and the public.

SECTION 4: 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 5: SEVERABILITY

It is hereby declared to be the intent of the City Council that the several provisions of this Ordinance are severable. In the event that 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 6: PENALTIES FOR VIOLATION

Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any sum not exceeding Five Hundred Dollars (\$500.00) per violation. The penal provisions imposed under this Ordinance shall not preclude the City of Farmersville from filing suit to enjoin the violation. The City of Farmersville retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 7: INJUNCTIVE RELIEF

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Farmersville in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Farmersville.

SECTION 8: PUBLICATION

The City Secretary 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 Local Government Code.

SECTION 9: 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 10: 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 11: EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as required by law.

PASSED on first reading on the 22nd day of September, 2015, and second reading on the 13th day of October, 2015 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 13th DAY OF OCTOBER, 2015.

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

ATTEST:

BY: _____
Edie Sims, City Secretary

Exhibit A

City of Farmersville Public Information Policies and Procedures

I. POLICY

A. Purpose

The City of Farmersville, Texas (the “City”) is committed to full and complete compliance with the letter and the spirit of the Texas Public Information Act (the “Act”) and to public policy of the state of Texas that “all persons are, unless otherwise expressly provided by law, at all times entitled to full and complete information regarding the affairs of government and the official acts of those who represent them.” It is City policy that all officers, officials and employees comply with the provisions of the Act.

These policies and procedures (“policy”) outline the requirements for requesting, processing, disclosing and withholding City records. This policy is a guide for conducting City business in a professional and uniform manner. This policy is designed to assist in bringing to the City operations an understanding, cooperation and efficiency in handling requests for information through the application of uniform procedures.

The objectives of this policy are to:

- Promote and increase efficiency, responsiveness to the public, and economy in the operation of City government; and
- Provide a fair and equal opportunity for obtaining access to information; and
- Reduce duplication of effort and increase the efficiency with which requests are handled.
- Demonstrate the City’s commitment to an informed citizenry to further the public’s control over the instruments they have created.

B. Scope

This policy applies to all data, documents, forms, and information managed or possessed by the City, or to which the City has a superior right of access. This policy applies to all requests for information submitted to the City after the date of adoption. The Act does not require the City to create new information, to do legal research, or to answer questions. A *subpoena duces tecum* or a request for discovery that is issued in compliance with a statute or a rule of civil or criminal procedure is not considered to be a request for information under the Act and is not subject to this procedure. The municipal court is exempt from the requirement of the Act, and is therefore exempt from the requirements of this policy. A request for documents pursuant to an administrative hearing is considered to be a request for information under the Act.

II. PUBLIC INFORMATION OFFICER; AUTHORITIES & DUTIES

The City Secretary shall be the City's "Public Information Officer" and has the authority to release records in accordance with the procedures set forth in the Act and with this policy. The Public Information Officer shall make information available for public inspection and copying; carefully protect information from deterioration, alteration, mutilation, loss, or unlawful removal; and repair, renovate, or rebind information as necessary to maintain it properly.

It is the duty of the Public Information Officer to "promptly" produce requested records for inspection or duplication, or both. If the Public Information Officer cannot produce the information within 10 business days, after receipt of a written request, the requestor must be notified in writing of this fact and be provided with a date and hour within a reasonable time when the information will be available.

The Public Information Officer may not inquire into the purpose for which the information will be used or make other inquiry of a requestor except to establish proper identification or authority, or as follows:

- if information requested is unclear, the requestor may be asked to clarify the request; and
- if a large amount of information has been requested, the requestor may be asked how the scope of the request might be narrowed.

The Public Information Officer shall treat all requests for information uniformly without regard to the position or occupation of the requestor, the person on whose behalf the request is made, or the status of the individual as a member of the media. The Act provides that the City is not required to accept or comply with a request for information from an individual who is imprisoned or confined in a correctional facility.

III. PROCEDURES

A. Signage Required

The Public Information Officer shall prominently display a sign in the form prescribed by the Texas Building and Procurement Commission (formerly named the General Services Commission) that contains basic information about the rights of a requestor, the responsibilities of a governmental body, and the procedures for inspecting or obtaining a copy of public information where it is plainly visible to:

- members of the public who request public information in person; and
- employees whose duties include receiving or responding to public information requests.

B. Receiving Requests for Information

1. Written Requests. All requests for information must be received in writing via email, regular mail, hand-delivery, or facsimile. Written requests do not include a text message sent to an individual official, officer, employee or the Public Information Officer. All requests for information must be directed to the Public Information Officer as follows:

The City of Farmersville
Office of the City Secretary
205 South Main Street
Farmersville, Texas 75442
Fax: (972) 782-6604
E-mail: e.sims@farmersvilletx.com

2. Forwarding of Requests. Any official or other employee receiving a written request for information via regular mail or hand-delivery must forward it immediately to the Public Information Officer.

3. Email and Facsimile Requests. Email and facsimile requests are not valid unless sent directly by the requestor to the Public Information Officer.

4. Date Stamp. An official stamp shall be designated by the Public Information Officer. Any employee or officer receiving a request for information must immediately make a notation on the document as to the date it was received.

5. Submission to the Public Information Officer. Individuals contacting the City with written or verbal inquiries regarding information held by the City should be advised to submit their requests in writing directly to the Public Information Officer.

6. Requests for Clarification. All requests for clarification, narrowing or additional information, must be made in writing and may be sent via email or by certified mail, return receipt requested, to the requestor's physical or mailing address as allowed by Texas law. The communication must state that all responses to the inquiry must also be made in writing and returned to the City by mail, email, or via facsimile transmission and that failure to respond in a timely manner may result in the request being considered withdrawn. If the Public Information Officer does not receive a written response from the requestor by the 61st day after the date the written request for clarification, narrowing or additional information is sent, the request for information is considered to have been withdrawn by the requestor.

7. Outstanding Balance Due. The City must require the payment of all outstanding balances due from a requestor for previous information requests that were prepared by the City, and for which the requestor was notified yet failed to pay the assessed charges. The City is not obligated to process new requests for information until the outstanding balances have been paid-in-full.

C. Responding to Routine Requests for Information

1. Compliance. When it is clear from the request that requested information is not excepted from required disclosure, the Public Information Officer should respond or coordinate responses to the request, notifying the City Manager as appropriate. The Public Information Officer should promptly produce requested information for inspection, duplication, or both, on application by any person. The Public Information Officer shall comply with routine requests by:

- (a) providing the requested information for inspection or duplication in City offices; or
- (b) sending copies of the requested information via regular mail if the person requesting the information requests that copies be provided by mail and pays the postage and any other allowable charges that the requestor has caused the City to incur.

2. Charges. To the extent possible, the City must recover the costs of responding to requests for information. Therefore, all requests for information are subject to reasonable charges that include the costs related to reproducing information such as the costs of materials, labor and overhead, as allowed by law. Charges for providing requested information accrue at the time the requestor is advised that the copy is available upon payment of the applicable charges. The Public Information Officer shall impose charges to inspect or copy requested information in accordance with the costs set forth in 1 Tex. Admin. Code §70.3 (Office of the Attorney General), as such rule may be amended. A summary of the charges is provided in **Attachment 1** hereto. In the event of any conflict between the charges set out in Attachment 1 and 1 Tex. Admin. Code §70.3, the provisions of 1 Tex. Admin. Code §70.3 shall control. If a request for information will result in the imposition of a charge that exceeds \$40, the Public Information Officer shall ensure that the requestor receives a written itemized statement that details all estimated charges that will be imposed. A waiver to payment of the applicable charges can be made only in instances where the Public Information Officer determines that doing so is in the public interest.

3. Information in Active Use or in Storage. If the requested information is unavailable at the time of the request to examine because it is in active use or in storage, the Public Information Officer shall certify this fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available for inspection or duplication.

4. Request for Additional Time. If the requested information cannot be produced for inspection or duplication within ten (10) business days after the date the information is requested, the Public Information Officer shall certify that fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available for inspection or duplication.

5. Time Limitations. A requestor must complete the inspection of the requested information not later than the 10th business day after the date the information is made available for inspection or duplication. If the requestor does not complete the inspection of the requested information within ten (10) business days after the date the requested information is made available and does not file a written request for additional time, the requestor is considered to have withdrawn the request. The Public Information Officer shall extend the initial examination period by an additional ten (10) business days if, within the initial period, the requestor files a written request for additional time.

D. Responding to Non-Routine Requests for Information

1. Consultation for Disclosure Exceptions. When it is not clear whether requested information is excepted from required disclosure by the Act, the Public Information Officer shall consult with the Office of the City Attorney to determine whether the records in question should be withheld or released.

2. Attorney General Decisions. Subchapter C of the Act excepts a number of categories of information from required disclosure. On determination by the Office of the City Attorney that requested information falls within one of these excepted categories, the Office of the City Attorney shall forward a request for a decision to the Attorney General to confirm that such information shall be withheld from public disclosure. On determination by the Office of the City Attorney that requested information does not fall within one of the excepted categories, the request shall be processed following procedures specified above for a routine request.

E. Estimate or Statement of Charges

1. Written Itemized Statement. If fulfilling any type of request for information would cost the requestor an amount exceeding \$40, the City must provide the requestor with a written itemized cost estimate that details all estimated charges to be imposed, including any allowable charges for personnel costs. If an alternative less costly method of viewing the records is available, the statement must include a notice that the requestor may contact the City regarding narrowing the scope of the request or clarifying the request, or the City should provide the Internet site. The itemized cost estimate to the requestor must state:

- (a) that the requestor must provide the City with a mailing, facsimile transmission, or electronic mail address to receive the itemized statement and that it is the requestor's choice which type of address to provide;
- (b) that the request is considered automatically withdrawn if the requestor does not respond in writing to the itemized statement and any updated itemized statement in the time and manner required; and

- (c) that the requestor may respond to the statement by delivering the written response to the City by mail, in person, by facsimile transmission, or by email.

2. Withdrawal of Request. A request is considered to have been withdrawn by the requestor if the requestor does not respond in writing to the itemized statement by informing the City within 10 business days after the date the statement is sent to the requestor that:

- (a) the requestor will accept the estimated charges;
- (b) the requestor is modifying the request in response to the itemized statement; or
- (c) the requestor has filed a complaint with the Office of the Attorney General.

3. Updated Itemized Statement. If the City later determines, but before it makes the copy or the paper record available, that the estimated charges will exceed the charges detailed in the written itemized statement by twenty percent (20%) or more, the City must send to the requestor a written updated itemized statement that details all estimated charges that will be imposed, including any allowable charges for personnel time. If the requestor does not respond in writing to the updated estimate in the time and manner described, the request is considered to have been withdrawn by the requestor.

If the actual charges that the City imposes for a copy of information or for inspecting paper records exceeds \$40, the charges may not exceed the amount estimated in the updated itemized statement or, if no such updated statement was sent, the amount charged cannot exceed twenty percent (20%) of the amount listed in the latest estimate provided to the requestor. If no itemized statement is sent to the requestor, the City may not charge over \$40 to fulfill the request.

F. Responding to Requests for Information in a Requested Medium

1. Electronic or Magnetic Medium. If information exists in an electronic or magnetic medium, the requestor may request a copy of the information either on paper or in an electronic medium, such as on diskette or on magnetic tape. The Public Information Officer shall provide a copy in the requested medium if:

- (a) the City has the technological ability to produce a copy of the requested information in the requested medium;
- (b) the City is not required to purchase any software or hardware to accommodate the request; and
- (c) provision of a copy of the information in the requested medium will not violate the terms of any copyright agreement between the City and a third party.

2. Paper or Other Medium. If the City is unable to comply with the request to produce a copy of information in a requested medium for any of the reasons described above, the City must provide a paper copy of the requested information or a copy in another medium that is acceptable to the requestor. The City is not required to copy information onto a diskette or other material provided by the requestor but may use its own supplies.

3. Written Statement. The Public Information Officer shall ensure that the requestor is provided with a written notice if the City determines that responding to a request for public information will require programming or manipulation of data, and

- (a) compliance with the request is not feasible or will result in substantial interference with its ongoing operations; or
- (b) the information could be made available in the requested form only at a cost that covers the programming and manipulation of data.

4. Programming/Manipulation of Data Notice. The written notice must include:

- a statement that the information is not available in the requested form;
- a description of the form in which the information is available;
- a description of any contract or services that would be required to provide the information in the requested form;
- a statement of the estimated cost of providing the information in the requested form, as determined in accordance with the guidelines for specifying charges for access to public information; and
- a statement of the anticipated time required to provide the information in the requested form.
- time the requestor is advised that the copy is available only upon payment of the applicable charges.

5. Timing of Written Statement. The Public Information Officer shall ensure that a written notice is provided to the requestor within twenty (20) days after the date of the City's receipt of the request. The City has an additional ten (10) days if written notice is given to the requestor, within twenty (20) days after the date of receipt of the request, that the additional time is needed.

6. Requestor Response. After providing the written notice to the requestor as required above, the City does not have any further obligation to provide the information in the requested form or in the form in which it is available unless within 30 days the requestor informs the City in writing that the requestor:

- (a) wants the governmental body to provide the information in the requested form according to the cost and time parameters set out in the statement or according to other terms to which the requestor and the governmental body agree; or
- (b) wants the information in the form in which it is available.

7. Withdrawal of Request. If a requestor does not make a timely written response as specified above, the requestor is considered to have withdrawn the request for information.

G. Responding to Repetitious or Redundant Requests for Information

1. Certifications. If the Public Information Officer determines that a requestor has made a request for information for which the City has previously furnished copies to the requestor or made copies available to the requestor on payment of applicable charges, the Public Information Officer may respond to the request by certifying to the requestor that copies of all or part of the requested information, as applicable, were previously furnished to the requestor or made available. The certification must include:

- (a) a description of the information for which copies have been previously furnished or made available to the requestor;
- (b) the date that the City received the requestor's original request for that information;
- (c) the date that the City previously furnished copies of or made available copies of the information to the requestor;
- (d) a certification that no subsequent additions, deletions, or corrections have been made to that information; and
- (e) the name, title, and signature of the Public Information Officer or the officer's agent making the certification.

2. Charges. A charge may not be imposed for making and furnishing the certification. Information not furnished in the previous request must be furnished for the new request.

H. Requests Requiring More than 36 Hours of Personnel Time

1. 36 Hour Rule. Each requestor is limited to 36 hours of time per 12-month fiscal year that personnel of the City are required to spend producing public information for inspection and duplication, or providing copies of public information to the requestor, without recovering its costs attributable to that personnel time.

2. Written Statements. Each time the City complies with a request for public information, the City shall provide the requestor with a written statement of the amount of personnel time spent complying with that request and the cumulative amount

of time spent complying with requests for public information from that requestor during the applicable 12-month period. The requestor may not be charged for the amount of time spent preparing the written statement.

3. Written Cost Estimates. If, in connection with a request for public information, the cumulative amount of personnel time spent complying with requests for public information from the same requestor is expected to equal or exceed 36 hours, the City shall provide the requestor with a written estimate of the total cost, including materials, personnel time, and overhead expenses necessary to comply with the request. The written estimate must be provided to the requestor on or before the 10th day after the date on which the public information was requested. If the City determines that additional time is required to prepare the written estimate and provides the requestor with a written statement of that determination, the City must provide the written statement as soon as practicable, but on or before the 10th day after the date the City provided the notice that additional time was required.

4. Calculation of Costs. The costs charged for personnel time relating to the cost of locating, compiling, and producing the public information shall be calculated at the rates set by the Texas Attorney General's Office. A summary of the charges is provided in Attachment 1. In the event of any conflict between the charges set out in Attachment 1 and 1 Tex. Admin. Code §70.3, the provisions of 1 Tex. Admin. Code §70.3 shall control. When calculating the amount of time spent complying with an individual's public information request(s), the City may not include time spent on:

- (a) determining the meaning and/or scope of the request(s);
- (b) requesting a clarification from the requestor;
- (c) comparing records gathered from different sources;
- (d) determining which exceptions to disclosure, if any, may apply to information that is responsive to the request(s);
- (e) preparing the information and/or correspondence required for an Attorney General decision;
- (f) reordering, reorganizing, or in any other way bringing information into compliance with well-established and generally accepted information management practices; or
- (g) providing instruction to, or learning by, employees or agents of the City of new practices, rules, and/or procedures, including the management of electronic records.

5. Payment by Requestor. If the City provides a requestor with a written statement estimating the cost of personnel time to complete the requestor's request, the City is not required to produce public information for inspection or duplication or to provide copies of public information in response to the requestor's request unless on or before the 10th day after the date the written statement was sent, the requestor submits a statement in writing to the governmental body in which the requestor commits to pay the lesser of:

- (a) the actual costs incurred in complying with the requestor's request, including the cost of materials and personnel time and overhead; or
- (b) the amount stated in the written statement.

6. Withdrawal of Request. If the requestor fails or refuses to submit a written commitment to pay statement, the requestor is considered to have withdrawn the requestor's pending request for public information.

7. Exceptions to 36 Hour Rule. This rule does not prohibit City from providing a copy of public information without charge or at a reduced rate when it is in the public interest or from waiving a charge for providing a copy of public information when the cost of processing the collection will exceed the amount of the charge. In addition, the 36 hour rule does not apply if the requestor is an individual who, for a substantial portion of the individual's livelihood or for substantial financial gain, gathers, compiles, prepares, collects, photographs, records, writes, edits, reports, investigates, processes, or publishes news or information for and is seeking the information for:

- (a) a radio or television broadcast station that holds a broadcast license for an assigned frequency issued by the Federal Communications Commission;
- (b) a newspaper that is qualified under Section 2051.044, Texas Government Code to publish legal notices or is a free newspaper of general circulation and that is published at least once a week and available and of interest to the general public in connection with the dissemination of news;
- (c) a newspaper of general circulation that is published on the Internet by a news medium engaged in the business of disseminating news or information to the general public; or
- (d) a magazine that is published at least once a week or on the Internet by a news medium engaged in the business of disseminating news or information to the general public.

8. Additional Exceptions to 36 Hour Rule. Further, the 36 hour rule does not apply if the requestor is:

- (a) an elected official of the United States, Texas, or a political subdivision of Texas; or
- (b) a representative of a publicly funded legal services organization that is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as amended, by being listed as an exempt entity under Section 501(c)(3) of that Code.

Attachment 1

Allowable Charges for Providing Copies of Public Information

The Public Information Act (the "Act") authorizes the City to recover costs for materials, personnel time, and overhead, under certain circumstances. However, in no case may the City impose charges that exceed the actual cost of producing or allowing the inspection of requested information.

A. Charges for Materials

Standard paper copy – The charge for a standard paper copy (8½" x 11") produced by a photocopier or a computer printer is \$.10 per page. Each side that has a copied or printed image is considered a separate page.

Nonstandard copy – The following charges for nonstandard copies cover the cost of materials onto which information is copied:

Diskette	\$1.00 each
Magnetic tape	Actual cost
Data cartridge	Actual cost
Tape cartridge	Actual cost
Rewritable CD (CD-RW)	\$1.00
Non-rewritable CD (CD-R)	\$1.00
Digital Video Disc (DVD)	\$3.00
JAZ Drive	Actual cost
Other Electronic Media	Actual cost
VHS videocassette	\$2.50 each
Audio cassette	\$1.00 each
Oversize paper copy (i.e.: 11" x 17", green bar, blue bar, (not including maps and photographs using specialty paper)	\$.50 each
Specialty paper (Mylar, blueprint, blueline, map, photographic)	Actual cost
Other	Actual cost

These charges are for materials only, and do not reflect any additional costs that the City may impose for personnel time, overhead (if applicable), document retrieval, programming personnel time or computer resource usage.

B. Charges for Personnel Time

Personnel charges – There are two types of labor costs authorized under the Act – standard personnel time and programming personnel time. The most common type of labor cost is for standard personnel time. The charge for standard personnel time to process a request for information is \$15 per hour, prorated to the nearest quarter-hour.

- The requestor may only be charged for locating, compiling, and redacting any information confidential by law. The requestor may not be charged for the preparation of the cost statement, drafting memoranda, drafting cover letters, or for any other information he or she did not request.
- The charge for standard personnel time can not include any time spent by an attorney, legal assistant, or any other person who reviews the requested information to determine whether the City will raise any exceptions to disclosure of the requested information under the Act or to research or prepare a request for a ruling by the Attorney General's office pursuant to the Act.

Before the City can recover costs exceeding forty dollars (\$40), the City must provide the requestor with an itemized written cost statement that includes language required by the Act. The requirements of cost estimates are detailed in the section entitled "Estimate or Statement of Charges."

Personnel Charges When Photocopies are Requested – A personnel charge may not be collected to provide 50 or fewer pages of paper copies for a request for information unless the requested documents are (1) older than five years or (2) located in more than one building or in a remote storage facility. City buildings that are connected by sidewalks or covered walkways, an elevated or underground passageway are considered to be one building. When paper copies are requested and personnel charges are imposed, the fee should be calculated as follows:

- If 50 or more pages of paper copies are requested, the personnel charge may include the actual time to locate, compile, and reproduce the requested information and can be assessed for either standard or non-standard copies.
- If 50 or more pages of paper copies are requested and the documents include both confidential information and public information on the same page, personnel time can be charged for the time spent to blackout, or otherwise redact information that is confidential by law, in addition to the time it takes to locate, compile, and reproduce the requested information.

Personnel Charges When Requests Require Copies from Electronic or Microfilm Records: Charges for copies of records that are stored electronically or on microfilm may include reasonable costs of materials, standard personnel time, and overhead if 50 or more pages of paper copies are provided.

Personnel Charges for Inspection of Paper Copies: Charges for the inspection of records in paper format may include materials and personnel time under certain circumstances. The City may impose charges for copies for any page that must be copied so that confidential information may be redacted to enable the requestor to inspect the information subject to release. Personnel charges are only allowed if: (1)(a) the records to be inspected are older than five years, or (b) the records completely fill, or when

assembled will completely fill, six or more archival boxes, *and* (2) the governmental body estimates it will require more than five hours to prepare the records for inspection. An “archival box” is a box that measures approximately 12.5” W x 15.5” L x 10” H. On average, such a box would contain 4,000 pages. Only records responsive to the request may be counted towards the number of boxes. Preparing records for inspection includes the time needed to locate and compile the records, redact the confidential information, and make copies of pages that require redaction. Overhead charges are not allowed on requests for inspection of paper records.

Personnel Charges for Inspection of Information in Electronic Format – When a requestor seeks to inspect information that exists in an electronic medium the City may charge the requestor to access the information if complying with the request will require programming or manipulation of data.

- Manipulation of Data personnel charges - If a request for information requires the creation of a report, table, or chart not currently in existence, and no programming is required, the standard personnel charge of \$15 per hour, prorated to the nearest quarter-hour, for basic data entry may be imposed. When programming or data entry is required in response to a request, the standard personnel charge is allowed, regardless of the number of pages requested.
- Programming personnel charges – If a request requires the services of a programmer to execute an existing program or to create a new program so that requested information may be accessed and copied, the City will charge for the programmer's time. Searching and/or printing electronic records is neither programming nor manipulation of data. The hourly charge for a programmer is \$28.50 an hour, prorated to the nearest quarter-hour. When programming or data entry is required in response to a request, the programming personnel charge is allowed, regardless of the number of pages requested.

If the City assesses a charge for labor, the requestor may require the City to provide him or her with a statement of the amount of time that was needed to prepare the requested copies. Upon request, the statement must be signed by the Public Information Officer or the agent of that officer with the signer's name clearly typed below the signature. The City is not permitted to charge for providing this statement.

C. Miscellaneous Charges

Overhead charge – When a personnel charge is applicable to a request, the City can include direct and indirect costs in the charges. This overhead charge is 20% for any personnel time associated with a request. An overhead charge may not be imposed for requests for copies of 50 pages or less of standard paper records unless the information must be retrieved from more than one building or a remote storage facility. Buildings that are connected by sidewalks or covered walkways, an elevated or underground passageway are considered to be one building. An overhead charge may not be imposed for requests for the inspection of electronic information unless the manipulation of data or programming is required.

Miscellaneous supplies - The City may charge the requestor for the actual cost of miscellaneous supplies. This miscellaneous charge would apply to such items as: envelopes, labels, boxes and other supplies used to produce the requested information. For requests for 50 or more pages of paper copies, or for those requests where the information is located in more than one building or in a remote site, the actual cost of materials may be charged. All City buildings that are connected by sidewalks or covered walkways, an elevated or underground passageway, or similar facility are considered to be one building.

Postal and shipping charges	Actual cost
Photographs	Actual cost
Maps	Actual cost
Outsourced/contracted services	Actual cost for the copy (may not include development costs)
Fax charges	Program staff may assess a fee for the actual cost, if known, for faxing information long distance if the requestor specifically asked that the information be faxed. If the actual cost is not known or if the fax is transmitted locally, no charge for faxing can be assessed.

Microfiche and microfilm charge – If the requestor requires information found only on microform format and they want a duplicate of the microform, the City cannot impose a charge that exceeds the actual cost for reproducing the microform. If the requestor wants the information found on the microform to be reproduced on standard size paper, the charge is \$.10 per page, plus any applicable personnel and overhead charge if the requested information exceeds 50 copies.

Remote document retrieval charge – If the requested information is stored in a remote storage facility and the facility charges the City for retrieval of the document(s), the City may recover actual costs of such services. If this charge is assessed, the City cannot impose an additional personnel charge for time spent locating documents at the storage location by the storage facility's personnel. If after delivery to the City, the boxes must still be searched for records that are responsive to the request, the City may impose a personnel charge.

Computer resource charge – This is a utilization charge for computers based on the amortized cost of acquisition, lease, operation, and maintenance of computer resources, which might include, but is not limited to, some or all of the following: central processing units (CPUs), servers, disk drives, local area networks (LANs), printers, tape drives, other peripheral devices, communications devices, software, and system utilities. These computer resource charges are not intended to substitute for cost recovery methodologies or charges made for purposes other than responding to information

requests.

The charge made to recover the computer utilization cost is the actual time the computer takes to execute a particular program times the applicable rate. This time can be read directly from the CPU clock, and will most frequently be a matter of seconds. No charge should be made for computer print-out time.

The applicable rates are as follows:

Mainframe system	\$10.00 per cpu minute
Mid-size	\$1.50 per cpu minute
Client/server	\$2.20 per clock hour
PC or LAN	\$1.00 per clock hour

The public must have access to information maintained on superseded software and computer equipment. The City must maintain such software and equipment and documentation on the use of the software and equipment for the full retention period as indicated on the City's approved retention schedule, or the City must maintain the same information in a converted updated version to enable the public to be able to access and read it. However, the City is not required to convert data in one format to another format it has never maintained unless the requestor is notified and pays the cost in advance in accordance with the Section 552.231 of the Act. The City is not required to maintain hardware or software it no longer uses after the data has been converted.

Sales tax – Sales tax may not be added on charges for information.

Deposit/Bond – A cash deposit (50% of the total estimated charge) or bond (100% of the total estimated charge) may be required before the City prepares for inspection the information requested if the total estimated charge will exceed \$100. If the requestor has previous unpaid billings for information exceeding \$100, a deposit of the amount of the unpaid billings will be required.



TO: Mayor and Councilmembers
FROM: City Manager Ben White
DATE: October 13, 2015
SUBJECT: Second Reading – Consider, discuss and act upon an amendment to the Master Fee Schedule regarding a rate increase for the water

- An ordinance is attached for review.

ACTION: Approve or disapprove the ordinance as presented.

**CITY OF FARMERSVILLE
ORDINANCE # O-2015-1013-001**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS AMENDING FARMERSVILLE CODE OF ORDINANCES AMENDING APPENDIX A, "MASTER FEE SCHEDULE," AMENDING THE WATER SERVICE FEES ADOPTED THROUGH SECTION 11.122.4, ENTITLED "WATER SERVICE FEES"; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND SETTING AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Farmersville, Texas ("City"), is a customer of North Texas Municipal Water District (NTMWD); and

WHEREAS, the City desires to modify the Master Fee Schedule related to the cost of water service provided by the City via NTMWD; and

WHEREAS, the City Council of the City of Farmersville, Texas, finds that all prerequisites to the adoption of this Ordinance have been met;

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

SECTION 1: MASTER FEE SCHEDULE FOR WATER SERVICE AMENDED

From and after the effective date of this Ordinance, the Master Fee Schedule is hereby amended in part by deleting the current Water Service Fee charges and replacing said fees with new Water Service Fees in accordance with Section 11.122.4 of the Code of Ordinances to read per Exhibit "A" as highlighted.

SECTION 2. SEVERABILITY CLAUSE

That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional.

SECTION 3. REPEALER CLAUSE

That all ordinances of the City of Farmersville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed.

SECTION 4: This Ordinance shall take effect after approval and adoption by City Council and with publication of the caption, as the law in such cases provides for the October 2014 billing cycle.

PASSED on first reading and second reading on the 22nd day of September, 2015, on the 13th day of October, 2015, 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 13th DAY OF OCTOBER, 2015.

APPROVED:

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

ATTEST:

Edie Sims, City Secretary

MASTER FEE SCHEDULE

SECTION 1: Refuse/Garbage and Recycling Fees (C of O, Article II, Section 2-7, Refuse/garbage fees)

REFUSE/GARBAGE SERVICE	MONTHLY FEE Once per week collection	MONTHLY FEE Twice per week collection
RESIDENTIAL		
Polycart:	\$13.29	N/A
Additional Polycart	\$8.50	N/A
Single bag additional trash	\$0.40 per tag	N/A
Outside city limits	200% of current refuse rates except for customers prior to 1985, then fee is 150% of current rates	
Brush Collection	\$50 initial minimum charge plus \$20 per hour if minimum is exceeded	
COMMERCIAL RATES		
COMMERCIAL	MONTHLY FEE Once per week collection	MONTHLY FEE Twice per week collection
Polycart:	\$25.67	\$31.41
Additional Polycart	\$17.40	\$17.40
2 Yard Dumpster	\$65.70	\$110.05
3 Yard Dumpster	\$74.56	\$136.66
4 Yard Dumpster	\$85.27	\$165.05
6 Yard Dumpster	\$132.97	\$241.47
8 Yard Dumpster	\$156.23	\$275.09
EXTRA PICK-UPS		
2 Yard Dumpster		\$29.10
3 Yard Dumpster		\$34.92
4 Yard Dumpster		\$40.74
6 Yard Dumpster		\$46.56
8 Yard Dumpster		\$52.38
REFILLS		
2 Yard Dumpster		\$29.10
3 Yard Dumpster		\$34.92
4 Yard Dumpster		\$40.74
6 Yard Dumpster		\$46.56
8 Yard Dumpster		\$52.38

COMMERCIAL SPECIAL SERVICES	
Container Inside Four Side Enclosures – Per Pick-Up, Caster – (<4 cu. Yd.) Per Container	\$9.32
Locks – Per Pick-Up, Per Container	\$8.74

(Note: Roll-off Compactors and Open Top Roll-off Containers will be billed by Refuse Provider but charges shall not exceed current charges shown below:)

ROLL OFF COMPACTORS	
28 Cubic Yard Per Haul (up to 4 tons payload)	\$465.57
35 Cubic Yard Per Haul (up to 4 tons payload)	\$494.67

40/42 Cubic Yard Per Haul (up to 4 tons payload)	\$535.40
Excess Payload Weight Charge per ton (if > 4tons)	\$34.92
Trip Charge (Dry Run) – weekday	\$104.76
Compactor Rental Per Day	
OPEN TOP ROLL-OFF CONTAINERS	
20 Cubic Yard Per Haul (up to 4 tons payload)	\$407.37
30 Cubic Yard Per Haul (up to 4 tons payload)	\$459.75
40 Cubic Yard Per Haul (up to 4 tons payload)	\$512.13
Excess Payload Weight Charge per ton (if > 4tons)	\$34.92
Trip Charge (Dry Run) – weekday	\$104.76
Delivery – Weekday	\$104.76
Open Top Rental Per Day	\$4.66
SPECIAL HAUL FEE	
Unacceptable Residential Waste	
1 Cubic Yard	\$17.46
2 Cubic Yard	\$29.10
3 Cubic Yard	\$40.74
4 Cubic Yard	\$52.38
5 Cubic Yard	\$64.02
6 Cubic Yard	\$75.66
7 Cubic Yard	\$87.30
8 Cubic Yard	\$98.94
9 Cubic Yard	\$110.58
10 Cubic Yard	\$122.22
Cost per Additional City Containers (1)	
2 Cu Yard Containers up to 2 additional	N/A
4 Cu Yard Containers up to 2 additional	N/A
6 Cu Yard Containers up to 2 additional	N/A
8 Cu Yard Containers up to 2 additional	N/A
20 Cu Yard Containers up to 2 annually	N/A
30 Cu Yard Containers up to 2 annually	N/A
40 Cu Yard Containers up to 2 annually	N/A
(1) Assumes delivery, 1 empty and 1 pickup (removal)	

All rates are subject to applicable sales tax.

RECYCLING SERVICE	
Curbside recycling (for residential and commercial)	\$3.44 per month
Drop-off recycling	\$0.35 per month
Additional or Replacement Recycling Bins	\$50

SECTION 2: Water and Electrical Service Initiation Fees; Miscellaneous Services (C of O Article II, Section 2-1, Water and electric service initiation fees; miscellaneous services)

Electric and Water Service	Deposits
Transfer of Service Address	\$30 each
Electric	
Service Connect Fee	\$30
Homeowner Deposit	\$150
Renter Deposit	\$200
Temporary Service for Construction	\$150 minimum or 100% of the cost of installation and retirement whichever is more

Service Disconnect/Reconnect Fee (during regular business hours)	\$30
Service Disconnect/Reconnect Fee (after business hours)	\$45
Security Light per month	\$12
Water	
Service Connect Fee	\$30
Homeowner Deposit	\$100
Renter Deposit	\$150
Temporary Service for Property Clean Up	\$27.50 for a period up to 7 days
Miscellaneous Water and Electric Services	Deposits
Meter Checks	\$35
Reconnection	\$30 during business hours; \$40 for other than business hours
Reconnection following meter tampering	\$100 during business hours
Reconnect Fee following rationing violations	\$100 plus any additional costs to City

SECTION 2 (A) Electric Service Rates. Water and Electrical Service Initiation Fees; Miscellaneous Services (C of O Article II, Section 2-8, Electric service rates)

Residential Rate (Schedule R)	
Security Deposit	\$200.00
Customer Charge	\$6.75
Energy Charge	\$0.1077 per kWh for all kWh
Small Commercial Rate (Schedule SC)	
Security Deposit	\$200.00
Customer Charge	\$15.00
Energy Charge for 1 st 5,000 kWh or less	\$0.1110 per kWh
Energy Charge greater than 5,000 kWh	\$0.0970 per kWh
A Customer on this schedule whose demand exceeds 25 kW for any billing period shall be billed under Schedule MC for the next 12-month period beginning with the current month.	
Medium Commercial Rate (Schedule MC)	
Security Deposit	\$400.00
Customer Charge	\$40.00
Minimum Energy Charge	\$221.25
Demand Charge per kWh for all monthly billing demands greater than 25 kW	\$7.25 per kWh plus the Energy Charge immediately following
Energy Charge for 1 st 5,000 kWh or less	\$0.1010 per kWh
Energy Charge for 5,001 kWh or more	\$0.0787 per kWh
A Customer billed under this schedule for a period of 12 consecutive months without a demand in excess of 25 kW will be changed to Schedule SC on the first month succeeding such 12-month period.	
A Customer on this schedule whose demand exceeds 100 kW for any billing period shall be billed under Schedule LC for the next 12-month period beginning with the current month.	
Large Commercial Rate (Schedule LC)	
Security Deposit	\$800.00
Customer Charge	\$86.00
Demand Charge per kWh for all monthly billing demands	\$7.00 per kW plus the following Energy

for the 1 st 100 kW or less of monthly billing demand	Charge
Demand Charge per kWh for all monthly billing demands for demands greater than 100 kW	\$5.70 per kW plus the following Energy Charge
Minimum Energy Charge	\$786.00
Energy Charge for all kWh	\$0.0627 per kWh
The following provisions are applicable to ALL Schedules (R, SC, MC, LC)	
<i>Power cost adjustment.</i> The monthly charges under this rate schedule shall be increased or decreased as necessary to reflect the application of a power cost adjustment calculated in accordance with Schedule PCA.	
<i>Tax adjustment.</i> The above rate shall be subject to an increase or decrease in proportion to the amount of new taxes or increased taxes, levied or imposed or increased or decreased by law or articles which were not in effect on the effective date of the ordinance from which this schedule is derived, which the City may hereafter have to pay.	

SECTION 3. Water Service Fees (C of O Article II, Section 2-2 Water monthly service fees)

WATER SERVICE	
Inside City Limits:	
Meter Charge (Includes 1,000 gallons)	
3/4 inch or less	\$13.11
1 inch	21.31
1 ½ inch	41.83
2 inch	66.44
3 inch	74.65
4 inch	205.94
6 inch	411.08
Volumetric Charges (per 1,000 gallons)	
1,001 to 10,000 gallons	\$6.25
10,001 to 20,000 gallons	8.13
In excess of 20,000 gallons	10.08
Outside City Limits:	
Residential or Commercial Customers of Record Prior to 1985	
Meter Charge (includes 1,000 gallons)	
3/4 inch or less	\$19.67
1 inch	31.97
1 ½ inch	62.75
2 inch	99.66
3 inch	111.98
4 inch	308.91
6 inch	616.62
Volumetric Charges (per 1,000 gallons)	
1,001 to 10,000 gallons	\$9.38
10,001 to 20,000 gallons	12.19

In excess of 20,000 gallons	15.11
Outside City Limits:	
Residential or Commercial Customers of Record Since 1985	
Meter Charge (includes 1,000 gallons)	
3/4 inch or less	\$26.22
1 inch	42.62
1 ½ inch	83.66
2 inch	132.88
3 inch	149.30
4 inch	411.88
6 inch	822.16
Volumetric Charges (per 1,000 gallons)	
1,001 to 10,000 gallons	\$12.50
10,001 to 20,000 gallons	16.25
In excess of 20,000 gallons	20.15

SECTION 4. Sewer Service Fees (C of O, Article II, Section 2-3, sewer monthly service fees)

SEWER SERVICE	
Inside City Limits Residential:	
Minimum monthly charge for first 1,000 gallons water consumption	\$31.07
Volumetric rate using winter averaging Dec/Jan/Feb 1,000 gallons < water consumption ≤15,000 gallons	\$9.68 / 1,000 gallon
Maximum volumetric charge using winter averaging water consumption >15,000 gallons	\$135.52
Volumetric rate for customers without winter averaging 1,000 gallons < water consumption ≤7,000	\$9.68 / 1,000 gallon
Maximum volumetric charge without winter averaging water consumption >7,000 gallons	\$58.08
Inside City Limits Commercial:	
Minimum monthly charge for first 1,000 gallons water consumption	\$31.07
Volumetric charge 1,000 gallons < water consumption	\$9.68 / 1,000 gallon
Outside City Limits Residential:	
Minimum monthly charge for first 1,000 gallons water consumption	\$35.73
Volumetric rate using winter averaging Dec/Jan/Feb 1,000 gallons < water consumption ≤15,000 gallons	\$11.13 / 1,000 gallon
Maximum volumetric charge using winter averaging water consumption >15,000 gallons	\$155.85
Volumetric rate for customers without winter averaging 1,000 < water consumption ≤7,000 gallons	\$11.13 / 1,000 gallon
Maximum volumetric charge without winter averaging water consumption >7,000 gallons	\$66.79
Outside City Limits Commercial:	
Minimum monthly charge for first 1,000 gallons water consumption	\$35.73
Volumetric rate 1,000 gallons < water consumption	\$11.13 / 1,000 gallon

SECTION 5a. On-Site Sewage Facility (C of O, Article II, Section 2-3, Sewer service fees)

ON-SITE SEWAGE FACILITY	
New Residential Construction	\$150

New Commercial Construction	\$150
Existing System	\$100

SECTION 5. Water and Sewer Tap Fees (C of O, Article II, Section 2-4, Water and sewer tap fees)

WATER TAPS	
¾ inch	\$600
1 inch	\$700
2 inch	\$1,200
Greater than 2 inch	125% of materials cost plus \$500
SEWER TAPS	
4 inch	\$600
6 inch	\$650
Greater than 6 inch	125% of materials cost plus \$500

**SECTION 6. Electric Service Fees (C of O Article II Section 2-5, Electric service fees)
(Ordinance # O-2014-0408-001)**

Residential Rate	
Minimum monthly charge	\$6.75
Energy Charge	\$0.1077 per kWh for all kWh
Small Commercial Rate	
Minimum monthly charge	\$15.00
Energy Charge for 1 st 5,000 kWh or less	\$0.1110 per kWh
Energy Charge greater than 5,000 kWh	\$0.0970 per kWh
Medium Commercial Rate	
Minimum monthly charge	\$40.00
Energy Charge for 1 st 5,000 kWh or less	\$0.1010 per kWh
Energy Charge for 5,001 kWh or more	\$0.0787 per kWh
Demand Charge for all monthly billing demands greater than kW	\$7.25 per kWh
Large Commercial Rate	
Minimum monthly charge	\$86.00
Energy Charge for all kWh	\$0.0627 per kWh
Demand Charge for all monthly billing demands for the 1 st 100 kW or less of monthly billing demand	\$7.00 per kW
Demand Charge for all monthly billing demands for demands greater than 100 kW	\$5.70 per kW

SECTION 7. Electrical Surcharge Rate (Ordinance # O-2013-0108-004)

Per kilowatt hour for any rate customer	\$.005
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SECTION 8. Impact Fees (C of O Article II, Section 2-6, Impact Fees) (Resolution #2003-42 and revised by Ordinance # O-2013-0910-005)

Impact Fees are determined by multiplying the number of service units in the proposed development by the impact fee per service unit amounts: Service Unit equivalents

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	Maximum	Service	Unit	Water	Impact	Wastewater

inches)	Continuous Operating Capacity (GPM)	Equivalent	Fee	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
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 9. Building Permit Fees (C of O, Article III, Section 3-1, Residential, commercial and miscellaneous building permit fees)

BUILDING PERMITTING	
Pre-Permit Plan Review (Requires drawing with dimensions of original structure with location and dimensions of structure and/or addition)	\$400 minimal under 2,500 square feet. Residential projects over 2,500 square feet and all commercial projects will require to pay a \$1,000 Retainer Fee to pay for engineering, attorney fees and other subcontracted costs, if necessary, as pass through fees. In the event costs exceed the initial \$1,000 Retainer Fee, the applicant will be required to pay another \$1,000 Retainer Fee until all costs have been paid. Any fees remaining from the Retainer Fee will be refunded to the applicant after completion of the Building Permit process.
Pre-Permit Plan Review – Additions or alterations to residence	\$25.00 per room, minimum \$400
RESIDENTIAL PERMITTING	
Single Family – New Construction	\$675
Multi Family – New Construction	\$350 per unit
Additions or alterations to a residence	\$0.90 per sq ft
Re-inspect (after initial inspection)	\$30
Plumbing re-inspect	\$100
COMMERCIAL PERMITTING	
Single Structure – New Construction	\$700
Multiple unit – New Construction	\$350 per unit
COMMERCIAL ADDITIONS OR ALTERATIONS (Based on Total Valuation of Project) Ordinance #2009-12 (08/11/09)	

\$1.00 TO \$500.00	\$23.50
\$501.00 TO \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1,000.00, or fraction thereof
Re-inspect (after initial inspection)	\$50
Plumbing re-inspect)	\$100
MISCELLANEOUS PERMIT FEES	
Irrigation system permit	\$100 + re-inspect if applicable
New fence permit	\$30
Accessory Structure, over 150 (storage bldg, garage, etc)	\$60 + \$0.15 per sq ft
Accessory Structure, under 150 sq feet	\$60
Open Air Metal Carports	\$30
Driveway Curb Cuts (for renovations only)	\$30
Swimming Pool – In ground	\$100 + fence, plumbing & electrical permits if applicable
Swimming Pool – In Ground Plan Review	\$75
Swimming Pool – Above ground	\$30 + fence, plumbing & electrical permits if applicable
Spa/Hot Tub	\$30

Section 9(a): Fire Code Inspection Services; Fire Alarms and Sprinkler Systems (C of O, Article III, Section 3-3, Fire code inspection services; fire alarms and sprinkler systems)

FIRE CODE INSPECTION SERVICES (Fire Alarms and Sprinkler Systems)	
Up to \$250,000	\$ 790
\$251,000 to \$500,000	\$1,100
\$501,000 to \$1,000,000	\$1,420
\$1,001,000 to \$3,000,000	\$2,000
\$3,001,000 to \$6,000,000	\$3,000
\$6,000,000 and up	\$3,000 plus \$.30 for each additional \$1,000

Valuation is based on construction valuation for project

SECTION 10: Code Enforcement Inspection Fees (C of O, Article III, Section 3-4: a and b)

INSPECTION Mechanical, Plumbing & Gas Systems	
New Construction (including new additions to existing structure) Residential or Commercial	\$300 plus \$0.02 per square foot. Covers 3 initial inspections – Rough, Top-out & Final. Additional inspections \$100 each occurrence
Remodel of existing structure (replacing existing lines, etc) Residential or Commercial	\$30 plus \$0.02 per square foot of additional or altered structure Covers one inspection Additional inspections \$30 each occurrence
Backflow Inspections (new or existing)	\$30 per inspection or re-inspection
INSPECTION Electrical Systems and HVAC	
Residential, new construction	\$60 plus \$0.03 per square foot
Residential, Additions or Alterations	\$60 plus \$0.03 per square foot of additional structure or altered area
Residential re-inspections	\$30
Commercial, new construction	\$100 plus \$0.05 per square foot
Commercial, Additions or Alterations	\$100 plus \$0.05 per square foot of additional structure or altered area
Commercial re-inspections	\$50

SECTION 11: Excavation, Cutting of Street Permit (C of O, Article V, Section 5-1, Excavation or cutting of street permit)

EXCAVATION PERMIT	
Any or cutting of street	\$200

SECTION 12: Sign Permit Fees (C of O, Article IV, Section 4-4, Sign permit fees) (Sign Ord #2000-07)

PERMIT Based on Square Footage of Sign	
0 – 16 square feet	\$25
17 – 64 square feet	\$50
65 – 100 square feet	\$75
101 – 200 square feet	\$100
Appeal fee	\$25
Investigation fee	Equal to permit fee
Impound fee	Equal to permit fee

SECTION 13: Moving Building Permit (C of O, Article V, Section 5-2, Moving building permit)

PERMIT	
Moving of buildings from, into, or within City	\$50
Certificate of Occupancy	\$194.50

SECTION 14: Zoning and Rezoning Applications, Specific Use Permits, and Appeals to Board of Adjustment (C of O, Article III, Section 3-5, Zoning and rezoning applications, specific use permits, and appeals to board of adjustment)

APPLICATION OR PERMIT	
Zoning Application	Actual cost of publication, actual cost of notifications + administrative fee based on time for processing
Rezoning Applications; Specific Use Permit Applications; Appeals to Board of Adjustment	Actual cost of publication, actual cost of notifications + administrative fee based on time for processing
Administrative Service – Cost per hourly rate	\$45

SECTION 15: Subdivision Application / Plats (C of O, Article III, Section 3-6 Subdivision application/plats)

APPLICATION	
Retainer Fee	All plats will require the applicant to pay a \$1,000 Retainer Fee to pay for engineering, attorney fees and other subcontracted costs, if necessary, as pass through fees. In the event costs exceed the initial \$1,000 Retainer Fee, the applicant will be required to pay another \$1,000 Retainer Fee until all costs have been paid. Any fees remaining from the Retainer Fee will be refunded to the applicant after completion of the Building Permit process.
Preliminary Plat Application	\$400 plus \$2 per lot in subdivision
Final Plat Applications	\$400 plus \$3 per lot in the subdivision or \$7 per acre, whichever is greater
Review of Plat Applications following initial application	\$200
Simple Subdivision	\$250 plus \$5 per lot

SECTION 16: Facility Rentals (C of O, Article IV, Section 4-2, Facility rentals)

FACILITY	
Onion Shed	\$50 per event plus \$20 refundable deposit
Civic Center Full rent and deposits are due at the time of the reservation. Instructional or commercial service providers: fee negotiable based on percentage of revenue. Deposits are not refundable if post- rental clean-up efforts are required	\$37.50 per hour up to 4 hours plus \$25 refundable cleaning deposit. (Full rent and deposit is due at the time of reservation. – No Exceptions)
	\$300 for event lasting more than 4 hours plus \$200 refundable cleaning deposit. (Full rent and deposit is due at the time of reservation. – No Exceptions) Deposits are not refundable if post-rental clean-up efforts are required.
	Civic organizations rent the Civic Center for free; however, they are responsible for any additional costs associated with post-rental clean-up efforts paid for by the City should they be necessary.
Spain Athletic Complex	Applicable to all non-Little League or FISD events
\$250 Deposit: All fees must be paid at the time the reservation is made or at least two weeks prior to the reserved date	Refundable if inspection by City Manager determines that the fields and restrooms are clean and in good working order.
Hourly Rate	Night Time with lights - \$18.75 per hour per field

Tournament Fees:	\$40 per team, per each day of the tournament (\$40 X 8 teams X 2 days = \$640) Plus \$250 refundable deposit
Non-Tournament Events:	Fields #1 and/or #2: \$150 per field, per day; Plus \$250 refundable deposit All Other Fields: \$100 per day per field; Plus \$250 refundable deposit

SECTION 17: Animal Registration, Impoundment, and Disposal Fees (C of O, Article I, In General, Section 1-1)

Metal Tag Registration	
Unaltered Dog or Cat	\$20 yearly (3.106 C)
Altered Dog or Cat	\$15 yearly (3.106 C)
Microchip Registration	
Unaltered Dog or Cat	\$45.00 good for life of animal
Altered Dog or Cat	\$40.00 for 1 st animal and \$35 for each altered animal after that providing the additional animals are owned by the same individual
Impoundment for Dogs and Cats	\$20 for first day; \$15 for each additional day or portion of day (3.109 A, B)
Release of dog or cat for disposal	\$25 per animal (3.109.1)

SECTION 18: Burn Permits (C of O, Article I, In General, Section 29-1, Burning prohibited)

BURN PERMIT	
Burn Permits – City does not allow burning within the Corporate Limits of the City of Farmersville	No permits are issued.

SECTION 19: Miscellaneous Fees (C of O, Article VII, Section 7-1, Miscellaneous fees)

SERVICES	
Credit Card Transaction Fees	\$0
Subdivision Ordinance	\$10
Private Sewer Facilities Ordinance	\$10
Zoning Ordinance	\$10
Letter size document (8.5" x 11" or smaller)	\$0.10 black and white \$0.50 color
Legal size document (8.5" x 14")	\$0.20 black and white \$1.00 color
Large size document (11" x 17")	\$0.50 black and white \$2.50 color
Copies for Medicare or Social Security purposes	No charge for senior citizens
Maps	200% of the current reproduction cost
Insufficient Funds Checks	\$25
Certified Copies	\$2.00 per document or portion of document
Copy for Public Information Requests	\$2.00 for first page of each document and \$0.10 per page thereafter
Copy or fax of customer's personal document(s)	\$1.25 per side
Sale of rock per bucket (limit of 3 front end load buckets per resident per month) <i>Ordinance # O-2012-0424-002 passed 4-24-12</i>	\$50
Sale of sand per bucket (limit of 3 front end load buckets per resident per month) <i>Ordinance # O-2012-0424-002 passed 4-24-12</i>	\$30
Administrative Service – Cost per hourly rate	\$45

SECTION 20: Business and Commerce Permits and Licenses (C of O, Article VI, Section 6-1, Business and commerce permits and licenses)

Service	
Permit application for peddling, soliciting, itinerant merchants	\$50 for initial applicant; \$10 for each additional covered person except for non-profit organizations (5.101.1, B)
Garage Sale Permit	\$7.00 each (only 4 per year)
Annual license application for Sexually Oriented Business	\$250 (5.105.5)
Billiard Table and coin operated gaming machines license	25% of State occupation tax (currently set at \$60), annually (5.108.11 A)
Release of sealed coin operated gaming machines	\$5.00 (5.108.11B)
Application for circus license	\$50 (6.109.5)

SECTION 21: Towing and Storage Fees (C of O, Article IV, Section 4-3 Towing and storage fees)

Service	
Vehicle Towing and impoundment	\$132.50
Daily storage fee	\$15.00

SECTION 22: Apparatus, Tool, Equipment and Material Rentals (C of O, Article IV, Section 4-1, Apparatus, tool, equipment and material rentals)

Apparatus		
Unit of Measure (per item)	Apparatus	Price per Hour
Engine	Class A engine	\$520
Aerial	Aerial	\$520
Rescue Unit	Rescue (heavy)	\$620
Brush Unit	Brush Truck	\$420
Command Unit	Command car/truck	\$220
PPV Fan	PPV fan	\$55
Generator	Portable Generator	\$55
Generator	Generator	\$55
Saw	Chain Saw	\$45
Pump	Portable pump	\$95
Pump	Float pump	\$65
Fire Equipment		
Tool	Price	Unit of measurement
Foam nozzle	\$55	Per incident
Foam eductor	\$50	Per incident
AFFF foam	\$40	Per gallon
Class A foam	\$25	Per gallon
Piercing nozzle	\$40	Per incident
MS fog nozzle	\$55	Per incident
M/S straight bore nozzle	\$30	Per incident
Salvage cover	\$28	Each used
SCBA pack	\$85	Each used
Hall runner	\$18	Per incident
Portable tank	\$75	Per incident
Water extinguisher	\$22	Per incident

Dry chemical extinguisher	\$45	Per incident
CO ₂ extinguisher	\$45	Per incident
Scene lights	\$22	Each used
Water vests	\$30	Each used
Thermal imaging camera	\$75	Per incident
Heat detection gun	\$75	Per incident
Sawzall	\$55	Per incident
Hazardous material equipment		
Supplies/Service	Price	Unit of Measurement
Absorbent	\$17	Per bag
Absorbent booms	\$40	Each used
Topsol	\$35	Each used
Disposable coveralls	\$30	Each used
Neoprene gloves	\$20	Each used
Latex gloves	\$6	Each used
Overboots	\$25	Each used
Disposable goggles	\$15	Each used
Gas plug kit	\$50	Each used
Plug and dike	\$65	Each used
Drum liners	\$10	Each used
Barricade tape	\$22	Each used
Poly sheeting	\$55	Each used
Removal of hazardous material	\$150	Per incident
Disposal of hazardous material	\$150	Per incident
Gas multimeter	\$65	Per incident
CO ₂ meter	\$65	Per incident
Terrazyme	\$70	Each used
Microblaze	\$10	Per quart
Microblaze	\$150	Per five gallons
Rescue equipment		
Tool	Price	Unit of Measurement
Spreaders	\$250	Per incident
Cutters	\$250	Per incident
Rams	\$250	Per incident
Air bags	\$250	Per incident
K-12 saw	\$55	Per incident
Target saw	\$55	Per incident
Ajax tool	\$25	Per incident
K-tool	\$25	Per incident
Windshield tool	\$15	Per incident
Rescue blanket	\$32	Each used
Rope	\$25	Each used

All items are to be billed on an hourly basis. The minimum usage charge for any item on the list is one hour, and for any additional hours or portion thereof, the charge will be prorated accordingly.

(e) **Collision investigation fee.** A collision investigation fee of \$275 is to be charged in responses where no mitigation services, debris removal, or rescue services are performed.



TO: Mayor and Councilmembers

FROM: Ben White, City Manager

DATE: October 13, 2015

SUBJECT: Only Reading – Consider, discuss and act upon a budget amendment for purchase of a safety radar trailer and radar recording equipment for the Police Department

- An ordinance is attached for review. The JAG grant was awarded October 7, 2015.

ACTION: Approve or deny the ordinance as presented.

**CITY OF FARMERSVILLE
ORDINANCE O-2015-1013-003**

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2015 – 2016 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS, APPROPRIATING THE VARIOUS AMOUNTS HEREIN; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Farmersville, Texas is a Type A General-Law Municipality located in Collin County, created in accordance with the provisions of Chapter 6 of the Texas Local Government Code, and operating pursuant to the enabling legislation of the State of Texas;

WHEREAS, the City Manager of the City of Farmersville has reviewed the budget and which budget was adopted by the City Council for the Fiscal Year 2015 – 2016; and

WHEREAS, the City Manager of the City of Farmersville believes that the budget requires certain amendments and has submitted to the Mayor and the City Council proposed amendment(s) to the budget of the revenues and expenditures of conducting the affairs of said City, and providing a complete financial plan for the Fiscal Year 2015 – 2016; and,

WHEREAS, the City Council has determined that it is in the best interest of the City to amend the Fiscal Year 2015 – 2016 budget to adopt the proposed amendment(s) to the budget of the revenues and expenditures from the Reserve Fund to allow the funding of capital expenditures to include the purchase of a safety radar trailer and radar recording equipment for the Police Department.

WHEREAS, a grant through the Office of the Governor Justice Assistance Grant has been awarded and funds expended will be reimbursed via the grant described.

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

SECTION 1. BUDGET AMENDMENT ADOPTION

From and after the effective date of this Ordinance, the amendments to the budget of the revenues and expenditures for the Fiscal Year 2015 – 2016 that are attached hereto as Exhibit “A” and incorporated herein by reference are hereby adopted and the budget for Fiscal Year 2015 – 2016 is hereby accordingly so amended and the amended budget for Fiscal Year 2015 – 2016 adopted.

SECTION 2. 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 3. 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 4. 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 5. 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 6. 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 and only reading on the 13th day of October, 2015 at properly scheduled meeting 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 13th DAY OF OCTOBER, 2015.

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

ATTEST:

Edie Sims, City Secretary

CITY OF FARMERSVILLE

EXHIBIT A

2015-2016 BUDGET/REVISION (1) 10-13-2015

GOVERNMENTAL FUNDS	ESTIMATED BEGINNING FUND BALANCE	REVENUES	EXPENDITURES	INTERFUND TRANSFERS IN (OUT)	PROPOSED ENDING FUND BALANCE
General Fund	\$ 442,603	\$ 1,649,849	\$ 3,201,092	\$ 1,388,960	\$ 442,603
Fund Balance Amendments	\$ 442,603	\$ 22,692	\$ 22,692		\$ 442,603
<u>Police Radar equipment Grant</u>					
<u>Money paid up front before reimbursement</u>					



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: Consider, discuss and act upon a resolution appointing the newspapers of major circulation

- A resolution is attached for review.

ACTION: Approve or disapprove the resolution as presented.

**CITY OF FARMERSVILLE
RESOLUTION # R-2015-1013-001**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, DESIGNATING THE FARMERSVILLE TIMES AND THE DALLAS MORNING NEWS AS THE OFFICIAL NEWSPAPERS FOR THE CITY FOR THE FISCAL YEAR OF 2015 – 2016.

WHEREAS, the City of Farmersville publishes captions of ordinances, notifications of public hearings, and other public notices as required by law; and

WHEREAS, the goal of the City Council is to improve communications between the city and the citizens by providing information on City activities including City projects, the adoption of ordinances, and public hearings; and

WHEREAS, the City of Farmersville must designate an official newspaper;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS that the *Farmersville Times* be designated as the primary newspaper and the *Dallas Morning News* be designated as the secondary newspaper. Both newspapers are deemed the official newspapers respectively of the City of Farmersville for fiscal year 2015 – 2016.

PASSED AND APPROVED this the 13th day of October, 2015.

Joseph E. Helmberger, P.E., Mayor

ATTEST:

Edie Sims, City Secretary



TO: Mayor and Councilmembers

FROM: City Manager Ben White

DATE: October 13, 2015

SUBJECT: Consider, discuss and act upon information regarding users of the International Swimming Pool and Space Code, 2012 Edition

- City Manager Ben White will discuss this item
- Information is attached from The Association of Pool & Spa Professionals
- A list of pool contractors contacted regarding the ISPSC
- Excerpt from the International Swimming Pool and Spa Code regarding General Compliance

Home (/) › Standards (<http://apsp.org/standards.aspx>) › International Swimming Pool & Spa Code (<http://apsp.org/standards/international-swimming-pool-spa-code.aspx>)

[ANSI/APSP Standards \(http://apsp.org/standards/ansi-apsp-standards.aspx\)](http://apsp.org/standards/ansi-apsp-standards.aspx)

[International Swimming Pool & Spa Code \(http://apsp.org/standards/international-swimming-pool-spa-code.aspx\)](http://apsp.org/standards/international-swimming-pool-spa-code.aspx)

[Additional Standards for Spas, Hot Tubs & Pools \(http://apsp.org/standards/additional-standards-for-spas-hot-tubs-pools.aspx\)](http://apsp.org/standards/additional-standards-for-spas-hot-tubs-pools.aspx)

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(/DesktopModules/Admin/Banners/BannerClickThrough.aspx?BannerId=4&VendorId=1&PortalId=0)

International Swimming Pool & Spa Code (ISPSC)

The 2015 edition of the International Swimming Pool and Spa Code is now available.

This new companion manual contains the 2015 ISPSC code language with expanded expert commentary and pictures for each paragraph now in one convenient book.



(/MX/Store/Product-Details.aspx?productid=20-310)

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Code inspectors will rely heavily on this additional information when issuing permits. Don't Delay! Get this information.

Developed jointly with APSP and the International Code Council (ICC), the ISPSC (<http://codes.iccsafe.org/app/book/toc/2015/I-Codes/2015ISPSCHTML/index.html>) establishes minimum regulations for public and residential pools, spas, and hot tubs, using prescriptive and performance-related provisions. It combines the relevant provisions of the International Residential Code (IRC) (<http://codes.iccsafe.org/app/book/toc/2015/I-Codes/2015IRCHTML/index.html>), International Building Code (IBC) (<http://codes.iccsafe.org/app/book/toc/2015/I-Codes/2015IBCHTML/index.html>), International Plumbing Code (IPC)

(<http://codes.iccsafe.org/app/book/toc/2015/I-Codes/2015 IPC HTML/index.html>), International Mechanical Code (IMC) (<http://codes.iccsafe.org/app/book/toc/2015/I-Codes/2015 IMC HTML/index.html>), and APSP standards, serving as a fully-integrated document for pool and spa safety.

Key Changes include:

- Tighter alignment with all the latest ANSI/APSP/ICC pool and spa standards and technology;
- The incorporation of the updates made to ANSI/APSP/ICC-4 2013 Standard for Aboveground/Onground Residential Swimming Pools; ANSI/APSP/ICC-14 2011 Standard for Energy Efficiency of Self Contained Portable Electric Spas and Hot Tubs; and ANSI/APSP/ICC-15 2013 Standard for Residential Swimming Pool and Spa Energy Efficiency; and
- Expanded safety requirements exceeding those in the Virginia Graeme Baker Pool & Spa Safety Act.

ISPSC Frequently Asked Questions (/Portals/0/PDFs/ISPSC_FAQ%20March%202015.pdf)

ISPSC Adoptions Status Report (</Portals/0/ISPSC%20Adoption%20Status%20Report%20070115.pdf>)

Top Benefits of the ISPSC:

- The only comprehensive model residential and public swimming pool and spa code available.
- "NEW" state and local jurisdictions adopting the ISPSC are eligible for Consumer Product Safety Commission (CPSC) (<http://www.grants.gov/web/grants/search-grants.html?keywords=CPSC>) yearly training money.
- Enhances residential pool barrier requirements, reducing drowning or near drowning.
- Eliminates entrapment incidents, and ensures Virginia Graeme Baker Act compliance and eligibility under the VGB State Grant Program by reference to APSP-7 Standard for Suction Entrapment Avoidance.
- Uses time-proven ANSI/APSP standards by reference and integration.
- Contains barrier, decking and lighting provisions coordinating with the IBC.
- Covers all types of aquatic vessels, including residential and public pools, portable and in-ground spas, water parks, exercise spas, and hot tubs.
- Is based on up to date, scientific and third party testing and research on issues such as entrapment prevention, drowning prevention, energy usage and materials and dimensions.
- Requires portable spas be certified to the latest industry standards, eliminating the need to inspect inaccessible interior components.
- The first swimming pool and spa code to address aquatic recreation facilities.
- The first swimming pool and spa code to address energy usage by including an energy standard for residential portable electric spas and for residential in-ground swimming pool and spa equipment.

Related Content

ANSI/APSP Standards & Specifications (</Default.aspx?tabid=1904>)

ANSI Role and Function (</Default.aspx?tabid=1901>)

APSP Operating Procedures (</Default.aspx?tabid=1954>)

ANSI Accredited Procedures (</Default.aspx?tabid=1899>)

The Association of Pool & Spa Professionals
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Pool Company**Contact Person**

Hobart - Murphy 972-690-8118	Duke Loper
Crown - Allen 972-396-4970	Talbot Young, Manager
Riverbend Sandler - Plano 972-596-7393	Charles Barnes, owner
Foley Custom Pools - Plano 972-423-7178	Jason Pierce
Gold Medal Pools 972-712-4653	Steve Sandler



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- [CHAPTER 5 PUBLIC SPAS AND PUBLIC EXERCISE SPAS](#)
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- [CHAPTER 8 PERMANENT INGROUND RESIDENTIAL SWIMMING POOLS](#)
- [CHAPTER 9 PERMANENT RESIDENTIAL SPAS AND PERMANENT RESIDENTIAL EXERCISE SPAS](#)
- [CHAPTER 10 PORTABLE RESIDENTIAL SPAS AND PORTABLE RESIDENTIAL EXERCISE SPAS](#)
- [CHAPTER 11 REFERENCED STANDARDS](#)
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2015 International Swimming Pool and Spa Code

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- Warning Sign
- Appendix D: Sources of Material
- American National Standard for Suction Entrapment Avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs And Catch Basins
- ANSI/APSP/ICC -7 2013

CHAPTER 3 GENERAL COMPLIANCE

SECTION 301 GENERAL

301.1 Scope.

The provisions of this chapter shall govern the general design and construction of public and *residential* pools and spas and related piping, equipment, and materials. Provisions that are unique to a specific type of pool or spa are located in Chapters 4 through 10.

301.1.1 Application of Chapters 4 through 10.

Where differences occur between the provisions of this chapter and the provisions of Chapters 4 through 10, the provisions of Chapters 4 through 10 shall apply.

SECTION 302 ELECTRICAL, PLUMBING, MECHANICAL AND FUEL GAS REQUIREMENTS

302.1 Electrical.

Electrical requirements for aquatic facilities shall be in accordance with NFPA 70 or the *International Residential Code*, as applicable in accordance with Section 102.7.1.

Exception: Internal wiring for portable *residential* spas and portable *residential* exercise spas.

302.2 Water service and drainage.

Piping and fittings used for water service, makeup and drainage piping for pools and spas shall comply with the *International Plumbing Code*. Fittings shall be *approved* for installation with the piping installed.

302.3 Pipe, fittings and components.

Pipe, fittings and components shall be *listed* and *labeled* in accordance with NSF 50 or NSF 14. Plastic jets, fittings, and outlets used in public spas shall be *listed* and *labeled* in accordance with NSF 50.

1. Portable *residential* spas and portable *residential* exercise spas *listed* and *labeled* in accordance with UL 1563 or CSA C22.2 No. 218.1.

2. *Onground storable pools* supplied by the pool manufacturer as a kit that includes all pipe, fittings and components.

302.4 Concealed piping inspection.

Piping, including process piping, that is installed in trenches, shall be inspected prior to backfilling.

302.5 Backflow protection.

Water supplies for pools and spas shall be protected against backflow in accordance with the *International Plumbing Code* or the *International Residential Code*, as applicable in accordance with Section 102.7.1.

302.6 Waste-water discharge.

Where waste water from pools and spas, backwash from filters and water from deck drains discharge to the building drainage system, such installation shall be in accordance with the *International Plumbing Code* or the *International Residential Code*, as applicable in accordance with Section 102.7.1.

302.7 Tests.

Tests on water piping systems constructed of plastic piping shall not use compressed air for the test.

302.8 Maintenance.

Pools and spas shall be maintained in a clean and sanitary condition, and in good repair.

302.8.1 Manuals.

An operating and maintenance manual in accordance with industry-accepted standards shall be provided for each piece of equipment requiring maintenance.

SECTION 303 ENERGY

303.1 Energy consumption of pools and permanent spas.

The energy consumption of pools and permanent spas shall be controlled by the requirements in Sections 303.1.1 through 303.1.3.

303.1.1 Heaters.

The electric power to heaters shall be controlled by a readily accessible on-off switch that is an integral part of the heater, mounted on the exterior of the heater or external to and within 3 feet (914 mm) of the heater. Operation of such switch shall not change the setting of the heater thermostat. Such switches shall be in addition to a circuit breaker for the power to the heater. Gas-fired heaters shall not be equipped with continuously burning ignition pilots.

303.1.2 Time switches.

Time switches or other control methods that can automatically turn off and on heaters and pump motors according to a preset schedule shall be installed for heaters and pump motors. Heaters and pump motors that have built-in time switches shall be in compliance with this section.

Exceptions:

1. Where public health standards require 24-hour pump operation.
2. Pumps that operate solar- or waste-heat recovery pool heating systems.

303.1.3 Covers.

Outdoor heated pools and outdoor permanent spas shall be provided with a vapor-retardant cover or other *approved* vapor-retardant means in accordance with Section 104.11.

Exception: Where more than 70 percent of the energy for heating, computed over an operating season, is from site-recovered energy such as from a heat pump or solar energy source, covers or other vapor-retardant means shall not be required.

303.2 Portable spas.

The energy consumption of electricpowered portable spas shall be controlled by the requirements of APSP 14.

303.3 Residential pools and permanent residential spas.

The energy consumption of *residential* swimming pools and permanent *residential* spas shall be controlled in accordance with the requirements of APSP 15.

SECTION 304 FLOOD HAZARD AREAS

304.1 General.

The provisions of Section 304 shall control the design and construction of pools and spas installed in *flood hazard areas*.

[BS] 304.2 Determination of impacts based on location.

Pools and spas located in *flood hazard areas* indicated within the *International Building Code* or the *International Residential Code* shall comply with Section 304.2.1 or 304.2.2.

Exception: Pools and spas located in riverine *flood hazard areas* that are outside of designated floodways and pools and spas located in *flood hazard areas* where the source of flooding is tides, storm surges or coastal storms.

[BS] 304.2.1 Pools and spas located in designated floodways.

Where pools and spas are located in designated floodways, documentation shall be submitted to the code official that demonstrates that the construction of the pools and spas will not increase the design flood elevation at any point within the jurisdiction.

[BS] 304.2.2 Pools and spas located where floodways have not been designated.

Where pools and spas are located where design flood elevations are specified but floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates that the proposed pool or spa and any associated grading and filling, will not increase the design flood elevation more than 1 foot (305 mm) at any point within the jurisdiction.

[BS] 304.3 Pools and spas in coastal high-hazard areas.

Pools and spas installed in coastal hazard areas shall be designed and constructed in accordance with ASCE 24.

[BS] 304.4 Protection of equipment.

Equipment shall be elevated to or above the design flood elevation or be anchored to prevent flotation and protected to prevent water from entering or accumulating within the components during conditions of flooding.

304.5 GFCI protection.

Electrical equipment installed below the design flood elevation shall be supplied by branch circuits that have ground-fault circuit interrupter protection for personnel.

SECTION 305 BARRIER REQUIREMENTS

305.1 General.

The provisions of this section shall apply to the design of barriers for pools and spas. These design controls are intended to provide protection against the potential drowning and near drowning by restricting access to such pools or spas. These requirements provide an integrated level of protection against potential drowning through the use of physical barriers and warning devices.

Exceptions:

1. Spas and hot tubs with a lockable *safety cover* that complies with ASTM F 1346.
2. Swimming pools with a powered *safety cover* that complies with ASTM F 1346.

305.2 Outdoor swimming pools and spas.

Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 305.2.1 through 305.7.

305.2.1 Barrier height and clearances.

Barrier heights and clearances shall be in accordance with all of the following:

1. The top of the barrier shall be not less than 48 inches (1219 mm) above grade where measured on the side of the barrier that faces away from the pool or spa. Such height shall exist around the entire perimeter of the barrier and for a distance of 3 feet (914 mm) measured horizontally from the outside of the required barrier.
2. The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches (51 mm) for grade surfaces that are not solid, such as grass or gravel, where measured on the side of the barrier that faces away from the pool or spa.
3. The vertical clearance between a surface below the barrier to a solid surface, such as concrete, and the bottom of the required barrier shall not exceed 4 inches (102 mm) where measured on the side of the required barrier that faces away from the pool or spa.
4. Where the top of the pool or spa structure is above grade, the barrier shall be installed on grade or shall be mounted on top of the pool or spa structure. Where the barrier is mounted on the top of the pool or spa, the vertical clearance between the top of the pool or spa and the bottom of the barrier shall not exceed 4 inches (102 mm).

305.2.2 Openings.

Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

305.2.3 Solid barrier surfaces.

Solid barriers that do not have openings shall not contain indentations or protrusions that form handholds and footholds, except for normal construction tolerances and tooled masonry joints.

305.2.4 Mesh fence as a barrier.

Mesh fences, other than chain link fences in accordance with Section 305.2.7, shall be installed in accordance with the manufacturer's instructions and shall comply with the following:

1. The bottom of the mesh fence shall be not more than 1 inch (25 mm) above the deck or installed surface or grade.
2. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not permit the fence to be lifted more than 4 inches (102 mm) from grade or decking.
3. The fence shall be designed and constructed so that it does not allow passage of a 4-inch (102 mm) sphere under any mesh panel. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not be more than 4 inches (102 mm) from grade or decking.
4. An attachment device shall attach each barrier section at a height not lower than 45 inches (1143 mm) above grade. Common attachment devices include, but are not limited to, devices that provide the security equal to or greater than that of a hook-and-eyetype latch incorporating a spring-actuated retaining lever such as a safety gate hook.
5. Where a hinged gate is used with a mesh fence, the gate shall comply with Section 305.3.
6. Patio deck sleeves such as vertical post receptacles that are placed inside the patio surface shall be of a nonconductive material.
7. Mesh fences shall not be installed on top of onground *residential* pools.

305.2.5 Closely spaced horizontal members.

Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the pool or spa side of the fence. Spacing between vertical members shall not exceed $1\frac{3}{4}$ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm) in width.

305.2.6 Widely spaced horizontal members.

Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, the interior width of the cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm).

305.2.7 Chain link dimensions.

The maximum opening formed by a chain link fence shall be not more than $1\frac{3}{4}$ inches (44 mm). Where the fence is provided with slats fastened at the top and bottom which reduce the openings, such openings shall be not more than $1\frac{3}{4}$ inches (44 mm).

305.2.8 Diagonal members.

Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be not more than $1\frac{3}{4}$ inches (44 mm). The angle of diagonal members shall be not greater than 45 degrees (0.79 rad) from vertical.

305.2.9 Clear zone.

There shall be a clear zone of not less than 36 inches (914 mm) between the exterior of the barrier and any permanent structures or equipment such as pumps, filters and heaters that can be used to climb the

barrier.

305.2.10 Poolside barrier setbacks.

The pool or spa side of the required barrier shall be not less than 20 inches (508 mm) from the water's edge.

305.3 Gates.

Access gates shall comply with the requirements of Sections 305.3.1 through 305.3.3 and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool or spa, shall be self-closing and shall have a self-latching device.

305.3.1 Utility or service gates.

Gates not intended for pedestrian use, such as utility or service gates, shall remain locked when not in use.

305.3.2 Double or multiple gates.

Double gates or multiple gates shall have at least one leaf secured in place and the adjacent leaf shall be secured with a self-latching device. The gate and barrier shall not have openings larger than $\frac{1}{2}$ inch (12.7 mm) within 18 inches (457 mm) of the latch release mechanism. The self-latching device shall comply with the requirements of Section 305.3.3.

305.3.3 Latches.

Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from grade, the release mechanism shall be located on the pool or spa side of the gate not less than 3 inches (76 mm) below the top of the gate, and the gate and barrier shall not have openings greater than $\frac{1}{2}$ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

305.4 Structure wall as a barrier.

Where a wall of a dwelling or structure serves as part of the barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Operable windows having a sill height of less than 48 inches (1219 mm) above the indoor finished floor and doors shall have an alarm that produces an audible warning when the window, door or their screens are opened. The alarm shall be listed and labeled as a water hazard entrance alarm in accordance with UL 2017. In dwellings or structures not required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located 54 inches (1372 mm) or more above the finished floor. In dwellings or structures required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located not greater than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the finished floor.
2. A safety cover that is listed and labeled in accordance with ASTM F 1346 is installed for the pools and spas.
3. An approved means of protection, such as self-closing doors with self-latching devices, is provided. Such means of protection shall provide a degree of protection that is not less than the protection afforded by Item 1 or 2.

305.5 Onground residential pool structure as a barrier.

An onground *residential* pool wall structure or a barrier mounted on top of an onground *residential* pool wall structure shall serve as a barrier where all of the following conditions are present:

1. Where only the pool wall serves as the barrier, the bottom of the wall is on grade, the top of the wall is not less than 48 inches (1219 mm) above grade for the entire perimeter of the pool, the wall complies with the requirements of Section 305.2 and the pool manufacturer allows the wall to serve as a barrier.
2. Where a barrier is mounted on top of the pool wall, the top of the barrier is not less than 48 inches (1219 mm) above grade for the entire perimeter of the pool, and the wall and the barrier on top of the wall comply with the requirements of Section 305.2.
3. Ladders or steps used as means of access to the pool are capable of being secured, locked or removed to prevent access except where the ladder or steps are surrounded by a barrier that meets the requirements of Section 305.
4. Openings created by the securing, locking or removal of ladders and steps do not allow the passage of a 4 inch (102 mm) diameter sphere.
5. Barriers that are mounted on top of onground *residential pool walls are installed in accordance with the pool manufacturer's instructions.*

305.6 Natural barriers.

In the case where the pool or spa area abuts the edge of a lake or other natural body of water, public access is not permitted or allowed along the shoreline, and required barriers extend to and beyond the water's edge not less than 18 inches (457 mm), a barrier is not required between the natural body of water shoreline and the pool or spa.

305.7 Natural topography.

Natural topography that prevents direct access to the pool or spa area shall include but not be limited to mountains and natural rock formations. A natural barrier approved by the governing body shall be acceptable provided that the degree of protection is not less than the protection afforded by the requirements of Sections 305.2 through 305.5.

SECTION 306 DECKS

306.1 General.

Decks shall be designed and installed in accordance with the *International Residential Code* or the *International Building Code*, as applicable in accordance with Section 102.7.1, except as provided in this section.

306.2 Slip resistant.

Decks, ramps, coping, and similar step surfaces shall be slip resistant and cleanable. Special features in or on decks such as markers, brand insignias, and similar materials shall be slip resistant.

306.3 Step risers and treads.

Step risers for decks of public pools and spas shall be uniform and have a height not less than 3 ³/₄ inches (95 mm) and not greater than 7 ¹/₂ inches (191 mm). The tread distance from front to back shall be not less than 11 inches (279 mm). Step risers for decks of residential pools and spas shall be uniform and shall have a height not exceeding 7 ¹/₂ inches (191 mm). The tread distance from front to back shall be not less than 10 inches (254 mm).

306.4 Deck steps handrail required.

Public pool and spa deck steps having three or more risers shall be provided with a handrail.

306.5 Slope.

The minimum slope of decks shall be in accordance with Table 306.5 except where an alternative drainage method is provided that prevents the accumulation or pooling of water. The slope for decks, other than wood decks, shall be not greater than $\frac{1}{2}$ inch per foot (1 mm per 24 mm) except for ramps.

The slope for wood and wood/plastic composite decks shall be not greater than $\frac{1}{4}$ inch per 1 foot (1 mm per 48 mm). Decks shall be sloped so that standing water will not be deeper than $\frac{1}{8}$ inch (3.2 mm), 20 minutes after the cessation of the addition of water to the deck.

TABLE 306.5 MINIMUM DRAINAGE SLOPES FOR DECK SURFACES

SURFACE	MINIMUM DRAINAGE SLOPE (INCH PER FOOT)
Carpet	$\frac{1}{2}$
Exposed aggregate	$\frac{1}{4}$
Textured, hand-finished concrete	$\frac{1}{8}$
Travertine/brick-set pavers, public pools or spas	$\frac{3}{8}$
Travertine/brick-set pavers, residential pools or spas	$\frac{1}{8}$
Wood	$\frac{1}{8}$
Wood/plastic composite	$\frac{1}{8}$

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

306.6 Gaps.

Gaps shall be provided between deck boards in wood and wood/plastic composite decks. Gaps shall be consistent with *approved* engineering methods with respect to the type of wood used and shall not cause a tripping hazard.

306.6.1 Maximum gap.

The open gap between pool decks and adjoining decks or walkways, including joint material, shall be not greater than $\frac{3}{4}$ inch (19.1 mm). The difference in vertical elevation between the pool deck and the adjoining sidewalk shall be not greater than $\frac{1}{4}$ inch (6.4 mm).

306.7 Concrete joints.

Isolation joints that occur where the pool coping meets the concrete deck shall be water tight.

306.7.1 Joints at coping.

Joints that occur where the pool coping meets the concrete deck shall be installed to protect the coping and its mortar bed from damage as a result of the anticipated movement of adjoining deck.

306.7.2 Crack control.

Joints in a deck shall be provided to minimize visible cracks outside of the control joints caused by imposed stresses or movement of the slab.

306.7.3 Movement control.

Areas where decks join existing concrete work shall be provided with a joint to protect the pool from damage caused by relative movement.

306.8 Deck edges.

The edges of decks shall be radiused, tapered, or otherwise designed to eliminate sharp corners.

306.9 Valves under decks.

Valves installed in or under decks shall be accessible for operation, service, and maintenance. Where access through the deck walking surface is required, an access cover shall be provided for the opening in the deck. Such access covers shall be slip resistant and secured.

306.9.1 Hose bibbs.

Hose bibbs shall be provided for rinsing down the entire deck and shall be installed in accordance with the *International Plumbing Code* or *International Residential Code*, as applicable in accordance with Section 102.7.1, and shall be located not more than 150 feet (45 720 mm) apart. Water-powered devices, such as water-powered lifts, shall have a dedicated hose bibb water source.

Exception: *Residential* pools and spas shall not be required to have hose bibbs located at 150-foot (45 720 mm) intervals, or have a dedicated hose bibb for waterpowered devices.

SECTION 307 GENERAL DESIGN**307.1 General.**

The provisions of this section apply to all pools and spas.

Exception: The provisions of Sections 307.3 through 307.6 do not apply to *listed* and *labeled* portable *residential* spas and *listed* and *labeled* portable *residential* exercise spas.

307.2 Glazing in hazardous locations.

Hazardous locations for glazing shall be as defined in the *International Building Code* or the *International Residential Code*, as applicable in accordance with Section 102.7.1 of this code. Where glazing is determined to be in a hazardous location, the requirements for the glazing shall be in accordance with those codes, as applicable.

307.3 Materials.

Pools and spas and appurtenances thereto shall be constructed of materials that are nontoxic to humans and the environment; that are generally or commonly regarded to be impervious and enduring; that will withstand the design stresses; and that will provide a watertight structure with a smooth and easily cleanable surface without cracks or joints, excluding structural joints, or that will provide a watertight structure to which a smooth, easily cleaned surface/finish is applied or attached. Material surfaces that come in contact with the user shall be finished, so that they do not constitute a cutting, pinching, puncturing or abrasion hazard under casual contact and intended use.

307.3.1 Beach pools.

Clean sand or similar material, where used in a beach pool environment, shall be used over an

impervious surface. The sand area shall be designed and controlled so that the circulation system, maintenance, safety, sanitation, and operation of the pool are not adversely affected.

307.3.2 Compatibility.

Assemblies of different materials shall be chemically and mechanically compatible for their intended use and environment.

307.4 Materials and structural design.

Pools and spas shall conform to one or more of the standards indicated in Table 307.4. The structural design of pools and spas shall be in accordance with the *International Building Code* or the *International Residential Code*, as applicable in accordance with Section 102.7.1 of this code.

TABLE 307.4 RESERVOIRS AND SHELLS

MATERIAL	STANDARD
Fiberglass reinforced plastic	IAPMO Z124.7
Plastic	IAPMO Z124.7
Stainless steel (Types 316, 316L, 304, 304L)	ASTM A 240
Tile	ANSI A108/A118/A136.1
Vinyl	ASTM D 1593

307.4.1 Installation.

Equipment for pools and spas shall be supported to prevent damage from misalignment and settling and located so as to allow access for inspection, servicing, removal and repair of component parts.

307.5 Freeze protection.

In climates subject to freezing temperatures, outdoor pool and spa shells and appurtenances, piping, filter systems, pumps and motors, and other components shall be designed and constructed to provide protection from damage from freezing.

307.6 Surface condition.

The surfaces within public pools and spas intended to provide footing for users shall be slip resistant and shall not cause injury during normal use.

307.7 Colors and finishes.

The colors, patterns, or finishes of the pool or spa interior shall not obscure objects or surfaces within the pool or spa.

Exception: *Residential* pools and spas.

307.8 Roofs or canopies.

Roofs or canopies over aquatic vessels shall be in accordance with the *International Building Code* or *International Residential Code*, as applicable in accordance with Section 102.7.1 and shall be constructed so as to prevent water runoff into the pool or spa.

307.9 Accessibility.

An accessible route to public pools and spas shall be provided in accordance with the *International*

Building Code. Accessibility within public pools and spas shall be provided as required by the accessible recreational facilities provisions of the *International Building Code*. Accessibility for pools and spas accessory to detached oneand two-family dwellings and townhouses not more than three stories in height shall be provided where required by the *International Residential Code*.

SECTION 308 DIMENSIONAL DESIGN

308.1 Floor slope.

The slope of the floor from the point of the first slope change to the deep area shall not exceed one unit vertical in three units horizontal (33-percent slope).

Exception: Portable *residential* spas and portable *residential* exercise spas.

308.2 Walls.

Walls shall intersect with the floor at an angle or a transition profile. Where a transitional profile is provided at water depths of 3 feet (914 mm) or less, a transitional radius shall not exceed 6 inches (152 mm) and shall be tangent to the wall and is permitted to be tangent to or intersect the floor.

Exceptions:

1. Portable *residential* spas and portable *residential* exercise spas.
2. *Onground storable pools*.

308.3 Shape.

This code is not intended to regulate the shape of a pool or spa other than to take into account the effect that a given shape will have on the safety of the occupants and to maintain the minimum required level of circulation to ensure sanitation.

308.4 Waterline.

The design *water line* shall have a maximum construction tolerance at the time of completion of the work of plus or minus $\frac{1}{4}$ inch (6.4 mm) for pools and spas with adjustable weir surface skimming systems, and plus or minus $\frac{1}{8}$ inch (3.2 mm) for pools and spas with nonadjustable surface skimming systems.

SECTION 309 EQUIPMENT

309.1 Electrically operated equipment.

Electrically operated equipment shall be *listed* and *labeled* in accordance with applicable product standards.

Exception: Portable *residential* spas and portable *residential* exercise spas *listed* and *labeled* in accordance with UL 1563 or CSA C22.2 No. 218.1.

309.2 Treatment and circulation system equipment.

Treatment and circulation system equipment for public pools and spas shall be *listed* and *labeled* in accordance with NSF 50 and other applicable standards.

SECTION 310 SUCTION ENTRAPMENT AVOIDANCE

310.1 General.

Suction entrapment avoidance for pools and spas shall be provided in accordance with APSP 7.

Exceptions:

1. Portable spas and portable exercise spas *listed* and *labeled* in accordance with UL 1563 or CSA C22.2 No. 218.1.
2. Suction entrapment avoidance for wading pools shall be provided in accordance with Section 405.

SECTION 311 CIRCULATION SYSTEMS

311.1 General.

The provisions of this section shall apply to circulation systems for pools and spas.

Exceptions:

1. Portable *residential* spas and portable *residential* exercise spas.
2. *Onground storable pools* supplied by the pool manufacturer as a kit that includes circulation system equipment that is in accordance with Section 704.

311.2 System design.

A circulation system consisting of pumps, piping, return inlets and outlets, filters, and other necessary equipment shall be provided for the complete circulation of water. Wading pools and spas shall have separate dedicated filtering systems.

Exception: Separate filtering systems are not required for residential pools and spas.

311.2.1 Turnover rate.

The equipment shall be sized to turn over the volume of water that the pool or spa is capable of containing as specified in this code for the specific installation.

311.2.2 Servicing.

Circulation system components that require replacement or servicing shall be provided with access for inspection, repair, or replacement and shall be installed in accordance with the manufacturer's specifications.

311.2.3 Equipment anchorage.

Pool and spa equipment and related piping shall be designed and installed in accordance with the manufacturer's instructions.

311.3 Water velocity.

The water velocity in return lines shall not exceed 8 feet (2.4 m) per second. The water velocity in suction piping shall be as required by Section 310.

311.4 Piping and fittings.

Plastic pipe and fittings used in circulation systems shall be nontoxic and shall be able to withstand the design operating pressures and conditions of the pool or spa. Plastic pipe shall be *listed* and *labeled* as complying with NSF 14. Circulation system piping shall be *listed* and *labeled* as complying with one of the standards in Table 311.4.

TABLE 311.4 CIRCULATION SYSTEM PIPE MATERIAL STANDARD

MATERIAL	STANDARD
Acrylonitrile butadiene styrene (ABS) plastic pipe	ASTM D 1527
Chlorinated polyvinyl chloride (CPVC) plastic pipe and tubing	ASTM D 2846; CSA B137.6
Copper or copper-alloy tubing	ASTM B 88; ASTM B 447
Polyvinyl chloride (PVC) hose	ASTM D 1785; ASTM D 2241; ASTM D 2672; CSA B137.3
Polyvinyl chloride (PVC) plastic pipe	ASTM D 1785; CSA B137.3
Stainless steel pipe, Types 304, 304L, 316, 316L	ASTM A 312

311.4.1 Fittings.

Fittings used in circulation systems shall be *listed* and *labeled* as complying with one of the standards in Table 311.4.1.

Exceptions:

1. Suction outlet fitting assemblies and manufacturer-provided components certified in accordance with APSP 16.
2. Skimmers and manufacturer-provided components.
3. *Gutter* overflow grates and fittings installed above or outside of the overflow point of the pool or spa.

TABLE 311.4.1 CIRCULATION SYSTEM FITTINGS

MATERIAL	STANDARD
Acrylonitrile butadiene styrene (ABS) plastic pipe	ASTM D 1527
Chlorinated polyvinyl chloride (CPVC) plastic pipe and tubing	ASTM D 2846; ASTM F 437; ASTM F 438; ASTM F 439; CSA B137.6
Copper or copper-alloy tubing	ASME B 16.15
Polyvinyl chloride (PVC) plastic pipe	ASTM D 2464; ASTM D 2466; ASTM D 2467; CSA B137.2; CSA B137.3
Stainless steel pipe, Types 304, 304L, 316, 316L	ASTM A 182; ASTM A 403

311.4.2 Joints.

Joints shall be made in accordance with manufacturer's instructions.

311.4.3 Piping subject to freezing.

Piping subject to damage by freezing shall have a uniform slope in one direction and shall be equipped with valves for drainage or shall be capable of being evacuated to remove the water.

311.4.4 Suction outlet fitting assemblies.

Suction outlet fitting assemblies shall be *listed* and *labeled* in compliance with APSP 16.

311.5 System draining.

Equipment shall be designed and fabricated to drain the water from the equipment, together with exposed face piping, by removal of drain plugs, manipulating valves, or by other methods. Drainage shall be in accordance with manufacturer's specifications.

311.6 Pressure or vacuum gauge.

Gauges shall be provided on the circulation system for public pools. Gauges shall be provided with ready access.

1. A pressure gauge shall be located downstream of the pump and between the pump and filter.
2. A vacuum gauge shall be located between the pump and filter and upstream of the pump.

311.7 Flow measurement.

Public swimming pools and wading pools shall be equipped with a flow-measuring device that indicates the rate of flow through the filter system. The flow rate measuring device shall indicate gallons per minute (lpm) and shall be selected and installed to be accurate within plus or minus 10 percent of actual flow.

311.8 Instructions.

Written operation and maintenance instructions shall be provided for the circulation system of public pools.

311.9 Hydrostatic pressure test.

Circulation system piping, other than that integrally included in the manufacture of the pool or spa, shall be subjected to a hydrostatic pressure test of 25 pounds per square inch (psi) (172.4 kPa). This pressure shall be held for not less than 15 minutes.

SECTION 312 FILTERS

312.1 General.

The provisions of this section apply to filters for pools and spas.

Exceptions:

1. Portable *residential* spas and portable *residential* exercise spas.
2. *Onground storable pools* supplied by the pool manufacturer as a kit that includes a filter that is in accordance with Section 704.

312.2 Design.

Filters shall have a flow rating equal to or greater than the design flow rate of the system. Filters shall be installed in accordance with the manufacturer's instructions. Filters shall be designed so that filtration surfaces can be inspected and serviced.

312.3 Internal pressure.

For pressure-type filters, a means shall be provided to allow the release of internal pressure.

312.3.1 Air release.

Filters incorporating an automatic means of internal air release as the principal means of air release shall have one or more lids that provide a slow and safe release of pressure as a part of the design and shall have a manual air release in addition to an automatic release.

312.3.2 Separation tanks.

A separation tank used in conjunction with a filter tank shall have a manual method of air release or a lid that provides for a slow and safe release of pressure as it is opened.

SECTION 313 PUMPS AND MOTORS**313.1 General.**

The provisions of this section apply to pumps and motors for pools and spas.

Exceptions:

1. Portable *residential* spas and portable *residential* exercise spas.
2. *Onground storable pools* supplied by the pool manufacturer as a kit that includes a pump and motor that is in accordance with Section 704.

313.2 Performance.

A pump shall be provided for circulation of the pool water. The pump shall be capable of providing the flow required for filtering the pool water and filter cleaning, if applicable, against the total dynamic head developed by the complete system.

313.3 Intake protection.

A cleanable strainer, skimmer basket, or screen shall be provided for pools and spas, upstream or as an integral part of circulation pumps, to remove solids, debris, hair, and lint on pressure filter systems.

313.4 Location.

Pumps and motors shall be accessible for inspection and service in accordance with the manufacturer's specifications.

313.5 Safety.

The design, construction, and installation of pumps and component parts shall be in accordance with the manufacturer's specifications.

313.6 Isolation valves.

Shutoff valves shall be installed on the suction and discharge sides of pumps that are located below the waterline. Such valves shall be provided with access.

313.7 Emergency shutoff switch.

An emergency shutoff switch shall be provided to disconnect power to recirculation and jet system pumps and air blowers. Emergency shutoff switches shall be: provided with access; located within sight of the pool or spa; and located not less than 5 feet (1524 mm) horizontally from the inside walls of the pool or spa.

Exception: *Onground storable pools*, permanent inground *residential* swimming pools, *residential* spas and *residential* water features.

313.8 Motor performance.

Motors shall comply with UL 1004-1, UL 1081, CSA C22.2 No. 108 or the relevant motor requirements of UL 1563 or CSA C22.2 No. 218.1, as applicable.

SECTION 314 RETURN AND SUCTION FITTINGS**314.1 General.**

The provisions of this section apply to return and suction fittings for pools and spas

Exception: Portable *residential* spas and portable *residential* exercise spas.

314.2 Entrapment avoidance.

Entrapment avoidance means shall be provided in accordance with Section 310.

314.3 Flow distribution.

The suction outlet fitting assemblies, where installed, and the skimming systems shall each be designed to accommodate 100 percent of the circulation turnover rate.

314.3.1 Multiple systems.

Where multiple systems are used in a single pool to meet this requirement, each subsystem shall proportionately be designed such that the maximum design flow rates cannot be exceeded during normal operation.

314.4 Return inlets.

One return inlet shall be provided for every 300 square feet (27.9 m²) of pool surface area, or fraction thereof.

Exception: *Onground storable pools.*

314.4.1 Design.

Return and suction fittings for the circulation system shall be designed so as not to constitute a hazard to the bather.

314.5 Vacuum fittings.

Where installed, *submerged vacuum fittings* shall be accessible and shall be located not greater than 12 inches (305 mm) below the water level.

SECTION 315 SKIMMERS**315.1 General.**

The provisions of this section apply to skimmers for pools and spas.

Exceptions:

1. Portable *residential* spas and portable *residential* exercise spas.
2. *Onground storable pools* supplied by the pool manufacturer as a kit that includes a skimming system that is in accordance with Section 704.

315.2 Required.

A surface skimming system shall be provided for public pools and spas. Surface skimming systems shall be *listed* and *labeled* in accordance with NSF 50. Either a surface skimming system or perimeter overflow system shall be provided for permanent inground *residential* pools and permanent *residential* spas. Where installed, surface skimming systems shall be designed and constructed to create a skimming action on the pool water surface when the water level in the pool is within operational parameters.

Exceptions:

1. Class D public pools designed in accordance with Chapter 6.
2. Skimmers that are an integral part of a spa that has been *listed* and *labeled* in accordance with UL1563 shall not be required to be *listed* and *labeled* in accordance with NSF 50.

315.2.1 Circulation systems.

Public pool circulation systems shall be designed to process not less than 100 percent of the turnover rate through skimmers.

315.3 Skimmer sizing.

Where automatic surface skimmers are used as the sole overflow system, not less than one surface skimmer shall be provided for the square foot (square meter) areas, or fractions thereof, indicated in Table 315.3. Skimmers shall be located to maintain effective skimming action.

TABLE 315.3 SKIMMER SIZING TABLE

POOL OR SPA	AREA PER SKIMMER (SQ. FT)
Public pool	500
Residential pool	800
Spas (all types)	150

For SI: 1 square foot = 0.0929 m².

315.4 Perimeter coverage.

Where a perimeter-type surface skimming system is used as the sole surface skimming system, the system shall extend around not less than 50 percent of the pool or spa perimeter.

315.4.1 Surge capacity.

Where perimeter surface skimming systems are used, they shall be connected to a circulation system with a system surge capacity of not less than 1 gallon for each square foot (40.7 liters per square meter) of water surface. The capacity of the perimeter overflow system and related piping is permitted to be considered as a portion of the surge capacity.

315.5 Equalizers.

Equalizers on skimmers shall be prohibited.

315.6 Hazard.

Skimming devices shall be designed and installed so as not to create a hazard to the user.

SECTION 316 HEATERS

316.1 General.

The provisions of this section apply to heaters for pools and spas.

Exception: Portable *residential* spas and portable *residential* exercise spas.

316.2 Listed and labeled.

Heaters shall be *listed* and *labeled* in accordance with the applicable standard listed in Table 316.2.

TABLE 316.2 WATER HEATERS

DEVICE	STANDARD
Electric water heater	UL 1261, UL 1563 or CSA C22.2 No. 218.1
Gas-fired water heater	ANSI Z21.56/CSA 4.7a
Heat exchanger	NSF 50
Heat pump water heater	UL 1995, AHRI 1160, CSA C22.2 No. 236
Photovoltaic solar water heaters	NSF 50
Thermal radiant solar water heater	NSF 50

316.3 Sizing.

Heaters shall be sized in accordance with the manufacturer's specifications.

316.4 Installation.

Heaters shall be installed in accordance with the manufacturer's specifications and the *International Fuel Gas Code*, *International Mechanical Code*, *International Energy Conservation Code*, NFPA 70 or *International Residential Code*, as applicable in accordance with Section 102.7.1.

316.4.1 Temperature.

A means shall be provided to monitor water temperature.

316.4.2 Access prohibited.

For public pools and spas, public access to controls shall be prohibited.

316.5 Heater circulation system.

Heater circulation systems shall comply with Sections 316.5.1 and 316.5.2.

316.5.1 Water flow.

Water flow through the heater bypass piping, back-siphonage protection, and the use of heat sinks shall be in accordance with the heater manufacturer's specifications.

316.5.2 Pump delay.

Where required by the manufacturer, heaters shall be installed with an automatic device that will ensure that the pump continues to run after the heater shuts off for the time period specified by the manufacturer.

SECTION 317 AIR BLOWER AND AIR INDUCTION SYSTEM**317.1 General.**

This section applies to devices and systems that induce or allow air to enter pools and spas either by

means of a powered pump or passive design.

317.2 Backflow prevention.

Air blower systems shall be equipped with backflow protection as specified in UL 1563 or CSA C22.2 No. 218.1.

317.3 Air intake source.

Air intake sources shall not induce water, dirt or contaminants.

317.4 Sizing.

Air induction systems shall be sized in accordance with the manufacturer's specifications.

317.5 Inspection and service.

Air blowers shall be provided with access for inspection and service.

SECTION 318 WATER SUPPLY

318.1 Makeup water.

Makeup water to maintain the water level and water used as a vehicle for sanitizers or other chemicals, for pump priming, or for other such additions, shall be from a potable water source.

318.2 Protection of potable water supply.

Potable water supply systems shall be designed, installed and maintained so as to prevent contamination from nonpotable liquids, solids or gases being introduced into the potable water supply through cross-connections or other piping connections to the system. Means of protection against backflow in the potable water supply shall be provided through an air gap complying with ASME A112.1.2 and the *International Residential Code* or the *International Plumbing Code*, as applicable in accordance with Section 102.7.1.

318.3 Over-the-rim spouts.

Over-the-rim spouts shall be located under a diving board, adjacent to a ladder, or otherwise shielded so as not to create a hazard. The open end of such spouts shall not have sharp edges and shall not protrude more than 2 inches (51 mm) beyond the edge of the pool. The open end shall be separated from the water by an air gap of not less than 1.5 pipe diameters measured from the pipe outlet to the rim.

SECTION 319 SANITIZING EQUIPMENT

319.1 Equipment standards.

Sanitizing equipment installed in public pools and spas shall be capable of introducing the quantity of sanitizer necessary to maintain the appropriate levels under all conditions of intended use.

319.2 Chemical feeders.

Where installed, chemical feed systems shall be installed in accordance with the manufacturer's specifications. Chemical feed pumps shall be wired so that they cannot operate unless there is adequate return flow to disburse the chemical throughout the pool or spa as designed.

SECTION 320 WASTE WATER DISPOSAL

320.1 Backwash water or draining water.

Backwash water and draining water shall be discharged to the sanitary or storm sewer, or into an

approved disposal system on the premise, or shall be disposed of by other means *approved* by the state or local authority. Direct connections shall not be made between the end of the backwash line and the disposal system. Drains shall discharge through an air gap.

320.2 Water salvage.

Filter backwash water shall not be returned to the vessel except where the backwash water has been filtered to remove particulates, treated to eliminate coli form bacteria and waterborne pathogens, and such return has been *approved* by the state or local authority.

320.3 Waste post treatment.

Where necessary, filter backwash water and drainage water shall be treated chemically or through the use of settling tanks to eliminate or neutralize chemicals, diatomaceous earth, and contaminants in the water that exceed the limits set by the state or local effluent discharge requirements.

SECTION 321 LIGHTING

321.1 General.

The provisions of Sections 321.2 and 321.3 shall apply to lighting for public pools and spas. The provisions of Section 321.4 shall apply to lighting for residential pools and spas.

321.2 Artificial lighting required.

When a pool is open during periods of low natural illumination, artificial lighting shall be provided so that all areas of the pool, including all suction outlets on the bottom of the pool, will be visible. Illumination shall be sufficient to enable a lifeguard or other persons standing on the deck or sitting on a lifeguard stand adjacent to the pool edge to determine if a pool user is lying on the bottom of the pool and that the pool water is transparent and free from cloudiness.

These two conditions shall be met when all suction outlets are visible from the edge of the deck at all times when artificial lighting is illuminated and when an 8-inch-diameter (152 mm) black disk, placed at the bottom of the pool in the deepest point, is visible from the edge of the pool deck at all times when artificial lighting is illuminated.

321.2.1 Pool and deck illumination.

Overhead lighting, underwater lighting or both shall be provided to illuminate the pool and adjacent deck areas. The lighting shall be listed and labeled. The lighting shall be installed in accordance with NFPA 70.

321.2.2 Illumination intensity.

For outdoor pools, any combination of overhead and underwater lighting shall provide *maintained illumination* not less than 10 horizontal foot-candles (10 lumens per square foot) [108 lux] at the pool water surface. For indoor pools, any combination of overhead and underwater lighting shall provide *maintained illumination* of not less than 30 horizontal foot-candles (30 lumens per square foot) [323 lux] at the pool water surface. Deck area lighting for both indoor and outdoor pools shall provide *maintained illumination* of not less than 10 horizontal foot-candles (10 lumens per square foot) [108 lux] at the walking surface of the deck.

321.2.3 Underwater lighting.

Underwater lighting shall provide not less than 8 horizontal foot-candles (8 lumens per square foot) [86 lux] at the pool water surface area, or not less than a total wattage of $1/2$ watt/ft² (5.4 watts/m²) of pool water surface for incandescent underwater lighting where the fixtures and lamps are rated in watts.

Exception: The requirement of this section shall not apply where overhead lighting provides not less than 15 foot-candles (15 lumens per square foot) [161 lux] of *maintained illumination* at the pool water surface, the overhead lighting provides visibility, without glare, of all areas of the pool, and the requirements of Section 321.2.2 are met or exceeded.

321.3 Emergency illumination.

Public pools and public pool areas that operate during periods of low illumination shall be provided with emergency lighting that will automatically turn on to permit evacuation of the pool and securing of the area in the event of power failure. Emergency lighting facilities shall be arranged to provide initial illumination that is not less than 0.1 foot-candle (0.1 lumen per square foot) [1 lux] measured at any point on the water surface and at any point on the walking surface of the deck, and not less than an average of 1 foot-candle (1 lumen per square foot) [11 lux]. At the end of the emergency lighting time duration, the illumination level shall be not less than 0.06 foot-candle (0.06 lumen per square foot) [0.65 lux] measured at any point on the water surface and at any point on the walking surface of the deck, and not less than an average of 0.6 foot-candle (0.6 lumen per square foot) [6.46 lux]. A maximum-to-minimum illumination uniformity ratio of 40 to 1 shall not be exceeded.

321.4 Residential pool and deck illumination.

Where lighting is installed for, and in, *residential* pools and permanent *residential* spas, such lighting shall be installed in accordance with NFPA 70 or the *International Residential Code*, as applicable in accordance with Section 102.7.1.

SECTION 322 LADDERS AND RECESSED TREADS

322.1 General.

Ladders and recessed treads shall comply with the provisions of this section and the applicable provisions of Chapters 4 through 10 based on the type of pool or spa.

322.2 Outside diving envelope.

Where installed, steps and ladders shall be located outside of the minimum diving water envelope as indicated in Figure 322.2.



FIGURE 322.2 MINIMUM WATER DIVING ENVELOPE

322.3 Ladders.

Ladder treads shall have a uniform horizontal depth of not less than 2 inches (51 mm). There shall be a uniform distance between ladder treads, with a distance of not less than 7 inches (178 mm) and not greater than 12 inches (305 mm). The top tread of a ladder shall be located not greater than 12 inches (305 mm) below the top of the deck or coping. Ladder treads shall have slip-resistant surfaces.

322.3.1 Wall clearance.

There shall be a clearance of not less than 3 inches (76 mm) and not greater than 6 inches (152 mm) between the pool wall and the ladder.

322.3.2 Handrails and handholds.

Ladders shall be provided with two handholds or two handrails. The clear distance between ladder

handrails shall be not less than 17 inches (432 mm) and not greater than 24 inches (610 mm).

322.4 Recessed treads.

Recessed treads shall have a minimum depth of not less than 5 inches (127 mm) and a width of not less than 12 inches (305 mm). The vertical distance between the pool coping edge, deck, or step surface and the uppermost recessed tread shall be not greater than 12 inches (305 mm). Recessed treads shall have slip-resistant surfaces.

322.4.1 Vertical spacing.

Recessed treads at the centerline shall have a uniform vertical spacing of not less than 7 inches (178 mm) and not greater than 12 inches (305 mm).

322.4.2 Drainage.

Recessed treads shall drain into the pool.

322.4.3 Handrails and grab rails.

Recessed treads shall be provided with a handrail or grab rail on each side of the treads. The clear distance between handrails and grab rails shall be not less than 17 inches (432 mm) and not greater than 24 inches (610 mm).

SECTION 323 SAFETY

323.1 Handholds required.

Where the depth below the *design waterline* of a pool or spa exceeds 42 inches (1067 mm), handholds along the perimeter shall be provided. Handholds shall be located at the top of deck or coping.

Exceptions:

1. Handholds shall not be required where an underwater bench, seat or swimout is installed.
2. Handholds shall not be required for wave action pools and action rivers.

323.1.1 Height above water.

Handholds shall be located not more than 12 inches (305 mm) above the *design waterline*.

323.1.2 Handhold type.

Handholds shall be one or more of the following:

1. Top of pool deck or coping.
2. Secured rope.
3. Rail.
4. Rock.
5. Ledge.
6. Ladder.

7. Stair step.

8. Any design that allows holding on with one hand while at the side of the pool.

323.1.3 Handhold spacing.

Handholds shall be horizontally spaced not greater than 4 feet (1219 mm) apart.

323.2 Handrails.

Where handrails are installed, they shall conform to this section.

323.2.1 Height.

The top of the gripping surface of handrails for public pools and public spas shall be 34 inches (864 mm) to 38 inches (965 mm) above the ramp or step surface as measured at the nosing of the step or finished surface of the slope. The top of the gripping surface of handrails for *residential* pools and *residential* spas shall be 30 inches (762 mm) to 38 inches (965 mm) above the ramp or step surface as measured at the nosing of the step or finished surface of the slope.

323.2.2 Material.

Handrails shall be made of corrosionresistant materials.

323.2.3 Nonremovable.

Handrails shall be installed so that they cannot be removed without the use of tools.

323.2.4 Leading edge distance.

The leading edge of handrails for stairs, pool entries and exits shall be located not greater than 18 inches (457 mm) from the vertical face of the bottom riser.

323.2.5 Diameter.

The outside diameter or width of *handrails* shall be not less than 1 ¹/₄ inches (32 mm) and not greater than 2 inches (51 mm).

323.3 Obstructions and entrapment avoidance.

There shall not be obstructions that can cause the user to be entrapped or injured. Types of entrapment include, but are not limited to, wedge or pinch-type openings and rigid, nongiving cantilevered protrusions.

[BACK TO TOP](#)

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TO: Mayor and Councilmembers

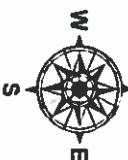
FROM: City Manager Ben White

DATE: October 13, 2015

SUBJECT: Consider, discuss and act alley designations used in town

- City Manager Ben White will discuss this item.
- Maps of the City are attached for review showing alley and dedicated right-of-way designations.

ACTION: Council to offer direction and act as deemed appropriate.



Legend



Map Boundary



Asphalt



Rock



Dirt

Private/Urban



County Line



Rail



CCAD Parcel

M-1400
Rural MSAG



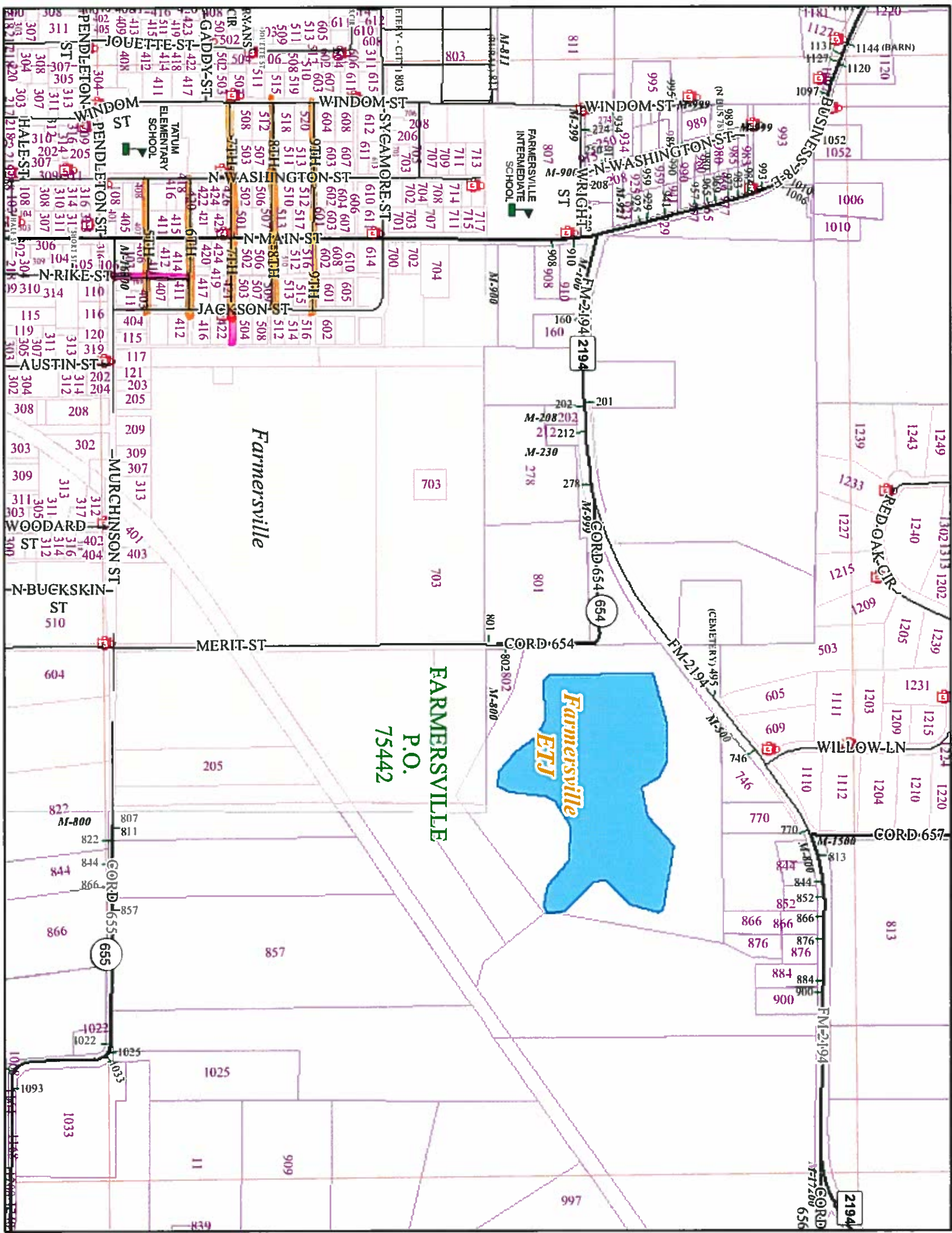
Zip Code



City ETJ



Fire Hydrant



IT/ GIS

Road
Shields



Interstate



US Hwy



State Hwy



Business/Spur



Farm to Market



County Road

Collin County
Road Atlas

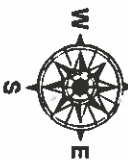
9P4

Nov 19, 2008



10N2	10P3	10P2
9N1	9P4	9P1
9N2	9P3	9P2

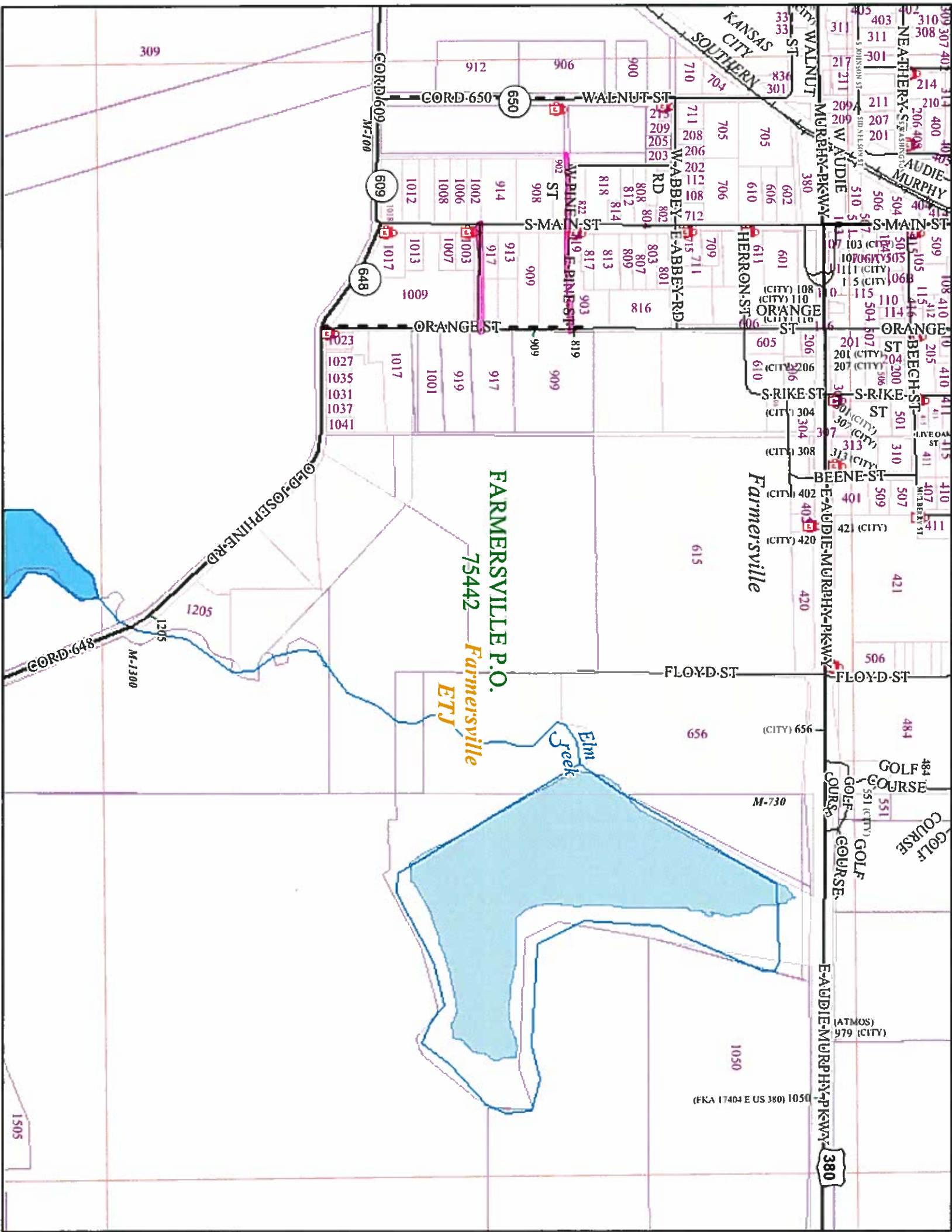
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Legend

- Map Boundary
- Asphalt
- Rock
- Dirt
- Private/Urban
- County Line
- Rail
- CCAD Parcel
- Rural MSAG
- Zip Code
- City ETJ
- Fire Hydrant

9N2	9P3	9P2
8N1	8P4	8P1
8N2	8P3	8P2



IT / GIS

Road Shields

- Interstate
- US Hwy
- State Hwy
- Business/Spur
- Farm to Market
- County Road

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Collin County Road Atlas

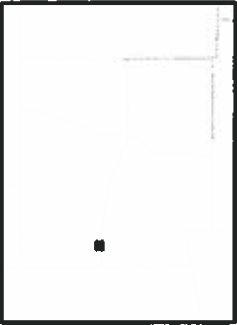
8P4

Nov 19, 2008

Miles



Feet





IT/GIS

Road Shields



Interstate



US Hwy

State Hwy



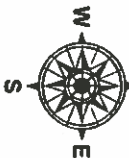
Business/Spur



Farm to Market



County Road



Legend



Map Boundary

Asphalt

Asphalt

Rock

Rock

Dirt

Private/Urban



County Line

Rail

CCAD Parcel



Rural MSAG



Zip Code



City ETJ



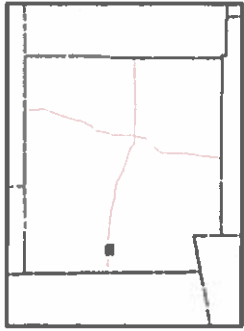
Fire Hydrant



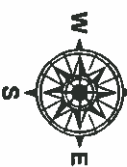
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9N2	9P3	9P2
8N1	8P4	8P1

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Collin County Road Atlas



9N2

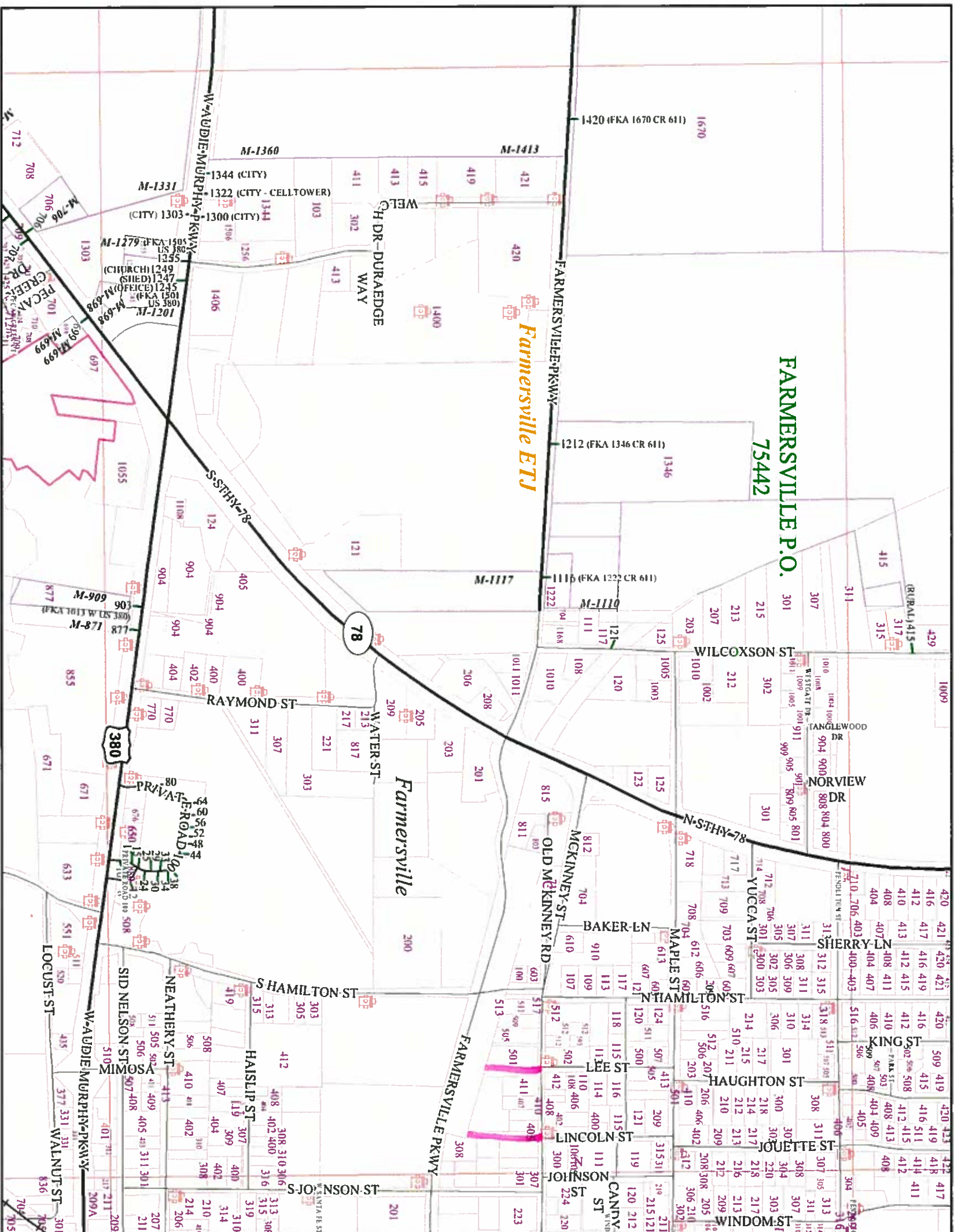


Legend

- Map Boundary
- Asphalt
- Rock
- Dirt
- Private/Urban
- County Line
- Rail
- CCAD Parcel
- M-1400 Rural MSAG
- 75069 Zip Code
- City ETJ
- Fire Hydrant

Dedicated Right of Way

9N4	9N1	9P4
9N3	9N2	9P3
8N4	8N1	8P4



9N2



TI/GIS

Road Shields



Interstate

US Hwy



State Hwy



Business/Spur



Farm to Market



County Road

Collin County Road Atlas

9N2

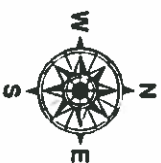
Mar 16, 2009



Feet

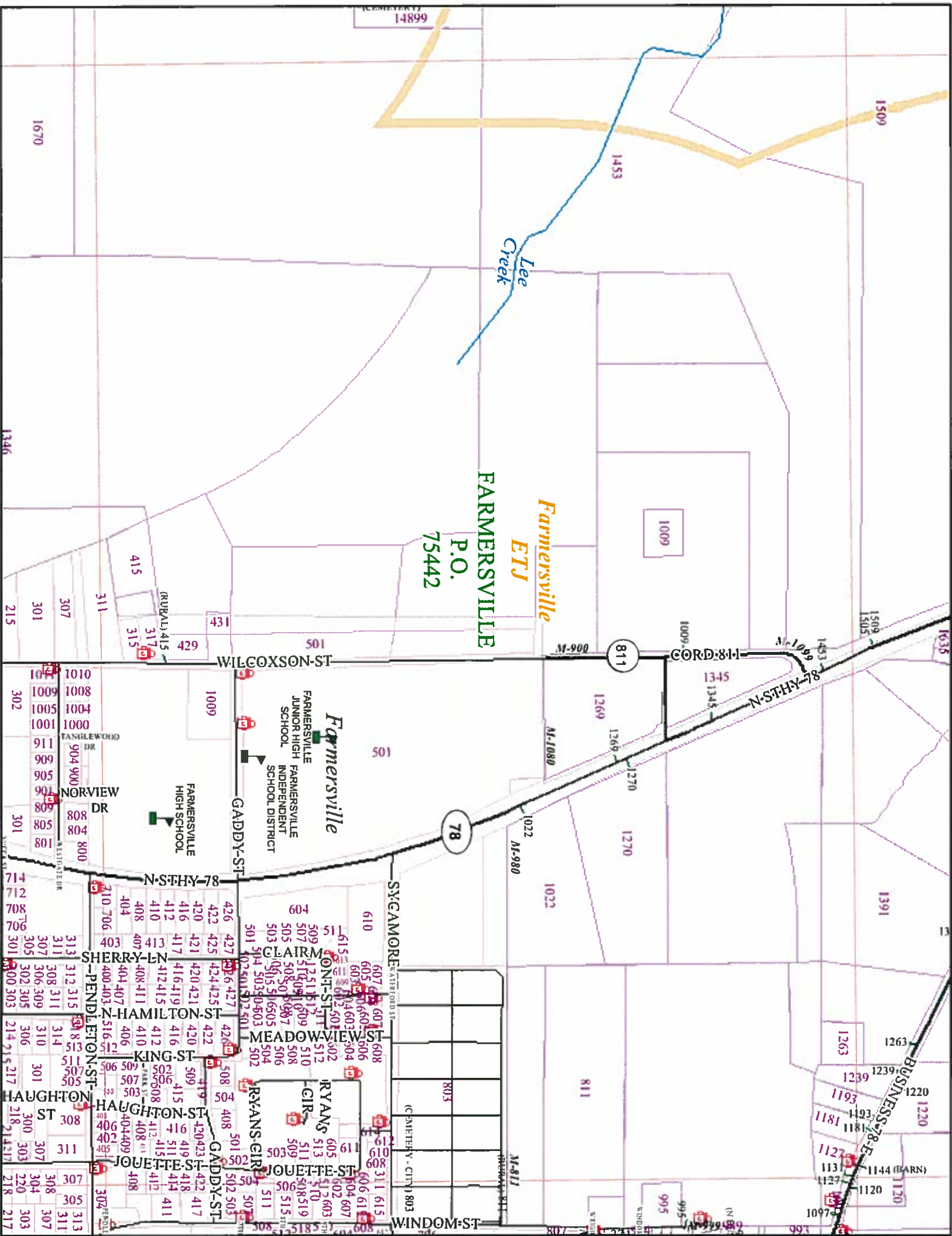
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9N1



Legend

- Map Boundary
- Asphalt
- Rock
- Dirt
- Private/Urban
- County Line
- Rail
- CCAD Parcel
- Rural MSAG M-1400
- 75069 Zip Code
- Anna City ETJ
- Fire Hydrant



9N1



IT/GIS

Road Shields

- Interstate
- US Hwy
- State Hwy
- Business/Spur
- Farm to Market
- County Road

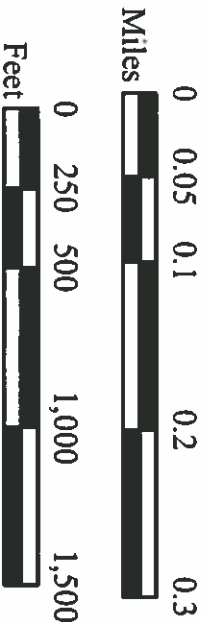
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9N4	9N1	9P4
9N3	9N2	9P3

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Collin County Road Atlas

9N1

Nov 19, 2008





TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: Consider, discuss and act upon a Solid Waste Guide from Progressive Waste Solutions

- A Solid Waste Guide is attached for review.

ACTION: Approve or disapprove the guide as presented.

Cart Service

Progressive Waste Solutions services your trash cart weekly. Each household is provided with a 95 gallon trash cart. The driver will also collect up to two cubic yards of bulk waste weekly. Please have carts out by 7am.

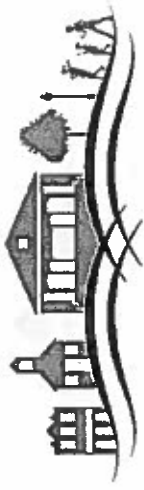
Progressive Waste begins servicing routes at 7am and will typically finish by 7pm. Progressive Waste Solutions' Customer Service Department is available for all service questions at

(903) 450-8282 and

www.ProgressiveWaste.com

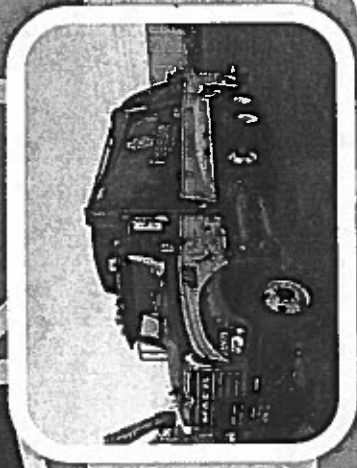
Holidays

New Year's Day
Memorial Day
Independence Day
Labor Day
Thanksgiving
Christmas Day



Farmersville
DISCOVER A TEXAS TREASURE

Solid Waste Guide



Contact Us

Progressive Waste Solutions

4618 Ed Rutherford • Greenville TX • 75402

(903) 450-8282

WWW.ProgressiveWaste.com



Progressive
Waste Solutions



Farmersville
DISCOVER A TEXAS TREASURE

Bulk & Brush Service

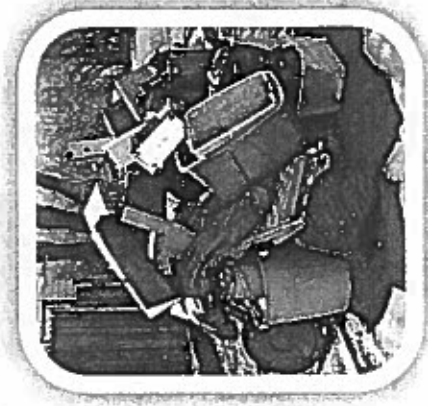
Free weekly removal of 2 cubic yards of brush and/or bulk waste

Bulk & Brush Combined Limits:

**2 cubic yards/ 14 square feet
Under 200 pounds**

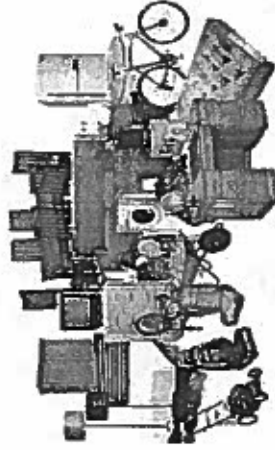
Bulk and brush service takes place on your weekly trash service day. The removal of an additional 2 cubic yards of brush and/or bulk material including large items such as furniture, stoves, other appliances or similar items are all collected as a free service. Please note that refrigerators, freezers, and air conditioning units can only be picked up if the resident has the unit tagged by a certified technician stating that the Freon has been removed, otherwise the landfill will not accept these items. Bulk items exceeding 2 cubic yards need to be called in to (903) 450-8282.

Brush collections also take place alongside your weekly trash service. The total amount of combined brush and bulk waste should be under 2 cubic yards and under 200 pounds per weekly pick up. No call in appointment is required for brush collection that is under the 2 cubic yard maximum.



Progressive

Waste Solutions





TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: Consider, discuss and act upon a contract renewal with Itron for software and hardware to operate the electronic meters

- A quote for the Maintenance Renewal is attached for review.
- The original Maintenance Agreement from 02/10/2015 is attached for review.

ACTION: Approve or disapprove contract renewal expenditure as presented.



US_001_OU

Date Printed : 03-OCT-2015

Maintenance Renewal Quote

Page: 1 of 1

Customer Name: City of Farmersville, Texas
Customer Number: 40110
Bill To Contact: Daphne Hamlin
Customer Address: 205 S Main St
Farmersville, TX 75442-2209

Contract Number: SC00007000
Description: City of Farmersville, Texas - MVRs

Contract Duration: 01-FEB-2016 - 31-JAN-2017

<u>Description</u>	<u>Serial Number</u>	<u>Start Date</u>	<u>End Date</u>	<u>Quantity</u>	<u>Total Amount</u>
HARDWARE					
FC300, SREAD RADIO	FC300130535247	01-FEB-2016	31-JAN-2017	1	452.40
			Subtotal :	1	452.40
FC300, DESK DOCK	FC300212391173	01-FEB-2016	31-JAN-2017	1	39.31
			Subtotal :	1	39.31
	HARDWARE		Subtotal :	2	491.71
SOFTWARE					
MVRs, UP TO 2500 METERS SERVICED, ELECTRONIC DELIVERY		01-FEB-2016	31-JAN-2017	1	873.60
			Subtotal :	1	873.60
	SOFTWARE		Subtotal :	1	873.60
Contract Grand Total :				3	1,365.31

NOTE: This is not an invoice

MAINTENANCE AGREEMENT

This Maintenance Agreement (this "**Maintenance Agreement**") is entered into as of February 10, 2015 (the "**Effective Date**") by and between Itron, Inc. ("**Itron**") and the City of Farmersville, Texas ("**Customer**"). Itron and Customer may each be referred to as a "**Party**" and together as the "**Parties**." The Parties agree as follows:

1. Technical Support

a. Support Services.

Itron will make available qualified technical representatives by telephone, email or other remote means during its then-current normal business hours to assist Customer Coordinators (defined below) with the operation of and answer questions related to the software (the "**Software**") and equipment (the "**Equipment**") identified on Attachment A (together, the "**Products**"), which are covered by the services described herein (the "**Maintenance Services**"). Such technical support shall include, but is not limited to, troubleshooting, problem diagnosis, release or system management, and recommendations for fully utilizing the Products. Itron's current Support Services contact and support hours are described in the "Itron Support Services Contacts" document (the "**Contacts Document**"), which can be obtained by calling (877) 487-6602. Consistent with Section 1.c hereof, Customer will not use Support Services technical representatives in lieu of having qualified and trained support personnel of its own.

b. Field Support.

Upon mutual agreement of the Parties, Itron will dispatch support personnel to Customer's location to provide technical support. Such support will be billed at Itron's then-current hourly rates (with reasonable travel and living expenses invoiced at Itron's cost) unless the cause of the reported problem is found to be the fault of Itron.

c. Customer Coordinators and Service Requests.

Customer will identify no more than 2 supervisory level employees (each a "**Customer Coordinator**") for each Itron product line, as identified in the Contacts Document, to serve as administrative liaisons to Itron for all matters pertaining to the Maintenance Services for such product line. Customer Coordinators shall report problems with Software or Equipment (each such report, a "**Service Request**") as soon as practicable for entry into Itron's support tracking system. Before a Customer Coordinator interfaces with Itron, he or she will attend training sessions offered by Itron to ensure that he or she is (a) knowledgeable about the operation of the Products, and (b) qualified to perform problem determination and remedial functions with respect to the Products. Such training sessions will be at Itron's then-current rates. Customer will be solely responsible for all travel and other expenses incurred in connection with such training sessions. The specific number and type(s) of any such training session(s) shall be agreed upon in advance by Itron and Customer. If Itron notifies Customer that additional training is necessary, Customer will, subject to the availability of funds for such purpose, promptly ensure that all applicable employees and/or Customer Coordinators receive such training. Customer shall promptly notify Itron if such funding is unavailable.

2. Software Maintenance

a. Definitions.

"**Error**" means a failure of the Itron Software to substantially comply with the applicable published Itron specifications.

"**Fix**" means a correction of an Error, including a work-around, in order for the Itron Software to function in accordance with the applicable published Itron specifications.

"**Improvement**" means an update, modification, enhancement, extension, new version (regardless of name or number), new module, or other change to the Itron Software that is developed or otherwise provided by Itron.

"**Itron Software**" means Software identified on Attachment A as "Itron Software."

"**Software Release**" means a collection of Fixes or Improvements made available to Itron customers (either via physical media or download access).

b. Fixes.

Itron shall make commercially reasonable efforts to provide Fixes for Errors identified in a Service Request in accordance with the Response Time, Effort Level, and Escalation Path guidelines (together, the "**Service Levels**") outlined below for the applicable Severity Levels identified therein. Itron's obligations with respect to Service Levels are contingent upon Customer (i) devoting a sufficient level of effort to support Itron's levels of effort as set forth in the following chart, (ii) responding to requests made by Itron within the applicable Response Time, and (iii) assigning its Customer Coordinators to help Itron address the Error.

Severity Level	Response Times	Effort Level and Escalation Path
<p>Severity Level 1. An Error, reported by *phone contact, for which there is no work-around, which causes the Product/Software or a critical business function / process of the Itron system to be unavailable.</p> <p>*Severity 1 errors must be reported by phone to initiate the Severity 1 response process. SRs initiated by email or web interface are logged as a Severity 3 until reviewed by Itron Technical Support Services and validated as a higher priority.</p>	<p>During after-hour periods, Itron will respond to a critical support voice messages within 15 minutes by a return call to Customer, which will validate receipt of the critical support call and begin the SR process.</p> <p>During regular business-hours Itron will begin the SR process during the initial call.</p> <p>Following the start of the SR process Itron will respond to Customer within 4 business hours with an initial response. Following the initial response to the SR, Itron will update Customer at three hour intervals each day for unresolved SRs, or as otherwise agreed by the Parties.</p> <p>Customer will respond to an Itron inquiry or request within three hours.</p>	<p>Itron will make diligent efforts on a 24x7 basis*, or as otherwise agreed by the Parties. A SR shall be escalated to Itron's TSS Management Team if a Fix is not provided within 1 business day of Itron's receipt of the Customers call and creation of the SR.</p> <p>*24X7 support for Severity Level 1 Errors is not currently available for Itron Meter Products, Energy Forecasting and Load Research Products, and Distribution Products.</p>
<p>Severity Level 2. An Error other than a Severity Level 1 Error for which there is no work-around that results in a loss of access to the Software or that causes features of the Software to not work.</p> <p>*Severity 2 errors must be reported by phone to initiate the Severity 2 response process. SRs initiated by email or web interface are logged as a Severity 3 until reviewed by Itron Technical Support Services and validated as a higher priority.</p>	<p>Itron will respond to the Customer within 1 business day and will update the SR at least every other day. Customer will respond to an Itron inquiry or request within 1 business day.</p>	<p>Itron will make diligent efforts during normal business hours. SRs shall be escalated to Itron's TSS Management Team if a Fix is not provided within 3 business days of Itron's receipt of the Customers call and creation of the SR.</p>
<p>Severity Level 3. An Error other than a Severity Level 1 or Severity Level 2 Error that has a material impact on the functionality of the Software (e.g., a feature is not working as documented but a work-around is available and significant business functions are not materially impaired).</p>	<p>Itron will respond to the SR within 2 business days.</p>	<p>Itron will have technical representatives make diligent efforts during normal business hours.</p>
<p>Severity Level 4. An Error other than a Severity Level 1, Severity Level 2 or Severity Level 3 Error.</p>	<p>Itron will respond to the SR within 3 business days, or as otherwise agreed by the Parties.</p>	<p>Itron will have its support representatives devote commercially reasonable efforts during normal business hours.</p>
<p>Severity Level 5. A SR for an enhancement or new functionality.</p>	<p>N/A</p>	<p>The SR will be evaluated for future product enhancement. If the enhancement or new functionality requires more immediate attention, Itron will engage the Professional Services Group to create a customized proposal at Itron's then-current services rates.</p>

c. *Improvements.*

Itron shall provide Improvements, if any, at its then-current price for such Improvements (or at no charge if such Improvements are made available to Itron customers generally at no charge).

d. *Software Releases.*

i. **Release Numbering Convention.** Fixes and/or Improvements are made available to customers through periodic Software Releases. For informational purposes, Itron's current practice (which may be changed at any time in Itron's discretion) is to provide Releases using the numbering convention "XX.YY.ZZ."

- The "XX" in Itron's numbering convention refers to a "**System Release**," which is a new version of the item of Itron Software. A System Release may include Fixes, Improvements or interfaces to new functional modules or platforms not previously supported by Itron.

- The "YY" in Itron's numbering convention refers to a "**Service Pack Release**," which is an update to a System Release. Service Pack Releases may include Fixes or Improvements and are provided to Itron customers generally on a periodic basis.

- The "ZZ" in Itron's numbering convention refers to a "**Hot Fix Release**," which is an unscheduled release provided to one or more customers as a short-term, temporary fix to a Severity Level 1 Error. While not utilized by all Itron

Software product lines, Hot Fix Releases are not made available to Itron customers generally but may be included in the next scheduled Service Pack for general release.

ii. **Support for Releases of Itron Enterprise Edition and Openway Software.** This subsection applies only to Itron Enterprise Edition and OpenWay software products. Maintenance Services for Itron Enterprise Edition and OpenWay software products shall be limited to the most recent System Release and the prior System Release (and the most current Service Pack Release associated with such System Release). Customer will test and install Service Pack Releases associated with the System Release in use by Customer within 12 months of such Service Pack Releases being made available to Customer. Customer will upgrade to the latest System Release at least every twenty-four (24) to thirty-six (36) months. At Customer's request, Itron may provide Release installation services at its then-current hourly rates. Itron may elect to provide Maintenance Services for an unsupported Release of Itron Software at its then-current rates for customer support.

iii. **Support for Releases of all Other Itron Software.** This subsection applies to all Itron Software other than Itron Enterprise Edition and OpenWay Software products. Maintenance Services for all Itron Software other than Itron Enterprise Edition and OpenWay software products shall be limited to the most recent System Release and the two prior Service Pack Releases. Customer will test and install System Releases and Service Pack Releases within 12 months of such Releases being made available to Customer. At Customer's request, Itron may provide Release installation services at its then-current hourly rates. Itron may elect to provide Maintenance Services for an unsupported Release of Itron Software at its then-current rates for customer support.

e. **Mandatory Revision.**

In the event that Itron, in its sole reasonable discretion, determines that any Itron Software is, or may (as applicable) be: (i) subject to a material Error; (ii) the subject of a material security breach; or, (iii) be subject to a third party infringement claim or suit of any kind, Itron may issue a mandatory revision in correction of one or more of these issues (a "**Mandatory Revision**"). Itron disclaims all liability and obligations that arise due to, or are result of, Customer's failure to test and install a Mandatory Revision in a timely fashion.

f. **Interoperability.**

Itron makes no representation or warranty regarding the ability of the Itron Software to interoperate with third party hardware or software other than software or hardware identified as compatible with the Itron Software in Itron's published documentation for such Itron Software (the "**Documentation**").

g. **Documentation and Software Library.**

Itron will make an electronic copy of the Documentation available to Customer at no additional charge via physical media or download access. Itron will maintain a copy of its most recent supported version of the executable Itron Software to be made available to Customer as necessary in the event of corrupted or inoperative Itron Software.

h. **Restoring Software to Maintenance Services.**

If Customer declines Maintenance Services after the end of warranty or discontinues Maintenance Services for any Itron Software, and thereafter wishes to resume Maintenance Services for the most recent Release of such Itron Software, Customer shall, prior to receiving such Maintenance Services, notify Itron in writing of its request for Maintenance Services and pay Itron's then-current re-initiation fee or such other amount as may be agreed upon in writing by Itron and Customer.

i. **Exclusions.**

Itron shall have no obligation to Customer to the extent any Itron Software is adversely affected by: (i) use of the Itron Software in combination with other software, equipment or communications networks that are not referenced in the Documentation; (ii) any modification to the software or operating environment that is made other than through the fault of Itron, after the Effective Date; (iii) the use of a version of the Itron Software that is not supported by Itron; (iv) Customer's failure to implement a Fix provided by Itron; (v) the operation or maintenance of the Itron Software other than through the fault of Itron; (vi) viruses introduced through no fault of Itron; (vii) use of the Itron Software other than as permitted by Itron, including Software operated on Equipment that has been serviced or repaired by a third party that is not Itron certified; or (viii) Customer's failure to perform Customer responsibilities in accordance with this Agreement.

j. **Customer Responsibilities.**

i. **Remote Communications.**

Customer will ensure that its existing remote communications software and equipment will allow for remote access to the Software. Customer will make such remote access available to Itron representatives, as necessary, for remote diagnosis and troubleshooting of the Software, which Itron will provide as part of the Maintenance Services under this Maintenance Agreement.

ii. **System Configuration and Administration.**

Customer will ensure that its equipment, system peripherals, operating system, and data communications environment associated with the Software is configured, operated, and maintained in accordance with the Documentation and any applicable third party documentation. These administrative activities shall include but not be limited to: checking audit logs, clearing discovered exceptions, and performing daily, weekly, and monthly operational tasks and system responsibilities. Customer will consult with Itron prior to making changes that may affect the operation of the Software.

iii. **Network Administration.**

Customer will, subject to the availability of funding for such purpose, monitor and maintain, repair, replace and upgrade its local, and wide area network components (if any)—including network servers, network clients, network hubs, routers, modems, and other software components necessary for efficient and reliable network operations associated with the Software—to ensure continued conformance with the Documentation. Customer shall immediately notify Itron should such funding become unavailable. In addition, Customer will administer related host names, Internet Protocol addresses, network interfaces, access, security, communications, and equipment and software version control.

iv. Database Administration.

Customer will administer the agreed upon database(s) associated with the Software, including hardware and software components, in accordance with the Documentation or any applicable third party documentation, which administration shall include, monitoring the database server, backing up electrical power sources, and configuring and administering of database schema, application interfaces, networking operating system, communications, and file transfer software. Customer will maintain database files (e.g., truncate, cleanup, and delete files consistent with industry standard practices) and perform regular data backup and data archiving.

v. Data Review.

If Itron determines that it is necessary to evaluate Customer data in order to reproduce error conditions not reproducible with Itron's standard test data sets, Customer will provide Itron with access to such data. Itron will manage such data in a secure manner while in use and delete the data from Itron systems upon completion of the investigation. Itron shall not be liable for any delay or failure to resolve the problem if access to such production data is denied to Itron.

3. Equipment Maintenance

a. Preventive and Corrective Maintenance.

Upon receipt of an item of Itron Equipment (defined below) for which Customer has subscribed to receive Maintenance Services ("**Covered Equipment**"), Itron shall (i) perform the preventive Maintenance Services that it determines is reasonably necessary to maintain such Equipment in Operational Condition (defined below), and (ii) diagnose and correct any failure in such Equipment as necessary to meet Operational Condition (excluding minor cosmetic deficiencies such as blemishes, dents or scratches). The term "**Itron Equipment**" refers to Equipment identified on Attachment A as "Itron Equipment." The term "**Operating Condition**" means capable of performance in accordance with Itron's published specifications.

b. Maintenance Procedures.

Customer shall initiate a request for Maintenance Services for an item of Itron Equipment by delivering the item to the applicable Itron address identified on the Itron Equipment Repair Table (the "**Repair Table**"), which can be obtained by calling (877) 487-6602, at Customer's expense and in accordance with the applicable return material authorization procedure. Upon receipt of an item of Itron Equipment with the required information, Itron shall assess the item to determine whether it is Covered Equipment and whether the maintenance requested is included within the Maintenance Services and not otherwise excluded from coverage as provided herein. If the item of Itron Equipment is Covered Equipment and the maintenance requested is included in the Maintenance Services, Itron shall provide the applicable Maintenance Services and shall make commercially reasonable efforts to return the item of Itron Equipment to Customer at Itron's expense within the applicable turnaround identified on the Repair Table. Itron Equipment that is not Covered Equipment or maintenance or support that is requested but not included in the Maintenance Services shall be addressed as described in Section 3.d hereof.

c. Exclusions.

The Equipment Maintenance Services described herein do not include repairs related to:

- i. damage due to external causes, including accident, abuse, misuse, inadequate maintenance, problems with electrical power, acts of God; usage not in accordance with product instructions or in a configuration not approved by Itron;
- ii. service (including installation or de-installation) not performed or authorized by Itron;
- iii. use of parts, configurations or repair depots not certified by Itron;
- iv. Customer's failure to perform Customer responsibilities in accordance with this Agreement, including caring for Products in accordance with user documentation; or

- v. Products for which Itron has discontinued Maintenance Services pursuant to Section 5 hereof.

d. Estimation Fees

Itron will provide Customer with a price quote for the estimated cost, including labor, materials and shipping, for any repairs that are requested but not included in the Maintenance Services (whether because the item of equipment is not covered by Maintenance Services or because the nature of the repair is not included in Maintenance Services). If Customer elects to have Itron proceed with the requested maintenance on any such item, Itron shall provide such services at its then-current rates. If Customer elects not to proceed with the requested repair, Itron will return the item of equipment at Customer's expense. Itron may charge Customer its then-current handling, inspection and shipping fees for any such returned equipment.

e. Adding/Restoring Equipment to Maintenance Services.

Following the Effective Date, additional Itron Equipment purchased by Customer, of a similar type and model already covered by Maintenance Services, shall automatically be deemed to be Covered Equipment following expiration of the warranty for such Equipment. If Customer declines Equipment coverage after the end of warranty, discontinues Maintenance Services for any Covered Equipment or has Equipment serviced or repaired by a third party that is not Itron certified, and thereafter wishes to add such equipment as Covered Equipment, Itron may, prior to such equipment being included as Covered Equipment, (i) inspect such equipment at its then-current rates to determine whether it is in Operating Condition and/or (ii) charge its then-current re-certification fee, in addition to the Equipment's first term maintenance fee.

f. Customer Responsibilities.

Itron shall make available, and Customer shall obtain, a copy of Itron's user documentation for items of Covered Equipment and Customer shall perform regular preventive maintenance for each such item in accordance with such documentation. Customer shall also keep accurate records of Equipment serial numbers and locations to assist Itron with the Maintenance Services.

g. Loaner Equipment Program.

Subject to the requirements below, Itron shall make commercially reasonable efforts to provide Customer with a Mobile Collector or Handheld unit, as applicable, for the Customer to use (each an item of "**Loaned Equipment**") while a Mobile Collector or Handheld unit, as applicable, that is Covered Equipment is receiving Maintenance Services. Itron shall provide Loaned Equipment if all the following criteria are satisfied:

i. Customer has maintained an inventory of spare Mobile Collectors or Handheld units equal to at least 10 percent of the number of Mobile Collectors or Handheld units deployed in Customer's service territory (with at least one Mobile Collector) and such inventory has been depleted;

ii. Itron has provided preventive Maintenance Services for each of Customer's Mobile Collectors or Handheld Devices (as applicable) that are Covered Equipment in the 12-month period prior to Customer's request for Loaned Equipment; and

iii. Itron is unable to return the Mobile Collector or Handheld Devices, as applicable, receiving Maintenance Services within the applicable turnaround time set forth on Attachment A.

iv. Loaned Equipment will remain the property of Itron and shall be returned to Itron promptly upon receipt of the corresponding item of Itron Equipment. For Loaned Equipment that is not returned within 14 days from shipment of the corresponding item of Itron equipment, Itron may charge a late fee equal to 10 percent of the then-current list price for the item of Loaned Equipment for each 30 day period during which the item of Loaned Equipment remains unreturned. Itron shall pay the cost of delivering Loaned Equipment to Customer and Customer shall pay the cost of returning Loaned Equipment to Itron.

4. Compensation and Payment

a. Definitions

"Annual Adjustment" means Itron's standard price increase.

"Annual Fee" means the annual fee set forth on Attachment A hereto for each category of Products identified thereon plus the Annual Adjustment, if any. The Annual Fee for Maintenance Services to be provided for any partial Maintenance Year (i.e., for Products with a Maintenance Commencement Date that falls after the beginning of the Maintenance Year) shall be prorated based on the applicable number of months Customer is to receive Maintenance Services during such Maintenance Year.

"Maintenance Commencement Date" means the date for commencement of the Maintenance Services for a Product identified on Attachment A hereto.

"Maintenance Year" means any period of 1 year during the Term beginning on the Effective Date or any anniversary thereof.

b. Compensation and Invoicing.

As compensation for the Maintenance Services, Customer shall, in advance, pay to Itron the Annual Fee for each Maintenance Year in which it receives Maintenance Services. Itron shall invoice Customer for Maintenance Services to be provided during the first Maintenance Year as soon as practicable following the Effective Date. For Maintenance Services provided during any subsequent Maintenance Year, including Maintenance Services for newly purchased Products, Itron shall provide Customer with a renewal notice at least 100 days prior to the commencement of each Maintenance Year. Customer may discontinue Maintenance Services for a Product by providing Itron with written notice of non-renewal for such Product no less than 90 days prior to the commencement of any subsequent Maintenance Year. Approximately 20 days prior to the commencement of any subsequent Maintenance Year, Itron shall provide Customer with an invoice for the Annual Fee payable by Customer for the forthcoming Maintenance Year. Itron may, in its discretion, invoice Customer for Maintenance Services for a Product that is added during the course of any Maintenance Year as soon as such Product has been added or at the beginning of the next Maintenance Year.

c. Payment.

Invoices will be due and payable 30 days following the date of invoice. For invoices not paid within 30 days of the invoice date, in addition to other remedies to which Itron may be entitled, Itron may charge Customer a late fee of 1 percent per month applied against undisputed overdue amounts. Customer shall also be responsible for collection costs associated with late payment, if any, including reasonable attorneys' fees. Fees paid pursuant to this Maintenance Agreement, including the Annual Fee, do not include taxes. Customer will, unless and to the extent Customer qualifies as a tax-exempt entity, be responsible for and pay all applicable sales, use, excise, value-added and other taxes associated with the provision of the Maintenance Services, excluding taxes on Itron's income generally. If Customer is a tax exempt entity, or pays taxes directly to the state, Customer will provide Itron with a copy of its Tax Exemption Certificate or Direct Pay Permit, as applicable, upon execution of this Agreement. No endorsement or statement on any check or payment or in any letter accompanying a check or payment or elsewhere shall be construed as an accord or satisfaction. Customer shall pay all amounts due under this Agreement in lawful money of the United States, unless otherwise provided in Attachment A.

5. Term and Termination

a. Term.

The term of this Maintenance Agreement ("**Term**") shall commence upon the Effective Date and shall continue unless and until terminated in accordance with this Section.

b. Termination.

Either party may terminate this Maintenance Agreement effective as of the end of any Maintenance Year by giving the other Party written notice of termination at least 90 days prior to the end of such Maintenance Year. If either Party commits a material breach or default under this Maintenance Agreement or any agreement between the Parties related to this Maintenance Agreement, then the other Party may give such Party written notice of the breach or default (including, but not necessarily limited to, a statement of the facts relating to the breach or default, the provisions of this Maintenance Agreement that are in breach or default and the action required to cure the breach or default) and, at the notifying Party's election, this Maintenance Agreement shall terminate pursuant to this Section if the breach or default is not cured within 30 days after receipt of notice (or such later date as may be specified in the notice).

c. Effect of Termination.

Itron shall not be obligated to provide any Maintenance Services after the end of the Term. If either Party terminates the Maintenance Agreement for a reason other than a termination for breach or default or if Itron terminates Maintenance Services for one or more Products, Customer shall be entitled to a prorated refund of the Annual Fee.

d. *End of Support.*

Itron may discontinue Maintenance Services for any Equipment or Software, effective as of the end of the current Maintenance Year, by giving Customer written notice of such discontinuance no less than 90 days prior to the end of such Maintenance Year. At Customer's request, Itron may elect to provide custom support for products for which Maintenance Services have been discontinued at Itron's then-current rates.

e. *Survival*

Any Section of this Maintenance Agreement, which by its nature is intended to survive termination or expiration, shall survive the termination or expiration of this Maintenance Agreement.

6. **Miscellaneous**

a. *Disclaimer of Warranties.*

EXCEPT AS EXPRESSLY SET FORTH IN THIS MAINTENANCE AGREEMENT, ITRON DISCLAIMS ALL EXPRESS OR IMPLIED WARRANTIES, CONDITIONS, OR REPRESENTATIONS INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE AND ANY IMPLIED WARRANTY ARISING OUT OF ANY COURSE OF PERFORMANCE, COURSE OF DEALING OR USAGE OR TRADE PRACTICE.

b. *No Consequential Damages.*

NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THIS AGREEMENT, IN NO EVENT WILL ITRON BE LIABLE UNDER ANY CONTRACT, NEGLIGENCE, STRICT LIABILITY OR OTHER LEGAL OR EQUITABLE THEORY FOR COVER OR FOR ANY INCIDENTAL, SPECIAL, CONSEQUENTIAL (INCLUDING LOSS OR CORRUPTION OF DATA OR LOSS OF REVENUE, SAVINGS OR PROFITS) OR EXEMPLARY DAMAGES, EVEN IF ITRON HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

c. *Limitation of Liability.*

NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THIS AGREEMENT, THE AGGREGATE LIABILITY OF ITRON AND ITS AFFILIATES AND ITS AND THEIR OFFICERS, DIRECTORS, EMPLOYEES OR OTHER REPRESENTATIVES, ARISING IN ANY WAY IN CONNECTION WITH THIS MAINTENANCE AGREEMENT—WHETHER UNDER CONTRACT LAW, TORT LAW, WARRANTY OR OTHERWISE—SHALL NOT EXCEED THE TOTAL AMOUNT PAID BY CUSTOMER UNDER THIS MAINTENANCE AGREEMENT DURING THE MAINTENANCE YEAR IN WHICH THE CAUSE OF ACTION GIVING RISE TO THE LIABILITY AROSE. ITRON SHALL NOT BE LIABLE FOR ANY CLAIM MADE THE SUBJECT OF A LEGAL PROCEEDING MORE THAN 2 YEARS AFTER THE CAUSE OF ACTION ASSERTED IN SUCH CLAIM AROSE.

d. *Force Majeure.*

Except for monetary obligations hereunder, neither Party will be responsible for any failure or delay in performing any obligation hereunder if such failure or delay is due to a cause beyond the Party's reasonable control, including, but not limited to acts of God, flood, fire, volcano, war, terrorist threats or actions, third-party suppliers, labor disputes or governmental acts.

e. *Notices.*

Any notice required or permitted under this Maintenance Agreement or required by law must be in writing and must be delivered in person, by facsimile, by certified mail (return receipt requested), or by a nationally recognized overnight service with all freight charges prepaid, to the address set forth on the signature page hereto. Notices will be deemed to have been given at the time of actual delivery, if in person, or upon receipt (as evidenced by facsimile confirmation, return receipt or overnight delivery verification). Either Party may change its address for notices by written notice to the other Party in accordance with this Section. Notwithstanding the foregoing, notice of renewal or non-renewal of Maintenance Services shall be sent to the email or other address set forth on the signature page hereto.

f. *Assignment.*

Customer may not assign or transfer its interests, rights or obligations under this Maintenance Agreement by written agreement, merger, consolidation, operation of law or otherwise without the prior written consent of an authorized executive officer of Itron. Any attempt to assign this Maintenance Agreement by Customer shall be null and void.

g. *Nonwaiver.*

Any failure by either Party to insist upon or enforce performance by the other Party of any of the provisions of this Maintenance Agreement or to exercise any rights or remedies under this Maintenance Agreement or otherwise by law shall not be construed as a waiver or relinquishment to any extent of such Party's right to assert or rely upon any such provision, right or remedy in that or any other instance; rather the provision, right or remedy shall be and remain in full force and effect.

h. *Governing Law.*

This Maintenance Agreement and performance hereunder will be governed by and construed in accordance with the laws of the State of Texas without reference to Texas conflicts of law principles or the United Nations Convention on Contracts for the Sale of Goods. **THE PARTIES HEREBY UNCONDITIONALLY WAIVE THEIR RESPECTIVE RIGHTS TO A JURY TRIAL OF ANY CLAIM ARISING IN ANY WAY IN CONNECTION WITH THIS AGREEMENT.**

i. *Confidentiality.*

With respect to any information supplied in connection with this Maintenance Agreement and designated by either Party as confidential, or which the recipient should reasonably believe to be confidential based on its subject matter or the circumstances, the recipient agrees to protect the confidential information in a reasonable and appropriate manner, and to use and reproduce the confidential information only as necessary to perform its obligations under this Maintenance Agreement and for no other purpose. The obligations in this Section will not apply to information that is: (i) publicly known; (ii) already known to the recipient; (iii) lawfully disclosed by a third party; (iv) independently developed; or (v) disclosed pursuant to a legal requirement or order. The recipient may disclose the confidential information on a need-to-know basis to its contractor's, agents and affiliates who agree to confidentiality and non-use terms that are substantially similar to these terms.

j. Intellectual Property.

Between Itron and Customer, all patents, copyrights, mask works, trade secrets, trademarks and other proprietary rights in or related to any product, software or deliverable provided in connection with the Maintenance Services are and will remain the exclusive property of Itron. Any modification or improvement to an Itron product or deliverable that is based on Customer's feedback shall be the exclusive property of Itron. Customer will not take any action that jeopardizes Itron's proprietary rights nor will it acquire any right in any such product, software or deliverable or Itron's confidential information other than rights granted in this Maintenance Agreement.

k. Entire Agreement.

This Maintenance Agreement constitutes the entire agreement between the Parties with respect to its subject matter and supersedes any and all prior agreements between Itron and Customer related to the Maintenance Services and other items furnished under this Maintenance Agreement. No amendment, modification or waiver of any of the provisions of this Maintenance Agreement shall be valid unless set forth in a written instrument signed by the Party to be bound thereby.

[Signature Page Follows]

Agreed to and accepted by:

Customer

Signature: Joseph E. Helmsberger, P.E.
Print name: JOSEPH E. HELMSBERGER, P.E.
Title: Mayor
Date: 2-10-2015

Billing Contact Information

Name: DAPHNE HAMLIN, FINANCE DIRECTOR
Address: CITY OF FARMERSVILLE
205 S MAIN
FARMERSVILLE, TX 75442
Phone: 972-782-6151
Email: D.HAMLIN@FARMERSVILLETX.COM

Renewal Notice Contact Information

Name: EDIE SIMS, CITY SECRETARY
Address: CITY OF FARMERSVILLE
205 S MAIN
FARMERSVILLE, TX 75442
Phone: 972-782-6151
Email: E.Sims@farmersvillutx.com

Purchase Order Number: _____

Itron, Inc.

Signature: Richard Christensen
Print name: RICHARD CHRISTENSEN
Vice President, Global Financial
Planning and Analysis
Itron, Inc.
Title: _____
Date: 2/18/15

Address:

Itron, Inc.
Attention: General Counsel
2111 North Molter Road
Liberty Lake, WA 99019



Knowledge to Shape Your Future

Maintenance Proposal Pricing

Date of Quote: 2/3/2015

40110 - City of Farmersville, Texas

Attachment A

Hardware	Qty	Component Name	Warranty Expiration Date	Agreement Dates		Price	2/1/15-1/31/16
				Start	End		
					Number of Months	Annual Fee/Unit	Year 1
	1	FC3SR - FC300, SRead Radio	2/1/2015		12	\$ 435.00	\$ 435.00
	1	FC3 DESK DOCK - FC300 Desk Dock	2/1/2015		12	\$ 37.80	\$ 37.80
	-	-				\$ -	\$ -
Hardware Subtotal						\$	\$ 472.80
Software							
	1	MVRS AA - MVRS Software/Phone Support Up to 2500 Meters	2/1/2015		12	\$ 840.00	\$ 840.00
	-	-				\$ -	\$ -
Software Subtotal						\$	\$ 840.00
Hardware & Software Total						\$	\$ 1,312.80

Total Maintenance Fees (USD)

Customer Signature of Acceptance:

Date:

2-12-2015

Comments and/or Assumptions:

This is not an invoice
Prices Valid for 90 Days



TO: Mayor and Councilmembers
FROM: Ben White, City Manager
DATE: October 13, 2015
SUBJECT: Consider, discuss and act upon a wellness program for City employees

- City Manager Ben White will discuss this topic.

ACTION: Council to offer direction and act as deemed appropriate.



TO: Mayor and Councilmembers

FROM: Ben White, City Manager

DATE: October 13, 2015

SUBJECT: Consider, discuss and act regarding direction to amend existing ordinances pertaining to training and functions of each board, committee and commission

- Information regarding each board/committee/commission from the Code of Ordinances is attached for review.
- A Directory page for each board/committee/commission is attached for review.

ACTION: Council to offer direction and act as deemed appropriate.

ARTICLE III. - BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES^[3]

DIVISION 1. - GENERALLY

Secs. 2-50—2-71. - Reserved.

DIVISION 2. - LIBRARY/CIVIC CENTER BOARD

Sec. 2-72. - Creation.

There is created in and for the city a board to be known as the library/civic center board.

(Code 2004, § 8.108.1)

Sec. 2-73. - Composition.

The membership of the library/civic center board shall be composed of five members. The city council shall appoint the members of this board, and such members shall serve without compensation.

(Code 2004, § 8.108.2)

Sec. 2-74. - Term of office.

Each member of the library/civic center board shall serve for a period of three years, except for the initial board which shall be appointed for staggered terms of one, two and three years, with the council designating the term of office for each member appointed to the initial board. Thereafter, such a position will be for a three-year term. All members may serve a maximum of two consecutive terms. After serving two consecutive terms, a member will not be eligible for re-appointment to the board for a period of one term (three years).

(Code 2004, § 8.108.3; Ord. No. 2005-21, 4-12-2005)

Sec. 2-75. - Removal of members.

The members of the board shall serve at the will and pleasure of the city council and may be removed from such board by the city council at any time, with or without cause.

(Code 2004, § 8.108.4)

Sec. 2-76. - Vacancies.

Should a vacancy occur on the library/civic center board, the city council will appoint a successor to fill the unexpired term.

(Code 2004, § 8.108.5)

Sec. 2-77. - Providing for officers.

The board shall be organized by electing its own chairperson and secretary at the first meeting in October of each year or as soon thereafter as is practicable. The board may create other positions it deems necessary to perform its function as a library/civic center board. This provision shall not operate so as to increase the membership of the board.

(Code 2004, § 8.108.6)

Sec. 2-78. - Meetings.

The board shall meet as often as may be deemed necessary for the completion of its responsibilities. Meetings shall be called by the chairman or at the request of the city manager. Meetings shall be noticed and conducted in accordance with state open meeting requirements. A majority of the total membership of the board shall constitute a quorum.

(Code 2004, § 8.108.7)

Sec. 2-79. - Jurisdiction.

It shall be the jurisdiction of the library/civic center board to work with individuals and/or groups for the improvement of the library/civic center and to advise the council on its development.

(Code 2004, § 8.108.8)

Sec. 2-80. - Limitations.

The library/civic center board shall not have any authority to create legal obligations or liabilities for the city.

(Code 2004, § 8.108.9; Ord. No. 91-4, 2-12-1991)

Secs. 2-81—2-103. - Reserved.

DIVISION 3. - CAPITAL IMPROVEMENTS ADVISORY COMMISSION

Sec. 2-104. - Land use assumptions.

The capital improvements advisory commission (the "CIAC") shall be convened at the request of the city council, city manager or city engineer to consider and to make recommendations concerning land use assumptions and the adoption of a capital improvements plan within the city.

(Ord. No. 2007-64, § 1, 12-11-2007)

Sec. 2-105. - Advisory capacity.

The CIAC shall serve in an advisory capacity to the city council and is established to:

- (1) Advise and assist in adopting land use assumptions;
- (2) Review and comment on a proposed capital improvements plan;
- (3) Monitor and evaluate the implementation of the capital improvements plan;
- (4) File semiannual reports with respect to the progress of the capital improvements plan and report to the mayor and city council any perceived inequities in implementing the plan or imposing an impact fee, if any; and
- (5) Advise the mayor and city council of the need to update or revise the land use assumptions, capital improvements plan, and impact fee program, if any.

(Ord. No. 2007-64, § 2, 12-11-2007)

Sec. 2-106. - Composition.

The planning and zoning commission shall act as the CIAC as provided by state law. The CIAC shall consist of all members of the planning and zoning commission. In addition to the planning and zoning commission members, one ad hoc voting member shall be appointed by the city council, however, only in the event one of the members of the planning and zoning commission is not a representative of the real estate, development, or building industry. Such ad hoc appointee shall be a representative of at least one of such industries; however the ad hoc appointee shall not become a member of the planning and zoning commission by virtue of appointment to the CIAC. The ad hoc appointee may also be the representative of the extraterritorial jurisdiction as discussed herein below.

If impact fees are imposed in the extraterritorial jurisdiction at least one member of the CIAC shall be a representative from that area. The city council shall appoint one ad hoc voting member from that area in the event one of the members of the planning and zoning commission or an ad hoc member is not a

representative from the extraterritorial jurisdiction. Such ad hoc appointee may also be the representative of the real estate, development, or building industry discussed herein above. The ad hoc appointee shall not become a member of the planning and zoning commission by virtue of appointment to the CIAC.

(Ord. No. 2007-64, § 3, 12-11-2007)

Sec. 2-107. - Term of service.

Members of the planning and zoning commission shall be appointed to and serve on the planning and zoning commission in accordance with the provisions set forth in section 2-170. Ad hoc members of the CIAC shall be appointed for a term not to exceed three years and until their successors are qualified and appointed as provided herein. Members of the CIAC may be removed before their terms of office expire.

No member of the CIAC shall be an employee or official of the city. If a vacancy occurs during any unexpired term by death, resignation or otherwise, the city council shall appoint a commissioner to fill such vacancy for the balance of such unexpired term.

(Ord. No. 2007-64, § 4, 12-11-2007)

Sec. 2-108. - Meetings.

The CIAC shall meet and appoint one of its members as chairperson, who shall hold office as chairperson for such term as the CIAC shall designate. The CIAC may also elect a co-chairperson who shall act as chair in the absence of the chairperson. Meetings of the CIAC shall be called at the direction of the city council, city manager and/or city engineer as necessary to perform those duties required by V.T.C.A., Local Government Code, Ch. 395 and such other duties as may be delegated to the CIAC by the city council.

(Ord. No. 2007-64, § 5, 12-11-2007)

Secs. 2-109—2-134. - Reserved.

DIVISION 4. - SENIOR CITIZEN ADVISORY COMMITTEE

Sec. 2-135. - Creation.

There is created a senior citizen advisory committee.

(Code 2004, § 8.112.1)

Sec. 2-136. - Composition.

The voting membership of the senior citizen advisory committee shall be composed of seven voting members. The city council shall appoint the members of this committee. Each member of the senior citizen advisory committee shall reside in the city and/or reside within the Farmersville Independent School District for at least one year immediately preceding the date of appointment. The members of this committee shall serve without compensation. No more than two voting members shall reside outside of the city's corporate limits. In addition, two nonvoting ex officio members shall be appointed; one shall be appointed by the city council from the elected city officers, and one shall be appointed by the city manager from the city staff.

(Code 2004, § 8.112.2; Ord. No. O-2014-0610-001, § 2, 6-10-2014)

Sec. 2-137. - Purpose.

- (a) The committee shall work with individuals and groups to determine needs for the improvement of services and/or facilities. Once the needs have been determined, the committee shall prioritize and present them to the city council. The committee may adjust the priorities as it feels necessary, and the committee may act as a facilitator to develop the list of needs.

- (b) With the consent of the city council, the committee shall gather and evaluate data on the top priority. This information will contain the options available for addressing the need along with the cost and benefit of each option. The committee shall evaluate this information against the ability of the community to finalize the project. The committee shall synthesize this data and recommend the best option to the city council.

(Code 2004, § 8.112.8)

Sec. 2-138. - Term of office.

Each voting member of the senior citizen advisory committee shall serve for a period of three years, except for the initial committee which shall be appointed for staggered terms of one, two, and three years, with the council designating the term of office for each member appointed to the initial committee. All members may serve a maximum of two consecutive terms. After serving two consecutive terms, a member will not be eligible for reappointment to the committee for a period of one term (three years). The ex officio members shall serve at the pleasure of the city council or manager.

(Code 2004, § 8.112.3; Ord. No. 2005-21, 4-12-2005)

Sec. 2-139. - Removal of members.

The members of the board shall serve at the will and pleasure of the city council and may be removed from such board by the city council at any time, with or without cause.

(Code 2004, § 8.112.4)

Sec. 2-140. - Vacancies.

Should a vacancy occur, the city council will appoint a successor to fill the unexpired term.

(Code 2004, § 8.112.5)

Sec. 2-141. - Providing for officers.

The committee shall be organized by electing its own chairperson and secretary at the first meeting in October of each year or as soon thereafter as is practicable. The committee may create other positions it deems necessary to perform its function as a senior citizen advisory committee.

(Code 2004, § 8.112.6)

Sec. 2-142. - Meetings.

The board shall meet as often as may be deemed necessary for the completion of its responsibilities. Meetings shall be called by the chairman or at the request of the city manager. Meetings shall be noticed and conducted in accordance with state open meeting requirements. A majority of the total membership of the board shall constitute a quorum.

(Code 2004, § 8.112.7; Ord. No. 94-04, 2-8-1994)

Sec. 2-143. - Limitations.

The senior citizen advisory committee shall not have the authority to create legal obligations or liabilities for the city.

(Code 2004, § 8.112.9; Ord. No. 92-14, 7-14-1992)

Secs. 2-144—2-169. - Reserved.

DIVISION 5. - PLANNING AND ZONING COMMISSION

Sec. 2-170. - Creation of commission; appointment; terms.

There is hereby created a planning and zoning commission consisting of seven members. The members of the planning and zoning commission shall be appointed by majority vote of the city council, and shall serve for a term not to exceed three years, or until their successors are appointed and qualified.

(Ord. No. 2007-65, § 1, 12-11-2007)

Sec. 2-171. - Initial appointment of members; reappointment; removal.

- (a) *Appointment and reappointment.* The planning and zoning commission shall consist of seven members. The initial members shall serve as follows: two members shall be appointed to serve until May 1, 1988, or until their successors are appointed; and two members shall be appointed to serve until May 1, 1989, or until their successors are appointed; and three members shall be appointed to serve until May 1, 1990, or until their successors are appointed. Thereafter, each member appointed or reappointed shall serve a term not to exceed three-years until the member resigns or is removed as herein provided. All members may serve a maximum of two consecutive terms. After serving two consecutive terms, a member will not be eligible for re-appointment to the commission for a period of one term (three years).
- (b) *Removal.* Members of the planning and zoning commission serve at the will and pleasure of the city council. Any member may be removed before their terms of office expire.

(Ord. No. 2007-65, § 2, 12-11-2007)

Sec. 2-172. - Duties and functions.

The purpose and object of the planning and zoning commission is to act as an advisory board to the city council as the planning and zoning commission and the city council may deem beneficial to the city.

- (1) *Approval of sub-division plats.* The commission shall perform all functions related to the review and approval of subdivision plats which may be assigned to them by the statutes of the state and/or the ordinances of the city.
- (2) *Preparation of comprehensive plan.* At the request or direction of the city council and/or the city manager the commission shall review, prepare, or cause to be prepared, a comprehensive plan for the physical development of the city and its environs, including, but not limited to:
 - a. Land use.
 - b. Thoroughfares and transportation by rail, water, air, or highway.
 - c. Park and school sites.
 - d. Public buildings.
 - e. Housing and neighborhood improvements.
 - f. Drainage.
 - g. Utilities and services.
 - h. Municipal expansion and annexation.
 - i. Slum clearance and blighted areas.
 - j. Parking and use of streets and alleys.
- (3) *Adoption of comprehensive plan.* The city council shall adopt, after review and recommendation from the commission, a comprehensive plan, as a whole or as individual parts thereof. The city manager shall be the custodian of the comprehensive plan and all parts thereof. The adoption of any portion of the comprehensive plan shall be by ordinance, carried by the affirmative votes of not less than a majority of the entire city council. Prior to the initiating action of the adoption of any part of the comprehensive plan, the city council shall refer said plan to the commission for concurrence or comment. The city council may, by ordinance, adopt said plan, as a whole or in parts as submitted by the commission.

- (4) *Recommendation of improvements.* The commission shall, upon the submission of an application and payment of the corresponding fee or upon the request of the city council, city manager and/or city engineer recommend and advise the city council on matters involving the physical improvement of the city, including capital improvement programs, approval of subdivision plats, and other changes or additions involving the physical arrangement of the city.
- (5) *Recommendations for ordinances and public hearings.* The commission shall make and recommend for adoption ordinances for zoning the city in accordance with the provisions of V.T.C.A., Local Government Code, Ch. 211, as amended, and it shall hold public hearings and make recommendations to the city council on all requests or proposals for amending, changing, or adding to the zoning ordinances.
- (6) *Powers.* The commission, in the performance of its duties, shall have all the powers, duties, and responsibilities prescribed by statutes of the state and the zoning ordinance of the city. Should the planning and zoning commission desire on its own motion to institute study and proposal for changes and amendments in the public interest to the master plan, thoroughfare plan, subdivision ordinance, comprehensive zoning ordinance or capital improvements plan, the commission shall first submit a request, including a preliminary report explaining the reasoning and perceived need for such undertaking, to the city manager and the city council for their review and assessment and the city council's consent, authorization and direction to the commission to proceed with such undertaking so as to allow for the most beneficial and efficient use of the city's staff and limited resources.

(Ord. No. 2007-65, § 3, 12-11-2007)

Sec. 2-173. - Organization and meetings.

(a) *Reserved.*

(b) *Meetings.* The commission shall meet once each month and at such other times as the chairman or a majority of the members of the commission may direct. Four members of the commission shall constitute a quorum. However, no portion of the comprehensive plan shall be recommended to the city council for approval by less than the affirmative vote of the majority of the entire commission.

(Ord. No. 2007-65, § 4, 12-11-2007)

Secs. 2-174—2-191. - Reserved.

DIVISION 6. - BUILDING AND PROPERTY STANDARDS COMMISSION

Sec. 2-192. - Creation.

The city council has appointed a Building and Property Standards Commission to act as a quasi-judicial review board in accordance with V.T.C.A., Local Government Code ch. 54, to protect the public safety relating to materials and methods used to construct buildings and improvements, including foundations, structure elements, electrical wiring and apparatus, plumbing and fixtures, entrances or exits, and also relating to the fire safety of the building or improvements, including provisions relating to materials, types of construction or design, warning devices, sprinklers or other fire suppression devices, and relating to dangerously damaged or deteriorated buildings or improvements, relating to the accumulation of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents, and relating to the building codes or the condition, use or appearance of property in the city.

(Code 2004, § 4.108)

Sec. 2-193. - Duties and responsibilities.

(a) The Building and Property Standards Commission will hear and determine any case concerning an alleged

violation of Code provisions concerning the health, safety and welfare standards and building codes as provided in the Texas Local Government Code and ordinances adopted under state law, or to perform such duties and responsibilities as may be imposed by state law or ordinances.

- (b) Such commission shall convene to consider and make recommendations concerning the adoption of ordinances establishing building and property standards for construction within the city.

(Code 2004, § 4.108.1)

Sec. 2-194. - Appointment; term of office.

The Building and Property Standards Commission shall consist of five regular members to be designated as places one through five to be appointed by the city council for a term not to exceed three years and until their successor is qualified and appointed as provided herein. The initial term of places one, three and five shall be for a term of one year, and thereafter such places shall be for a three-year term. The initial term for places two and four are for a two-year term, and thereafter such position will be for a three-year term. The city council shall also appoint two alternate members of the commission who shall serve in the absence of one or more of the regular members and when requested to do so by the mayor and/or city manager. The alternate members shall be designated as places six and seven with place six being appointed to serve the same terms as places two and four and place seven being appointed to serve the same terms as places one, three and five. All members may serve a maximum of two consecutive terms. After serving two consecutive terms, a member will not be eligible for reappointment to the commission for a period of one term (three years). All members of the commission shall be residents of the city and/or owners of real property within the city, and shall serve without compensation.

(Code 2004, § 4.108.2; Ord. No. 2005-21, 4-12-2005)

Sec. 2-195. - Removal of members.

Commissioners may be removed only for cause on written charges and, before removal of any commission member, the city council must hold a public hearing on the matter if requested by the commission member subject to the removal action.

(Code 2004, § 4.108.3; Ord. No. 98-16, 8-11-1998)

Sec. 2-196. - Vacancies.

Should a vacancy occur, the city council will appoint a successor to fill the unexpired term.

Sec. 2-197. - Providing for officers.

The commission shall be organized by electing its own chairperson and secretary at the first meeting in October of each year or as soon thereafter as is practical.

Sec. 2-198. - Meetings.

The commission shall meet as often as may be deemed necessary for the performance of its responsibilities. Meetings shall be called at the request of the city manager. Meetings shall be noticed and conducted in accordance with state open meeting requirements. A quorum shall consist of at least four members.

Secs. 2-199—2-213. - Reserved.

DIVISION 7. - PARKS AND RECREATION BOARD^[4]

Sec. 2-214. - Creation; composition; appointment; compensation.

There is created a parks and recreation board. The members of the parks and recreation board shall be

appointed by the city council. All members of the parks and recreation board shall reside in the city and/or within the Farmersville Independent School District for at least one year immediately preceding the date of appointment. The parks and recreation board shall consist of six members who shall serve without compensation. No more than two of said members shall reside outside of the city's corporate limits. The chairman shall vote only when necessary to break a tie vote.

(Code 2004, § 9.102; Ord. No. 92-42, 12-22-1992; Ord. No. O-2014-0610-001, § 3, 6-10-2014)

Sec. 2-215. - Term of office.

Each member of the parks and recreation board shall serve for a period of three years, except for the initial board, which shall be on staggered terms of one, two, and three years, with the city council designating the term of office for each member appointed to the initial board. The effective date of the initial appointment of the board shall be April 26, 1988. Thereafter, each member appointed or reappointed shall serve for a three-year term until the member resigns or is removed as provided in section 2-216. All members may serve a maximum of two consecutive terms. After serving two consecutive terms, a member will not be eligible for reappointment to the board for a period of one term (three years).

(Code 2004, § 9.102.1; Ord. No. 2005-21, 4-12-2005)

Sec. 2-216. - Removal of members.

The members of the board shall serve at the will and pleasure of the city council and may be removed from such board at any time, with or without cause.

(Code 2004, § 9.102.2)

Sec. 2-217. - Vacancies.

Should a vacancy occur in the membership of the board, the city council shall appoint a successor to fill the unexpired term.

(Code 2004, § 9.102.3)

Sec. 2-218. - Officers.

The board shall be organized by electing its own chairperson, vice-chairperson, secretary and assistant secretary at the first meeting in October of each year or as soon thereafter as is practicable. The officers of the board shall serve for one year.

(Code 2004, § 9.102.4)

Sec. 2-219. - Meetings.

The board shall hold meetings when the board deems it necessary or may set regular meeting dates. A quorum must be present to conduct any business.

(Code 2004, § 9.102.5)

Sec. 2-220. - Jurisdiction.

The board shall work with any individual or group for the development and beautification of any park under the jurisdiction of the city, and to advise the city council on its recommendations. The city council will take no action on any park and recreation program until it has been reviewed by the board, and the board has submitted its recommendation to the city council. The council has final authority to accept or reject the board's recommendations.

(Code 2004, § 9.102.6)

Sec. 2-221. - Limitations.

The parks and recreation board shall not have any authority to create legal obligations or liabilities for the city.

(Code 2004, § 9.102.7)

Secs. 2-222—2-250. - Reserved.

DIVISION 8. - BOARD OF ADJUSTMENT

Sec. 2-251. - Board designated; powers and authority.

- (a) *Organization.* As the city is a Type A general law municipality of the state, the city councilmembers are hereby granted the authority to act as a board of adjustment under V.T.C.A., Local Government Code ch. 211.
- (b) *Procedure.* The board shall adopt rules to govern its proceedings; provided, however, that such rules are not inconsistent with this article or state statutes. Meetings of the board shall be held at the call of the chairman, and at such other times as the board may determine. The chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicate such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be public record.
- (c) *Appeals.*
 - (1) Appeals to the board of adjustment can be taken by any person aggrieved, or by an officer, department, or board of the municipality affected, by a decision of the building official under this ordinance. Such appeal shall be taken within 15 days after the decision has been rendered by the building official, by filing with the officer from whom the appeal is taken and with the board of adjustment, a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.
 - (2) An appeal shall stay all proceedings of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment, after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application and notice to the officer from whom the appeal is taken and on due cause shown. The board of adjustment shall fix a reasonable time for the hearing of an appeal, give the public notice thereof by posting such notice in the mail addressed to all owners of real property located within 200 feet of the property to which the appeal applies and by publishing notice of such hearing in a newspaper of general circulation in the city. Both the posted and published notice shall be given at least ten days prior to the date set for the hearing. At the hearing, any party may appear in person or by attorney or by agent.
- (d) *Jurisdiction.* When in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the board of adjustment may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards, authorize the following special exception to the regulations herein established.
 - (1) Permit the reconstruction, extension or enlargement of a building occupied by a nonconforming

use of the lot or tract occupied by such building, provided such reconstruction does not prevent the return of such property to a conforming use.

- (2) Permit such modifications of the height, yard, area, coverage, and parking regulations as may be necessary to secure appropriate development of a parcel of land which differs from other parcels in the district by being of such restricted area, shape, or slope that it cannot be appropriately developed without such modification.
- (3) Require the discontinuance of nonconforming uses of land or structure under any plan whereby the full value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this article. All actions to discontinue a nonconforming use of land and structure shall be taken with due regard for the property rights of the persons affected when considered in the light of the public welfare and the character of the area surrounding the designated nonconforming use and the conservation and preservation of property. The board shall, from time to time on its own motion or upon cause presented by interested property owners, inquire into the existence, continuation or maintenance of any nonconforming use within the city.
- (4) To bring about the discontinuance of a nonconforming use under a plan whereby the owner's actual investment in the structures on the property prior to the time that the use became nonconforming can be amortized within a definite time period.

(e) Actions of the board.

- (1) In exercising its powers the board may, in conformity with the provisions of V.T.C.A., Local Government Code ch. 211, as amended, revise or reform, wholly or partly, or may modify the order, requirement, decisions, or determination appealed from and make such order, requirement, decisions, or determination as ought to be made and shall have all the powers of the officer from whom the appeal is taken, including the power to impose reasonable conditions to be complied with by the applicant.
- (2) The concurring vote of four members of the board shall be necessary to revise any order, requirements, decision or determination of the building official, or to decide in favor of the applicant on any matter upon which it is required to pass under the ordinance from which this section is derived or to affect any variance in such ordinance.
- (3) Any persons, jointly or severally, aggrieved by any decision of the board of adjustment or any tax payer or any officer, department or board of the municipality may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or part, specifying the grounds of the illegality. Such petition shall be presented to the court within ten days after the filing of the decision in the office of the board and not thereafter.

(Comp. Ord. of 3-11-2008)

Secs. 2-252—2-280. - Reserved.

FARMERSVILLE ECONOMIC DEVELOPMENT CORP. (4A)

Term: Three years - Two Terms Max

Residency Requirements: 2 Of 5 must be City Residents; 3 must be in Fisd OR
Have significant investment in City for more than 1 year

Name
Bob Collins 2 nd Term Began 5/13 – Term ends 5/16
Jason Lane 1 st Term Began 5/15 – Term ends 5/18
Kris Washam 1 st Term Began 5/13 – Term ends 5/16
Chris Lair 2 nd Term Began 5/13 – Term ends 5/16
Kevin Meguire 2 nd Term Began 5/15 – Term ends 5/18
Ex Officio Members:
Ben White City Manager

MEETS: Third Thursday of the month, 7:00 p.m.

COUNCIL LIAISON: **Joe Helmberger**

STAFF LIAISON: Daphne Hamlin, Finance Director

FARMERSVILLE COMMUNITY DEVELOPMENT CORP. (4B)

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

Name
Donna Williams 2 nd Term Began 5/15 – Term ends 5/17
Kim Potter 1 st Term Began 7/15 – Term ends 5/17
Dick Seward 2 nd Term Began 5/14 – Term ends 5/16
Mike Goldstein 1 st Term Began 5/15 – Term ends 5/17
Cynthia Craddock-Clark 1 st Term Began 5/15 – Term ends 5/17
Paul D. Kelly 2 nd Term Began 5/14 – Term ends 5/16
John Garcia 1 st Term Began 5/14 – Term ends 5/16
Ex Officio Member:
Ben White City Manager

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

STAFF LIAISON: Main Street Manager, Adah Leah Wolf a.wolf@farmersvilletx.com

COUNCIL LIAISON: **Leaca Caspari**

BUILDING AND PROPERTY STANDARDS COMMISSION

Term: Three years – Two Terms Max
Residency Requirements: 1 year in the City Limits

Name
Chris Calverley 1 st Term Began 5/15 – Term ends 5/18
Autumn Barton 1 st Term Began 5/13 – Term ends 5/16
Anne Hall 1 st Term Began 5/14 – Term ends 5/17
Frank Delorantis (completing Rafiq Huddlestons' term) 1 st Term Began 2/15 – Term ends 5/16
Diane Jackson 1 st Term Began 5/15 – Term ends 5/18

Last Thursday of each month.

Meet: as needed, 6:00 p.m.

Council Liaison: **John Politz**

Staff: Code Enforcement Officer

CAPITAL IMPROVEMENT ADVISORY COMMISSION

Terms: Three Years – Two Terms Max
Residency Requirements: 1 year in the City Limits

Name
Sarah Jackson Butler 1 st Term Began 5/15 – Term ends 5/18
Mark Vincent 2 nd Term Began 9/15 – Term ends 5/18
Craig Overstreet 2 nd Term Began 5/14 – Term ends 5/17
Todd Rolen 2 nd Term Began 5/15 – Term ends 5/18
Charles Casada 1 st Term Began 5/14 – Term ends 5/17
Chad Dillard 1 st Term Began 10/14 – Term ends 5/17
Bryce Thompson 2 nd Term Began 5/15 – Term ends 5/18
Mike Goldstein (ETJ Ad Hoc Member) appointed 7/13

MEETS: As called, 6:30 p.m.

COUNCIL LIAISON: **John Klostermann**

STAFF: Edie Sims

LIBRARY/CIVIC CENTER BOARD

201 and 203 Orange Street
972-782-6681

Term: Three Years – Two Terms Max
Residency Requirements: None

Name
Judy Brandon 2 nd Term Began 5/14 – Term ends 5/17
Rafiq Huddleston 1 st Term Began 5/13 – Term ends 5/16
Sarah Odom 2 nd Term Began 5/15 – Term ends 5/18
Wyndi Veigel 1 st Term Began 5/15 – Term ends 5/18
Sharon Spangler 1 st Term Began 9/13 – Term ends 5/16

MEETS: 4th Thursday the month Quarterly, 4:30 p.m., in the Library
COUNCIL LIAISON: **Michael Hesse**
STAFF: Trisha Dowell, Librarian

Library 972-782-6681, Fax: 972-782-7608

CIVIC CENTER RESERVATIONS: City Hall 972-782-6151

FARMERSVILLE MAIN STREET

Term: Three years

Residency Requirements: Live in the Fisd OR have Main Street Business OR own a Main Street Business

Name
Kim Potter 1 st Term Began 5/15 – Term ends 5/18
Kim Smith-Cole 1 st Term Began 5/15 – Term ends 5/18
Anne Hall 1 st Term Began 5/14 – Term ends 5/17
Glenda Hart 1 st Term Began 5/15 – Term ends 5/18
Sarah Jackson-Butler 1 st Term Began 9/13 – Term ends 5/16
Ex-Officio Member: (4B Liaison) Donna Williams

MEETS: 3rd Tuesday of the month, 5:15 p.m.

Terms are limited to one three-year term, however can be re-appointed after a one-year lapse between appointments. Members appointed by City Council

STAFF LIAISON: Main Street Manager, Adah Leah Wolf
972-784-6846 a.wolf@farmersvilletx.com

PARKS AND RECREATION BOARD

Term: Three years – Two Terms Max

Residency Requirements: Four (4) Committee members must live 1 Year within City Limits prior to appointment. Two (2) Committee members may live in the Farmersville School

Name
Autumn Barton 1 st Term Began 5/13 – Term ends 5/16
Glenn Bagwell 2 nd Term Began 5/15 – Term ends 5/18
Suzie Grusendorf 1 st Term Began 5/15 – Term ends 5/18
Charles Casada 1 st Term Began 5/14 – Term ends 5/17
Todd Rolen 1 st Term Began 5/13 – Term ends 5/16
Bettye Petree 1 st Term Began 5/15 – Term ends 5/18

MEETS: When called: Every Third Tuesday (at least 4 times per year) 6:00pm

COUNCIL LIAISON: Jim Foy

STAFF: Christi Dowdy

PLANNING AND ZONING COMMISSION

Terms: Three Years – Two Terms Max
Residency Requirements: 1 year in the City Limits

Name
Sarah Jackson-Butler 1 st Term Began 5/15 – Term ends 5/18
Mark Vincent 2 nd Term Began 5/15 – Term ends 5/18
Craig Overstreet 2 nd Term Began 5/14 – Term ends 5/17
Todd Rolen 2 nd Term Began 5/15 – Term ends 5/18
Charles Casada 1 st Term Began 5/14 – Term ends 5/17
Chad Dillard 1 st Term Began 10/14 – Term ends 5/17
Bryce Thompson 2 nd Term Began 5/15 – Term ends 5/18

MEETS: 3rd Monday of the month, or as called, 6:30 p.m.

COUNCIL LIAISON: **John Klostermann**

STAFF: Edie Sims

SENIOR CITIZENS ADVISORY COMMITTEE

Term: Three Years – Two Terms Max

Residency Requirements: Three (3) Committee members must live 1 Year within City Limits prior to appointment. Two (2) Committee members may live in the Farmersville School District.

Name
Chad Dillard 1 st Term Began 5/14 – Term ends 5/17
Patricia Jablonski 1 st Term Began 5/15 – Term ends 5/18
Billy J Harrison 1 st Term Began 5/13 – Term ends 5/16
Britt Leigh Pollard 1 st Term Began 5/14 – Term ends 5/17
Rafiq Huddleston 1 st Term Began 5/13 – Term ends 5/16

Center Number: 972-782-8231

MEETS: Called as needed

COUNCIL LIAISON: **John Klostermann**

STAFF: Paula Jackson