

#### **IV. Informational Items**

Agenda Section	Informational Items
Section Number	IV.A
Subject	FEDC (4A) Meeting Minutes
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 10, 2017
Attachment(s)	FEDC (4A) Meeting Minutes
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

**FARMERSVILLE ECONOMIC DEVELOPMENT CORPORATION  
MEETING MINUTES  
November 17th, 2016**

The Farmersville EDC met in regular session on November 17th, 2016 at 7:01 p.m. in the City Civic Center with the following members present: Kevin Meguire, Robbie Tedford, Randy Smith, George Crump, and Jason Lane. Staff members present were City Accountant Daphne Hamlin, City Manager Ben White. Special guest recognized, Mayor Diane Piwko, Councilman Mike Hurst, Mr. Amir Bata, Larry Durbin, William Hadala with I-365 Wire, Arlo Eisenberg, Terry Loftis, and Arthur Eisenberg with Eisenberg and Associates.

**CALL TO ORDER**

Chairman Meguire convened the meeting at 7:01 p.m. and announced a quorum was present.

**RECOGNITION OF CITIZENS AND VISITORS**

Special guest recognized, Mayor Diane Piwko, Councilman Mike Hurst, Mr. Amir Bata, Larry Durbin, William Hadala with I-365 Wire, Arlo Eisenberg, Terry Loftis, and Arthur Eisenberg with Eisenberg and Associates.

**UPDATE REGARDING COLLIN COLLEGE CAMPUS**

Nothing new to report

**CONSIDERATION AND POSSIBLE ACTION REGARDING EISENBERG AND ASSOCIATES MARKETING SERVICES**

A presentation was given (exhibit "B") by Terry Loftis, Arlo Eisenberg, and Arthur Eisenberg with Eisenberg and Associates. Mr. Loftis explained in the presentation presented what is needed to help market City of Farmersville. Mr. Loftis said first step would be an internal analysis why people should move to Farmersville. First component is branding who we are how and how are we perceived.

Mr. Loftis pointed out that Texas is experiencing a huge growth and this is the golden opportunity to show our unique City and promote ourselves.

Mr. Loftis said they would research and analysis, communication audit with boots on the ground. Having workshops and interviews with the 4A EDC Board. Once this is complete then implantation and website development.

Mr. Loftis said they would look at areas where light industrial is looking for and what is in it for them and what gets them here. Chairman Meguire asked how would you deliver this message. Mr. Loftis said the message will be integrated thru website and email.

Chairman Meguire asked if it would be possible to have your firm return for further discussion due to time restraints.

**DISCUSSION WITH POSSIBLE ACTION REGARDING FIBER-OPTIC FOR THE CITY OF FARMERSVILLE**

Mr. White gave a presentation (exhibit "A") in regards to the fiber optic for the City of Farmersville. Mr. White explained why Farmersville is ideal as a gigabit community. Mr. White stated Farmersville sits atop a major fiber optic line running east-west along US380. Farmersville is starting its growth with a desire to attract the right economic opportunities. This allows the utility to start small and grow with the City. Mr. White explained that current business owners are in need of bandwidth.

Mr. White explained the benefit to the residents of Farmersville. The Fiber optic will provide the highest speed, real-time video streaming, internet, Voice over internet protocol, work from home, sharing videos photos, and increase in property values.

Chairman Meguire asked how many homes and business does the City of Farmersville have. Mr. White said we currently have 1100 homes and 250 business.

Mr. Hadala said he wants to administer a survey asking local residents and business owners about their current service providers and if they would be interested in the fiber optic option.

Mr. Crump asked Mr. Hadala if he has worked with other communities. Mr. Hadala said currently working with Dallas, Houston, and San Antonio. Mr. White stated that Mr. Hadala is working with Celina and they are at the contract stages right now.

Mr. Tedford asked if the first initial loop is done what kind of revenues can we expect. Mr. White said no revenues will be generated with the first loop. Want to see first how this will work before we proceed further.

Mayor Piwko stated while this is not a revenue stream it will provide efficiency for the Police and Fire departments. Mr. White stated not just the municipality side but for all of Farmersville. Mr. White stated he wants to make sure it works before offering the service.

Mr. White said he is asking for a loan with a payback of 2% in four years. Mr. White said some risk is involved if Council decides to vote against going forward the loop would be on its own. Mr. White said if it doesn't work we will have a built in contingency to cancel in order not to lose.

Mr. Crump asked how much to date have we expended on I-wire 365. Chairman Meguire stated nothing at this point. Mayor Piwko asked the approximate cost of labor involved for this project. Mr. White stated 30-40k of labor is involved, but not included in the funds through 4A EDC Board.

Mr. Crump asked how much money is needed. Mr. White stated 105k including the 20K for the study.

A motion was made by Mr. Crump to support 85k pending approval of City Council, second by Mr. Tedford, all in favor, motioned passed unanimously. Mr. Lane asked if a budget amendment will be made. Chairman Meguire said on the next scheduled meeting.

#### RECEIVE UPDATE ON TAX ABATEMENT

Due to time restraint this item will be moved to the next regular scheduled 4A meeting.

#### APPOINT EDC 4A BOARD MEMBER FOR PLANNING ENGINEER EVALUATION BOARD

Chairman Meguire volunteered to help select planning engineer.

#### REVIEW KEY INITIATIVE ARE GOALS (KIA'S)

Mr. Crump updated the 4A EDC Board on the progress of property inventory in Farmersville. Mr. Crump stated that he and Mr. Tedford meet with local Realtors to discuss industrial/commercial property available in Farmersville.

Chairman Meguire updated the 4A EDC Board regarding business retention goals. Chairman Meguire, Mr. Smith, and Mayor Piwko will hold a meeting next week to discuss a plan to go forward and set targets to meet with local business owners.

In regards to the Bond. No dollar amount is set, Collin County College Board meeting will be held in January 2017 to set, until then not much the 4A EDC Board can do at this time to promote the Bond election.

#### CONSIDERATION AND POSSIBLE ACTION REGARDING ITEMS FOR PAYMENT

On a motion from Mr. Tedford to approve items for payment as listed, second by Mr. Lane, motioned carried all in favor.

#### CONSIDERATION AND POSSIBLE ACTION REGARDING FINANCIAL STATEMENTS FOR OCTOBER 2016

On a motion from Mr. Crump to approve October 2016 financials as presented, second by Mr. Smith, motioned carried all in favor

#### CONSIDERATION AND POSSIBLE ACTION REGARDING MEETING MINUTES FROM SEPTEMBER 29TH, 2016 AND OCTOBER 20TH, 2016.

On a motion from Mr. Smith to approve meeting minutes from September 29th, 2016 and October 20th, 2016 as presented, second by Mr. Tedford, motion carried all in favor.

#### DISCUSSION IN CONTEMPLATION OF PLACING ITEMS ON FUTURE AGENDA

Review Tax abatement

KIA


Collin College

Sewer update in January 2017

Camden Park

ADJOURNMENT:

Meeting adjourned at 9:12 pm.

  
\_\_\_\_\_  
Kevin Meguire, President

ATTEST:

  
\_\_\_\_\_  
George Crump, Secretary

Agenda Section	Informational Items
Section Number	IV.B
Subject	FCDC (4B) Meeting Minutes
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 10, 2017
Attachment(s)	FEDC (4B) Meeting Minutes
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
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## **FARMERSVILLE COMMUNITY DEVELOPMENT CORPORATION BOARD (4B)**

**MINUTES ~ November 14, 2016**

### **CALL TO ORDER, ROLL CALL AND RECOGNITION OF VISITORS**

The Farmersville Community Development Corporation Board met on November 14, 2016 in the City Council Chambers at City Hall. President Donna Williams convened the meeting at 5:45 p.m. and announced that a quorum was present after roll call. The following board members were present: Donna Williams, John Garcia, Cynthia Craddock-Clark, Kim Potter, and John Politz. President Williams welcomed City Manager Ben White, Main Street Manager Adah Leah Wolf, Mayor Diane Piwko, and City Council Liaison Leaca Caspari

### **CONSIDER FOR APPROVAL OCTOBER 10, 2016 MEETING MINUTES**

Kim Potter made a motion to approve the minutes of October 10, 2016 as written. Motion was seconded by John Politz and passed unanimously.

### **CONSIDERATION AND POSSIBLE APPROVAL OF ITEMS FOR PAYMENT**

Cynthia Craddock Clark made a motion to approve items presented for payment. Motion was seconded by John Garcia and passed unanimously.

### **CONSIDERATION AND POSSIBLE ACTION REGARDING FINANCIAL STATEMENTS FOR OCTOBER 2016 AND ANY REQUIRED BUDGET AMENDMENTS**

Kim Potter made a motion to approve the October 2016 financial statements as presented. Cynthia Craddock-Clark seconded the motion, which passed unanimously.

### **CITY MANAGER REPORT & CHRISTMAS DÉCOR UPDATE**

City Manager Ben White presented a report: City Hall renovations are underway, including tile and carpeting. The new generator is positioned in place. He is working with the Economic Development Corporation to propose a fiber optic utility system. The fishing dock at Southlake needs repair. The parking lot/lighting improvements are needed at the Senior Center; the city may be able to work with the Centennial Committee on this future improvement project. The Railroad crossing at South Main Street is finally complete and smooth. A Jackson Street waterline is in progress.

Christmas lights have been installed on the downtown building rooftops, and will be turned on by November 18. The tree will be installed before Thanksgiving. \$6273 has been spent on Christmas lighting materials.

### **CONSIDERATION AND POSSIBLE ACTION REGARDING CHAPARRAL TRAIL PROMOTION PROJECT**

Donna Williams presented an estimate for \$14,362 for a project to promote the Chaparral Trail. This board has invested over \$422,800 in the Trail since Fiscal Year 2009, and to date the city has spent 1.5 million on improvements to the Trail. She explained that the large sum of money invested, as well as the potential to draw many people from all over the region to the trailhead and our city make this promotional project well worthwhile. After discussion, John Garcia made a motion to approve a budget amendment allowing \$14,362 for the promotion project. Motion was seconded by John Politz, and approved unanimously.

### **MAIN STREET MANAGER UPDATE**

Main Street Manager Adah Leah Wolf presented a written report for October 2016, and highlighted the following: She attended the Texas Downtown Association annual conference in Killeen last week. She



has been in contact with the Commerce A & M internship program director to request a journalism intern for next year. A successful Scare on the Square event was organized by Amanda Rasbeary. Updates have been made to the Downtown Shopping Guide. Many building improvement projects are underway downtown. Lindy Murphy opened Junkspiration at 113 McKinney; she previously owned The Pink Pug store at the same location. There are eleven businesses participating in this year's Red Carpet event, a customer appreciation night, organized for the 5<sup>th</sup> year by Jennifer Jiles and Doris Williams of Main Street Antiques. This month's monthly downtown merchants get together will be hosted by Juan Bautista at Little Ranch Imports.

**DISCUSSION OF PLACING ITEMS ON FUTURE AGENDAS**


The next meeting will be held on December 12, 2016 at 5:45 PM.

**ADJOURNMENT**

There being no further business, President Williams adjourned the meeting at 6:14 PM

Signatures:

  
Donna K. Williams, President

  
John Politz, Secretary

## **FARMERSVILLE COMMUNITY DEVELOPMENT CORPORATION BOARD (4B)**

**MINUTES ~ December 12, 2016**

### **CALL TO ORDER, ROLL CALL AND RECOGNITION OF VISITORS**

The Farmersville Community Development Corporation Board met on December 12, 2016 in the City Council Chambers at the Civic Center. President Donna Williams convened the meeting at 5:45 p.m. and announced that a quorum was present after roll call. The following board members were present: Donna Williams, John Garcia, Cynthia Craddock-Clark, Kim Potter, Mike Goldstein, and John Politz. President Williams welcomed Main Street Manager Adah Leah Wolf, Mayor Diane Piwko, and City Council Liaison Leaca Caspari. City Manager Ben White was present for his report.

### **CONSIDER FOR APPROVAL NOVEMBER 14, 2016 MEETING MINUTES**

Kim Potter made a motion to approve the minutes of November 14, 2016 as written. Motion was seconded by John Politz and passed unanimously.

### **CONSIDERATION AND POSSIBLE APPROVAL OF ITEMS FOR PAYMENT**

Mike Goldstein made a motion to approve items presented for payment. Motion was seconded by John Garcia and passed unanimously.

### **CONSIDERATION AND POSSIBLE ACTION REGARDING FINANCIAL STATEMENTS FOR NOVEMBER 2016 AND ANY REQUIRED BUDGET AMENDMENTS**

Kim Potter made a motion to approve the November 2016 financial statements as presented. John Garcia seconded the motion, which passed unanimously.

### **MAIN STREET MANAGER UPDATE**

Main Street Manager Adah Leah Wolf presented a written report for November 2016, and highlighted the following: She attended the Texas Downtown Association annual conference in Killeen in November. The new city secretary is Sandra Green. 570 names are currently on the "friends" of downtown email list. The December Farmers & Fleas Market had to be cancelled due to rain. We responded to the Texas Film Commission's request for a phone booth this month. Photographers Jack Smith and Katherine Hershey continue to document downtown events. Billboard design coordination is in progress. The Potter building reconstruction is complete and they have resumed their auctions. The Laundromat/nail salon on McKinney Street is nearing completion. The north exterior wall repair is complete at the Police Department. Manager and Leaca Caspari attended a webinar produced by the National Trust for Historic Preservation, about the Secretary of the Interior Preservation Standards. The downtown merchants will meet this week at Jalapenos Restaurant. Winners of the window decorating contest are Simplexity, The Hay Loft, and Austins.

### **DISCUSSION OF PLACING ITEMS ON FUTURE AGENDAS**

The next meeting will be held on January 23, 2017 at 5:45 PM. (a change in date due to January holidays) An update on the proposed billboard redesign to promote the Chaparral Trail will be discussed. Mike Goldstein discussed the need for additional signage at the intersection of the Chaparral trail and Murchison, and at the intersection of the Chaparral Trail and County Road 656; traffic sometimes does not pay attention to users of the trail.

### **CITY MANAGER REPORT**

City Manager Ben White presented an oral report: The Christmas Parade went well, and the Christmas lights look great. TXDOT made us remove the wreath and garland from the overpass; it was relocated in town. Jackson Street is torn up; water and sewer lines are being repaired and it is due for a February

completion. The Parks Board will be looking at setting the initial priorities for implementing the Parks plan. Items to do include repair of the boat dock at Southlake Park, adding more fill to the swing area in City Park, and adding more decomposed granite to washed out areas of Chaparral Trail.

**ADJOURNMENT**

There being no further business, President Williams adjourned the meeting at 6:15 PM

Signatures:

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Donna K. Williams, President

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John Politz, Secretary

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Agenda Section	Informational Items
Section Number	IV.C
Subject	Main Street Board Minutes
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 10, 2017
Attachment(s)	Main Street Board Minutes
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
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## **Farmersville Main Street Board Minutes November 7, 2016 City Hall**

The meeting was brought to order at 5:00 PM by Vice President Randy Rice. Present were board members Glenda Hart, Randy Rice, Kim Potter, Kim Smith-Cole, and 4B representative Donna Williams. Also present were Main Street Manager Adah Leah Wolf, City Manager Ben White, Councilman Leaca Caspari, and Mayor Diane Piwko.

### **Consider for approval October 4, 2016 Meeting Minutes:**

There was no discussion regarding the October 4, 2016 meeting minutes; motion to approve by Glenda Hart, second by Kim Smith-Cole. Minutes were approved as presented.

### **Consider for approval October 2016 Financial Statements:**

Motion to approve as written by Glenda Hart; second by Kim Smith-Cole. The statements were approved as presented.

### **Main Street Manager Monthly Update:**

Adah Leah Wolf presented a written monthly report for October, and highlighted the following: Lacey Henderson at Texas A & M at Commerce has been contacted to see if we can locate a possible journalism student to serve as Main Street intern next year. The Farmersville Heritage Museum Board presented a PowerPoint presentation to the First Baptist Church "Ballclub" seniors. A successful Scare on the Square event was organized by downtown merchant, Amanda Rasbeary. The Farmersville Historical Society's "Farmersville 1900" day camp for 5<sup>th</sup> graders was held; volunteers included Randy Rice, Glenda Hart, participants from the Police and Fire departments, and Mayor Piwko. The Downtown Shoppers Guide has been updated and includes the newest shop, Little Ranch Imports. All Main Street district building owners were contacted to obtain permission to install Christmas lights along the rooftops. The First Baptist Church roof is completed except for the turrets, as is the roof on the old Feagin's Supermarket building. Wall repairs are underway at the Public Safety building. The railroad crossing on South Main has been completed. 711 McKinney Street has been painted (Martha's Thrift). The Farmers & Fleas Market on Nov. 5 was a busy one, with many good volunteers assisting. The next downtown merchants meeting will be on Nov. 17 at Little Ranch Imports, hosted by Juan Bautista. November 18 will be Red Carpet Night, a customer appreciation event organized by Main Street Antiques and this year includes eleven businesses.

### **Workshop: Review of Work Plan**

The board continued to flesh out the major work plan areas which were identified at the last board meeting:

## **Health Initiative—PROMOTE A HEALTHY DOWNTOWN**

### **I—For BUILDINGS**

#### **A. Promote rollout of National Register District:**

Walking tours

Fliers: A & M Commerce intern to assist?

Signage to indicate district: what do other communities do in this regard?

Need to install TXDOT approved signage we already have, on hwys 380 & 78

#### **B. Workshop/s**

Caring for your historic building. Perhaps local restoration experts can assist.

#### **C. Promote upgrades to ADA accessibility**

### **II--For PEOPLE**

Goals: Bring awareness to downtown, using health as a draw. Learn about local health providers, learn about being healthy, encourage/reward healthy activities in downtown.

#### **A. Identify health partners-businesses in downtown related to health & fitness- encourage training/workshops downtown**

Dr. Gamboa Parsley

Dyer Drug- do the Pharmacists have good information they need to communicate to the public?

Farmersville Medical Center

Becky Reeder's exercise dance studio

Tamara's Dance Studio

P31 Fitness

Plexxus

Other vendors including Farmers & Fleas vendors, related to diet and nutrition?

And Farmersville Physical Therapy not downtown, but has successful health fair event we could tie into.

Restaurants: Could they have healthy options on the menu?

Boy Scouts: Do they have health and fitness badges they are working on

Churches: Do they offer health classes?

First Responders: which classes are they required to take for continuing education? Could the public participate in these?

Schools: health activities we could tie in with?

**B. Identify and promote an exercise “loop” downtown:**

Create brochure, identify distances and attractions along the way, including geocache opportunities.

Reward and recognize those who exercise, perhaps T shirts, Ex. *Main Street Mile*

**C. Promote use of Chaparral Trail and better link it to downtown with signage:**

Better signage to educate on use of trail’s exercise stations already in place

Detailed Trail map, showing benches, exercise stations, other amenities (perhaps Eddy Daniel office can assist with this). Show shopping location in relation to trail! Also indicate trail condition.

Better signage at Trailhead and also on Main Street, showing direction to shopping.

Have an information booth at the next Chamber Bike Ride to provide a personal greeting and information about downtown; encourage sidewalk sales.

Hitching rail for horses at trailhead might encourage more to begin the trail here (instead of beginning at the Spain Complex).

Consider blocking access to Farmersville Parkway at Main Street going WEST, so that traffic must be routed into downtown. This would be especially useful on busy event days such as Farmers & Fleas Market, bike rides, etc.

**SIGNAGE Improvements**

Including National Register signage

Signs on Hwy 380/78

In city signs showing direction to downtown shopping

Talk to newcomers to town and see what their needs are

Adah Leah to create outline of plan.

Randy to assist with signage portion, Kim Potter to assist with identifying health partners.

Other discussion included review of upcoming holiday events, including:  
Treats for Tatum Students on Dec. 2—volunteers needed!  
Encouraging staying open late on Parade Day  
Encouraging staying open late on Thursdays in December,  
Angel Tree needs participation  
Webinar on Nov. 17: Secretary of the Interior Standards for Preservation.

**Discussion of placing items on future agendas:**

The next meeting will be Monday, December 12 at 5 PM.

**Adjournment:** With no further business to discuss, the meeting was adjourned by Randy Rice at 6:02 PM



Agenda Section	Informational Items
Section Number	IV.D
Subject	Main Street Report
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 10, 2017
Attachment(s)	Main Street Report
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Main Street Monthly Report  
December 2016  
Reported by Adah Leah Wolf,  
Main Street Program Manager



**ORGANIZATION/ADMINISTRATION:**

1	Administrative assistance for Main Street provided by Debbie Ranspot.
12	Farmersville Community Development Corp. Board meeting. Meeting preparation including handouts and posting.
15	Attended City Council meeting
14, 21	City Staff meetings attended
28-29	Debbie Ranspot works on archiving old 4B files
	Farmersville Heritage Museum receives two large-end-of-year donations
	Numerous City website updates

**PROMOTION:**

1	E Newsletter sent to "friends" of downtown list
2	Main Street provided "Treats for Tatum" students-hot chocolate and cookies, and an opportunity for them to hang their handmade ornaments on the tree on the gazebo. Many volunteers assisted to make this a special day.
3	The December Farmers & Fleas Market was cancelled, due to a day of 100% rain.
10	The Chamber Christmas Parade brings many folks to downtown. Many of the downtown businesses stayed open with additional hours this month, particularly on Thursday evenings. Simplicity won first place for their Christmas window display.
14	E newsletter sent to downtown business owners and building owners
	Farmers & Fleas fliers for 2017 were printed, and updated forms placed on website.
20	Met with Lacey Henderson (A&M Commerce, Business College) regarding finding an intern to assist with National Register promotion project
	Coordination of billboard design for new signs promoting the Chaparral Trail.
29	Ads placed for Farmers & Fleas Market; press releases sent.

**DESIGN:**

	City Hall construction continues: new carpeting and tile being installed
	Construction continues on Nail Salon/Laundromat
	Electrical "hut" removed from the East side of City Hall.

**ECONOMIC RESTRUCTURING:**

15	Monthly Downtown Merchants get-together held, hosted by Jalapenos Restaurant
	Manager provided an end of the year summary of Main Street activities to The Farmersville Times for their annual feature city progress article.
20	Provided information about downtown properties for sale or lease to Andrea Colaizzi
29	Meeting with Michael Glass and Mary Calderillo of Farmersville Medical Center regarding Main Street's health initiative for 2017

Approximate number of volunteer hours donated this month: 330

## **V. Regular Agenda**

Agenda Section	Regular Agenda
Section Number	V.A
Subject	Consider, discuss and act upon filing appeal of the North Texas Municipal Water District water rates with the Public Utility Commission.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 10, 2017
Attachment(s)	<ul style="list-style-type: none"> <li>• Information brochures and press release</li> <li>• Filed court documents</li> </ul>
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	<ul style="list-style-type: none"> <li>• Informational brochures and press release</li> <li>• Filed court documents</li> </ul>
Action	<ul style="list-style-type: none"> <li>• Provide staff direction for future action</li> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



**GARLAND**  
TEXAS MADE HERE

**MESQUITE**  
T E X A S  
Real. Texas. Flavor.



December 14, 2016

Garland, Mesquite, Plano and Richardson have paid

**\$178 Million** for **WATER NOT USED**



**GARLAND**  
TEXAS MADE HERE

**MESQUITE**  
T E X A S  
Real. Texas. Flavor.



**Plano**  
City of Excellence





Over the last 10 years, the City of Garland has paid

**\$28 Million** for **WATER NOT USED**



**GARLAND**  
TEXAS MADE HERE

Over the last 14 years, the City of Mesquite has paid

**\$36 Million** for **WATER NOT USED**





Over the last 15 years, the City of Plano has paid

**\$78 Million** for **WATER NOT USED**



Over the last 15 years, the City of Richardson has paid

**\$36 Million** for **WATER NOT USED**



**60%+ Member City ratepayers (approximately 750,000)  
are in Garland, Mesquite, Plano and Richardson**

	Greatest Single Year Usage	Dollars Paid for Water Not Used
 <b>GARLAND</b> <small>TEXAS WATER USERS</small>	2006	<b>\$28 Million</b>
 <b>MESQUITE</b> <b>TEXAS</b> <small>Real. Texas. Flavor.</small>	2002	<b>\$36 Million</b>
 <b>Plano</b> <small>City of Excellence</small>	2001	<b>\$78 Million</b>
 <b>Richardson</b>	2001	<b>\$36 Million</b>

**\$178 Million**  
CUMULATIVE

# The Costs of Water



Current Number of  
North Texas Municipal Water  
District **Member Cities**

13

34

60%+

Current Number of  
North Texas Municipal Water  
District **Customer Cities**

North Texas Municipal Water District  
**Member City ratepayers**  
(approximately 750,000)  
are in Garland, Mesquite, Plano  
and Richardson

City	Greatest Single Year Usage	Dollars Paid for Water Not Used
Garland	2006	\$28 Million
Mesquite	2002	\$36 Million
Plano	2001	\$78 Million
Richardson	2001	\$36 Million

**\$178 Million**  
CUMULATIVE

**1988**

**11 Member Cities** executed a consolidated agreement with the North Texas Municipal Water District (two more cities joined after 1988)

**69.8%**

North Texas Municipal Water District has **raised water rates** since Fiscal Year 2012

**Approx. 10%**

North Texas Municipal Water District **plans to raise rates** per year for the next seven years







For Immediate Release

December 14, 2016

## FOUR CITIES UNITE TO REQUEST WATER RATE RELIEF

*Garland, Mesquite, Plano and Richardson have paid \$178 million for unused water under outdated rate methodology*

**Dec. 14, 2016 (Garland, Texas)** – The Mayors of Garland, Mesquite, Plano and Richardson, in an unprecedented move, today announced that their cities are asking the Public Utility Commission (PUC) to conduct a review of their water rates with the North Texas Municipal Water District (NTMWD). The cities are taking this action because the rates set by the NTMWD under the six-decade old water supply contract are discriminatory, are inconsistent with water conservation and are not in the public interest. As a result, the four cities have paid a total of \$178 million for water they did not use.

“We are losing tens of millions of dollars at the expense of our taxpayers because the North Texas Municipal Water District’s current rate methodology is outdated and does not incentivize water conservation,” Plano City Manager Bruce D. Glasscock said. “Member cities pay according to a ‘take or pay’ system that is based on our greatest single year of use. This level cannot be reduced, regardless of whether or not the city uses the entire amount of water it is paying for.”

For Garland, Mesquite, Plano and Richardson, the greatest use took place during a time when water conservation was not anticipated. Years of drought and the successful adoption of water conservation strategies have changed the amount and way water is used; and it is unlikely the cities will ever again use the minimums that were set by their greatest annual usage.

“We filed this water rate review to seek a rate methodology that is equitable, encourages conservation and serves the region’s long-term interest,” Glasscock said.

The NTMWD is composed of 13 NTMWD member cities and includes approximately 34 NTMWD customer cities. The customer cities have individual contracts with the NTMWD and some of their effective rates are lower than some of the member cities. At the same time, the cost of water is rising as the NTMWD has raised water rates 69.8 percent since fiscal year 2012. Additionally, it plans to raise rates by approximately 10 percent per year for the next seven years.

City *	Greatest Single Year Usage	Dollars Paid for WATER NOT USED
Garland	2006	\$28 Million
Mesquite	2002	\$36 Million
Plano	2001	\$78 Million
Richardson	2001	\$36 Million
		<b>\$178 Million Cumulative</b>

*\* More than 60 percent of the member city ratepayers (approximately 750,000) are in Garland, Mesquite, Plano and Richardson.*

"For many years, we have been trying to rectify the disparity in the effective rates that currently exist," Glasscock said. "We have actively participated in every possible process to seek a solution that all 13 member cities and the water district could agree upon. But it is evident that due to our lack of bargaining power with the North Texas Municipal Water District, negotiating among ourselves will not result in the much needed changes. Asking the Public Utility Commission for this review is the next step."

###

**Media Contacts:**

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City of Garland  
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DWhite@garlandtx.gov

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Director of  
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City of Mesquite  
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Steve Stoler  
Director of Media  
Relations  
City of Plano  
Ph. 972-941-7321  
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Greg Sowell  
Director of  
Communications  
City of Richardson  
Ph. 972-744-4218  
Mo. 972-897-2762  
Greg.Sowell@cor.gov

DOCKET NO. 46662

PETITION OF THE CITIES OF  
GARLAND, MESQUITE, PLANO AND  
RICHARDSON APPEALING  
WHOLESALE WATER RATES  
IMPLEMENTED BY NORTH TEXAS  
MUNICIPAL WATER DISTRICT

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BEFORE THE  
PUBLIC UTILITY COMMISSION  
OF TEXAS

2016 DEC 28 AM 1

PUBLIC UTILITY COMMISSION  
CLEAR

**NORTH TEXAS MUNICIPAL WATER DISTRICT'S  
MOTION FOR EXTENSION OF DEADLINE  
TO FILE RESPONSIVE PLEADING**

The North Texas Municipal Water District ("District"), Appellee in Docket No. 46662, respectfully files this Motion for Extension of Time to File Responsive Pleading to the petition filed by the Cities of Garland, Mesquite, Plano, and Richardson (collectively, the "Petitioners") in the above-referenced matter.

Pursuant to the procedural rules of the Public Utility Commission of Texas ("PUC"), the District files this Motion for Extension of Time to File Responsive Pleading (the "Motion"). 16 Tex. Admin. Code § 22.4 PUC rules require that responsive pleadings to complaints filed to initiate a proceeding shall be filed within 21 days of the receipt of the complaint. *Id.* 22.78(b). The District received the original petition in this matter on December 16, 2016. Rule 22.4 requires that motions for extensions of time for filing documents be submitted prior to the expiration of the applicable deadline. *Id.* § 22.4. The applicable deadline, pursuant to Rule 22.78(b) is January 6, 2017. *Id.* § 22.78(b). Therefore, this Motion is timely filed.

Alternatively, the Administrative Law Judge ("ALJ") has issued Order No. 1 setting a deadline to intervene of January 30, 2017 pursuant to 30 Tex. Admin. Code § 22.104.

In consideration of the limited time available under applicable rules for the District to respond to the Petitioners' complaint, and the increased limitation caused by holiday schedules,

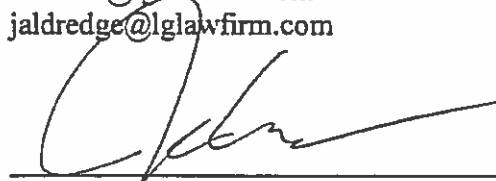
the District respectfully requests that the deadline for filing a responsive pleading or motion in intervention be extended to February 6, 2017 in order to allow counsel for the District to confer with the District's Board of Directors (the "Board") at its regularly scheduled meeting on January 26, 2017 so that the Board may formally consider the District's response to this matter. This motion is not caused by neglect, indifference, or lack of diligence by the District. The District has conferred with legal counsel of record for the Petitioners, who indicated that the Petitioners agree to this motion. The District's counsel has also conferred with the PUC Legal Division, who has indicated that Staff does not oppose this motion. No other parties have been named to this proceeding.

The District respectfully requests that the Administrative Law Judge assigned to this proceeding issue an order granting the extension of time requested herein. The District further asks for all other relief in law or equity to which it is entitled.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE  
& TOWNSEND, P.C.**

816 Congress Avenue, Suite 1900  
Austin, Texas 78701  
(512) 322-5800  
(512) 472-0532 (Fax)  
lkalisek@lglawfirm.com  
jaldredge@lglawfirm.com



---

LAUREN J. KALISEK  
State Bar No. 00794063  
JAMES T. ALDREDGE  
State Bar No. 24058514

ATTORNEYS FOR NORTH TEXAS  
MUNICIPAL WATER DISTRICT



## CERTIFICATE OF SERVICE

I hereby certify that true and correct copy of the foregoing document has been served on all parties of record on December 28, 2016 in accordance with 30 Tex. Admin. Code § 22.74.

Barry T. Smitherman  
James J. Lee  
Sue Snyder  
Vinson & Elkins LLP  
2801 Via Fortuna, Suite 100  
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Margaret Pemberton  
Legal Division Director  
Public Utility Commission of Texas  
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Laurie Barker  
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Patrick W. Lindner  
Paul M. González  
Davidson Troilo Ream & Garza, P.C.  
601 NW Loop 410, Ste. 100  
San Antonio, Texas 78216

Arturo D. Rodriguez, Jr.  
Russell & Rodriguez, L.L.P.  
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Georgetown, Texas 78628

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305 Century Parkway  
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City Secretary  
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City Secretary  
City of Forney  
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City Secretary  
City of Frisco  
6101 Frisco Square Blvd  
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City Secretary  
City of McKinney  
222 N. Tennessee St.  
McKinney, Texas 75069

City Secretary  
City of Royse City  
P.O. 638  
305 N. Arch Street  
Royse City, Texas 75089

  
\_\_\_\_\_  
JAMES T. ALDREDGE

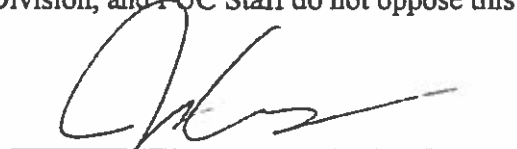
**CERTIFICATE OF CONFERENCE**

I, Lauren Kalisek, Attorney for the District, hereby certify that on December 21, 2016, I did confer counsel for the Petitioners, and the Petitioners agree to this motion.

  
LAUREN J. KALISEK

**CERTIFICATE OF CONFERENCE**

I, James Aldredge, Attorney for NTMWD, hereby certify that on December 27, 2016, I did confer with counsel for the PUC Legal Division, and PUC Staff do not oppose this motion.

  
JAMES T. ALDREDGE

DOCKET NO. 46662

PETITION OF THE CITIES OF §  
GARLAND, MESQUITE, PLANO AND §  
RICHARDSON APPEALING §  
WHOLESALE WATER RATES §  
IMPLEMENTED BY NORTH TEXAS §  
MUNICIPAL WATER DISTRICT §

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BEFORE THE

PUBLIC UTILITY COMMISSION

OF TEXAS

**NORTH TEXAS MUNICIPAL WATER DISTRICT'S  
NOTICE OF REPRESENTATION**

The North Texas Municipal Water District (the "District") hereby gives notice of representation by counsel. The District's authorized representatives are:

Lauren J. Kalisek  
James T. Aldredge  
Lloyd Gosselink Rochelle & Townsend, P.C.  
816 Congress Avenue, Suite 1900  
Austin, Texas 78701  
(512) 322-5800  
(512) 472-0532 (Fax)  
lkalisek@lglawfirm.com  
jaldredge@lglawfirm.com

The District respectfully requests that Ms. Kalisek and Mr. Aldredge be added to the service list, and that all correspondence, pleadings, briefs, requests for information, responses to requests for information, and other documents in this proceeding be served upon its authorized representatives.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE  
& TOWNSEND, P.C.**

816 Congress Avenue, Suite 1900

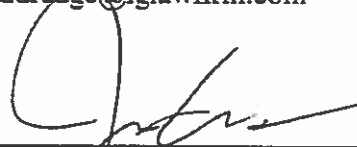
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(512) 472-0532 (Fax)

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jaldredge@lglawfirm.com



---

LAUREN J. KALISEK

State Bar No. 00794063

JAMES T. ALDREDGE

State Bar No. 24058514

ATTORNEYS FOR NORTH TEXAS  
MUNICIPAL WATER DISTRICT

## CERTIFICATE OF SERVICE

I hereby certify that true and correct copy of the foregoing document has been served on all parties of record on December 28, 2016 in accordance with 30 Tex. Admin. Code § 22.74.

Barry T. Smitherman  
James J. Lee  
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Vinson & Elkins LLP  
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Margaret Pemberton  
Legal Division Director  
Public Utility Commission of Texas  
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Office of Public Utility Counsel  
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222 N. Tennessee St.  
McKinney, Texas 75069

City Secretary  
City of Royse City  
P.O. 638  
305 N. Arch Street  
Royse City, Texas 75089



---

JAMES T. ALDREDGE

**PUC DOCKET NO. 46662**

<b>PETITION OF THE CITIES OF</b>	<b>§</b>	<b>BEFORE THE PUBLIC UTILITY</b>
<b>GARLAND, MESQUITE, PLANO, AND</b>	<b>§</b>	
<b>RICHARDSON APPEALING</b>	<b>§</b>	
<b>WHOLESALE WATER RATES</b>	<b>§</b>	
<b>IMPLEMENTED BY NORTH TEXAS</b>	<b>§</b>	
<b>MUNICIPAL WATER DISTRICT</b>	<b>§</b>	<b>COMMISSION OF TEXAS</b>

**CITY OF WYLIE'S MOTION TO INTERVENE**

COMES NOW the City of Wylie, Texas ("City" or "Wylie") and files this Motion to Intervene ("Motion") in this docket regarding the Petition filed by the cities of Garland, Mesquite, Plano, and Richardson ("Appealing Cities") appealing the wholesale water rates adopted by the North Texas Municipal Water District ("NTMWD"). In support of the City's Motion, the City would show as follows:

**I. Motion to Intervene**

The Appealing Cities appeal a rate change action taken by NTMWD pursuant to Texas Water Code §13.043(f) and P.U.C. R. §§24.128-138. The Appealing Cities assert that NTMWD has exerted or abused monopoly power and that the appealed rate is unreasonably preferential, prejudicial, and discriminatory. Thus, the Appealing Cities assert that the protested rate adversely affects the public interest. If successful in making its adverse public interest demonstration, the Appealing Cities seeks further evidentiary proceedings on the rate and asks the Public Utility Commission of Texas ("PUC") to set a just and reasonable rate.

Wylie is a home-rule municipality primarily located in Collin County, Texas. Wylie receives wholesale water service from NTMWD. Wylie is a "member city" of NTMWD, like the Appealing Cities.

When a rate increases to a member city of NTMWD, Wylie's wholesale water rate will be impacted. Thus, any determination by the PUC regarding the rates charged by NTMWD impact

the rates charged to Wylie. For instance, if the PUC determines that the NTMWD rate appealed by the Appealing Cities is adverse to the public interest as to the Appealing Cities, then it necessarily follows that the rate charged by NTMWD is likewise adverse to the public interest for the rate charged to Wylie. Further, if the case is remanded to SOAH for a cost of service hearing, then Wylie's rates will be affected by the ultimate decision in the case. Wylie has a keen interest in ensuring that the rates charged to it are just, fair, reasonable, and equitable. Thus, Wylie has a justiciable interest which may be adversely affected by the outcome of this proceeding.<sup>1</sup> Wylie hereby moves to intervene in this docket and for party status as an Intervenor even though the Application has not yet been accepted as filed.

## **II. Notice of Appearance**

Arturo D. Rodriguez, Jr., pursuant to PUC Proc. R. 22.101(a) hereby enters an appearance as counsel on behalf of the City in this docket. Accordingly, documents filed in this case, orders, service, and correspondence to the City of Wylie should be directed to:

Arturo D. Rodriguez, Jr.  
Russell & Rodriguez, LLP  
1633 Williams Drive, Suite 200  
Georgetown, Texas 78628  
(512) 930-1317  
(866) 929-1641 (Fax)  
Email: arodriguez@txadminlaw.com

## **III. Conclusion and Prayer**

The City respectfully requests the Commission:

- (1) Grant the City of Wylie's Motion to Intervene and recognize it as a full party to this proceeding.

---

<sup>1</sup> PUC R. 22.103.

## CERTIFICATE OF SERVICE

I hereby certify that on this 22<sup>nd</sup> day of December, 2016, a true and correct copy of the foregoing document has been sent via facsimile, first class mail, or hand-delivered to the following counsel of record:

Barry T. Silverman  
[bsmitherman@velaw.com](mailto:bsmitherman@velaw.com)

James J. Lee  
[jimlee@velaw.com](mailto:jimlee@velaw.com)

Sue Synder  
[ssynder@velaw.com](mailto:ssynder@velaw.com)

Vinson & Elkins, LLP  
2801 Via Fortuna, Suite 100  
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(512) 542-8454

(512) 236-3209 Fax  
**Attorneys for Petitioners (Garland,  
Mesquite, Plano and Richardson**

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Public Utility Commission of Texas  
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(512) 936-7261  
(512) 936-7268 Fax

Ms. Laurie Barker  
Office of Public Utility Counsel  
1701 N. Congress Avenue  
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(512) 936-7261  
(512) 936-7268 Fax

Tom Kula  
Executive Director, General Manager  
North Texas Municipal Water District  
502 E. Brown Street  
P.O. Box 2408  
Wylie, TX 75098

City Secretary  
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305 Century Parkway  
Allen, TX 75013

City Secretary  
City of Farmersville  
101 205 S. Main  
Farmersville, TX 75442

City Secretary  
City of Forney  
101 Main Street E.  
Forney, TX 75126

City Secretary  
City of Frisco  
6101 Frisco Square Blvd.  
Frisco, TX 75034

City Secretary  
City of McKinney  
222 N. Tennessee  
McKinney, TX 75069

City Secretary  
City of Rockwall  
385 S. Goliad  
Rockwall, TX 75087

City Secretary  
City of Royse City  
P.O. Box 638  
305 N. Arch Street  
Royse City, TX 75089

/s/ Arturo D. Rodriguez, Jr.  
ARTURO D. RODRIGUEZ, JR.



**PUC DOCKET NO. 46662**

<b>PETITION OF THE CITIES OF</b>	<b>§</b>	<b>BEFORE THE PUBLIC UTILITY</b>
<b>GARLAND, MESQUITE, PLANO, AND</b>	<b>§</b>	
<b>RICHARDSON APPEALING</b>	<b>§</b>	
<b>WHOLESALE WATER RATES</b>	<b>§</b>	
<b>IMPLEMENTED BY NORTH TEXAS</b>	<b>§</b>	
<b>MUNICIPAL WATER DISTRICT</b>	<b>§</b>	<b>COMMISSION OF TEXAS</b>

**CITY OF PRINCETON'S MOTION TO INTERVENE**

COMES NOW the City of Princeton, Texas ("City" or "Princeton") and files this Motion to Intervene ("Motion") in this docket for the Petition filed by the cities of Garland, Mesquite, Plano, and Richardson ("Appealing Cities") appealing the wholesale water rates adopted by the North Texas Municipal Water District ("NTMWD"). In support of the City's Motion, the City would show as follows:

**I. Motion to Intervene**

The Appealing Cities appeal a rate change action taken by NTMWD pursuant to Texas Water Code §13.043(f) and P.U.C. R. §§24.128-138. The Appealing Cities assert that NTMWD has exerted or abused monopoly power and that the appealed rate is unreasonably preferential, prejudicial, and discriminatory. Thus, the Appealing Cities assert that the protested rate adversely affects the public interest. If successful in making its adverse public interest demonstration, the Appealing Cities seeks further evidentiary proceedings on the rate and asks the Public Utility Commission of Texas ("PUC") to set a just and reasonable rate.

Princeton is a home-rule municipality in Collin County, Texas. Princeton receives wholesale water service from NTMWD. Princeton is not a "member city" of NTMWD like the Appealing Cities. Princeton is a "customer city" of NTMWD and pays a premium for service above the rate paid by the Appealing Cities as "member cities" of NTMWD.

When a rate increases to a member city of NTMWD, Princeton's wholesale water rate is likewise increased by the same monetary amount. Thus, any determination by the PUC regarding the rates charged by NTMWD impact the rates charged to Princeton. For instance, if the PUC

determines that the NTMWD rate appealed by the Appealing Cities is adverse to the public interest as to the Appealing Cities, then it necessarily follows that the rate charged by NTMWD is likewise adverse to the public interest for the rate charged to Princeton. Further, if the case is remanded to SOAH for a cost of service hearing, then Princeton's rates will be affected by the ultimate decision in the case. For instance, every dollar of revenue reduced in the rates to serve the Appealing Cities may require an increase in revenue sought from cities, like Princeton. Princeton has a supreme interest in ensuring that the rates charged to it are just, fair, reasonable, and equitable. Thus, Princeton has a justiciable interest which may be adversely affected by the outcome of this proceeding.<sup>1</sup> Princeton hereby moves to intervene in this docket and for party status as an Intervenor even though the Application has not yet been accepted as filed.

## **II. Notice of Appearance**

Arturo D. Rodriguez, Jr., pursuant to PUC Proc. R. 22.101(a) hereby enters an appearance as counsel on behalf of the City in this docket. Accordingly, documents filed in this case, orders, service, and correspondence to the City of Princeton should be directed to:

Arturo D. Rodriguez, Jr.  
Russell & Rodriguez, LLP  
1633 Williams Drive, Suite 200  
Georgetown, Texas 78628  
(512) 930-1317  
(866) 929-1641 (Fax)  
Email: arodriguez@txadminlaw.com

**III. Conclusion and Prayer**

The City respectfully requests the Commission:

- (1) Grant the City of Princeton's Motion to Intervene and recognize it as a full party to this proceeding.
- (2) Grant the City all other and further relief to which it is justly entitled.

Respectfully submitted,

**Russell & Rodriguez, L.L.P.**  
1633 Williams Drive, Building 2, Suite 200  
Georgetown, Texas 78628  
(512) 930-1317  
(866) 929-1641 (Fax)

/s/ Arturo D. Rodriguez, Jr.  
ARTURO D. RODRIGUEZ, JR.  
State Bar No. 00791551

**ATTORNEY FOR THE CITY OF  
PRINCETON**

## CERTIFICATE OF SERVICE

I hereby certify that on this 21<sup>st</sup> day of December, 2016, a true and correct copy of the foregoing document has been sent via facsimile, first class mail, or hand-delivered to the following counsel of record:

Barry T. Silverman  
bsmitherman@velaw.com

James J. Lee  
jimlee@velaw.com

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ssynder@velaw.com  
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(512) 542-8454

(512) 236-3209 Fax  
**Attorneys for Petitioners (Garland,  
Mesquite, Plano and Richardson**

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Ms. Laurie Barker  
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Tom Kula  
Executive Director, General Manager  
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McKinney, TX 75069

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City of Rockwall  
385 S. Goliad  
Rockwall, TX 75087

City Secretary  
City of Wylie  
300 Country Club Rd., Building 100  
Wylie, TX 75098

City Secretary  
City of Royse City  
P.O. Box 638  
305 N. Arch Street  
Royse City, TX 75089

/s/ Arturo D. Rodriguez, Jr.  
ARTURO D. RODRIGUEZ, JR.

**PUC DOCKET NO. 46662**

**PETITION OF THE CITIES OF  
GARLAND, MESQUITE, PLANO  
AND RICHARDSON APPEALING  
WHOLESALE WATER RATES  
IMPLEMENTED BY NORTH  
TEXAS MUNICIPAL WATER  
DISTRICT**

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**BEFORE THE PUBLIC UTILITY**

**COMMISSION OF TEXAS**

**CITY OF ROCKWALL'S  
MOTION TO INTERVENE**

Pursuant to the Commission's Procedural Rules [16 Tex. Admin. Code ("TAC") §§] 22.103 and 22.104, the City of Rockwall, Texas ("Rockwall") files this Motion to Intervene. This filing is timely. In support thereof, Rockwall would respectfully show as follows:

1. Rockwall is a municipality that operates as a retail public utility providing water and sewer service within portions of Rockwall County, Texas. As a political subdivision of the State of Texas, the city serves the public interest.

2. As acknowledged in Original Petition initiating this proceeding,<sup>1</sup> Rockwall is one of several cities that, together with the Petitioners, contracted with North Texas Municipal Water District ("District" or "NTMWD") for wholesale water.<sup>2</sup> As a party to the agreement under which rates subject to appeal are set, Rockwall is one of several "other appropriate parties" provided service under 16 TAC § 24.130(a).<sup>3</sup>

3. Petitioners appeal the District's proposed rate and rate setting procedures and, as such, Rockwall and its citizens may be impacted by the Commission's decisions in this proceeding. Rockwall has a justiciable interest that may be adversely affected by the outcome of this proceeding and seeks intervention.

4. The business representative for Rockwall is:

Rick Crowley  
City Manager  
Rockwall City Hall  
385 S. Goliad Street

---

<sup>1</sup> Original Petition Appealing Wholesale Water Rates at notes 6-7 and accompanying text.

<sup>2</sup> *Id.*, Attachment B, NTMWD Regional Water Supply Facilities Amendatory Contract (identifying Rockwall as a party to the contract).

<sup>3</sup> *See id.* at 9 and 21-22 (service list).

Rockwall, Texas 75087

5. Rockwall is represented in this proceeding by the following authorized legal representatives:

Patrick W. Lindner  
[plindner@dtgrglaw.com](mailto:plindner@dtgrglaw.com)  
Paul M. González  
[pgonzalez@dtgrglaw.com](mailto:pgonzalez@dtgrglaw.com)  
DAVIDSON TROILO REAM & GARZA, PC  
601 NW Loop 410, Ste. 100  
San Antonio, Texas 78216  
Telephone (210) 349-6484  
Facsimile (210) 349-0041

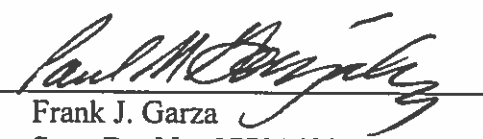
6. Rockwall requests that all pleadings, orders, correspondence and filings in this proceeding be served on its legal representatives. In the event only one representative may be used for service of a particular pleading, Rockwall requests that Patrick Lindner be served.

WHEREFORE, PREMISES CONSIDERED, Rockwall respectfully requests that its Motion to Intervene be granted, that it be allowed to participate as a party to this proceeding, and for such further relief to which it may be entitled.

Respectfully submitted,

DAVIDSON TROILO REAM & GARZA, P.C.  
601 NW Loop 410, Ste. 100  
San Antonio, Texas 78216  
Telephone (210) 349-6484  
Facsimile (210) 349-0041

By:

  
Frank J. Garza  
State Bar No. 07731590  
Email: [fgarza@dtgrglaw.com](mailto:fgarza@dtgrglaw.com)  
Patrick W. Lindner  
State Bar No. 12367850  
Email: [plindner@dtgrglaw.com](mailto:plindner@dtgrglaw.com)  
Paul M. González  
State Bar No. 00796652  
Email: [pgonzalez@dtgrglaw.com](mailto:pgonzalez@dtgrglaw.com)

**ATTORNEYS FOR CITY OF ROCKWALL**

## CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of December, 2016, a true and correct copy of the above and foregoing document was served by hand delivery, facsimile or First Class Mail to the following:

Barry T. Smitherman  
[bsmitherman@velaw.com](mailto:bsmitherman@velaw.com)

James J. Lee  
[jimlee@velaw.com](mailto:jimlee@velaw.com)

Sue Synder  
[ssynder@velaw.com](mailto:ssynder@velaw.com)  
Vinson & Elkins LLP  
2801 Via Fortuna, Suite 100  
Austin, Texas 78746  
Phone: (512) 542-8454  
Fax: (512) 236-3209

**ATTORNEYS FOR PETITIONERS (GARLAND,  
MESQUITE, PLANO & RICHARDSON)**

Tom Kula  
Executive Director, General Manager  
North Texas Municipal Water District  
Administration Building  
502 East Brown Street  
P. O. box 2408  
Wylie, Texas 75098

Margaret Pemberton  
Legal Division Director, Public Utility  
Commission of Texas  
1701 North Congress  
P. O. Box 13326  
Austin, Texas 78711-3326

Laurie Barker  
Office of Public Utility Counsel  
1701 N. Congress Avenue, Suite 9-180  
P. O. Box 12397  
Austin, Texas 78711-2397

City Secretary  
City of Allen  
305 Century Parkway  
Allen, Texas 75013

City Secretary  
City of Farmersville  
101 205 S. Main  
Farmersville, Texas 75442

City Secretary  
City of Forney  
101 Main Street E.  
Forney, Texas 75126

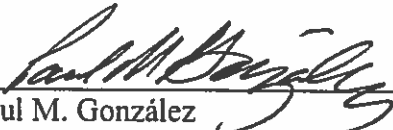
City Secretary  
City of Frisco  
6101 Frisco Square Blvd.  
Frisco, Texas 75034

City Secretary  
City of McKinney  
222 N. Tennessee St.  
McKinney, Texas 75069

City Secretary  
City of Princeton  
123 West Princeton Drive  
Princeton, Texas 75407

City Secretary  
City of Royse City  
P.O. 638  
305 N. Arch Street  
Royse City, Texas 75089

City Secretary  
City of Wylie  
300 Country Club Rd., Building 100  
Wylie, Texas 75098

  
Paul M. González

Agenda Section	Regular Agenda
Section Number	V.B
Subject	Consider, discuss and act upon Resolution #R-2017-0110-001 readopting and reaffirming City of Farmersville investment policy and related investment strategies adopted by and through Resolution #R-2015-0623-001.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 10, 2017
Attachment(s)	Resolution #R-2017-0110-001
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	<ul style="list-style-type: none"> <li>• City Council discussion as required</li> </ul>
Action	<ul style="list-style-type: none"> <li>• Provide staff direction for future action</li> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



**CITY OF FARMERSVILLE  
RESOLUTION # R 2017-0110-001**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, CONFIRMING ITS REVIEW OF THE CITY OF FARMERSVILLE INVESTMENT POLICY AND RELATED INVESTMENT STRATEGIES ADOPTED BY AND THROUGH RESOLUTION # R-2015-0623-001 AND REAFFIRMING AND READOPTING SAID INVESTMENT POLICY AND RELATED INVESTMENT STRATEGIES, AND PROVIDING FOR A EFFECTIVE DATE.**

**WHEREAS**, the City of Farmersville acknowledges the high priority of providing the necessary guardianship of public funds in the municipal sector; and,

**WHEREAS**, the City Council has previously established and expressly intends to maintain high fiscal standards, delegate treasury and investment duties to appropriate officials, and to review the actual performance at regular intervals; and,

**WHEREAS**, the City Council has implemented investment requirements set forth in the Texas Government Code, 2256.005, Public Funds Investment, Subchapter A- Public Funds Investment Act and Subchapter B- Investment of Public Funds; and

**WHEREAS**, the City Council has reviewed the City of Farmersville Investment Policy, attached hereto as Exhibit A and incorporated herein by reference for all purposes allowed by law, and investment strategies related thereto pursuant to Texas Government Code, 2256.005(e) and now desires to confirm such review and reaffirm and readopt the City of Farmersville Investment Policy adopted by and through Ordinance # R-2015-0623-001.

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

**Section 1.** All of the above premises are true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this resolution as if copied in their entirety.

**Section 2.** The City of Farmersville Investment Policy attached hereto as Exhibit A is hereby reaffirmed and readopted as the official policy of the City of Farmersville.

**Section 3.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Resolution are severable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionally shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution, since the same would have been enacted by the City Council without the incorporation of this Resolution of any such unconstitutional phrase, clause, sentences, paragraph or section.

**Section 4.** This Resolution shall take effect immediately from its passage.

**DULY PASSED AND RESOLVED**, by the City Council of the City of Farmersville, Texas on this 15th day of December, 2016.

**APPROVED:**

\_\_\_\_\_  
Diane C. Piwko, Mayor

**ATTEST:**

\_\_\_\_\_  
Paula Jackson, Interim City Secretary

## EXHIBIT "A"

### CITY OF FARMERSVILLE INVESTMENT POLICY

A component part of the overall financial management of the City of Farmersville, Texas is an effective cash management plan. Many factors determine the amount of funds on hand during any fiscal year, but these funds are an important revenue source for the City budget. It is imperative that these funds be managed in such a way as to be responsive to the public need and consistent with a conservative cash management plan. To provide this framework for effective cash management, an Investment Policy and a Statement of Investment Strategy have been prepared.

#### ***Purpose:***

The Investment Policy is authorized by the City Council of the City of Farmersville in accordance with Chapter 2256, Texas Government Code, also known as the Public Funds Investment Act (PFIA). The Policy addresses the methods, procedures and practices that must be exercised to ensure effective and judicious fiscal management of City funds. All such funds will be managed within the guidelines of this Policy with the exception of pension and other deferred compensation plans that are separately managed. Bond funds, in addition to this Policy, shall be managed in accordance with their issuing documentation and all applicable state and federal law.

This Policy provides a separate written investment strategy for each of the City's funds. Each investment strategy describes the investment objectives for each particular fund according to the following priorities:

- 1) Investment Suitability
- 2) Preservation and Safety of Principal
- 3) Liquidity
- 4) Marketability Prior to Maturity of each Investment
- 5) Diversification
- 6) Yield

#### ***Annual Review:***

The Investment Policy and the Statement of Investment Strategy will be reviewed on an annual basis by the City Council. Revisions and/or amendments will be approved and documented by the City Council. A written document shall attest to the annual review and amendment adoption.

#### ***Investment Objectives:***

The investment of funds will be governed by the following investment objectives, in order of priority:

Preservation and Safety of Principal Preservation of capital is the foremost objective of the City. Each investment transaction shall seek first to ensure that capital losses are avoided, whether they are from issuer defaults, erosion of market value, or other risks.

1. Liquidity: The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements that can be reasonably anticipated. Liquidity will be achieved by matching investment maturities with forecasted cash flow requirements.
2. Public Trust: All employees involved in the City's investment program shall seek to act responsibly as custodians of the public trust. All employees involved in the investment process shall avoid any transaction which might impair public confidence in the City's ability to govern effectively.
3. Yield: The investment portfolio of the City shall be designed to attain a market rate of return throughout budgetary and economic cycles taking into account risk constraints and liquidity needs. Return on investment, while important, is of less importance than safety and liquidity.

***Authorized Investments:***

While the PFIA allows a wide range of eligible investments, the City has chosen to allow only the following, which are more restrictive than the PFIA:

1. Certificates of Deposit, and other forms of deposit, issued in compliance with the PFIA and insured by the FDIC, or when applicable, collateralized in accordance with this Policy and the Public Funds Collateral Act.
2. State or local investment pools organized under the Interlocal Cooperation Act, operating in compliance with the P and authorized by the City Council. The investment pool must be rated AAA, or its equivalent, (as rated by Fitch, Moody's or Standard & Poor's). The investment objective of the pool must be to maintain a stable dollar net asset value.

***Prohibited Investments:***

The City is expressly prohibited from entering into options trading or futures contracts, hedging or purchasing any security that is not authorized by Texas State law, or any direct investment in asset backed or mortgage-backed securities. The City expressly prohibits the acceptance of Interest-only (IO) and Principal-only (PO) Collateralized Mortgage Obligations (CMOs) as collateral for bank deposits or repurchase agreements. No transactions may be entered for speculation. No transaction may be entered using leverage.

***Protection of Principal:***

The City shall seek to control the risk of principal loss due to the failure of an issuer or grantor. Such default risk shall be controlled by investing only in the safest types of issuers as defined in the Policy and by collateralization as required by law.

The purchase of individual securities shall be executed by "delivery versus payment" (DVP) method through the City's safekeeping agent. By so doing, City funds are not

released until the City has received, through the safekeeping agent, the securities purchased.

***Diversification by Investment Type:***

When appropriate and applicable, diversification by investment type shall be maintained by ensuring an active and efficient secondary market in portfolio investments, and by controlling the market and opportunity risks associated with specific investment types. Undue concentrations of assets in a specific maturity sector shall be avoided. Bond proceeds may be invested to comply with Federal arbitrage restrictions or to facilitate arbitrage record-keeping and calculation.

***Diversification by Investment Maturity:***

In order to minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed the anticipated cash flow requirements of the funds. Maturity guidelines by fund are as follows:

***Operating Funds Strategy:***

*Suitability* - Any investment eligible in the Investment Policy is suitable for Operating Funds.

*Safety of Principal*- All investments shall be of high quality with no perceived default risk. Market price fluctuations may occur. However, by managing the weighted average days to maturity for the Operating Fund's portfolio to less than 270 days and restricting the maximum allowable maturity to two years, the price volatility of the overall portfolio will be minimized.

*Marketability* - Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement.

*Liquidity* - The Operating Fund requires the greatest short-term liquidity of any of the Fund types. Cash equivalent investments will provide daily liquidity and may be utilized as a competitive yield alternative to fixed maturity investments.

*Diversification* - Investment maturities should be staggered throughout the budget cycle to provide cash flow based on the anticipated operating needs of the City. Market cycle risk will be reduced by diversifying the appropriate maturity structure out through two years.

*Yield* - Attaining a competitive market yield for comparable investment-types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling three-month Treasury Bill portfolio will be the minimum yield objective.

### ***Debt Service Funds Strategy:***

***Suitability*** - Any investment eligible in the Investment Policy is suitable for the Debt Service Fund.

***Safety of Principal***- All investments shall be of high quality with no perceived default risk. Market price fluctuations may occur. However, by managing Debt Service Funds to not exceed the debt service payment schedule the market risk of the overall portfolio will be minimized.

***Marketability*** - Securities with active and efficient secondary markets are not necessary as the event of an unanticipated cash flow requirement is not probable.

***Liquidity*** - Debt Service Funds have predictable payment schedules. Therefore, investment maturities should not exceed the anticipated cash flow requirements. Cash equivalent investments may provide a competitive yield alternative for short term fixed maturity investments. A singular repurchase agreement may be utilized if disbursements are allowed in the amount necessary to satisfy any debt service payment. This investment structure is commonly referred to as a flexible repurchase agreement.

***Diversification*** - Market conditions influence the attractiveness of fully extending maturity to the next "unfunded" payment date. Generally, if investment rates are anticipated to decrease over time, the City is best served by locking in most investments. If the interest rates are potentially rising, then investing in shorter and larger amounts may provide advantage. At no time shall the debt service schedule be exceeded in an attempt to a bolster yield.

***Yield*** - Attaining competitive market yield for comparable investment-types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling three-month Treasury Bill portfolio shall be the minimum yield objective.

### ***Ensuring Liquidity:***

Liquidity shall be achieved by analyzing and anticipating cash flow requirements, by investing in securities with active secondary markets and by maintaining minimum cash equivalent investment balances. An investment may be liquidated or redeemed prior to maturity for the following reasons:

1. To meet unanticipated cash requirements
2. To re-deploy cash into other investments expected to outperform current holdings
3. To otherwise to adjust the portfolio.

***Depository Agreements:***

The City will select and designate a qualified primary bank depository in compliance with State law and the City's purchasing policy.

All depository balances shall be insured or collateralized in compliance with applicable State law. The City reserves the right, in its sole discretion, to accept or reject any form of insurance or collateralization pledged towards depository deposits. Depositories will be required to sign a Depository Agreement with the City. The Agreement shall address any concerns in relation to acceptable collateral, levels of collateral, substitution and addition of collateral, and reporting and monitoring of collateral. The collateralized deposit portion of the Agreement shall define the City's rights to the collateral in case of default, bankruptcy, or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:

The Agreement must be in writing;

The Agreement has to be executed by the Depository and the City contemporaneously with the acquisition of the asset;

The Agreement must be approved by the Board of Directors or Designated Committee of the Depository and a copy of the meeting minutes must be delivered to the City; and

The Agreement must be part of the Depository's "official record" continuously since its execution.

***Safekeeping and Custody:***

The City shall contract with a bank or banks for the safekeeping of securities either owned by the City as part of its investment portfolio or held as collateral to secure financial institution deposits and repurchase agreements.

Securities owned by the City shall be held in the City's account as evidenced by safekeeping receipts of the institution holding the securities. Safekeeping institutions shall be independent from the parties involved in the investment transaction.

Collateral will be held by a third party custodian designated by the City and pledged to the City as evidenced by safekeeping receipts of the institution with which the collateral is deposited. Original safekeeping receipts shall be obtained. Collateral may be held by a Federal Reserve Bank or branch of a Federal Reserve Bank, a Federal Home Loan Bank, or a third party bank approved by the City and eligible under State law.

***Competitive Environment:***

It is the policy of the City to provide a competitive environment for all individual investment purchases and sales, and financial institution, money market mutual fund, and local government investment pool selections.

***Authority to Invest:***

The City Manager and Finance Director shall be the Investment Officers. The Investment Officers shall oversee and approve any deposit, withdrawal, investment, transfer, documentation, and otherwise manage City funds according to this Policy. No person may engage in an investment transaction or the management of funds except as provided under the terms of the Investment Policy, the Statement of Investment Strategy, and other operational procedures established by the City Manager.

In order ensure qualified and capable investment management, within twelve (12) months after taking office or assuming duties, each Investment Officer shall attend a training session relating to his/her investment responsibilities and receive not less than ten (10) hours of instruction. On an ongoing basis, all Investment Officers shall receive not less than ten (10) hours of instruction in each subsequent two-year period that begins on the first day of the City's fiscal year and consists of the two consecutive fiscal years after that date. Training will be conducted by an independent source approved by the Investment Committee and must include education in investment controls, security risks, strategy risks, market risks and compliance with the Public Funds Investment Act.

***Prudent Investment Management:***

Each Investment Officer shall perform his/her duties in accordance with the adopted Investment Policy and internal procedures. In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the investment of all funds over which the Investment Officer had responsibility, rather than the prudence of a single investment, shall be considered. Investment Officers acting in good faith and in accordance with these policies and procedures shall be relieved of personal liability.

***Standard of Care:***

The standard of care used by the City shall be the "prudent person rule" and shall be applied in the context of managing the overall portfolio within the applicable legal constraints. The PFIA states:

*"Investments shall be made with judgment and care, under circumstances then prevailing, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived."*

***Standard of Ethics:***

Each Investment Officer shall act as custodian of the public trust avoiding any transaction which might involve a conflict of interest, the appearance of a conflict of interest, or any activity which might otherwise discourage public confidence. An Investment Officer shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair his/her ability to make impartial investment decisions. Additionally, an Investment Officer shall file with the Texas Ethics Commission and the City Council a statement disclosing any personal business relationship with an entity seeking to sell investments to the City or any



relationship with the second degree by affinity or third degree of consanguinity to an individual seeking to sell investments to the City.

***Internal Controls:***

The City Manager will establish a system of internal controls that shall be designed to prevent losses of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by City staff. Controls deemed most important would include, but not be limited to:

1. Control of collusion
2. Separation of duties
3. Custodial safekeeping
4. Avoidance of bearer-form securities
5. Clear delegation of authority
6. Written confirmation of telephone transactions
7. Documentation of transactions

As part of the annual audit, the Investment Officers shall facilitate an independent review by the City's external auditor to assure compliance with policies and procedures.

***Monitoring Market Value:***

Market value of all collateral, mutual funds, pools, and securities will be monitored periodically and obtained from a reputable and independent source.

***Effect of Loss of Rating:***

All prudent measures will be taken to liquidate an investment that is downgraded to less than the required minimum rating. At least quarterly, the City shall monitor the rating of all investments, as applicable.

***Exemption for Existing Investments:***

The City is not required to liquidate investments authorized at the time of purchase.

***Performance:***

The City's investment portfolio shall be designed to obtain a market rate of return on investments consistent with risk constraints and expected cash flow of the City. Weighted average yield to maturity shall be the performance measurement standard.

***Investment Policy Certification:***

All investment providers, including financial institutions, broker/dealers, money market mutual funds, and local government investment pools, must sign a certification

acknowledging that the organization has received and reviewed the City's Investment Policy and that reasonable procedures and controls have been implemented to preclude investment transactions that are not authorized by the City's Policy.

***Reporting:***

The Investment Officers shall prepare an investment report monthly in compliance with the PFIA. This report will be prepared in a manner that will allow the City to ascertain whether investment activities during the reporting period have conformed to this Policy. The report will be provided to the City Council.

Agenda Section	Regular Agenda
Section Number	V.C
Subject	Consider, discuss and act upon approval of the Final Plat for Lots 1 & 2, Block 1 of the Beech Addition.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 10, 2017
Attachment(s)	None
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	<ul style="list-style-type: none"> <li>• 30 day waiver letter</li> <li>• DBI Engineers approval letter</li> <li>• Final Plat</li> </ul>
Action	<ul style="list-style-type: none"> <li>• Provide staff direction for future action</li> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

November 30, 2016

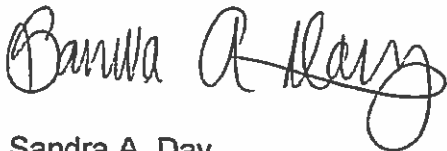
From: Dan and Sandy Day  
1095 CR 561  
Princeton, TX 75407

RE: W.B. Williams Survey, A-952

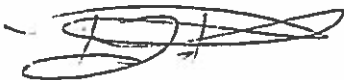
To whom it may concern:

We respectfully waive the 30 day guideline and wish to submit for consideration, the division of the aforementioned lot into two separate properties.

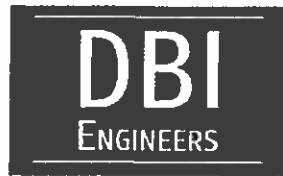
If there are questions or concerns. please don't hesitate to call and ask.

A handwritten signature in cursive script, appearing to read "Sandra A. Day".

Sandra A. Day

A handwritten signature in cursive script, appearing to read "Dan Day".

Dan Day



21 October 2016

Mr. Ben White, P.E., City Manager  
City of Farmersville  
205 S Main Street  
Farmersville, Texas 75442

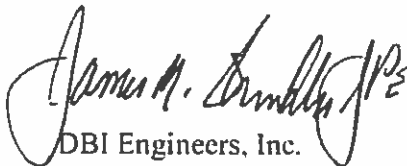
RE:     Beech Addition – City of Farmersville

Mr. White:

The final plat for Beech Addition to the City of Farmersville has been reviewed according to the rules, regulations and ordinances of the City of Farmersville.

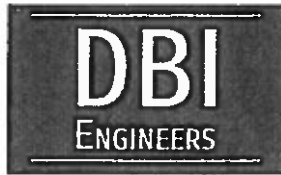
We recommend approval of the Final Plat, contingent on the submittal of fees, tax certificates and utility letters. Please contact us at 972-784-7777 if you should have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, reading "James M. Drumbly, P.E.". The signature is stylized with a large, looping "J" and "D".

DBI Engineers, Inc.

Agenda Section	Regular Agenda
Section Number	V.D
Subject	Consider, discuss and act upon approval of the Final Plat for Lot 1, Block 1 of the Wiley Orange Addition.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 10, 2017
Attachment(s)	<ul style="list-style-type: none"> <li>• DBI Engineers approval letter</li> <li>• Subdivision application form</li> <li>• Final Plat</li> </ul>
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	<ul style="list-style-type: none"> <li>• Jeff James from Kimley-Horn to discuss latest estimates and recommendations concerning the wastewater treatment plant.</li> <li>• City Council discussion as required.</li> </ul>
Action	<ul style="list-style-type: none"> <li>• Provide staff direction for future action</li> </ul>



30 November 2016

Mr. Ben White, P.E., City Manager  
City of Farmersville  
205 S Main Street  
Farmersville, Texas 75442

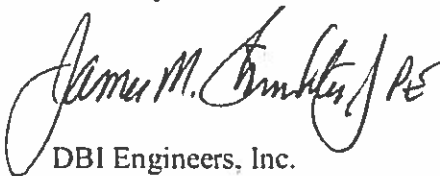
RE: Wiley Orange Addition – City of Farmersville

Mr. White:

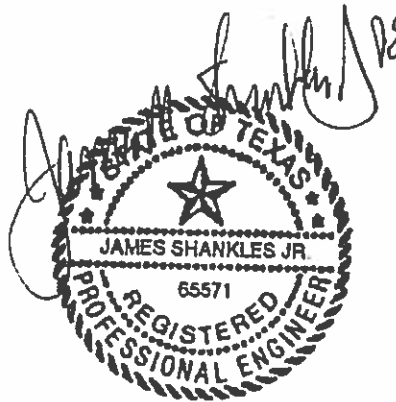
The final plat for Wiley Orange Addition to the City of Farmersville has been reviewed according to the rules, regulations and ordinances of the City of Farmersville.

We recommend approval of the Final Plat, contingent on the submittal of fees, tax certificates and utility letters. Please contact us at 972-784-7777 if you should have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "James M. Shankles, Jr.", followed by the letters "P.E.".

DBI Engineers, Inc.



30 Nov 2014

RECEIVED  
DATE 10-21-16  
BY [Signature]

City of Farmersville



## SUBDIVISION APPLICATION FORM City of Farmersville, Texas

### Please Type or Print Information

*This form shall be completed by the Applicant and submitted to the City Secretary's Office along with 6 copies of the respective plat, fees, and all other required information.*

*In order for a completed package to be considered for a Planning and Zoning Board meeting all application materials will need to be turned into the City staff at least 3 weeks prior. The package will need to be technically complete 6 working days prior to the Planning and Zoning Board meeting.*

*The use of City of Farmersville administrative forms, checklists, and routing sheets shall not relieve the applicant from following the rules, standards, ordinances, and laws governing the City of Farmersville.*

*The submission of plans/drawings, calculations, etc., along with this application, makes such items public record and the Applicant understands that they may be viewed and/or reproduced by the general public.*

*For a list of fees associated see the City of Farmersville Master Fee Schedule. Fees shall be collected for the purpose of defraying the costs of administrative, clerical, engineering, legal, planning, inspection, and other services deemed necessary to properly review and investigate plats and subdivision construction.*

*Exemptions to the platting process are listed in section 1.5 of the Subdivision Ordinance.*

*Subdivision Ordinance variances/waivers may be granted by following the steps outlined in section 1.10 of the Subdivision Ordinance.*

*Public infrastructure requirements established by the respective code (example, International Fire Code) and interpreted by the code official may be appealed based on a claim of incorrect interpretation, code applicability, or equivalent methodology. Code requirements cannot be waived.*

*Place "X" or check mark in appropriate box. All answers must be "Yes" to submit application.*

Pre-Application Requirements		
Yes	No	Requirement
		Attended Pre-Application Conference
✓		Plat described by metes and bounds
✓		Plat located with respect to a corner of the survey or tract or an original corner of the original survey of which it is a part
✓		Dimensions of plat and of each street, alley, square, park, or other part of the plat intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part
✓		Plat is located in Collin County
	✓	Plat is located in Hunt County
✓		Plat is located within the City of Farmersville corporate limits or Extra-Territorial Jurisdiction (ETJ) limits



## Subdivision Application Form

Place "X" or check mark in appropriate box. Use the N/A (not applicable) box if a line item is not applicable. Double asterisk items are required for all applications. Where separate documents are requested attach them to this submission.

Required Submission Materials			
Yes	No	N/A	Item Description
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	** Six copies of plat. Dimensions should be 24" X 36".
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	* * Original certified tax certificate
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	** Utility service provider letters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	** Proof of land ownership document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	** Electronic version of plat on CD (.PDF and .DWG)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	** Fees with appropriate retainer as required
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Governmental (TxDOT, Collin County, etc.) approval for major thoroughfare access such as driveway
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Farmersville Independent School District (FISD) accommodation letter (high impact residential or multi-family only)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Two copies of engineering plans
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	On-Site Sanitary Sewer Facility (OSSF) certification document
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Engineer's Summary Report
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development schedule
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development agreement
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Copy of covenants, conditions, restrictions, and agreements
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Geotechnical report
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Traffic study
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Application letter for proposed street names

Place "X" or check mark in appropriate box. Only one box may be indicated.

Type of Plat Document Submittal	
<input type="checkbox"/>	Concept Plan
<input type="checkbox"/>	Preliminary Plat
<input checked="" type="checkbox"/>	Final Plat
<input type="checkbox"/>	Development Plat
<input type="checkbox"/>	Replat
<input type="checkbox"/>	Amending Plat
<input type="checkbox"/>	Minor Plat
<input type="checkbox"/>	Vacated Plat

## Subdivision Application Form

Place information in all spaces that apply. Depending on the situation some spaces may be left empty.

Property Owner Information	
Name	CLOYD + HAZEL COPELAND
Address	302 S. BUCKSKIN
City	FARMERSVILLE
State	TX
Zip	75442
Work Phone Number	
Facsimile Number	
Mobile Phone Number	
Email Address	

Applicant/Responsible Party Information	
Name	OWNER
Address	
City	
State	
Zip	
Work Phone Number	
Facsimile Number	
Mobile Phone Number	
Email Address	

Engineer Information	
Name	
Address	
City	
State	
Zip	
Work Phone Number	
Facsimile Number	
Mobile Phone Number	
Email Address	

Surveyor Information	
Name	MATTHEW BUSBY
Address	116 MCKINNEY ST.
City	FARMERSVILLE
State	TX
Zip	75442
Work Phone Number	
Facsimile Number	
Mobile Phone Number	214 499 8472
Email Address	mbusby-bsi@yahoo.com

# Subdivision Application Form

General Application Information	
Proposed Name of Subdivision	WILEY ORANGE ADDITION
Total Acreage of Development	1.174 AC.
Physical Location of Property	S. ORANGE ST.
Legal Description of Property	SEE PLAT
Number of Lots	1

Place "X" or check mark in appropriate box indicating the form provided for proof of land ownership. Attach document to this submission.

Type of Plat Document Submittal	
<input checked="" type="checkbox"/>	General Warranty Deed
<input type="checkbox"/>	Special Warranty Deed
<input type="checkbox"/>	Title Policy
<input type="checkbox"/>	Other (approved by City Manager):

Place "X" or check mark in appropriate box indicating the current zoning districts comprising the land. Depending on the situation more than one box may be indicated.

Current Zoning		
	A	Agricultural District
	SF-1	One-Family Dwelling District
<input checked="" type="checkbox"/>	SF-2	One-Family Dwelling District
	SF-3	One-Family Dwelling District
	2F	Two-Family Dwelling District
	MF-1	Multiple-Family Dwelling District-1
	MF-2	Multiple-Family Dwelling District-2
	P	Parking District
	O	Office District
	NS	Neighborhood Service District
	GR	General Retail District
	C	Commercial District
	HC	Highway Commercial
	CA	Central Area District
	I-1	Light Industrial District
	I-2	Heavy Industrial District
	PD	Planned Development District
		Extra-Territorial Jurisdiction

## Subdivision Application Form

Place "X" or check mark in appropriate box indicating the **proposed zoning districts** comprising the land. Depending on the situation more than one box may be indicated. If zoning remains unaffected mark the same as above in the "Current Zoning Districts" table.

Proposed Zoning		
	A	Agricultural District
	SF-1	One-Family Dwelling District
✓	SF-2	One-Family Dwelling District
	SF-3	One-Family Dwelling District
	2F	Two-Family Dwelling District
	MF-1	Multiple-Family Dwelling District-1
	MF-2	Multiple-Family Dwelling District-2
	P	Parking District
	O	Office District
	NS	Neighborhood Service District
	GR	General Retail District
	C	Commercial District
	HC	Highway Commercial
	CA	Central Area District
	I-1	Light Industrial District
	I-2	Heavy Industrial District
	PD	Planned Development District
		Extra-Territorial Jurisdiction

Place "X" or check mark in appropriate box indicating the **proposed use of the land**. Depending on the situation more than one box may be indicated.

Use of Land and Buildings	
Housing Uses	
✓	One Family Detached Dwelling
	One Family Attached Dwelling
	Zero Lot Line Dwelling
	Town Home
	Two Family Dwelling
	Multiple Family Dwelling
	Boarding or Rooming House
	Bed and Breakfast Inn
	Hotel or Motel
	HUD Code Manufactured Home
	Industrialized Housing
	Mobil Home

<b>Use of Land and Buildings</b>	
<b>Accessory And Incidental Uses</b>	
	Accessory Building
	Farm Accessory Building
	Home Occupation
	Off Street Parking Incidental to Main Use
	Stable
	Swimming Pool
	Temporary Field Office or Construction Office
<b>Utility And Services Uses Electrical Substation</b>	
	Electrical Energy Generating Plant
	Electrical Transmission Use
	Fire Station
	Gas Lines and Regulating Station
	Public Building Shop or Yard of Local State or General Agency
	Radio, Television, or Microwave Tower
	Radio or Television Transmitting Station
	Sewage Pumping Station
	Sewage Treatment Plant
	Telephone Business Office
	Telephone Exchange, Switching Relay or Transmitting Station
	Utility Line, Local
	Utility Shops or Storage Yards or Buildings
	Water Standpipe or Elevated Water Storage
	Water Reservoir, Well or Pumping Station
	Water Treatment Plant
<b>Recreational And Entertainment Uses</b>	
	Amusement, Commercial
	Amusement, Commercial
	Country Club with Golf Course
	Dance Hall or Night Club
	Day Camp for Children
	Drag Strip or Commercial Racing
	Go Cart Track
	Gun Range
	Park or Playground
	Play Field or Stadium
	Rodeo Grounds
	Swim or Tennis Club
	Theater
	Trailer Park - Recreational Vehicle Park

Use of Land and Buildings	
Educational And Institutional Uses	
	Art Gallery or Museum
	Cemetery or Mausoleum
	Church or Rectory
	College, University or Private School
	Community Center
	Convent or Monastery
	Fairgrounds or Exhibition Area
	Fraternity, Sorority, Lodge or Civic Club
	Home for Alcoholic, Narcotic or Psychiatric Patients
	Hospital Acute Care
	Hospital Chronic Care
	Historical, Religious, Charitable or Philanthropic Nature
	Kindergarten or Nursery
	Library
	Nursing Home or Residence for Aged
	School, Business or Trade and
	School, Public or Parochial
Transportation Related Uses	
	Airport, Landing Field or Heliport
	Bus Station or Terminal and
	Motor Freight Terminal
	Parking Lot Truck
	Parking Lot Structure Commercial
	Railroad Freight Terminal
	Railroad Passenger Station
	Railroad Track or Right-of-Way
	Railroad Team Tracks
Automobile Service Uses	
	Auto Glass, Muffler or Seat Cover Shop
	Auto Laundry
	Auto Parts and Accessory Sales
	Auto Parts and Accessory Sales
	Auto Painting or Body Rebuilding Shop
	Automobile Repair Garage
	Gasoline or Fuel Service Station
	New or Used Auto Sales in Structure
	New or Used Auto Sales Outdoor Lot
	Motorcycle or Scooter Sales and Repair
	Steam Cleaning or Vehicles or Machinery
	Tire Retreading or Capping
	Trailer, Cargo Sales or Rental
	Wrecking or Auto Salvage Yard

Use of Land and Buildings	
Retail And Related Service Uses	
	Antique Shop
	Art Supply Store
	Bakery or Confectionery Shop
	Bank or Saving And Loan Office
	Barber or Beauty Shop
	Book or Stationery Shop
	Camera Shop
	Cleaning Shop or Laundry
	Cleaning Laundromat
	Clinic, Medical or Dental
	Custom Personal Service Shop
	Department Store or Discount Store
	Drug Store or Pharmacy
	Farmers Market
	Florist Shop
	Food Store
	Furniture or Appliance Store
	Garden Shop and Plant Sales
	Handcraft and Art Objects Sales
	Hardware Store or Hobby Shop □ Key Shop
	Laboratory, Medical or Dental
	Medical Appliances, Fitting, Sales or Rental
	Mortuary
	Offices, General Business or Professional
	Office Showroom/Warehouse or Sales Facilities
	Optical Shop or Laboratory
	Pawn Shop
	Pet Shop, Small Animals, Birds, and Fish
	Private Club
	Repair of Appliances, T.V., Radio and Similar Equipment
	Restaurant or Cafeteria
	Restaurant or Eating Establishment
	Retail Shop, Apparel, Gift Accessory and Similarities
	Sexually Oriented Establishment
	Studio Decorator and Display of Art Objects
	Studio Health Reducing or Similar Service
	Studio, Photographer, Artist, Music, Drama, or Dance
	Tool Rental
	Trailer or RV Sales or Display
	Variety Store or Other Retail Outlet Store
	Veterinarian Office Only

Use of Land and Buildings	
Agricultural Types Uses	
	Farm or Ranch
	Animal Pound
	Animal Clinic or Hospital
	Animal Clinic, Hospital or Kennel
	Greenhouse or Plant Nursery
Commercial Type Uses	
	Bakery Wholesale
	Building Material Sale
	Cabinet and Upholstery Shop
	Cleaning, Drying or Laundry Plant
	Clothing or Similar Light Assembly Process
	Contractors Storage or Equipment Yard
	Heavy Machinery Sales, Storage or Repair
	Lithographic or Print Shop
	Maintenance and Repair Service for Buildings
	Milk Depot, Dairy or Ice Cream Plant
	Manufactured House or Industrialized Homes Sales and Display
	Open Storage of Furniture, Appliances or Machinery, Etc.
	Paint Shop
	Petroleum Products, Storage and Wholesale
	Plumbing Shop
	Propane Storage and Distribution
	Storage Warehouse
	Trailer or Recreational Vehicle Sales or Display
	Welding or Machine Shop
	Wholesale Office Storage or Sales Facilities
Industrial Uses	
	Asphalt Paving Batching Plant
	Concrete Batching Plant
	Concrete Products Manufacture
	Light Manufacturing
	Sand and Gravel Storage
	Sand, Gravel, Stone or Petroleum Extraction



## Subdivision Application Form

Indicate the utility provider's name for the property in the space provided.

Utility Providers	
Description of Service	Name
Electrical Service Provider	FARMERSVILLE
Water Supplier	"
Sewage Disposal	"
Telephone Service	
Cable TV Service	
Gas Service	ATMOS
Refuse Pick-Up	FARMERSVILLE

The signatures of the owner(s) below indicate intention to follow through with the platting/subdivision process.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Owner's Name (Printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Co-Owner's Signature

\_\_\_\_\_  
Co-Owner's Name (Printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Co-Owner's Signature

\_\_\_\_\_  
Co-Owner's Name (Printed)

\_\_\_\_\_  
Date

## **City of Farmersville Staff Only**

(Applicant, do not mark in spaces below)

Description	Response
Name of City Staff Worker Receiving Application	
Fee Amount	
Check Number	
Date Received	
City Receipt Number	
City Asset Account Number	

Agenda Section	Regular Agenda
Section Number	V.E
Subject	Condiser, discuss and act upon approval of annual Interlocal Agreements between Collin County and the City of Farmersville regarding dispatch services.
To	Mayor and Council Members
From	Ben White, City Manager
Date	January 10, 2017
Attachment(s)	Interlocal agreement
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to a future agenda. _____</li> <li>• No motion, no action</li> </ul>

## **INTERLOCAL DISPATCH SERVICES AGREEMENT**

This agreement is entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the City of Farmersville (the "City") and Collin County, a political subdivision of the State of Texas (the "County").

### **RECITALS**

1. The County, through the Sheriff's Office, owns and operates communication facilities used in dispatching its law enforcement and emergency service personnel.
2. The City desires to obtain certain dispatch services from the County. Therefore, under the authority of Texas Government Code, Title 7, Interlocal Cooperation Act, Section 791 et seq., the parties agree as follows:

### **SECTION 1. DEFINITIONS**

**DISPATCH SERVICES.** The term "Dispatch Services" means all services necessary for the Collin County Sheriff's Office to receive calls for law enforcement service within the City's jurisdiction and to dispatch the City's law enforcement personnel in response to such calls.

**HOSTING SERVICES.** The term "Hosting Services" means the County will store the City's data as it relates to dispatch services.

### **SECTION 2. TERM**

**2.01 TERM.** The term of this agreement shall commence on October 1, 2016, and shall continue in full force and effect through September 30, 2017.

**2.02 TERMINATION.** Either party may terminate this agreement by giving ninety (90) days written notice to the other party.

### **SECTION 3. SERVICES**

**3.01** The County agrees to provide dispatch services through the Sheriff's Office to the City in the same manner and under the same work schedule as such services

are provided in the operation of the County's law enforcement personnel.

**3.02 Hosting Services.** The County agrees to provide Hosting Services to the City and that it will provide 95% uptime availability of the service as covered herein.

**3.03 Scheduled Maintenance:** The City hereby acknowledges that the County may, from time to time, perform maintenance service on the County network, with or without notice to the City, which may result in the unavailability of the County network. Emergency maintenance and maintenance for which the County has not given the City notice in accordance with this Agreement shall not be deemed scheduled maintenance for purposes of this Agreement. The County will make every effort to notify the City prior to scheduled maintenance. Notice may be given in various forms including but not limited to email notice and/or phone call.

**3.04 Hosted Data Ownership.** The City shall have sole ownership of the City's hosted data and the County shall make no claim to ownership of City's hosted data.

**3.05 Hosted Data Back Up.** The County will back up the City's hosted data on a daily basis. All data backups will meet Criminal Justice Information Systems (CJIS) requirements. Every effort is made to ensure the reliability of the backed up data in the event that it would be necessary to restore a database. The County, however, makes no guaranties that the backed up database will be error free. Upon request, the County will provide to the City a current database backup that can be restored to an alternate location to verify the contents and confirm the quality of the backup. All services required to provide the City's data and/or verify data will be provided in accordance with the County's current rates.

**3.06 VPN Agreement.** For each user the City is required to complete and return **Attachment (A)**, Connection Policy and Agreement Form for the Virtual Private Network (VPN) and return to County to the address in 9.02 item (C). No access will be given to user unless County has received a VPN Agreement.

#### **SECTION 4. NONEXCLUSIVITY OF SERVICE PROVISION**

The parties agree that the County may contract to perform services similar or identical to those specified in this agreement for such additional governmental or public entities as the County, in its sole discretion, sees fit.

#### **SECTION 5. COMPENSATION**

**5.01** The dispatch service charges for FY2017 in the amount of \$36,070.44 shall be paid by the City in quarterly installments of \$9,017.61 during the term hereof. This amount is based upon the prior year call volume at the rate of \$6.68 per radio incident.

**5.02 PAYMENT UPON EARLY TERMINATION.** If this agreement is terminated prior to the conclusion of a three-month period for which a payment has been made pursuant to Section 5.01 of this agreement, the entire amount paid shall belong to the County without prorating, as liquidated damages to cover the County's anticipated costs for staffing and equipment to provide services hereunder.

**5.03 SOURCE OF PAYMENT.** The City agrees that payments that it is required to make under this agreement shall be made out of the City's current revenues.

#### **SECTION 6. CIVIL LIABILITY**

6.01 Any civil liability relating to the furnishing of services under this agreement shall be the responsibility of the City. The parties agree that the County shall be acting as agent for the City in performing the services contemplated by this agreement.

6.02 The City shall hold the County free and harmless from any obligation, costs, claims, judgments, attorney's fees, attachments, and other such liabilities arising from or growing out of the services rendered to the City pursuant to the terms of this agreement or in any way connected with the rendering of said services, except when the same shall arise because of the willful misconduct or culpable negligence of the County, and the County is adjudged to be guilty of willful misconduct or culpable negligence by a court of competent jurisdiction.

#### **SECTION 7. AMENDMENT**

This agreement shall not be amended or modified other than in a written agreement signed by the parties.

#### **SECTION 8. CONTROLLING LAW**

This agreement shall be deemed to be made under, governed by, and construed in accordance with the laws of the State of Texas.

#### **SECTION 9. NOTICES**

**9.01 FORM OF NOTICE.** Unless otherwise specified, all communications provided for in this agreement shall be in writing and shall be deemed delivered, whether actually received or not, forty-eight (48) hours after deposit in the United States mail, first class, registered or certified, return receipt requested, with proper postage prepaid or immediately when delivered in person.

**9.02 ADDRESSES.** All communications provided for in this agreement shall be addressed as follows:

(A) Collin County, to:  
Purchasing Department  
2300 Bloomdale #3160  
McKinney, Texas 75071

(B) If to the City, to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(C) Collin County, Virtual Private Network (VPN) to:  
Information Technology Department  
2300 Bloomdale #3198  
McKinney, Texas 75071

Or to such person at such address as may from time to time be specified in a notice given as provided in this Section 9. In addition, notice of termination of this agreement by the City shall be provided by the City to the County Judge of Collin County as follows:

The Honorable Keith Self  
Collin County Judge  
Collin County Administration Building  
2300 Bloomdale Rd. Suite 4192  
McKinney, Texas 75071

#### **SECTION 10. CAPTIONS**

The headings to the various sections of this agreement have been inserted for the convenient reference only and shall not modify, define, limit or expand the express provision of this agreement.

#### **SECTION 11. COUNTERPARTS**

This agreement may be executed in counterparts, each of which, when taken separately, shall be deemed an original.



**SECTION 12. OBLIGATIONS OF CONDITION**

All obligations of each party under this agreement are conditions to further performance of the other party's continued performance of its obligation under the agreement.

**SECTION 13. EXCLUSIVE RIGHT TO ENFORCE THIS AGREEMENT**

The County and the City have the exclusive right to bring suit to enforce this Agreement, and no party may bring suit, as a third-party beneficiary or otherwise, to enforce this agreement.

**SECTION 14. PRIOR AGREEMENTS SUPERSEDED**

This agreement constitutes the sole and only agreement of the parties hereto and supersedes any prior understanding or written oral agreements between the parties respecting the services to be provided under this agreement.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE EXECUTED THIS  
AGREEMENT AS OF THE DAY AND YEAR FIRST ABOVE WRITTEN.

“COUNTY”

COLLIN COUNTY, TEXAS

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

“CITY”

\_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

## **Attachment "A"**

### **Law Enforcement Officers remote connectivity Policy and Agreement Form**

#### **Virtual Private Network (VPN)**

##### **1.0 Purpose**

The purpose of this document is to provide the framework for granting remote access to Collin County services/equipment through a Virtual Private Network (VPN).

##### **2.0 Scope**

This policy applies to all Law Enforcement Officers utilizing VPN to access the Collin County network. This policy applies to all Collin County VPN implementations.

##### **3.0 Policy**

Authorized parties (Law Enforcement Officers) may utilize the benefits of VPN, which are a "user managed" service. This means that the user is responsible for selecting an Internet Service Provider (ISP), coordinating installation, installing any required software, and paying associated fees.

Additionally,

1. It is the responsibility of the user with VPN privileges to ensure that unauthorized users are not allowed access to Collin County internal networks. User accounts and passwords are NOT to be shared with anyone.
2. Authorized parties and the Collin County employees sponsoring the request for VPN are responsible for defining what services/equipment/software the authorized parties need access to. Access will be restricted to only those defined objects. Attempting to connect or access any service/device not defined will be considered a violation of the Collin County VPN policy.
3. The authorized parties and the Collin County employees sponsoring the VPN request are also responsible for defining the time scope that the VPN account will be active. All accounts are setup with an expiration date not to exceed 6 months, unless otherwise authorized to be a longer timeframe or permanent by the County.
4. VPN use is to be controlled using either a one-time password authentication such as a token device or a public/private key system with a strong pass phrase.
5. When actively connected to the county network, the VPN will force all traffic to and from the remote PC over the VPN tunnel; all other traffic will be dropped.
6. Dual (split) tunneling is NOT permitted; only one network connection is allowed.
7. VPN gateways will be established and managed by Collin County Information Technology Department.
8. All computers connected to Collin County internal networks via VPN or any other technology must use the most up-to-date anti-virus software from a reputable IT Agency; this includes personal computers.
9. All users connecting to the Collin County internal networks via VPN or any other technology must keep their systems up to date with the latest security patches for their operating system and applications installed on their connecting systems.
10. VPN users may be automatically disconnected from Collin County's network after sixty minutes of inactivity. The user must then logon again to reconnect to the network.
11. Users of computers that are not Collin County owned equipment must comply with the Collin County acceptable use policy when accessing the Internet while connected through the VPN.
12. Only approved VPN clients may be used.
13. Upon termination of a contract from Collin County, or at the request of the Collin County staff, the user must uninstall the VPN connection from their computer.
14. Agencies expressly agree to notify the County of staffing changes involving employees with access to the County's network within 24 hours or next business day.
15. After six months of expired inactivity, Active Directory and VPN accounts will be permanently deleted, unless otherwise approved by the County.
16. Accounts will be locked out after a certain number of failed attempts.
17. VPN users who have lost their password will have to contact their sponsoring parties to request a password reset. The sponsoring party will then contact Collin County IT to reset the password for the VPN user. The sponsoring party is the Sheriff's Office.

18. It is the responsibility of the user with VPN privileges to install, configure, setup and support any issues with their systems to connect to Collin County based on the information provided to them.
19. Users connect at their own risk and Collin County is not responsible for any damages that they may incur from connecting through the VPN to Collin County
20. Prior to acquiring VPN access all users will be required to pass a background check unless otherwise approved by the County.
21. If the County migrates to a new network connection technology it is the responsibility of the Agency or agency to budget and obtain any required technology upgrade in order to maintain their network connection to the County. The Agency or agency will be provided advance notification for this change.

#### **4.0 Granting Access**

To obtain access via VPN, the Agency/User must be sponsored by a party currently employed at Collin County and IT must agree this access is needed for the Collin County information systems. The agency/user must sign this form agreeing to protect the security of the Collin County network. For external Collin County VPN users, the Request for VPN Access must be signed and approved by the Manager who is responsible for the external user. VPN expiration will be based on the contract length unless further time is requested by Collin County Management. The initial setup and testing will be performed during normal operating hours, Monday – Friday, 8 am – 5 pm, and requires a minimal of two weeks' notice to schedule.

#### **5.0 Enforcement**

Collin County Information Technology Department may actively monitor the VPN concentrator for any suspicious and inappropriate activity. Any VPN user found to have violated any part of this policy may have their VPN access terminated immediately.

#### **6.0 Liability**

Agency expressly agrees that they shall be liable for any and all damages, including but not limited to actual, consequential, or incidental damages, for disruptions caused by their negligence or intentional misconduct to the County's services/equipment resulting from or related to Agency's connection to the County's networks. Agency also expressly agrees to notify the County of staffing changes involving employees with access to the County's network within 24 hours.

Unauthorized access or use is prohibited and will be prosecuted to the fullest extent. Anyone using this system expressly consents to monitoring and is advised that if such monitoring reveals possible evidence of criminal activity system personnel may provide the evidence of such monitoring to law enforcement officials. Anyone using the system connects at their own risk and assumes all responsibilities for any possible damage to their own equipment.

#### **7.0 Definitions**

<b>Term</b>	<b>Definition</b>
VPN	Virtual Private Network. An extension of Collin County's internal private network.
VPN Concentrator	Physical device that manages VPN connections.
VPN Client	Remote computer with VPN software utilizing VPN services.
Agency Management	Person in Agency company that can take responsibility for the liability clause of this document.
Dual (split) tunneling	When utilizing VPN, a connection (tunnel) is created to Collin County's network utilizing the Internet. Dual split tunneling allows for this connection as well as a secondary connection to another source. This technology is NOT supported when utilizing Collin County's VPN.
User	Employee, Agency, contractor, consultant, temporaries, customers, government agencies, etc.
Sponsoring Party	Collin County employee requesting access for a non-employee user to have access to Collin County services/equipment through the VPN. The employee may be someone in IT.

**Agency Management's Signature (if applicable)**

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

**VPN Users Signature**

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

**Sponsoring Party's Signature**

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

Return form to:

Caren Skipworth  
2300 Bloomdale #3198  
McKinney, Texas 75071

## **VI. Requests to be Placed on Future Agendas**

## **VII. Adjournment**