

FARMERSVILLE CITY COUNCIL SPECIAL SESSION AGENDA September 20, 2018 6:00 P.M. Council Chambers, City Hall 205 S. Main Street

#### I. PRELIMINARY MATTERS

Call to Order, Roll Call, Prayer and Pledge of Allegiance

#### II. READING OF ORDINANCES

- A. Consider, discuss, and act upon Ordinance #2018-0920-001 adopting and approving the budget for FY 2018-2019
- B. Consider, discuss, and act upon Ordinance #2018-0920-002 adopting the FY 2018-2019 tax appraisal roll
- C. Consider, discuss, and act upon Ordinance #2018-0920-003 adopting the tax rate for FY 2018-2019
- D. Consider, discuss, and act upon Ordinance #2018-0920-004 adopting the General Obligation Bond Series 2012 annual budget for FY 2018-2019.
- E. Consider, discuss, and act upon Ordinance #2018-0920-005 adopting the General Obligation Bond Series 2017 annual budget for FY 2018-2019.

#### III. REGULAR AGENDA

- A. Consider, discuss and act upon the Planning & Zoning recommendation regarding the Final Plat for Camden Park Phase 1.
- B. Consider, discuss and act upon the Planning & Zoning recommendation regarding the Final Plat for Camden Park Phase 2.
- C. Consider, discuss and act on the recommendation from the Farmersville Community Development Board regarding the Professional Services Contract for Main Street Manager.
- D. Discussion regarding whether the Planning & Zoning Commission should review items related to Specific Use Permits and specific requirements for industrial zoning districts.

#### IV. EXECUTIVE SESSION

- A. Discussion of Matters Permitted by Texas Government Code Section 551.071, CONSULTATION WITH ATTORNEY:
  - Consultation with City Attorney regarding laws and potential litigation issues applicable to cemeteries and plats and possible settlement agreement with the Islamic Association of Collin County regarding the plat of the cemetery proposed by the Islamic Association of Collin County in the City's extraterritorial jurisdiction.

# V. RECONVENE FROM EXECUTIVE SESSION AND DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION PERMITTED BY SECTIONS 551.071 OF THE TEXAS GOVERNMENT CODE

- A. Consider, discuss and act on a proposed settlement agreement with the Islamic Association of Collin County regarding the plat of the cemetery proposed by the Islamic Association of Collin County.
- B. Consider, discuss and act upon a Motion to Reconsider the City Council's prior decision to disapprove a recommendation from the Planning and Zoning Commission regarding a preliminary plat of the cemetery proposed by the Islamic Association of Collin County in the City's extraterritorial jurisdiction.
- C. Consider, discuss and act upon a recommendation from the Planning and Zoning Commission regarding a preliminary plat of the cemetery proposed by the Islamic Association of Collin County in the City's extraterritorial jurisdiction.

#### VI. ADJOURNMENT

Dated this the 17th day of September, 2018.

Jacks Randall Rice, Mayor

The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.175-183 (Deliberations about Homeland Security Issues) and as authorized by the Texas Tax Code, including, but not limited to, Section 321.3022 (Sales Tax Information).

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

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in the regular posting place of the City Hall building for Farmersville, Texas, in a place and manner convenient and readily accessible to the general public at all times, and said Notice was posted September 17, 2018 by 5:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.

Sandra Green, City Secretary



1.	PRELIMINARY MATTERS	

II. READING OF ORDINANCES

Aganda Castian	Banding of Ordinance			
Agenda Section	Reading of Ordinances			
Section Number	I.A			
Subject	Consider, discuss, and act upon Ordinance #2018-0920-001 adopting and approving the budget for FY 2018-2019			
То	Mayor and Council Members			
From	Ben White, City Manager			
Date	September 20, 2018			
Attachment(s)	Ordinance #O-2018-0920-001			
Related Link(s)	http://www.farmersvilletx.com/government/agendas_and_minutes/cit y_council_meetings.php			
Consideration and Discussion	City Council discussion as required.			
Action	<ul> <li>Motion/second/vote</li> <li>Approve</li> <li>Approve with Updates</li> <li>Disapprove</li> <li>Motion/second/vote to continue to a later date.</li> <li>Approve</li> <li>Disapprove</li> <li>Move item to another agenda.</li> <li>No motion, no action</li> </ul>			

# CITY OF FARMERSVILLE ORDINANCE #O-2018-0920-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; PROVIDING FOR INTRA-AND INTER-DEPARTMENTAL FUND TRANSFERS; AMENDING AND ADOPTING THE REVISED FISCAL YEAR 2017-2018 BUDGET; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

**WHEREAS**, the City Manager has caused to be filed with the City Secretary a budget to cover all proposed expenditures of the government of the City for the fiscal year beginning October 1, 2018, and ending September 30, 2019; and

WHEREAS, the budget shows, as definitely as possible, each of the various projects for which appropriations are made in the budget and the estimated amount of money carried in the budget for each such project; and

WHEREAS, the budget has been available for inspection by any taxpayer; and

WHEREAS, the budget, appended hereto as Exhibit A, was duly presented to the City Council by the City Manager and a public hearing was ordered by the City Council; and

WHEREAS, notice of public hearing on the budget, stating the date, time, place, and subject matter of said public hearing was given as required by the laws of the State of Texas; and

WHEREAS, said public hearing was held according to said notice, and all those wishing to speak on the budget were heard; and

WHEREAS, the City Council has studied said budget and listened to the comments of the taxpayers at the public hearing held, and therefore has determined that the budget attached hereto is in the best interest of the City of Farmersville.

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

[Remainder of page intentionally left blank.]

#### SECTION 1. FINDINGS INCORPORATED.

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

#### SECTION 2. BUDGET APPROVED AND ADOPTED.

The attached Budget presented by the City Manager and as amended at the City Council Budget Workshop is hereby approved in all respects and adopted as the City's Budget for the fiscal year 2018-2019, and there is hereby appropriated from the funds indicated and for such purposes, respectively, such sums of money for such projects, operations, activities, purchases, and other expenditures as proposed in the attached budget.

[Remainder of page intentionally left blank.]

#### SECTION 3. 2018-2019 ANNUAL BUDGET APPROPRIATIONS.

The Fiscal Year 2018-2019 Annual Budget is appropriated as follows:

		10 HF		F)	/ 2018	3-2019 Propose	d			
		PROJECTED						INTERFUND	10	PROPOSE
		BEGINNING					Т	RANSFERS IN	E	NDING FUN
SOVERNMENTAL FUNDS	FU	ND BALANCE		REVENUES	E)	(PENDITURES	-10	(OUT)	_	BALANC
ieneral Fund	s	722,646	\$	2,025,588	\$	3,474,184	\$	1,448,596	\$	722,646
Special Revenue Funds										
Court Technology Fund	\$	(265)	\$	4,300	\$	5,300			\$	(1,265
Court Security Fund	\$	12,080	\$	3,300	\$	2,750			\$	12,630
Library Donations	\$	2,394	\$	150	\$	300			\$	2,244
Special Projects Fund	\$	130,333							\$	130,333
CC Child Special Revenue	\$	21,166	\$	4,500	\$	6,200			\$	19,466
Debt Service Fund	\$	106,890	\$	731,560	\$	707,807			\$	130,643
TIRZ	\$	421,845	\$	293,062	\$	302,000			\$	412,90
Capital Projects Funds										
2012 Bond Fund	\$	1,279,126	\$	15,000					\$	1,294,120
2017 Bond Fund	\$	1,564,977	\$	2,780,023	\$	4,345,000			\$	-
TOTAL GOVERNEMENTAL FUNDS	\$	4,261,192	\$	5,857,483	\$	8,843,541	\$	1,448,596	\$	2,723,73
				£)	/ 2018	3-2019 Propose	d			
	_	PROJECTED				20231100030		INTERFUND		PROPOSE
		BEGINNING					Т	RANSFERS IN	E	NDING FUN
PROPRIETARY FUNDS	_ FU	ND BALANCE	_	REVENUES	E>	PENDITURES	_	(OUT)		BALANC
Enterprise Funds										
Water Fund	\$	354,893	\$	1,542,546	\$	1,402,817	\$	(139,729)	\$	354,89
Wastewater Fund	\$	554,862	\$	1,467,965	\$	1,141,627	\$	(252,780)	\$	628,420
Refuse Fund	\$	49,821	\$	465,266	\$	348,385	\$	(116,881)	\$	49,82
Electric Fund	\$	500,950	\$	3,894,361	\$	2,955,155	\$	(939,206)	\$	500,95
Equipment Replacement Fund	\$	5,322							\$	5,322
TOTAL PROPRIETARY FUNDS	-	1,465,848		7,370,138		5,847,984		(1,448,596)		1,539,406

[Remainder of page intentionally left blank.]

#### SECTION 4. 2017-2018 ANNUAL BUDGET APPROPRIATIONS REVISED.

The Revised Fiscal Year 2017-2018 Annual Budget is hereby amended and appropriated as follows:

GOVERNMENTAL FUNDS	FU	PROJECTED BEGINNING ND BALANCE		REVENUES		7-2018 REVISEI	-	INTERFUND RANSFERS IN (OUT)	E	PROPOSED NDING FUND BALANCE
General Fund	5	866,700	\$	2,025,906	\$	3,618,556	\$	1,448,596	\$	722,646
Special Revenue Funds										
Court Technology Fund	\$	965	5	4,200	5	5,430			\$	(265)
Court Security Fund	\$	11,530	\$	3,300	\$	2,750			\$	12,080
Library Donations	\$	2,575	\$	175	\$	356			\$	2,394
Special Projects Fund	\$	130,333							\$	130,333
CC Child Special Revenue	\$	23,986	\$	3,380	\$	6,200			\$	21,166
Debt Service Fund	\$	12,522	\$	813,000	\$	718,632			\$	106,890
TIRZ	\$	236,641	\$	214,217	\$	29,013			\$	421,845
Capital Projects Funds 2012 Bond Fund 2017 Bond Fund	\$	1,264,126	\$	15,000 3,064,977	\$	1,500,000			\$ \$	1,279,126 1,564,977
TOTAL GOVERNEMENTAL FUNDS	\$	2,549,378	\$	6,144,155	\$	5,880,937	\$	1,448,596	\$	4,261,192
PROPRIETARY FUNDS	FU	PROJECTED BEGINNING ND BALANCE		REVENUES		7-2018 REVISEI		INTERFUND RANSFERS IN (OUT)	E	PROPOSES NDING FUNE BALANCS
Enterprise Funds										
Water Fund	5	554,055	\$	1,346,096	\$	1,405,529	\$	(139,729)	\$	354,893
Wastewater Fund	\$	634,094	\$	999,457	\$	825,909	\$	(252,780)	\$	554,862
Refuse Fund	\$	49,821	\$	464,767	\$	347,886	\$	(116,881)	\$	49,821
Electric Fund	\$	500,950	\$	3,880,430	\$	2,941,224	\$	(939,206)	\$	500,950
Equipment Replacement Fund	\$	5,322							\$	5,322
TOTAL PROPRIETARY FUNDS	= 11	1,744,242		6,690,750		5,520,548		(1,448,596)		1,465,848

#### SECTION 5. CITY MANAGER AUTHORIZED TO INVEST CERTAIN FUNDS.

The City Manager is hereby authorized to invest any funds not needed for current use, whether operating or bond funds, in accordance with the City's Investment Policy.

#### SECTION 6. CITY MANAGER AUTHORIZED TO MAKE FUND TRANSFERS.

The City Manager is hereby authorized to make intra- and inter-departmental fund transfers during the fiscal year as may become necessary in order to avoid over-expenditure of particular accounts.

#### SECTION 7. REPEALER CLAUSE.

Any and all ordinances, resolutions, rules, regulations, policies, or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of the conflict herewith.

#### **SECTION 8.** SEVERABILITY CLAUSE.

Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this Ordinance and same are deemed severable for this purpose.

#### SECTION 9. EFFECTIVE DATE.

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

**PASSED** on first and only reading on the 20<sup>th</sup> day of September, 2018, as an ordinance related to the adoption of the City's annual budget and the setting of the tax rate at a properly scheduled meeting of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

APPROVED this the 20th day of September, 2018.

	Jack Randall Rice, Mayor	
ATTEST:		
Sandra Green, City Secretary		

Agenda Section	Reading of Ordinances
Section Number	II.B
Subject	Consider, discuss, and act upon Ordinance #2018-0920-002 adopting the FY 2018-2019 tax appraisal roll
То	Mayor and Council Members
From	Ben White, City Manager
Date	September 20, 2018
Attachment(s)	Ordinance #O-2018-920-002
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul> <li>Motion/second/vote</li> <li>□ Approve</li> <li>□ Approve with Updates</li> <li>□ Disapprove</li> <li>• Motion/second/vote to continue to a later date.</li> <li>□ Approve</li> <li>□ Disapprove</li> <li>• Move item to another agenda.</li> <li>• No motion, no action</li> </ul>

## CITY OF FARMERSVILLE ORDINANCE #0-2018-0920-002

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, ADOPTING THE FISCAL YEAR 2018 – 2019 TAX APPRAISAL ROLL FOR THE CITY OF FARMERSVILLE, TEXAS; PROVIDING FOR SEVERABILITY; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in accordance with Section 26.09 of the Texas Tax Code it is necessary that the Fiscal Year 2018 – 2019 Appraisal Roll which constitutes the Fiscal Year 2018 – 2019 Tax Roll for the City of Farmersville is adopted by the City;

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

#### SECTION 1. TAX ROLL ADOPTED

The City Council of the City of Farmersville, Collin County, Texas, hereby accepts and approves the Fiscal Year 2018 – 2019 Appraisal Roll as submitted by the Collin County Tax Assessor Collector which 2018 – 2019 Appraisal Roll constitutes the Fiscal Year 2018 – 2019 Tax Roll for the City of Farmersville.

#### SECTION 2. SEVERABILITY

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

#### SECTION 3. REPEALER

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

#### SECTION 4. ENGROSSMENT AND ENROLLMENT

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

the City Council of the City of Farmersville and by filing this Ordinance in the Ordinance records of the City.

#### SECTION 5. SAVINGS

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

#### SECTION 6. EFFECTIVE DATE

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

**PASSED** on first and only reading on the 20<sup>th</sup> day of September, 2018, as an ordinance related to the adoption of the City's annual budget and the setting of the tax rate at a properly scheduled meeting of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

APPROVED this the 20th day of September, 2018.

Jack Randall Rice, Mayor

ATTEST:

Sandra Green, City Secretary

Agenda Section	Reading of Ordinances			
Section Number	I.C			
Subject	Consider, discuss, and act upon Ordinance #2018-0920-003 adopting the tax rate for FY 2018-2019			
То	Mayor and Council Members			
From	Ben White, City Manager			
Date	September 20, 2018			
Attachment(s)	Ordinance #0-2018-920-003			
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php			
Consideration and Discussion	City Council discussion as required.			
Action	<ul> <li>Motion/second/vote</li> <li>□ Approve</li> <li>□ Disapprove</li> <li>• Motion/second/vote to continue to a later date.</li> <li>□ Approve</li> <li>□ Disapprove</li> <li>• Move item to another agenda.</li> <li>• No motion, no action</li> </ul>			

# CITY OF FARMERSVILLE ORDINANCE #O-2018-0920-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, ADOPTING A TAX RATE AND FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF FARMERSVILLE, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE TAX YEAR 2018 (FISCAL YEAR BEGINNING ON OCTOBER 1, 2018 TO AND INCLUDING SEPTEMBER 30, 2019); APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSES; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council finds that the tax for the tax year 2018 hereinafter levied for the current expenses and general improvements of the City and its property must be levied to provide the revenue requirements of the budget for the ensuing year; and

WHEREAS, the City Council further finds that the taxes for the tax year 2018 hereinafter levied, therefore, are necessary to pay interest and to provide a sinking fund on outstanding bonds maturing in the ensuing year; and

WHEREAS, the City Council held two public hearings noticed in accordance with Texas law and at least three days apart on September 4, 2018 and September 17, 2018, regarding the proposed tax rate increase at which proponents and opponents of the tax rate increase were allowed to present their views; and

WHEREAS, the City Council has approved by a separate Ordinance the budget for the tax year 2018; and

WHEREAS, all statutory and constitutional requirements concerning the adoption of the tax rate and the levying and assessing of ad valorem taxes have been completed in due and correct time.

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

#### SECTION 1. FINDINGS INCORPORATED.

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

# SECTION 2. LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF FARMERSVILLE, TEXAS, AND PROVIDING FOR AN INTEREST AND SINKING FUND FOR THE TAX YEAR 2018.

There is hereby levied and ordered to be assessed and collected for the use and support of the municipal government of the City of Farmersville, Texas, and there shall be provided an interest and sinking fund for the tax year 2018, same being from October 1, 2018 to and including September 30, 2019, and for each tax year thereafter until otherwise provided, upon all taxable property including real, personal and mixed situated within the corporate limits of the City of Farmersville, Texas, and not exempt by the Constitution of the State and valid state laws, a tax of \$0.750000 on each one hundred dollars (\$100) assessed value of said property, said tax being so levied and apportioned to the specific purposes herein set forth as follows:

- (A) For the current expenditures of the City of Farmersville, Texas, and for the general government, use and support of the City and its property, there is hereby levied and ordered to be assessed and collected for the tax year 2018 on all property situated within the limits of the City, and not exempt from taxation by valid laws, an ad valorem tax at the rate of \$0.403696 on each one hundred dollars (\$100) assessed value of all taxable property within the City.
- (B) For the purpose of creating an interest and sinking fund to pay the interest and principal of all outstanding debt obligations of the City, not otherwise provided for, a tax rate of \$0.346304 on each one hundred dollars (\$100) of assessed value of all taxable property within the City.

THIS YEAR'S TAX LEVY TO FUND MAINTENANCE AND OPERATIONS EXPENDITURES DOES NOT EXCEED LAST YEAR'S MAINTENANCE AND OPERATIONS TAX LEVY.

THE ORDINANCE SETTING THIS YEAR'S TAX RATE DOES NOT REQUIRE ANY STATEMENTS REGARDING "TAX INCREASE" AS SPECIFIED IN §26.05(B) OF THE TEXAS TAX CODE.

#### **SECTION 3.** LATE PAYMENT.

(A) PENALTY AND INTEREST. That the ad valorem taxes levied shall become due on October 1, 2018 and may be paid up to and including the following January 31, 2019 without penalty, but if not so paid, such taxes shall become delinquent on the following day, February 1, 2019, and the penalty and interest designated herein shall be collected for each month or portion of the month that the delinquent taxes remain unpaid.

<u>MONTH</u>	<b>PENALTY</b>	<b>INTEREST RATE</b>
February 1	6%	1%
March 1	7%	2%
April 1	8%	3%
May 1	9%	4%
June 1	10%	5%
July 1	12%	6%
August 1	12%	7%

The rate of interest to be collected on delinquent taxes shall be 1% per month for each month they remain unpaid. On August 1, 2019, the total penalty incurred on delinquent taxes shall be 12% without regard to the number of months the tax is delinquent. Accrual of interest at 1% per month for each month taxes remain unpaid shall continue until said taxes are paid.

(B) ADOPTION BY REFERENCE. The general laws of Texas, and particularly all the provisions of Article 7336, and of Title 122 of the Revised Civil Statutes of Texas, and all amendments thereto, relating to the date of delinquent taxes, insofar as such provisions may be applicable in connection with the collection of all taxes assessed and levied by the City of Farmersville, Texas, are hereby referred to and adopted.

#### SECTION 4. ADDITIONAL PENALTY FOR COLLECTION COSTS.

Pursuant to Section 33.07 of the Texas Tax Code, taxes that remain delinquent incur an additional penalty to defray costs of collection in an amount not to exceed twenty percent (20%) of the amount of taxes, penalty and interest due.

#### SECTION 5. ESTABLISHING LIEN AGAINST THE PROPERTY.

The taxes herein levied shall be a first and prior lien against the property upon which they are assessed and the said first lien shall be superior and prior to all other liens, charges and encumbrances, and this lien shall attach to personal property to the same extent and priorities as to real estate. The liens provided herein shall attach as of January 1, 2019.

#### SECTION 6. REPEALER CLAUSE.

Any and all ordinances, resolutions, rules, regulations, policies, or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of the conflict herewith.

#### SECTION 7. SEVERABILITY CLAUSE.

Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection,

sentence, provision, clause or phrase of this Ordinance and same are deemed severable for this purpose.

#### **SECTION 8.** EFFECTIVE DATE.

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

**PASSED** on first and only reading on the 20<sup>th</sup> day of September, 2018, as an ordinance related to the adoption of the City's annual budget and the setting of the tax rate at a properly scheduled meeting of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

APPROVED this the 20th day of September, 2018.

Jack Randall Rice, Mayor	
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Agenda Section	Reading of Ordinances		
Section Number	II.D		
Subject	Consider, discuss, and act upon Ordinance #2018-0920-004 adopting the General Obligation Bond Series 2012 annual budget for FY 2018-2019.		
То	Mayor and Council Members		
From	Ben White, City Manager		
Date	September 20, 2018		
Attachment(s)	Ordinance #O-2018-920-004		
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php		
Consideration and Discussion	City Council discussion as required.		
Action	<ul> <li>Motion/second/vote</li> <li>□ Approve</li> <li>□ Approve with Updates</li> <li>□ Disapprove</li> <li>• Motion/second/vote to continue to a later date.</li> <li>□ Approve</li> <li>□ Disapprove</li> <li>• Move item to another agenda.</li> <li>• No motion, no action</li> </ul>		

#### CITY OF FARMERSVILLE ORDINANCE #O-2018-0920-004

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, ADOPTING THE GENERAL OBLIGATION BOND SERIES 2012 ANNUAL BUDGET FOR THE CITY OF FARMERSVILLE, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; PROVIDING FOR INTRA-DEPARTMENTAL TRANSFERS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager has prepared and submitted a budget for the General Obligation Bond Series 2012 for filing with the City Secretary for the fiscal year beginning on October 1, 2018 and ending September 30, 2019 ("Proposed Budget") in accordance with Texas law; and

WHEREAS, the Proposed Budget has been made available for public review and discussion, and has been the subject of public hearings which were established, noticed and held as required by Texas law; and

WHEREAS, the City Council of the City of Farmersville after the public notices and public hearings required by law and upon due deliberation and consideration of the recommendation of the testimony and information submitted during said public hearings, has determined that, in the public's best interest and in support of the health, safety, morals, and general welfare of the citizens of the City, the Budget for the General Obligation Bond Series 2012 for the fiscal year beginning on October 1, 2018 and ending September 30, 2019 should be adopted;

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

#### SECTION 1. FINDINGS INCORPORATED.

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

# SECTION 2. BUDGET FOR THE GENERAL OBLIGATION BOND SERIES 2012 APPROVED AND ADOPTED.

The attached Budget for the General Obligation Bond Series 2012, as presented by the City Manager and as amended at the City Council Budget Workshop, be approved and adopted for the fiscal year 2018-2019.

#### SECTION 3. 2018-2019 ANNUAL BUDGET APPROPRIATIONS.

The 2018-2019 Annual Budget for the General Obligation Bond Series 2012 is appropriated as follows:

#### **EXPENDITURES**

PROJECTS	<b>\$ 1,294,126</b>
TOTAL	\$1,294,126

#### SECTION 4. 2017-2018 ANNUAL BUDGET APPROPRIATIONS REVISED.

The Revised 2017-2018 Annual Budget for the General Obligation Bond Series 2012 is appropriated as follows:

#### **EXPENDITURES**

PROJECTS	\$ 1,279,12 <u>6</u>
TOTAL	\$ 1,279,126

#### SECTION 5. CITY MANAGER AUTHORIZED TO INVEST CERTAIN FUNDS.

The City Manager is hereby authorized to invest any funds not needed for current use, whether operating or bond, in accordance with the City's Investment Policy.

#### SECTION 6. CITY MANAGER AUTHORIZED TO MAKE FUND TRANSFERS.

The City Manager be and is hereby authorized to make intra-departmental transfers during the fiscal year as become necessary in order to avoid over-expenditure of particular accounts.

#### SECTION 7. REPEALER CLAUSE.

Any and all ordinances, resolutions, rules, regulations, policies, or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of the conflict herewith.

#### SECTION 8. SEVERABILITY CLAUSE.

Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this Ordinance and same are deemed severable for this purpose.

#### SECTION 9. EFFECTIVE DATE.

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

PASSED on first and only reading on the 20th day of September, 2018, as an ordinance related to the adoption of the City's annual budget and the setting of the tax rate at a

properly scheduled meeting of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

APPROVED this the 20th day of September, 2018.

	Jack Randall Rice, Mayor	
ATTEST:		
Sandra Green, City Secretary		

Agenda Section	Reading of Ordinances
Section Number	II.E
Subject	Consider, discuss, and act upon Ordinance #2018-0920-005 adopting the General Obligation Bond Series 2017 annual budget for FY 2018-2019.
То	Mayor and Council Members
From	Ben White, City Manager
Date	September 20, 2018
Attachment(s)	Ordinance #O-2018-920-005
Related Link(s)	http://www.farmersvilletx.com/government/agendas and minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul> <li>Motion/second/vote</li> <li>Approve</li> <li>Approve with Updates</li> <li>Disapprove</li> <li>Motion/second/vote to continue to a later date.</li> <li>Approve</li> <li>Disapprove</li> <li>Disapprove</li> <li>Move item to another agenda.</li> <li>No motion, no action</li> </ul>

#### CITY OF FARMERSVILLE ORDINANCE #O-2018-0920-005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, ADOPTING THE GENERAL OBLIGATION BOND SERIES 2017 ANNUAL BUDGET FOR THE CITY OF FARMERSVILLE, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; PROVIDING FOR INTRA-DEPARTMENTAL TRANSFERS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager has prepared and submitted a budget for the General Obligation Bond Series 2017 for filing with the City Secretary for the fiscal year beginning on October 1, 2018 and ending September 30, 2019 ("Proposed Budget") in accordance with Texas law; and

WHEREAS, the Proposed Budget has been made available for public review and discussion, and has been the subject of public hearings which were established, noticed and held as required by Texas law; and

WHEREAS, the City Council of the City of Farmersville after the public notices and public hearings required by law and upon due deliberation and consideration of the recommendation of the testimony and information submitted during said public hearings, has determined that, in the public's best interest and in support of the health, safety, morals, and general welfare of the citizens of the City, the Budget for the General Obligation Bond Series 2017 for the fiscal year beginning on October 1, 2018 and ending September 30, 2019 should be adopted;

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

#### SECTION 1. FINDINGS INCORPORATED.

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

# SECTION 2. BUDGET FOR THE GENERAL OBLIGATION BOND APPROVED AND ADOPTED.

The attached Budget for the General Obligation Bond, as presented by the City Manager and as amended at the City Council Budget Workshop, be approved and adopted for the fiscal year 2018-2019.

#### SECTION 3. 2018-2019 ANNUAL BUDGET APPROPRIATIONS.

The 2018-2019 Annual Budget for the General Obligation Bond is appropriated as follows:

#### **EXPENDITURES**

PROJECTS	\$ 4,345,000
TOTAL	\$4,345,000

#### SECTION 4. 2017-2018 ANNUAL BUDGET APPROPRIATIONS REVISED.

The Revised 2017-2018 Annual Budget for the General Obligation Bond is appropriated as follows:

#### **EXPENDITURES**

PROJECTS	\$ 1,500,000
TOTAL	\$ 1,500,000

#### SECTION 5. CITY MANAGER AUTHORIZED TO INVEST CERTAIN FUNDS.

The City Manager is hereby authorized to invest any funds not needed for current use, whether operating or bond, in accordance with the City's Investment Policy.

#### SECTION 6. CITY MANAGER AUTHORIZED TO MAKE FUND TRANSFERS.

The City Manager be and is hereby authorized to make intra-departmental transfers during the fiscal year as become necessary in order to avoid over-expenditure of particular accounts.

#### SECTION 7. REPEALER CLAUSE.

Any and all ordinances, resolutions, rules, regulations, policies, or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of the conflict herewith.

#### **SECTION 8. SEVERABILITY CLAUSE.**

Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this Ordinance and same are deemed severable for this purpose.

#### SECTION 9. EFFECTIVE DATE.

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

**PASSED** on first and only reading on the 20<sup>th</sup> day of September, 2018, as an ordinance related to the adoption of the City's annual budget and the setting of the tax rate at a properly scheduled meeting of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

# Jack Randall Rice, Mayor ATTEST: Sandra Green, City Secretary

APPROVED this the 20th day of September, 2018.



Agenda Section	Regular Agenda
Section Number	III.A
Subject	Consider, discuss and act upon the Planning & Zoning recommendation regarding the Final Plat for Camden Park Phase 1.
То	Mayor and Council Members
From	Ben White, City Manager
Date	September 20, 2018
Attachment(s)	<ol> <li>Staff Report</li> <li>DBI Engineer's Approval Letter</li> <li>Plat</li> </ol>
	http://www.farmersvilletx.com/government/agendas and minutes/city_council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul> <li>Motion/second/vote</li> <li>Approve</li> <li>Approve with Updates</li> <li>Disapprove</li> <li>Motion/second/vote to continue to a later date.</li> <li>Approve</li> <li>Disapprove</li> <li>Disapprove</li> <li>Move item to another agenda.</li> <li>No motion, no action</li> </ul>



## CITY COUNCIL AGENDA ITEM

SUBJECT: Consider, discuss and act upon the Planning & Zoning

recommendation regarding the Final Plat for Camden Park Phase

1.

MEETING DATE: September 20, 2018

**DEPARTMENT:** Planning

**CONTACT:** Sandra Green, City Secretary

#### RECOMMENDED CITY COUNCIL ACTION:

• Consider, discuss and act upon the Planning & Zoning recommendation regarding the Final Plat for Camden Park Phase 1.

#### ITEM SUMMARY:

- On September 11, 2018 the City Council accepted the public improvements for the subdivision.
- The Planning & Zoning Commission is scheduled for Monday, September 17, 2018 to make a recommendation to the City Council regarding the Final Plat for Phase 1.
- Staff does request the plat name be changed before filing to Camden Park Phase 2 in order to reflect the name on the approved preliminary plat.



01 August 2018

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

RE:

Farmersville 610, Phase 1

Formerly Camden Park Addition, Phase 1 Final Plat

Mr. White:

The above referenced plat has been reviewed according to the ordinances of the City of Farmersville. Comments sent to the surveyor have been addressed.

It is recommended that the final plat be approved. Please contact me if you should have any questions or need additional information.

Sincerely,

James M. Shankles, Jr. P.E.

JAMES SHANKLES JR.
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DANIEL & BROWN INC.

118 McKinney Street | PO Box 606 | Farmersville, Texas 75442

OFFICE 972-784 7777 | www.dbiconsultants.com

FIRM REGISTRATION NO. F-002225



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Agenda Section	Regular Agenda
Section Number	III.B
Subject	Consider, discuss and act upon the Planning & Zoning recommendation regarding the Final Plat for Camden Park Phase 2.
То	Mayor and Council Members
From	Ben White, City Manager
Date	September 20, 2018
Attachment(s)	Staff Report     DBI Engineer's Approval Letter     Report     Staff Report     Plat
	http://www.farmersvilletx.com/government/agendas and minutes/cit y council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul> <li>Motion/second/vote</li> <li>Approve</li> <li>Approve with Updates</li> <li>Disapprove</li> <li>Motion/second/vote to continue to a later date.</li> <li>Approve</li> <li>Disapprove</li> <li>Disapprove</li> <li>Move item to another agenda.</li> <li>No motion, no action</li> </ul>



## CITY COUNCIL **AGENDA ITEM**

SUBJECT:

Consider, discuss and act upon the Planning & Zoning

recommendation regarding the Final Plat for Camden Park Phase

2.

MEETING DATE: September 20, 2018

DEPARTMENT:

Planning

CONTACT:

Sandra Green, City Secretary

#### RECOMMENDED CITY COUNCIL ACTION:

• Consider, discuss and act upon the Planning & Zoning recommendation regarding the Final Plat for Camden Park Phase 2.

#### ITEM SUMMARY:

- On September 11, 2018 the City Council accepted the public improvements for the subdivision.
- The Planning & Zoning Commission is scheduled for Monday, September 17, 2018 to make a recommendation to the City Council regarding the Final Plat for Phase 2.
- Staff does request the plat name be changed before filing to Camden Park Phase 2 in order to reflect the name on the approved preliminary plat.



01 August 2018

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

RE: Farmersville 610, Phase 2

\*\*Geomerly\* Camden Park Addition, Phase 2

Final Plat

Mr. White:

The above referenced plat has been reviewed according to the ordinances of the City of Farmersville. Comments sent to the surveyor have been addressed.

It is recommended that the final plat be approved. Please contact me if you should have any questions or need additional information.

Sincerely,

James M. Shankles Ir P.F.

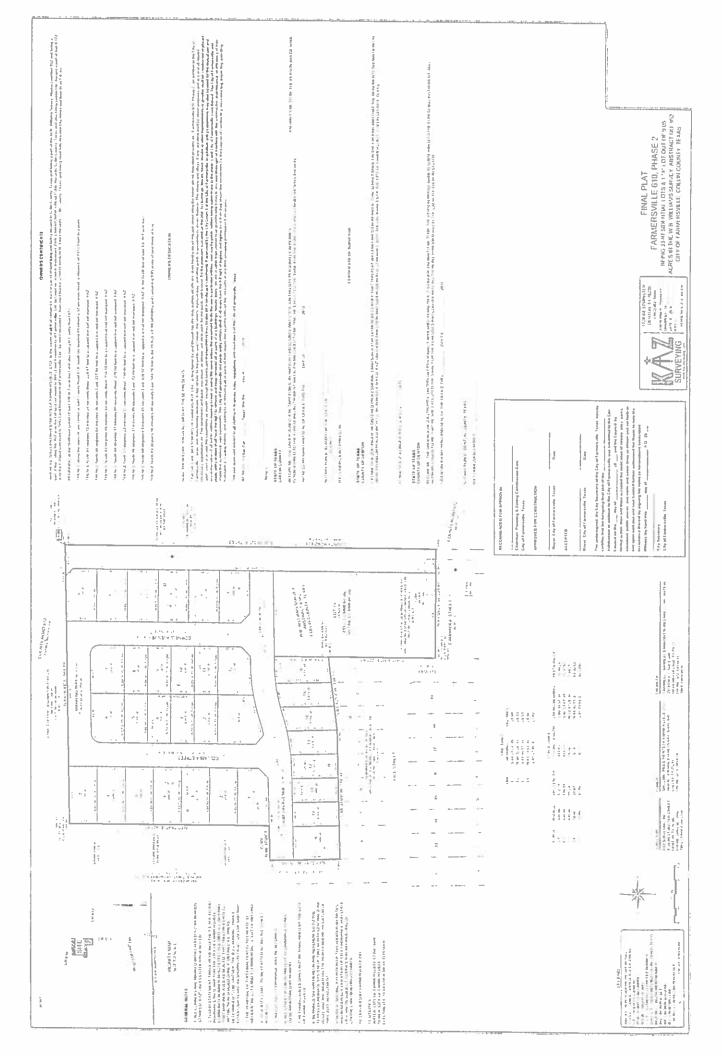
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Agenda Section	Regular Agenda
Section Number	III.C
Subject	Consider, discuss and act on the recommendation from the Farmersville Community Development Board regarding the Professional Services Contract for Main Street Manager.
То	Mayor and Council Members
From	Ben White, City Manager
Date	September 20, 2018
Attachment(s)	Professional Services Agreement
	http://www.farmersvilletx.com/government/agendas and minutes/city council_meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul> <li>Motion/second/vote</li> <li>Approve</li> <li>Approve with Updates</li> <li>Disapprove</li> <li>Motion/second/vote to continue to a later date.</li> <li>Approve</li> <li>Disapprove</li> <li>Disapprove</li> <li>Move item to another agenda.</li> <li>No motion, no action</li> </ul>

# PROFESSIONAL SERVICE AGREEMENT BY AND BETWEEN THE THE CITY OF FARMERSVILLE AND FARMERSVILLE COMMUNITY DEVELOPMENT CORPORATION

This Agreement ("Agreement") is entered into by and between the CITY OF FARMERSVILLE, TEXAS ("City") and the FARMERSVILLE COMMUNITY DEVELOPMENT CORPORATION ("FCDC") acting by and through their respective duly authorized representatives.

#### WITNESSETH:

WHEREAS, the FCDC is a sales tax corporation whose purpose is to enhance Farmersville's aesthetic, cultural and leisure amenities by promoting and funding community facilities and related projects throughout the city; and

WHEREAS, the City participates with FCDC in and by supporting and assisting with projects; and

WHEREAS, the Main Street Program is a vital and viable cooperative effort between the City and FCDC; and

WHEREAS, the FCDC recognizes the benefit of enhancing the professionalism and integrity of the Main Street Program by joining with the City with a professional position; and

WHEREAS, the FCDC recognizes the need to compensate commensurate with professional abilities and experience to enhance the value and stability of the position; and

NOW, THEREFORE, in consideration of the promises, covenants and agreements contained herein, the parties hereto mutually agree as follows:

Section 1. The FCDC agrees to offer a funding commitment of the salary plus all Main Street Program Manager benefits at the City's rate, including but not limited to, retirement, Medicare, federal withholdings, Social Security, health insurance, and raises. The funding commitment shall be made on an annual basis during the budget sessions as required by law. With the FCDC agreeing to make the funding commitment, the following will apply:

- A. The "manager" shall serve as a city employee for the mutual benefit for the City of Farmersville and the Community Development Corporation. As such, the performance of the director shall be overseen by the city manager, and shall fall under the purview of the City of Farmersville Personnel Manual.
- B. The manager shall serve as the "Main Street Manager" and shall be tasked with monitoring, evaluating, and seeking to increase the prosperity of the downtown

- through the National Main Street Center's Four Point Approach. The director shall report progress to the National Main Street Center and Texas Historical Commission who in turn conduct an annual evaluation. The director shall also provide progress reports to the Main Street Board and FCDC on a regular basis.
- C. The manager shall support the FCDC in research and implementation of community development projects on behalf of the city as a staff liaison, and will serve as a representative of the FCDC by communicating community desires to the FCDC while representing the interests of the FCDC to the community. The director shall report progress pertaining to the FCDC regularly, and will support the FCDC in its missions and goals.
- D. In order to best support the manager and the Main Street Program, the Farmerville Main Street Board shall consist of seven (7) members, and at least four (4) shall be a building or business owner from the Central Area in order to reflect the downtown's interest. In order to avoid conflicts of interest, the board shall serve in an advisory capacity and the Main Street Manager, as the professional, shall reserve the right to prioritize the board's concerns or suggestions at his or her discretion. The Main Street Board will also serve as an effective sounding board for the director's ideas and goals.
- E. The city manager shall evaluate the performance of the day to day tasks of the director and will hear any concerns from the respective boards, and thereby has authority to take action when necessary in accordance with the city personnel handbook.
- F. The funding commitment should be completed during the budget session no later than August to be in compliance and fulfill the budget requirements of both the FCDC and the City.
- G. The City requests full amount of funds disbursed on October 1 and to be reviewed annually. A monthly report showing disbursement of funds will be provided to FCDC by the City.
- H. Any remainder of funds that are not dispersed to the employee by September 30 of each year shall be returned to FCDC with reporting of the excess funds.
- <u>Section 2.</u> This Agreement shall commence on October 1, 2018 and shall continue for a period of not less than two (2) years, ending on September 30, 2020. This agreement shall thereafter automatically renew for an additional two (2) years without the necessity of any action by the parties, unless terminated in accordance with this Agreement.
- <u>Section 3.</u> This agreement may be terminated by any party hereto upon thirty (30) days written notice to the other party with the termination date to be no earlier than the ending of the fiscal year ending on September 30, 2020.

<u>Section 4.</u> The provisions of this agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation having the force and effect of the law, the remaining portions of the agreement shall be enforced as if the invalid provision had never been included.

<u>Section 5.</u> This agreement embodies the entire agreement between the parties and may only be modified in writing executed by both parties.

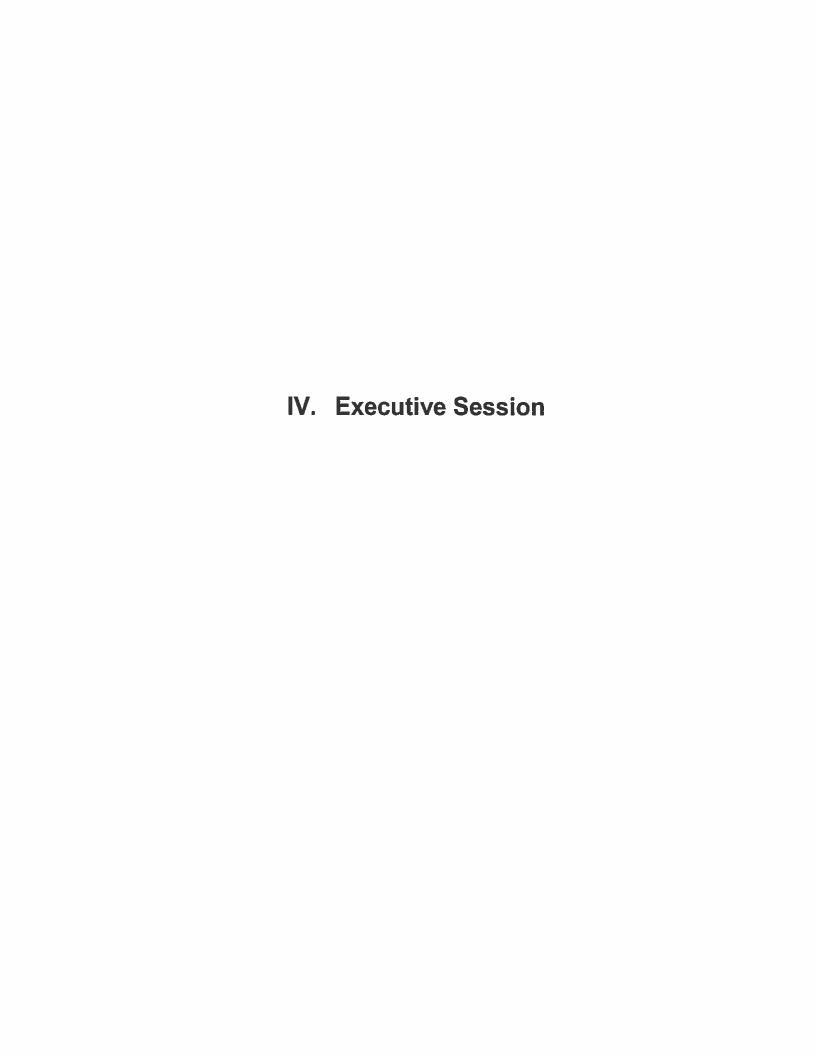
<u>Section 6.</u> This agreement shall be binding upon the parties hereto, their successors, heirs, personal representatives and assigns. Neither party will assign or transfer an interest in this agreement without the written consent of the other party.

Section 7. This agreement shall be effective from the date of execution by both parties.

<u>Section 8.</u> Each person signing this Agreement hereby confirms that he or she is duly authorized to execute this Agreement on behalf of that party.

ATTEST: FARMERSVILLE COMMUNIT	Y DEVELOPMENT CORPORATION
By: Thur fuguer Name: Tobey Ferguson, Secretary	By: Name: Michael Goldstein, M.D., Chairma
Date: 9-10-18	Date: Aust 10, 2018
	1
ATTEST:	CITY OF FARMERSVILLE
By:	By: Name: Jack Randall Rice, Mayor
Date:	Date:

Agenda Section	Regular Agenda
Section Number	III.D
Subject	Discussion regarding whether the Planning & Zoning Commission should review items related to Specific Use Permits and specific requirements for industrial zoning districts.
То	Mayor and Council Members
From	Ben White, City Manager
Date	September 20, 2018
Attachment(s)	None
	http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php
Consideration and Discussion	City Council discussion as required.
Action	<ul> <li>Motion/second/vote</li> <li>□ Approve</li> <li>□ Approve with Updates</li> <li>□ Disapprove</li> <li>• Motion/second/vote to continue to a later date.</li> <li>□ Approve</li> <li>□ Disapprove</li> <li>• Move item to another agenda.</li> <li>• No motion, no action</li> </ul>



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V.	Reconvene from Executive Session	

VI. Adjournment