

FARMERSVILLE CITY COUNCIL REGULAR SESSION AGENDA March 10, 2020, 6:00 P.M. Council Chambers, City Hall 205 S. Main Street

I. PRELIMINARY MATTERS

- Call to Order, Roll Call, Prayer and Pledge of Allegiance
- Announcements
 - > Calendar of upcoming holidays and meetings.
 - Applications for Boards and Commissions are now being accepted. An application can be download on the website or picked up at City Hall.
 - ➤ March 2nd through March 31st citizens may notice a change in their water due to NTMWD's annual water disinfection.

II. PUBLIC COMMENT ON AGENDA ITEMS (FOR NON-PUBLIC HEARING AGENDA ITEMS)

If you wish to address the City Council on a posted item on this agenda, please fill out a "Speaker Sign-Up" card and present it to the City Secretary before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the City Council for items listed as public hearings will be recognized when the public hearing is opened. Speakers wishing to address the City Council regarding any non-public hearing item on this agenda shall have a time limit of three (3) minutes per speaker, per agenda item. The Mayor may reduce the speaker time limit uniformly to accommodate the number of speakers or improve meeting efficiency.

III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA

If you wish to address the City Council on a matter not posted on this agenda, please fill out a "Speaker Sign-Up" card and present it to the City Secretary before the meeting begins. Speakers shall have a time limit of three (3) minutes. This meeting segment is limited to a total of thirty (30) minutes.

IV. CONSENT AGENDA

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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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the Consent Agenda, excepting the items requested to be removed, the City Council will consider and act on each item so withdrawn individually.

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

V. INFORMATIONAL ITEMS

These Informational Items are intended solely to keep the City Council appraised of the actions and efforts of the various boards and commissions serving the City of Farmersville. Council members who serve as a liaison to a particular board or commission may report to the City Council regarding that body's most recent and/or upcoming meetings and activities. Council members may also deliberate and/or request further information or clarification regarding any one or more of the items contained in this provision. City Council approval of, or action on, these items is not required or requested. Matters that require City Council action shall be considered and acted on only if an item related thereto is included in the Consent Agenda or the Regular Agenda.

Consideration and discussion regarding the following matters, minutes and reports, which consideration and discussion may also include or pertain to individual items and projects set forth in such matters, minutes and reports, as well as related background information and plans for future completion, performance or resolution as may be necessary to understand such individual items and projects and the City's related operation:

- A. City Amenities Board
 - 1. Minutes
 - 2. Possible Council Liaison Report
- B. Farmersville Community Development Board (Type B)
 - 1. Financials

- 2. Possible Council Liaison Report
- C. FEDC Farmersville Economic Development Board (Type A)
 - 1. Financials
 - 2. Possible Council Liaison Report
- D. Main Street Board
 - 1. Possible Council Liaison Report
- E. Planning & Zoning Commission
 - 1. Minutes
 - 2. Possible Council Liaison Report

VI. REGULAR AGENDA

- A. Consider, discuss, and act upon Resolution #R-2020-0310-001 supporting a grant application for the Police Cruiser Project.
- B. Consider, discuss and act upon how other cities handle building of streets and street repairs
- C. Update regarding the construction of County Road 699.
- D. Update on the city's contract with the North Texas Municipal Water District (NTMWD).
- E. Consider, discuss and act upon Farmersville Parkway possible grant.
- F. Consider, discuss and act upon boundary agreement with the City of Blue Ridge.

VII. <u>EXECUTIVE SESSION</u>

Discussion of matters permitted by Texas Government Code Chapter 551 as follows:

- A. Discussion of Matters Permitted by Texas Government Code Section 551.071, "Consultation With Attorney":
 - Consultation with City Attorney regarding mediation or contemplated litigation with United States Department of Justice concerning ADA complaint.
- B. Discussion of Matters Permitted by Texas Government Code Section 551.086, "Deliberation Regarding Public Power Utility Competitive Matters," as "competitive matters" is defined by Texas Government Code Section 552.133:
 - 1. Collin College Power Agreement Proposal.

VIII. RECONVENE FROM EXECUTIVE SESSION AND DISCUSS/CONSIDER/ACT ON MATTERS DISCUSSED IN EXECUTIVE SESSION

- A. Mediation or contemplated litigation with United States Department of Justice concerning ADA complaint.
- B. Collin College Power Agreement Proposal.

IX. REQUESTS TO BE PLACED ON FUTURE AGENDAS

X. <u>ADJOURNMENT</u>

Dated this the 6th day of March, 2020.

Jack 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 March 6, 2020 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



| I. Preliminary Matters | |
|------------------------|--|
| | |

March 2020

| Saturday | Farmers & Fleas 9:00 am | 41 | 21 | 28 | |
|-----------|---|---|------------------------------|---|----|
| Friday | O | 13 | 20 | 27 | |
| Thursday | 5 City Amenities Board Meeting 4:15 pm | 12 | 10 | 26 FEDC (4A) Special Meeting 6:30 pm | |
| Wednesday | 4 | 7- | 8 | 25 | |
| Tuesday | 3 Primary Election 7-7 | City Council Meeting 6:00 pm | 17 | 24 City Council Meeting 6:00 pm | 31 |
| Monday | 2 | Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm | 16 P&Z Meeting 6:30 pm | 23 | 30 |
| Sunday | _ | Φ | 15 | 22 | 29 |

April 2020

| Saturday | Farmers & Fleas 9:00 am | - | 18 | 25 | |
|-----------|--|---|---|------------------------------|---------------------------------------|
| Friday | က | 10 City Hall Closed – Good Friday | 17 | 24 | |
| Thursday | City Amenities Board Meeting 4:15 pm | 6 | 16 FEDC (4A) Meeting 6:30 pm | 23 | 30 |
| Wednesday | - | ω | 12 | 22 | 59 |
| Tuesday | | | 14 City Council Meeting 6:00 pm | 21 | 28 City Council Meeting 6:00 pm |
| Monday | | Ø | Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm | 20 P&Z Meeting 6:30 pm | 27 |
| Sunday | | ro | 12 | 19 | 26 |

May 2020

| Saturday | Farmers & Fleas 9:00 am Cinco de Mayo on the Square | 0 | 16 | 23 | 30 Yards of Yard Sales | |
|-----------|---|--------------------------------------|---------------------------------------|------------------------------------|---------------------------------------|----|
| Friday | - | ω | 15 | 22 | 29 | |
| Thursday | | City Amenities Board Meeting 4:15 pm | 41 | 21 FEDC (4A) Meeting 6:30 pm | 28 | |
| Wednesday | | O | 13 | 20 | 27 | |
| Tuesday | | ഗ | 12 City Council Meeting 6:00 pm | 19 | 26 City Council Meeting 6:00 pm | |
| Monday | | 4 | Main Street Meeting 4:30 pm FCDC (4B) | 18 P&Z Meeting 6:30 p.m. | City Hall Closed - Memorial Day | |
| Sunday | | က | 10 | 17 | 24 | 33 |

TEMPORARY CHANGE IN DISINFECTANT

Protecting Water Quality Fact Sheet

REGIONAL SERVICE THROUGH UNITY... MEETING OUR REGION'S NEEDS TODAY AND TOMORROW

North Texas Municipal **Water District**

Administration Building 501 East Brown St. P.O. Box 2408 Wylie, TX 75098

972.442.5405 www.NTMWD.com

FAST FACTS:

COMMUNITIES SERVED

SERVICE AREA: 10 COUNTIES

1.8 MILLION **POPULATION** SERVED





WASTEWATER



SOLID WASTE

NEED FOR DISINFECTION

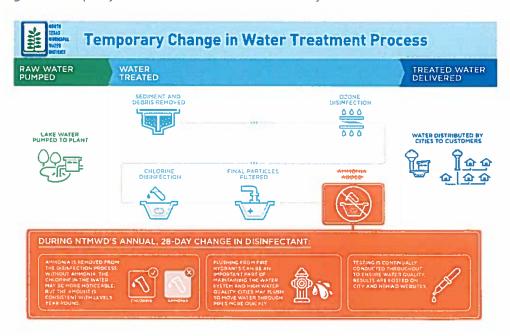
Disinfection is a critical part of water treatment to keep water safe. It involves a twostep process that treats the water, then adds disinfectant to maintain water quality as it travels long distances through pipes to homes and businesses. Both steps are needed to eliminate and keep tap water free of harmful microorganisms, such as parasites and viruses.

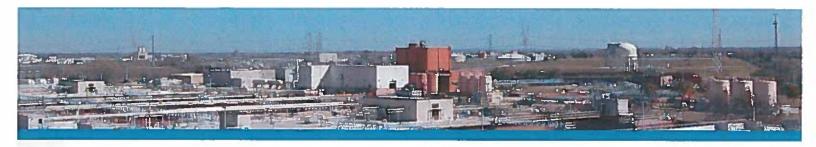
NTMWD's Two-Step Water Disinfection Process:

- 1. Step One: Ozone and free chlorine disinfects water at the treatment plant.
- Step Two: Chloramine, which is chlorine + ammonia, is added to the water before it leaves the plant to keep it disinfected. (Only chlorine-based disinfectants are approved by the EPA for this second step.)

TEMPORARY CHANGE IN DISINFECTANT

For one month each spring, ammonia is temporarily suspended and free chlorine is used to ensure water remains disinfected as it travels to the cities we serve and on to their customers. This temporary change in disinfectant helps maintain the system and high water quality year-round. NTMWD has been doing this for over 10 years, and good water quality that meets health standards has always been maintained.





HYDRANT FLUSHING TO HELP THE PROCESS

During the annual change, the cities we serve may help move the chlorine-disinfected water through the system faster by flushing water from fire hydrants.

Hydrant flushing:

- Helps maintain local systems and water quality year-round.
- Decreases odor/taste of chlorine during the temporary change in disinfectant.
- Is standard practice for many water providers who use chloramine to maintain systems.



HIGH WATER QUALITY MAINTAINED

Testing

During this brief temporary change in disinfectant, NTMWD continues to deliver safe water to our cities.

Ongoing water sampling is performed during the process by:

- NTMWD—results are reported to the Texas Commission on Environmental Quality (TCEQ) and made available to the public.
- TCEQ—conducts routine water sampling in NTMWD and city systems through an independent laboratory.

 Cities served by NTMWD—samples are analyzed in NTMWD's state-certified laboratory and reported to TCEQ.

NTMWD tests for the concentration of chlorine at our treatment plant and at certain points in the transmission system every 15 minutes. NTMWD also conducts weekly testing at the delivery points where the cities, in turn, distribute to their customers. NTMWD's water meets all safety standards required by the TCEQ, the EPA and the Safe Drinking Water Act. Test results are available for the public to review online.

Total Chlorine Residuals (mg/L) at NTMWD Treated Water Storage Reservoir Sites

| 01/01/18 - 02/25/18 | | | During Maintenance Period 02/26/18 - 03/26/18 | | | 01/01/19 - 03/03/19 | | During Maintenance Period 03/04/19 - 04/01/19 (Acts collected & everyord once per seed) | | | | |
|---------------------|---------|---------|--|---------|---------|---------------------|---------|---|---------|---------|---------|---------|
| Sampling Locations | Average | Maximum | Minimum | Average | Maximum | Minimum | Average | Maximum | Minimum | Average | Maximum | Minimum |
| Custer Pump Station | 3,B1 | 4.14 | 3.60 | 1.68 | 3.97 | 3.32 | 3.63 | 3 75 | 3.42 | 3.52 | 3.93 | 3,10 |
| Farmersville | 3 61 | 3.86 | 3 38 | 1.08 | 3.SQ | 2.62 | 3 41 | 3.56 | 3.10 | 2.93 | 3.03 | 2.76 |
| Forney | 3.51 | 3.84 | 2 86 | 1.67 | 2.60 | 0.21 | 3.74 | 3 95 | 3.57 | 3.67 | 4.09 | 3.06 |
| Garland #2 | 3.86 | 4.13 | 3 64 | 3.64 | 3.82 | 3.40 | 3.53 | 3 79 | 3.19 | 3.59 | 3.73 | 3.26 |
| Garland #4 | 3 86 | 3 99 | 3.76 | 3,66 | 3.78 | 3.54 | 3 60 | 3.89 | 3.33 | 3.76 | 3.99 | 3.43 |
| McKinney | 3.77 | 4 18 | 3.44 | 3.35 | 3.83 | 2.51 | 3.51 | 3 72 | 3.24 | 3.52 | 3.83 | 3.29 |
| Plano #2** | 3.86 | 4.17 | 3.65 | 3.76 | 4.31 | 3 27 | 2.00 | | | 3.73 | 3.94 | 3.39 |
| Princeton | 3.56 | 3.83 | 3.32 | 3.22 | 3.68 | 2.93 | 3 35 | 3.50 | 3.01 | 2.82 | 3.34 | 2.62 |
| Rockwall | 3 45 | 3.78 | 3.01 | 3.34 | 3.84 | 2.77 | 3.70 | 4.09 | 3.43 | 3.35 | 3.53 | 3.08 |
| Royse City | 3.51 | 3.76 | 3.30 | 2.48 | 2.94 | 2.10 | 2 99 | 3.36 | 2.71 | 2.81 | 3.06 | 2.40 |
| Shilah | 3.90 | 4.17 | 3 68 | 3.83 | 4.10 | 3.44 | 3.70 | 3.99 | 3.40 | 3.85 | 4.12 | 3.65 |
| Sunnyvale | 3.54 | 4.11 | 3.30 | 2.63 | 3.62 | 1.17 | 3.30 | 3.63 | 2.99 | 3/11 | 3.29 | 2.79 |

*NOTE: EPA requires water treatment facilities to maintain a minimum chlorine level of 0.2 milligrams per liter (mg/l) or parts per million (ppm), a minimum of 0.5 mg/l or ppm during chloramine operations and a maximum running average of 4 mg/l or ppm. These levels are deemed safe for consumption.

1 mg/L = 1 ppm (parts per million)

^{**}Plana #2 site was under construction, no data available from Ian. 2 = Mar. 3 due to access limitations. Access was restored at af Mar. 4. Visit Plana gav/waler for city data



Home Testing

Homeowners who want more information about their water quality or are considering testing their water should consider these quidelines.

- Review water quality information on your city or local water utility website and contact them with questions.
- Use a state-certified laboratory to provide sampling instructions, containers, and ensure accurate results. You can find an accredited laboratory in Texas through TCEQ.
- Pool test kits are not a reliable method to test drinking water. You can learn more at CDC.gov.

Beware of claims from companies advocating filtration for water safety. NTMWD's water is safe to drink without filtration. Some filters can help dissipate chlorine odor, taste and skin sensitivities.

Disinfection By-Products

Disinfection By-Products (DBPs) form when disinfectants, like chlorine, react with naturally occurring substances in the water. All commonly used disinfectants form DBPs.

NTMWD's water treatment process:

- Uses ozone and chloramine for most of the year, which actually reduces the DBPs in treated water.
- Keeps DBP levels well within the acceptable range EPA considers safe, including during its temporary, month-long change in disinfectant.
- Is regularly tested for the quality of water it produces. This year NTMWD has voluntarily increased the frequency of DBP testing to monthly.
 Results will be posted on NTMWD.com.

ODOR/TASTE TIPS

Some people may notice a stronger smell or taste of chlorine during this time. While chlorine levels are consistent with the rest of the year, the temporary suspension of ammonia can make the smell or taste more noticeable. The water remains safe to drink and use.

For those who are sensitive to the taste, odor and skin contact, there are simple steps that can make it less noticeable.



Tips to Reduce Chlorine Odor/Taste in Water

Individuals sensitive to collotine may notice a stronger smell or taste for a tax, weeks in the spring during IVIMM. Distemporary change in water dishifecting



Your water is safe — it meets all quality standards.

Here are some simple steps to minimize chlorine odor, taste or skin sensitivity:



Drinking water

- Run the tap for a lew minutes before using
- Refrigerate water in an open pitcher for several hours
- Add a slice of citrus/oucumber and let sit for several hours
- Consider installing filters on kitchen faucets

Bath or shower water

- Add a crushed 1000 mg Vitamin C tablet to bath water
- Consider installing filters on bathroom faucets or shower hoads

water quality

What's different?



For one month a year, ammonia is

removed from the water treatment process, and chloring only is used for

disinfection to keep water safe as it

travels through pipes to consumers.

This is a unevention measure to

maintain the system and high



For more information and helpful tips, visit NTMWD.com/safewater

More Information

NTMWD.com/safewater 972-442-5405

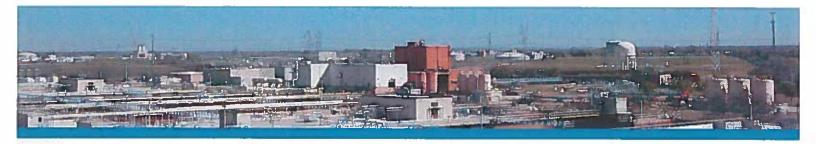












FREQUENTLY ASKED QUESTIONS



What is the temporary change in water disinfection?

NTMWD first disinfects water using ozone and chlorine as part of the treatment process to eliminate bacteria and viruses. Then, for most of the year, NTMWD also adds chloramine (chlorine + ammonia) as a secondary disinfectant to keep drinking water clean as it travels from the treatment plants through miles of pipes to homes and businesses. Each spring for one month, NTMWD temporarily suspends the use of ammonia and uses free chlorine as the secondary disinfectant to maintain water quality year-round.



Why is this change necessary?

This change is a common water system maintenance practice among water providers in states with warmer climates. NTMWD uses it to maintain the system and ensure high water quality.



When does the change occur?

The temporary change usually occurs for about a month each year from the end of February through early April. It is done before the summer hotter temperatures which can increase the potential for bacterial growth in pipes.



Is the chlorine level tested during this period?

Yes, chlorine is tested, and many other compounds in water are monitored continuously. NTMWD conducts a quarter million tests each year in a state-certified laboratory to monitor, regulate and report water quality. During the disinfectant change in 2018, the Texas Commission on Environmental Quality (TCEQ) also collected 117 samples from 31 public water systems that deliver NTMWD water to confirm compliance. In some cases, NTMWD is voluntarily increasing the frequency of testing above what is required.



What did the 2019 test results show?

NTMWD and TCEQ tests in 2019 confirmed NTMWD's chlorine levels during its disinfectant change were within the chlorine residual levels required by TCEQ and EPA.



How do test results during the disinfectant change compare to other months?

Test results in 2019 indicate chlorine levels were consistent with the rest of year and within the annual average amounts required by TCFQ and EPA.



What can I do if I don't like the chlorine taste or smell?

The closer you live to the water treatment plant, the more noticeable the chlorine odor or taste may be. Some tips include refrigerating water in an open pitcher, adding a slice of citrus/cucumber several hours before using or using a National Sanitation Foundation (NSF/ANSI) approved water filter. Check out more tips at www/nsf.gov.



Why are fire hydrants flushed during this process?

Local water providers (cities or utility districts) who receive NTMWD water may help move the chlorine-disinfected water through the system faster by flushing water out of fire hydrants. Frequent flushing helps maintain the system, ensure high water quality and reduce the chlorine odor and taste. Performing system flushing in the spring also helps save valuable water during the summer months.



II. Public Comment on agenda items (FOR NON-PUBLIC HEARING AGENDA ITEMS)

| Agenda Section | Public Comment on agenda items (FOR NON-PUBLIC HEARING AGENDA ITEMS) |
|------------------------------|--|
| Section Number | II |
| Subject | Public Comment on agenda items (FOR NON-PUBLIC HEARING AGENDA ITEMS) |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | NA |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php |
| Consideration and Discussion | If you wish to address the City Council on a posted item on this agenda, please fill out a "Speaker Sign-Up" card and present it to the City Secretary before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the City Council for items listed as public hearings will be recognized when the public hearing is opened. Speakers wishing to address the City Council regarding any non-public hearing item on this agenda shall have a time limit of three (3) minutes per speaker, per agenda item. The Mayor may reduce the speaker time limit uniformly to accommodate the number of speakers or improve meeting efficiency. |
| Action | NA |

| III. cITIZEN COMMENTS ON MATTERS N | IOT ON AGENDA |
|------------------------------------|---------------|
| | |

| Agenda Section | cITIZEN COMMENTS ON MATTERS NOT ON AGENDA |
|------------------------------|---|
| Section Number | |
| Subject | cITIZEN COMMENTS ON MATTERS NOT ON AGENDA |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | NA |
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| Action | NA |

IV. Consent Agenda

| Agenda Section | Consent Agenda |
|------------------------------|---|
| Section Number | IV.A |
| Subject | City Council Minutes |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | Farmersville City Council Meeting Minutes |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | Motion/second/vote ☐ Approve ☐ Approve with Updates ☐ Disapprove Motion/second/vote to continue to a later date. ☐ Approve ☐ Disapprove Move item to another agenda. No motion, no action |



FARMERSVILLE CITY COUNCIL REGULAR SESSION MINUTES For February 25, 2020, 7:30 P.M.

I. PRELIMINARY MATTERS

- Mayor Rice called the meeting to order at 7:30 p.m. Council members, Mike Hurst, Craig Overstreet, Jim Hemby, Dwain Mathers and Donny Mason were all present. City staff members Ben White, Sandra Green, Kim Morris, Rick Ranspot, Mike Sullivan, Kevin Lisman, Oscar Mejia and City Attorney Alan Lathrom were also present.
- Prayer was led by Rick Ranspot, Warrant Officer, followed by the pledges to the United States and Texas flags.
 - Calendar of upcoming holidays and meetings.
 - ➢ Primary Election will be on March 3, 2020, from 7 a.m. − 7 p.m. in the City Council Chambers
 - > City Amenities Board will meet on Thursday, March 5, 2020, at 4:15 p.m.
 - Farmers & Fleas will be Saturday, March 7, 2020, starting at 9:00 a.m.

II. PUBLIC COMMENT ON AGENA ITEMS (FOR NON-PUBLIC HEARING AGENDA ITEMS

 Randy Smith, who resides at 508 CR 610, stated that he would like County Road 699 built since Reliable Concrete was already built and Nelson Bros. Ready Mix was getting annexed into the city. He stated the road was discussed in the Development Agreement with Listocon. He feels it needed to be addressed because it could become a safety issue.

III. <u>CITIZEN COMMENTS ON MATTERS NOT ON AGENDA</u>

No one came forward

IV. CONSENT AGENDA

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- A. City Council Minutes
- B. City Financial Report
 - Motion to approve consent agenda made by Craig Overstreet
 - 2nd to approve was Jim Hemby
 - All council members voted in favor

V. **INFORMATIONAL ITEMS**

These Informational Items are intended solely to keep the City Council appraised of the actions and efforts of the various boards and commissions serving the City of Farmersville. Council members who serve as a liaison to a particular board or Commission may report to the City Council regarding that body's most recent and/or upcoming meetings and activities. Council members may also deliberate and/or request further information or clarification regarding any one or more of the items contained in this provision. City Council approval of, or action on, these items is not required or requested. Matters that require City Council action shall be considered and acted on only if an item related thereto is included in the Consent Agenda or the Regular Agenda.

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- A. City Amenities Board
 - 1. Possible Council Liaison Report
 - B. Farmersville Community Development Board (Type B)
 - 1. Possible Council Liaison Report

- C. Farmersville Economic Development Board (Type A)
 - 1. Possible Council Liaison Report
 - D. Main Street Board
 - 1. Possible Council Liaison Report
- E. Planning & Zoning Commission
 - 1. Possible Council Liaison Report
- F. TIRZ Board
 - 1. Minutes
 - 2. Possible Council Liaison Report
 - Ben White stated there was information given on a fiber survey, updates on the TIRZ project plan and finance plan, and information was shared on the street project plans. He said there was also an update on the current projects TIRZ is involved with.

VI. PUBLIC HEARING

- A. Public hearing to consider, discuss and act upon Ordinance #O-2020-0225-001 regarding a petition for annexation into the City's corporate limits of approximately 26.6 acres of land located on the northwest quadrant of U.S. Highway 380 and County Road 699 in Collin County, Texas, in the W.B. Williams. Survey, Abstract No. A-952.
 - Mayor Rice read the caption of the Ordinance.
 - Mayor Rice opened the public hearing at 7:43 p.m. and asked if anyone wanted to speak for or against the annexation.
 - No one came forward so he closed the public hearing at 7:43 p.m.
 - Mike Hurst asked if everything was order for the annexation.
 - Ben White stated there were still actions to take care of in the Development Agreement but they are not ready to complete some of those yet.
 - Motion to approve made by Donny Mason
 - 2nd to approve was Jim Hemby
 - All council members voted in favor
- B. Public hearing to consider, discuss and act upon a recommendation from the Planning & Zoning Commission and Ordinance #O-2020-0225-002 regarding a requested change in zoning on approximately 2,614 square feet of land identified as Block I, Lot 28B in the Farmersville Original Donation (CFC), which location is more commonly known as 206 McKinney Street,

Farmersville, Texas from CA – Central Area District uses to CA – Central Area District uses with a Specific Use Permit ("SUP") for commercial (indoors) amusement uses.

- Mayor Rice announced that the applicant had pulled the item from the agenda.
- No action was taken.
- C. Public hearing to consider, discuss and act upon a recommendation from the Planning & Zoning Commission and Ordinance #O-2020-0225-003 regarding a request for a change in zoning on approximately 0.234 acres of land that is generally located on the southeast corner of the intersection between Murchison Street and Business State Highway No. 78 (N. Main Street), which land is more particularly identified as Block 10, Lot 53A of the Howell Addition from PD Planned Development Ordinance #94-24 for Limited Retail/Services Center for expansion of existing retail grocery and related parking together with display of not over four cars for sale at any one time to SF-2 Single Family Dwelling 2 district uses.
 - Mayor Rice opened the public hearing at 7:46 p.m. and asked if anyone wanted to speak for or against the item.
 - Randy Smith, who lives at 508 CR 610, stated he and his brother own property across the street and they do not feel this would impact them negatively. He said he believes it would be a good use of the property.
 - Mayor Rice asked if there was anyone else that wanted to speak for or against the item.
 - No one came forward so he closed the public hearing at 7:48 p.m.
 - Craig Overstreet stated the Planning & Zoning Commission met and discussed the item and their questions centered around the entry into McCloud's to the north that is by the gas pumps. He said according to the discussions the owner would close off that drive area.
 - Donny Mason asked if the owner would install a fence to close it off.
 - Alan Lathrom explained that typically a fence is required between a commercial and residential property, but in this case the commercial use already exists and currently does not have a fence. He did not believe the current Zoning Ordinance would require the residential property to install a fence. He indicated a fence would be limited in the front yard of the residential property. He said the entry way would need to be closed off and shifted.
 - Ben White asked if they could request that the drive be closed off when they apply for a permit.
 - Alan Lathrom stated yes and they could not continue to use that driveway because the owner is rezoning to straight SF-2 zoning and it would not be part of the Planned Development anymore. He explained it would be a

- standalone zoning.
- Donny Mason was concerned that people would still try to pull in there and park.
- Alan Lathrom stated a lawn would be placed on the residential property.
- Ben White stated once a permit comes in the city would request that a curb be installed at the driveway to close it off.
 - Mayor Rice read the caption of the Ordinance. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS AMENDING THE OFFICIAL DISTRICT MAP OF THE COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. 0-2018-0508-001, AS AMENDED, BY CHANGING THE ZONING ON APPROXIMATELY 0.234 ACRES OF LAND IN THE W. B. WILLIAMS SURVEY, ABSTRACT NO. 952, MORE COMMONLY KNOWN AS BLOCK 10, LOT 53A OF THE HOWELL ADDITION. IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS, FROM PD-PLANNED DEVELOPMENT ORDINANCE #94-24 FOR LIMITED RETAIL/SERVICES CENTER FOR EXPANSION OF EXISTING RETAIL GROCERY AND RELATED PARKING TOGETHER WITH DISPLAY OF NOT OVER FOUR CARS FOR SALE AT ANY ONE TIME TO SF-2 -SINGLE FAMILY DWELLING - 2 DISTRICT USES: REPEALING ALL CONFLICTING ORDINANCES: PROVIDING FOR SEVERABILITY: PROVIDING A PENALTY; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR PUBLICATION: PROVIDING ENGROSSMENT AND **ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING** AN EFFECTIVE DATE.

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

- Motion to approve made by Jim Hemby
- o 2nd to approve was Donny Mason
- All council members voted in favor
- D. Public hearing to consider, discuss and act upon a recommendation from the Planning & Zoning Commission regarding requested variances from the City's Subdivision Ordinance that require the proposed Rolling Hills Phase 2 Addition to construct certain off-site public improvements as are needed to fully serve the property including (1) water lines and other appurtenant improvements required to provide the water volumes and flows sufficient for both domestic and fire-flow uses, (2) connections and sewer lines together with all other appurtenant improvements to the City's wastewater system required to allow the subdivision to tie in to the City's wastewater system, and/or (3) roadway improvements; and, consider, discuss, and act upon a recommendation to the City Council regarding the replat for the Rolling Hills

Phase 2 Addition as well as a proposed ETJ Facilities Agreement addressing the variances requested for the Rolling Hills Phase 2 Addition.

- Mayor Rice opened the public hearing at 7:57 p.m. and asked if anyone wanted to speak for or against the item.
- No one came forward so he closed the public hearing at 7:57 p.m.
- Craig Overstreet stated the Planning & Zoning Commission discussed the item and voted to approve the plat.
- Ben White stated DBI recommended approval of the plat if the variance was granted for the utilities.
- Alan Lathrom explained the property owners requested waivers because some of the infrastructure is not roughly proportionate for a single house. He said the Facilities Agreement allows the owners to move forward with those waivers and have the plat approved. He stated if there was a change in use of the property that would require reconsideration then the owners would have to come back to the city for further action.
- Craig Overstreet stated one of those variances was they did not meet the fire flows, but if they further subdivided the property they would have to come back and in and possibly provide the fire flows.
- · Alan Lathrom stated that was correct.
- Eddy Daniel, from DBI Engineering, stated that all of the cases like this
 are in the ETJ and they are being served by different water companies.
 He said in most of these cases the City of Farmersville does not have
 waterlines anywhere near the property. He explained that it was typical in
 these situations to ask for the waivers.
 - Motion to approve plat and ETJ Facilities Agreement made by Donny Mason
 - 2nd to approve was Jim Hemby
 - All council members voted in favor
- E. Public hearing to consider, discuss and act upon a recommendation from the Planning & Zoning Commission regarding requested variances from the City's Subdivision Ordinance that require the proposed Cooper 700 Addition to construct certain off-site public improvements as are needed to fully serve the property including (1) water lines and other appurtenant improvements required to provide the water volumes and flows sufficient for both domestic and fire-flow uses, (2) connections and sewer lines together with all other appurtenant improvements to the City's wastewater system required to allow the subdivision to tie in to the City's wastewater system, and/or (3) roadway improvements; and, consider, discuss, and act upon a recommendation to the City Council regarding the minor plat for the Cooper 700 Addition as well as a

proposed ETJ Facilities Agreement addressing the variances requested for the Cooper 700 Addition.

- Mayor Rice opened the public hearing at 8:04 p.m. and asked if anyone wanted to speak for or against the item.
- No one came forward so he closed the public hearing at 8:04 p.m.
- Sandra Green stated she gave the Council a copy of the new plat where the 15' utility easement was added as requested by DBI Engineering.
- Craig Overstreet stated the item was heard at the Planning & Zoning Commission meeting and they voted to approve it with the condition that the easement was added to the plat and the owners sign the Facilities Agreement.
- Alan Lathrom stated this was like the previously discussed plat. He said if there was a change in the use the owner's would have to come back to the city for reconsideration.
 - Motion to approve plat and ETJ Facilities Agreement made by Craig Overstreet
 - 2nd to approve was Mike Hurst
 - All council members voted in favor

VII. REGULAR AGENDA

- Consider, discuss and act upon the certification of unopposed candidates.
 - Sandra Green stated there was only one person per place that applied for the open Council positions and the certification stated the candidates were running unopposed.
 - Motion to approve made by Donny Mason
 - o 2nd to approve was Jim Hemby
 - All council members voted in favor
- B. Consider, discuss and act upon Ordinance #O-2020-0225-004 cancelling the May 2, 2020, General Election.
 - Mayor Rice read the caption of the Ordinance.
 - Mike Hurst pointed out that not having an election would save the city money and he wanted the citizens to know that.

- Motion to approve made by Mike Hurst
- o 2nd to approve was Donny Mason
- All council members voted in favor
- C. Discussion regarding the available capacity for the sewer and electrical system and whether all equipment is in working order and how the infrastructure can handle future growth.
 - Ben White stated the city was on a wastewater overflow initiative to keep us from going over the flow.
 - Eddy Daniel, from DBI Engineering, stated the city has two wastewater tanks. He stated one tank is permitted for 225,000 gallons a day and the other one is permitted for 530,000 gallons a day. He explained that when we have heavy rainfalls we get significant flows because of infiltration.
 - Dwain Mathers asked if the city staff knows where the infiltration comes in.
 - Eddy Daniel stated it is very difficult to figure out where it is coming from.
 He explained the city has a lot of old pipes and that is part of the problem.
 He said they place cameras through the lines and try to find out where it may be coming from.
 - Ben White stated the most effective route is using the camera to try and identify the areas that are the problem. He explained the city currently has over 25 projects lined up to fix.
 - Eddy Daniel stated that as the city grows we will need to add capacity to the wastewater system.
 - Ben White stated that if we can take out infiltration then we would have more capacity.
 - Eddy Daniel stated we are stuck with these plants because there is no way
 the city could afford to build the new site which would cost approximately
 \$15 million for an interceptor line and then another \$15 million for the plant
 itself.
 - Craig Overstreet asked if the new plant was still five or seven years away.
 - Eddy Daniel stated the design is completely done for the third plant, but it costs approximately \$15 million to build. He said it would take a year to build the plant.
 - Mike Hurst stated his main concern was if the arm on the plant is still not working how does the city get that fixed. He stated growth is inevitable and he does not want the city in a position to where we cannot handle new businesses.
 - Eddy Daniel stated he heard that Lakehaven MUD wanted to put houses on the ground in two years.
 - Craig Overstreet asked how many homes would be in the Lakehaven MUD.
 - Eddy Daniel stated 2,400 homes.
 - Ben White stated the Development Agreement with Lakehaven MUD states they have to pay for the wastewater treatment plant and they reimburse the

- city for the engineering and design of the plant. He explained that as part of that Development Agreement the city would get to utilize some of the capacity of the new plant.
- Eddy Daniel stated the interceptor route design was about 90% complete.
- Mike Hurst asked if all the right-of-ways were obtained for the line that would go down to the new facility.
- Eddy Daniel stated no, but the city does have money in the Water Development Board project to obtain right-of-way. He believes it would take at least six months or more to obtain the right-of-ways.
- Dwain Mathers asked how much capacity Lakehaven MUD would add.
- Eddy Daniel stated the first phase of plant 3 would add a half a million in capacity, but there are other phases that could be added on. He said plant 3 would have the ability to handle 12 million gallons a day.
- Dwain Mathers stated our problem is not capacity it is infiltration.
- Eddy Daniel stated plant 1 is a trickling filter plant and plant 2 is a more traditional. He said we had repairs completed on plant 1 at the end of 2019. He explained the North Texas Municipal Water District came in and informed us that we had a problem with our arm on the trickling filter. In August, it was working and it has since stopped working. He stated the city's ammonia levels are too high and they had to run it through the other plant. Some repairs were made by the North Texas Municipal Water District but they could not get it to work and told the city that it had to be rebuilt. The cost of the arm is \$250,000 and the installation would be \$250,000 as well if bought brand new. Eddy Daniel stated he and Kimley-Horn knows a man who can work on the wastewater treatment plant. The man estimated the rebuild and labor and materials for \$100,000. He explained the city needs both plants working full blast. He said we have to keep hoping the new developer will come in south of town and build the third plant.
- Ben White stated we have room in the Water Development Board Contingent Funds to pay for the repairs.
- Craig Overstreet asked how much the most recent repairs that were already completed cost.
- Eddy Daniel stated it was somewhere around \$1 million. He explained the city has spent approximately \$3 million in total on the whole wastewater system.
- Ben White stated the arm was never a part of the repairs because the North Texas Municipal Water District told them it was fine and operational.
- Craig Overstreet asked who designed the repairs.
- Eddy Daniel stated the design and repairs were done by Kimley-Horn.
- Craig Overstreet asked what the city pays the North Texas Municipal Water District for.
- Eddy Daniel stated they conduct the day to day operations of the plant for us.
- Craig Overstreet asked how long the arm worked.

- Ben White stated it operated for approximately 60 days.
- Eddy Daniel said the arm has to work in order to get the full capacity.
- Craig Overstreet wanted to know why the issue was falling back on the city.
 He feels it is a warranty issue and if not that a liability on the design.
- Eddy Daniel stated the North Texas Municipal District is just there
 operating the plant and they identified the arm was not working. He said
 Ben White spoke to Kimley-Horn and they stated they did not work on the
 arm because they were told by North Texas that it was fine.
- Ben White pointed out that Kimley-Horn did not repair everything at the plant. He said that even if the arm did not work then the city would still have to pay the cost of repairing it. For the last six months North Texas has been trying different things to make the arm work.
- Donny Mason asked how long it would take to fix the arm.
- Eddy Daniel stated it would take a few weeks.
- Mike Hurst asked if they were sure the arm was the problem.
- Eddy Daniel stated yes.
- Craig Overstreet and Mike Hurst want Alan Lathrom to look at the contract to verify that the arm was not a part of the original repairs.
- Ben White continued with the electric system update. He stated we do have some capacity. He explained they could add fans to boost the rating. He said we have room for Collin College, but somewhere along the way we will have to make a change. We only have one transmission line coming into the current substation right now with a distribution back feed from Oncor. He explained that you really want two reliable sources from two locations and that would provide backup. The current substation is in a floodplain and we do not own the land. Texas New Mexico owns the land. He stated Garland has gone to ERCOT for the city to apply for a new substation site with two transmission lines. ERCOT is still considering the need for the new substation. He said he thinks we are in a good position for a couple of years.

VIII. REQUESTS TO BE PLACED ON FUTURE AGENDAS

- Mayor Rice wanted to discuss the building of County Road 699.
- Craig Overstreet wanted City of Plano or other cities ordinances about streets and street repairs.
- Mike Hurst wanted information about the grant for Farmersville Parkway.

IX. ADJOURNMENT

Meeting was adjourned at 9:18 p.m.

| | APPROVE: |
|------------------------------|--------------------------|
| | Jack Randall Rice, Mayor |
| ATTEST: | ., |
| | |
| Sandra Green, City Secretary | |

| Agenda Section | Consent Agenda |
|------------------------------|---|
| Section Number | IV.B |
| Subject | Police Department Report (OpenGov) |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | None |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | Motion/second/vote □ Approve □ Approve with Updates □ Disapprove • Motion/second/vote to continue to a later date. □ Approve □ Disapprove • Move item to another agenda. • No motion, no action |

| Agenda Section | Consent Agenda | | | | | |
|------------------------------|---|--|--|--|--|--|
| Section Number | IV.C | | | | | |
| Subject | Code Enforcement/Animal Control Report (OpenGov | | | | | |
| То | Mayor and Council Members | | | | | |
| From | Ben White, City Manager | | | | | |
| Date | March 10, 2020 | | | | | |
| Attachment(s) | None | | | | | |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php | | | | | |
| Consideration and Discussion | City Council discussion as required. | | | | | |
| Action | Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Disapprove Move item to another agenda. No motion, no action | | | | | |

| Agenda Section | Consent Agenda |
|------------------------------|---|
| Section Number | IV.D |
| Subject | Fire Department Report (OpenGov) |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | Fire Report |
| 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 | Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action |

FARMERSVILLE FIRE DEPARTMEN MONTHLY CITY COUNCIL REPORT FEBRUARY- 2020

- 1. Andrew Sutherland who was Rotary's Fire Fighter of the Year was recognized by the club.
- 2. The first Emergency Medical Technician Class graduated this past month. The next class is gearing up for April.
- 3. New t-shirts, ball caps, and jackets have been ordered for the department.
- 4. The Retiree/Spouse Banquet is set for March 14th at 6:00 p.m. at the Brushy Creejk Party Venue on CR 656.

KIM R. MORRIS Farmersville Fire Chief

| Agenda Section | Consent Agenda |
|------------------------------|---|
| Section Number | IV.E |
| Subject | Municipal Court Report (OpenGov) |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | None |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Disapprove Move item to another agenda. No motion, no action |

| Agenda Section | Consont Agenda |
|------------------------------|---|
| Agenda Section | Consent Agenda |
| Section Number | IV.F |
| Subject | Warrant Officer Report (OpenGov) |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | None |
| 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 | Motion/second/vote □ Approve □ Approve with Updates □ Disapprove • Motion/second/vote to continue to a later date. □ Approve □ Disapprove • Move item to another agenda. • No motion, no action |

| Agenda Section | Consent Agenda |
|------------------------------|---|
| Section Number | IV.G |
| Subject | Public Works Report |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | Public Works Report |
| 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 | Motion/second/vote ☐ Approve ☐ Approve with Updates ☐ Disapprove Motion/second/vote to continue to a later date. ☐ Approve ☐ Disapprove ● Move item to another agenda. No motion, no action |



Public Works Monthly Report

Metrics

For metrics associated with this report go online to the City of Farmersville website using the following steps:

- 1. Navigate to: www.farmersvilletx.com
- 2. Select <OPENGOV> button
- 3. Navigate within OpenGOV menu to select the metric of choice

Public Works General

- 1. Lost time accidents for the year.
 - a. Total Number for 2019-2020: 0
 - b. Accidents in Month: 0
- 2. Project progress below uses the following terminology in order of maturity: concept, engineering, preconstruction, construction, completed. Completion percentages shown are tracking overall project progress through all phases.

Street System

- 1. Currently active projects in priority order
 - a. Farmersville Parkway, 4 lane divided (phase: engineering, completion percentage: 7%)
 - b. Hamilton Street reconstruction (phase: preconstruction, completion percentage: 18%)
 - Starting work on grade work and utility work by 16 March 2020.
 - c. Collin County 2018 80/20 grant match street project: Farmersville Parkway northeast corner of Collin College to SH 78.
 - Awaiting award decision from Collin County.
 - d. Main Street area/bad and faded signs
 - Upcoming sign updates:
 - Washington Street at Candy Street
 - Washington Street at McKinney Street
 - Main Street at Candy Street
 - Main Street at Farmersville Parkway
- 2. Priority backlog items
 - a. Institute railroad silent crossings
 - b. Maintenance resurfacing and panel replacement
 - Farmersville Parkway at South Washington Street intersection
 - North Washington Street by intermediate school
 - Beene Street

Water System

- 1. Currently active projects in priority order
 - a. Install waterline for Pieville/Sugar Hill/Main Street Antiques fire suppression systems (phase: preconstruction, completion percentage: 4%)
- 2. Priority backlog items
 - a. Replace cast iron/galvanized water lines:
 - i. Rolling Hills subdivision
 - ii. Windom Street from 7th Street alley to Sycamore
 - iii. Hill Street between Orange and Bois D' Arc
 - iv. Lee Street
 - b. Chlorine injection system.
 - c. Recoat/rehab north elevated water tank.

Waste Water System

- 1. Currently active projects in priority order
 - a. Reconfiguring of CR 611 lift station and gravity main. Includes sewer line extension in front of Home Grown Plants. (phase: construction, completion percentage: 75%)
 - b. WWTP #3 collector line design (phase: engineering only, completion percentage: 75%)
 - c. East side lift station with gravity main and force main (phase: construction, completion percentage: 87%)
 - d. Wastewater line reconstruction Houston to College. (phase: preconstruction, completion percentage: 7%)
 - e. 10" waste water line pipe bursting project to increase line size east of Collin College manhole on Audie Murphy Parkway (US 380). (phase: construction, completion percentage: 20%)
 - f. Floyd Road lift station reconstruction with force main. (phase: engineering, completion percentage: 5%)
- 2. Priority backlog items
 - a. Infiltration project: North of WWTP #1/#2, Replace crushed clay tile line between MH119 and MH129. Downstream of MH129, between 150 and 200 feet. Recommend replacing 200 feet of line downstream of MH129. This is a 15" line.
 - b. Infiltration project: Point Repair, 1746 Rike Street.
 - c. South side lift station construction
 - d. North side lift station SCADA installation
 - e. Infiltration project: Replace floor and top of MH119. Install bolt-down top. Pipe to south may be bad.

Storm Water System

1. No new news.

Property and Buildings

- 1. Currently active projects in priority order
 - a. JW Spain west parking lot construction (phase: construction, completion percentage: 30%)

- b. Remodel Civic Center kitchen. This item will be funded by the Centennial Committee. (phase: construction only, completion percentage: 1%)
- 2. Priority backlog items
 - a. Downtown: repair/paint gazebo
 - b. Install remaining banner mounts downtown.
 - c. City Hall: sidewalk replacement where old generator was housed
 - d. Riding Arena: greeting sign with rules
 - e. Southlake Park: playground equipment repair
 - f. Rambler Park: gazebo relocation

Electrical System

- 1. Currently active projects in priority order
 - a. Replace broken re-closer at substation. 75% complete
 - Hardware received and installed. Cable interconnections and software installation remaining.
 - b. Substation and transmission line improvements (phase: concept only, completion percentage: 40%)
 - c. Collin College line extension (phase: engineering, completion percentage: 60%).
- 2. Priority backlog projects
 - a. Tree Trimming (active intermittently)
 - b. Open wire secondary removal (active intermittently)

Refuse System

1. No new news.

High Speed Internet Service

1. Started preparations for business case documentation.

| Agenda Section | Consent Agenda |
|------------------------------|---|
| Section Number | IV.H |
| Subject | Library Report (OpenGov) |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | None |
| 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 | Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Disapprove Move item to another agenda. No motion, no action |

| Agenda Section | Consent Agenda |
|------------------------------|---|
| Section Number | IV.I |
| Subject | City Manager's Report |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | City Manager's Report |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action |



City Manager Monthly Report

Metrics

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- 2. Select <OPENGOV> button
- 3. Navigate within OpenGOV menu to select the metric of choice

City Manager General

- 1. Top priority items:
 - a. Make Collin College successful.
 - b. Complete Hamilton Street.
 - c. Be ready for and promote growth.
 - i. Thoroughfare Map planning
 - ii. Land Use Map Planning
 - iii. Comprehensive Plan Update
 - iv. New Waste Water Treatment Plant
 - d. Fiber optic network business case decision.
 - e. Keep the Police and Fire Department running optimally.
 - f. Electrical system substation relocation.

Ordinances and Ordinance Changes

- 1. New
 - a. Create preservation ordinance. Preliminary version complete and first pass P&Z review complete. Due for second pass P&Z review. (in-progress)
 - b. Annexation ordinance for Nelson Brothers. (complete)
- 2. Change
 - a. Zoning ordinance, accessory building requirements. (backlog)
 - b. Zoning ordinance, zoning map. (backlog)
 - c. Thoroughfare design manual. (backlog)
 - d. Storm water design manual. (backlog)
 - e. Water and Sewer design manual. (backlog)

Contracts/Agreements

- 1. Boundary agreements with the Cities of Blue Ridge, Josephine, Caddo Mills. (in-progress)
- 2. Collin College facilities agreement. (in-progress)
- 3. Review and make changes as necessary to the Riding Club ILA. (backlog)

Planning

- 1. Update comprehensive plan. A great deal of emphasis is being placed on reconfiguring the Land Use Map and the Thoroughfare Map. (in-progress)
 - a. Board/Committee review complete: August 2018
 - b. Land Use Map and Thoroughfare Map redevelopment: April 2020
 - c. Interim rewrite: July 2020
 - d. Planning and Zoning review and Public Workshop: September 2020
 - e. City Council review: November 2020
 - f. Planning and Zoning Public Hearing: December 2020
 - g. Public hearing and Council approval: January 2021

Policy/Procedural Changes

- 1. Employee attendance policy. (in-process)
- 2. Employee Records Policy. (in-process)
- 3. Website development and maintenance policy. (backlog)

Customer Service Window

1. No new news.

Personnel Related Matters

1. Oscar Mejia has started work!! He is responsible for building inspection, code compliance, plan review, health inspection management, and subcontractor public infrastructure quality as part of our Development Services Department.

Budget/Finance

- 1. Working on application for financial transparency award through the State Comptroller's office. Target is second quarter 2020.
- 2. Awaiting auditor's annual report. Usually available in May timeframe.
- 3. Continued work on OpenGov budget book. Scheduled for completion first quarter 2020.

Development Services

- 1. Collin College
 - a. Construction continues.
 - b. DBI continues engineering changes to the 4 lane street supporting the college. Bid is anticipated by the end of the first quarter 2020.
 - c. Started installing underground conduit for permanent electrical going to the building transformer.
- 2. Reliable Concrete
 - a. Working on certificate of occupancy for office building.
 - b. Worked with Reliable staff to identify remaining gaps regarding their development agreement. Below is list of remaining items that need to be finished:
 - Complete platting of property
 - Improvements to CR 699
 - Pay applicable tap fees and impact fees
 - Complete screening wall
 - Complete planting of trees and grass on perimeter. Install irrigation system.
 - Complete internal driveways
 - Execute paperwork so materials sold are FOB Farmersville
 - Meet capacity requirements of performance criteria
- 3. Martin Marietta

- a. Public hearing held on Tuesday, 25 Feb 2020, 7:00 PM, at RSVP Farmersville.
- b. Non-favorable ruling from judge in Austin prevents Martin Marietta from placing equipment (baghouse) in originally planned position.
- 4. Camden Park
 - a. Phase III infrastructure continues construction.
 - b. Housing construction continues.
 - Camden

Permitted: 52Models: 2Completed: 34

• Sold: 34

• Under Construction: 16

DR Horton

Permitted: 88Models: 2Completed: 72

• Sold: 68

• Under Construction: 14

- 5. Palladium Apartment Development
 - a. Building 3 expected to be complete in March.
- 6. Pieville
 - a. 107 South Main Street is under construction.
 - b. Concrete is cut for fire suppression system but rain is delaying additional progress.

Information Technology

1. No new news.

Special Events/Projects

1. No new news.

V. Informational Items

| Agenda Section | Informational Items |
|------------------------------|---|
| Section Number | V.A |
| Subject | City Amenities Board |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | Minutes Possible Council Liaison Report |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action |



FARMERSVILLE CITY AMENITIES BOARD MINUTES FOR December 5, 2019

Miranda Martin, , John Young, Suzie Grusendorf, Helaine Holbrook and Cathy Strong were all present for the meeting. Absent: Charlotte Holloway, And Marilyn Hoyt. Also present was, City Manager Ben White, Engineer Eddy Daniel and Paula Jackson as staff.

I. PRELIMINARY MATTERS

Meeting was called to order by Miranda Martin at 4:18 pm

II. APPROVAL OF MINUTES

November 7, 2019 minutes

- Motion made by: Cathy Strong to approve
- Second made by: John Young
- Motion carried all in favor

III. SENIOR CITIZEN CENTER:

A. Report from the Senior Center by Cathy Strong that things are going well. The Christmas Party with a Dinner will be December 12th at 5:00PM.

IV. LIBRARY/CIVIC CENTER: Trisha Dowell

Trisha Dowell was not presented but sent her report for November, 2019.

V. PARKS AND RECREATION

A. Consider, discuss and act upon JW Spain Parking lot Design.

Ben White explained the changes made to the original drawing Half and Assocates. The New drawing show the clearing of trees and adding more parking area. New trees and bushings will be planted.

Ben ask Eddy Daniel the City of Farmersvilles Engineer to speak regarding the updated plan. Eddy showed the Board the changes on the drawing they included:

Adding new trees

Irrigation

Lighting

ADA Sidewalks

Fire lane

Handicap parking to service the Trail and the Complex

Changes to the entrance from Merit St.

Extra Parking Relocate Electric Poles where needed

If the money is there we will strip the parking area

Miranda made the comment she would like to see changes to see if steps could be changed to a ramp.

Eddy stated that he would have to look at the grade to see if that will work.

John Young ask what is the Distance from the Handicap parking to the consession stand. Ben answered Johns question with 20'

Motion to proceed with the new design with looking at minor changes to changing steep to a possible ramp and moving the dumster bay.

- Motion made by Halaine Holilbrook
- · Second made by Susie Grusendorf
- Motion carried all in favor

VI. CITY MANAGER UPDATE

- 1. Christmas parade will be the 14th of this month.
- 2. Lights and garland and the tree are up.
- 3. JW Spain- this project under way in the next week.
- 4. Rambler Park —the ADA Swing has been ordered, it could 6-8 months. This will be an Eagle Scout Project, along with the sidewalks.
- 5. College is moving dirt and the Ground Breaking will be December 6th at 9AM...
- 6. Palladium Apartments will be completed by the end of the year.
- 7. Camden phases 1 & 2 are almost built out and the phase 3 infrastructure is going in.

VII. DISCUSSION OF PLACING ITEMS ON FUTURE AGENDAS

Continued updates on the Senior Center Music in the Park in February

VIII. ADJOURNMENT

Meeting adjourned at 5:14pm Motion made by: Cathy Strong Seconded by: Halaine Holbrook Motion carried all in favor.

ATTEST:

Paula Jackson, Assistant to the City Manager

APPROVE:



FARMERSVILLE CITY AMENITIES BOARD MINUTES FOR February 6, 2020

Miranda Martin, John Young, Suzie Grusendorf, Charlotte Holloway and Cathy Strong were all present for the meeting. Absent: Helaine Holbrook, And Marilyn Hoyt. Also present: City Manager Ben White, and Daphne Hamlin as staff.

I. PRELIMINARY MATTERS

Meeting was called to order by Miranda Martin at 4:15

II. APPROVAL OF MINUTES

December 5, 2019 minutes

- Motion made by: John Young to approve with correction
- Second made by: Charlotte Holloway
- Motion carried all in favor

III. SENIOR CITIZEN CENTER:

Report by Cathy Strong, Center is doing just fine. Miranda asked if there were any new members Cathy stated we are trying to get new members. Farmersville times this week in small column on sports page gave a brief update on senior center which was incorrect. Cathy Strong stated everyone contacts her regarding bingo, dinners etc. Exercise group is doing fine. Everyone seems to be happy no complaints.

IV. LIBRARY/CIVIC CENTER: Trisha Dowell

No report

V. PARKS AND RECREATION

- A. Music in the Park
 - 1. Dates: John stated last year they did June, July and August. First Friday of the month. June 5th, July 3rd, and August 7th. Miranda stated this is something to do that does not conflict with Farmers and Fleas.
 - 2. Bands: Big draw was The Blandells and Clay Potter Band. Those are two that drew a crowd. Clay potter mix of country and rock. Maybe have a classical night may beneficial to community as well. Something to think about. Look into college groups. John stated he thinks Jazz group would be good as well. Cathy

asked did we get our monies worth. Miranda stated they were not very expensive. Asking Mr. Potter and Blandells, John stated come back with a list in March for approval. Miranda will recontact some of the bands. Miranda asked the board if we are good on dates. Flyers will be printed. Downtown stores do well in keeping flyers in window. Get Hibbits Ice Cream more involved get it out and well known. This is our 3rd year

3. **Vendors:** Suzie liked the idea of having snacks. Miranda stated the boy scouts did pop corn, IOOF did Hot Dog, someone could talk booster clubs at the high school. John stated maybe athletic booster may not but go ahead and ask. Miranda stated we have soccer, basketball, etc.

B. Comments and Concerns:

Miranda ask if the net for the batting cages had been ordered. Miranda also commented she would like a update on Caddo Park.

VI. CITY MANAGER UPDATE

- 1. Our Public works is working on JW Spain: Clearing for the batting cages, retaining wall is being built and the Parking and striping is moving forward.
- 2. The Kitchen in the Civic Center is in bad shape. The Centennial Committee will be doing the remodel. Plan on taking out the two restrooms and moving the kitchen out. Redo with prep a station with stainless steel like tables, bring things in and no cooking just warming and serving foods. Suzie asked what that means not cooking. Ben stated no oven or cook top we will have hot plates, microwave, and toaster oven. This makes this safer. Miranda asked if there will be a refrigerator freezer. Ben stated yes it will stay. Things will be stainless steel. This will avoid a fire suppression system. They will be generating plans and hope to coordinate with the board on what they are planning on doing.
- 3. Reliable is up and running and selling concrete. This means we will get the sales tax.
- 4. Palladium 1 and 2. One of the buildings is completely full. As they are opening buildings they are being rented out. 3rd building will be complete around March. Ben stated Palladium is a top notch complex
- 5. Camden phase 1 and 2 are close to completion.
- 6. College going forward. City working on roadway engineering should be complete this month. Bids go out in March. Should be able to award bid in April and begin construction shortly after.

VII. DISCUSSION OF PLACING ITEMS ON FUTURE AGENDAS

Caddo Park

Music in the Park

Report from art teacher for the Senior Center

Placing on the agenda to send request to City Council to replace Marilyn Hoyt (newboard member missed 3 meetings)

VIII. ADJOURNMENT

Adjourned at 4:50

ATTEST:

Paula Jackson, Assistant to the City Manager

APPROVE:

Miranda Martin

| A 1 0 " | |
|------------------------------|---|
| Agenda Section | Informational Items |
| Section Number | V.B |
| Subject | Farmersville Community Development Board (Type B) |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | Financials Possible Council Liaison Report |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action |

FARMERSVILLE COMMUNITY DEVELOPMENT CORP. 4B FEBRUARY 2020 FINANCIAL BUDGET REPORT

Farmersville Community Development Corp 4B February 2020

| Statement Balance 2-3-2020 | \$235,985.41 |
|---------------------------------|---------------|
| Deposits: | |
| Sales Tax: | \$28,792.02 |
| New Checking Int05% | \$8.36 |
| Wire Fee | \$(10.00) |
| Checks purchased | |
| Checks 2909,2923-2939,2942-2945 | \$(48,164.06) |
| Balance 03-1-2020 | \$216,611.73 |

Outstanding Transactions

Sales Tax

Transfer to Texpool

CD Interest

Outstanding checks 2940-2941 \$(4,106.00)

Balance 3-5-2020 \$212,505.73

Farmersville Community Development Corporation Financial Statement For the Fiscal Year Ended September 30, 2020

| | FY2018 Budget | October | | Hovember | December | Ä | January | February | March | April | May | June | July | August | September | Actual | * |
|--|-------------------------|------------|---------|-----------|-----------------------------|-----------|-------------|-----------|--------------|--|---|-------------------------------|---------------------|--------|-------------|------------|----------------|
| Reventie: | The second second | | | | | | | | | | | | | | | | |
| Sales Tax Lolections | \$740,916 | \$23,856 | | \$22,821 | \$24,899 | | \$25,531 | \$28,792 | | | | | | | | \$ 125,898 | 52.26% |
| INBREST LIKE ATHE | 8 | 1/1 | 2 2 | - | E) | S | 9 | ø | | | | | | | • | 39 | 39.21% |
| Msc. | | | | | | | | | | | | | | | | , | |
| Wire Feb | | 2 | (10) \$ | (10) | 2 | (10) \$ | (30) \$ | (0) | | | | | | | | (20) | |
| New Check Stock | | | 43) | | | | | | | | | | | | | (243) | |
| Reimburse nen! Transfer in m TEXPOOH for rash in bank | | | | | | | | | | | | | | | | 1 1 | |
| Total Rev Jame | \$ 241,016 \$ 23,610 \$ | \$ 23.6 | | 22,818 | 22,818 \$ 24,897 | 2 | 25,530 \$ | 28,790 | - S. College | - Transfer S Control | M. S. | Sales - The sales - The sales | September - Charles | - | \$0.00 | \$125,645 | 52.13% |
| | | | | | | | | | | | | | | | | | |
| | Frzoto | Ortober | | Mercambar | Daramhae | - 2 | Contract | Fahrnster | A Property | Andi | 3 | - Press | - April | Answer | Sandambas | Actived | ×. |
| 11 | Design | 2000 | 1 | Tanana I | | | 1 | | | The state of the s | | | A CONTRACT | 10000 | nahusawan n | | |
| Main Stree Personnel & Supplies | \$ 89,364 | | | | | | | | | | | | | | | 1/8 | 0.00% |
| Person el | | | | | | | 15,483 | | | | | | | | • | \$ 15,483 | |
| Supplie: Maining/dues | | 5 1,862 | 32 | | \$ 406 | 17 | 1,525 \$ | 609 | | | | | | | • | 4,423 | |
| Main Stree - Downtown Main Street Projects | \$ 10,000 | | | | | | | | | | | | | | | | %00.0 |
| Main Stree 20 year celebration in 2029 | \$ 10,000 | | | | | | | | | | | | | | | 10 | 0.00% |
| Remburse City of Accounting Services | \$ 1,000 | | | | | | | | | | | | | | | | 0.00% |
| Chamber a Commerce | \$ 15,000 | \$ 15,000 | 8 | | | | | | | | | | | | | 15,000 | 100.001 |
| Mays build: 1g taxes | 1,000 | | | | | | | | | | | | | | -, | | 0.00% |
| Christmas Moor | \$ 10,000 | | | | | v | 818 \$ | 7,855 | | | | | | | | 6 8,673 | B6.73% |
| Fire Dept. Sparks of Freedom | \$ 8,500 | | | | | | | | | | | | | | | | 0.00% |
| Farmers vill - Historical Society Repairs | \$ 5,300 | | | | | ** | 5,300 | | | | | | | | | 5,300 | 100.00% |
| Farmersvill Haritage Museum Repairs | \$ 10,000 | | | | | | W3 | 10,000 | | | | | | | | 10,000 | 100.001 |
| Night at the Museum Opening | 8 9,000 | | | | | | | | | | | | | | | , | 0.00% |
| Rambler P. rk Updates | \$ 27,075 | | | | | ys | 4,684 | | | | | | | | | 4,684 | 17.30% |
| JW Spain Latting Cages | \$ 2,000 | | | | | | | | | | | | | | -7 | , | |
| Farmersvel Billboard Promotion | \$ 10,000 | 2 | 725 \$ | 975 | \$ 975 | 5 | 1,200 \$ | 250 | | | | | | | • | 4,125 | 41,25% |
| Sound Sys em | \$ 7,000 | | S | 40 | \$ 40 | ٠, | 20 \$ | 20 | | | | | | | • | 120 | 171% |
| Music in the Park | \$ 3,000 | | | | | | | | | | | | | | • | | 0.00% |
| North Texa Coaldion | \$ 5,000 | \$ 5,000 | 2 | | | | | | | | | | | | • | 2,000 | 100.001 |
| National No.M Out | 1,177 | | | | | | | | | | | | | | • | , | 2,00.0 |
| Farmeraviti PD cops & rodders car show | \$ 4,841 | | | | | | | | | | | | | | • | , | %00°0 |
| Rotary Clui | \$ 4,031 | | | | | | 649 | 4,03 | | | | | | | • | 4,031 | 100.001 |
| Catizans As sisting Farmensville Police | \$ 280 | | | | | | | | | | | | | | | • | %00.0 |
| Quit Guid | \$ 3,000 \$ | \$ 3,000 | 2 | | | | | | | | | | | | | 3,000 | 100.00% |
| Total Expanses | \$ 234,348 \$ | \$ 25,64 | \$ 20 | 1,015 | 25,607 \$ 1,015 \$ 1,421 \$ | 8 | 29,030 \$ | 22,785 | | | | | | J. | 3 | \$79,839 | 34.07% |
| Farmer Revenue Describer | 899'9 | (1.997) | | 21.803 | 23.476 | | (3,501) | 6,025 | | | | | | | | 45,806 | |

 5 343,269,54
 5 344,269,57
 5 344,646,16
 8 345,310,58
 5 345,747,06

 3 343,269,48
 4 74 59
 8 466,47
 8 430,48

 3 343,269,48
 3 344,844,18
 8 343,310,58
 8 345,747,98

TEXPOOI Balance Interest income-TEXPOOL Total Ave lable Texpool Funds

| Agenda Section | Informational Items |
|------------------------------|---|
| Section Number | V.C |
| Subject | FEDC Farmersville Economic Development Board (Type A) |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | Financials Possible Council Liaison Report |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action |

ECONOMIC DEVELOPMENT CORP. 4A FEBRUARY 2020 FINANCIAL BUDGET REPORT

Farmersville Economic Development Corp 4A February 2020

Statement Balance 2-01-2020

\$131,246.48

Deposits:

Sales Tax: \$28,792.02

Cking Int .05% \$5.40

CD Interest

Loan repayment \$2,622.04

Cleared Checks

Statement balance 3-1-2020 \$162,665.94

Outstanding Transactions

Sales Tax

Transfer to Texpool

CD Interest

Oustanding checks 1317 \$(175.00)

Balance 3-4-2020 \$162,490.94

Farmersville Economic Development Corporation Cummulative Income Statement For the 12 Months Ended, September 30, 2020

| Budgert October National October Appril Appri | | FY 2019 | | | | | | | | | | | | | |
|--|--|--------------------|----------------|----------------|----------------|----------------|----------------|-------|-------|-----------------------------|---------|-------|--------|-----------|---|
| STOCOOD STACK ST | | Budget | October | Havember | December | January | Februsry | March | April | Мәу | June | July | August | Seplember | e |
| \$100.000 \$17.74.000 \$17.74.000 \$17.44.00 \$1.75.00 \$22.00.000 \$17.74.00 \$1.75.00 \$1.7 | Beginning Bank Balance | - | 199,754.63 | \$116,025,46 | \$78,921.57 | | 5131,246.48 | | | | | | | | |
| \$100000 \$1,75465 GB \$22,620 B \$2,620 | Deposits | _ | | | | - | | | | | | | | | |
| \$10000 51,724 60 51,824 51 51,424 50 51,424 50 51,524 50 | Sales Tax Colectoris | 2205,000,000 | 521,855,63 | 122 A20 97 | 524 899 52 | 229 003 628 | KZ6, 792, 02 | | | | | | | | |
| \$13,200.00 | trapegal fractione ching | \$100.00 | 74.17 | 22 63 | \$3.05 | \$5.D4 | 35 40 | | | | | | | | 1 |
| \$13,250.00 \$1,724.60 \$1,465.00 \$1,465.00 \$1,465.00 \$1,465.00 \$1,465.00 \$1,465.00 \$1,1504.20 | Loan Repayment | | | | | \$2,622.04 | \$2,622.04 | | | | | | | | |
| \$13.720.00 \$1,724.00 \$1,425.00 \$1,445.00 \$1,445.00 \$1,1244.40 \$1,1244 | Transfer to Texpool | | | | | | - | | | | | | | | |
| \$13,000 CO \$1,724 CO \$1,455 CO \$1,455 CO \$1,450 CO \$1, | Transfer From Taxpool | | | | | | - | | | | | | | | |
| \$17,250.00 \$1,000.613 \$1,000.622 \$1, | Testad Interest | \$24,000,00 | \$1,724.60 | \$1,468 99 | \$1,468.36 | \$1,443.07 | \$1,350.35 i | | | | | | | | |
| \$1,000 00 \$2,000 00 \$2,000 00 \$1,0 | CD Internal Earned | \$13,250.00 | _ | | \$1,558 22 | \$330 023 | | | | | | | | | |
| \$1,000 col \$1, | Total Revenue | \$243,350.00 | 120,654,36 | 138,861.00 | 162,382,96 | 131,248,44 | | | | PREFI | PREFI | -KEFT | MEZ | PREFI | |
| \$1,000.00 | Expenses | | | _ | | | | | | | | | | | |
| \$1,000 000 \$1, | Agministration | 11,000 001 | | | | | | | | | | | | | 4 |
| \$1,500 to \$2,000 to \$2,000 to \$2,500 to \$2,5 | Maeting Expenses | \$1,000 00 | | | | | | | | | | | | | ۵ |
| \$11,160 00 \$1,50 | Dues/School/Travel | \$5,200 00 | 52,088,92 | | | | | | | | | | | | 12 DRS 42 |
| \$11,100 00 \$1,500 00 \$1, | Office Suppliers | 00 0028 | | | | design . | | | | | | | | | 4 |
| \$11,100 00 \$7,500 00 \$2,500 00 \$1,000 00 \$1,000 00 \$2,00 | Legal Seniza | \$2,500 00 | | | | - | | | | | | | | | 4 |
| \$11,000 00 \$1,000 00 | Marketing-promotion Expent | 202 | | | | *** | | | | | | | | | * |
| \$11,100 00 \$1,500 00 \$2,500 00 \$1,50 | Marketing/Promoton | | | | adadretre | | | | | | | | | | Ç |
| \$7,500 00 \$22,500 00 \$22,500 00 \$23,600,000 \$10,000 00 \$20,000 00 | Expenses/Adversaring | \$11,160,00 | _ | _ | 14.0 | | | • | - | _ | | | | - | |
| \$22,500.00 \$1,000.00 \$1,000.00 \$1,000.00 \$2,50 | Cohn College Sponsonthy | \$7,500 00 | | | | 5 | | | | 9 | | | | | |
| \$2,500.00 \$1,000.00 \$1,000.00 \$2,500 | Small Markeys Enterpresents No Conf | 8400 00 | | | | | | | | | | | | | sh. |
| \$1,000 00 \$1,0 | 1000 | \$2,500 00 | \$2,500.00 | | | | | | | | | | | | \$2,500 00 |
| \$500 00 \$4,688,92 \$5 \$4 \$4 \$4 \$4 \$4 \$4 \$4 | Farmeriville Chamber | \$1,000 00 | 1 | | | | | | | | | | | | À |
| State Stat | Famerayda Rotery | 2500 00 | | | | | | | | | | | | | ٨ |
| 11.00 to | Total Expenditures | \$33,060,00 | \$4,522.92 | -5 | 3 | | | Y | | 4 | | | 4 | | \$4,522.97 |
| \$115 COC 0.0 \$402,079 S1 \$1000,00 \$1 | Directive Business Incentive | 12 | | | | | - | - | | | | - | | | |
| \$110,000 00 \$110,000 00 \$110,000 00 \$2225 000 00 \$2225 000 00 \$234,000 00 \$235 | Codin College Elect Dim (150k) | \$135 000 00 | | | - | - | | | | - | - | | - | | 1 |
| \$100,000 to \$40,000 to | Planner Land Use Map(\$30%) | \$30,000.00 | | | | | | | | | | - | | | 4 |
| \$150,000 00 \$- \$- \$- \$- \$- \$- \$ | Electrical Substitution Loan | \$110,000,00 | | \$42,029.51 | 1 | | | | - | - | | | | | 10 676 70x |
| \$114,710.00 \$4,688.02 \$52,829,81 \$5. \$6. \$7. \$5. \$114,710.00 \$4,688.02 \$52,829,81 \$5. \$6. \$7. \$6. \$7. \$6. \$7. \$6. \$7. \$6. \$7. \$6. \$7. \$6. \$7. \$6. \$7. \$7. \$7. \$7. \$7. \$7. \$7. \$7. \$7. \$7 | Fepade Grant Program | \$50,000,00 | | 1 | | - | - | - | Ī | | - | | | - | A 400 A |
| | Total Development Cost | \$125,000,00 | J. | | 7 | | | | | | | | | | 102,929.01 |
| \$114,716.00 \$114,025.40 \$4,000.02 \$114,025.40 \$10.00 \$1.00 \$ | Total Expenditures | \$368,049.00 | 54,688,92 | 962,929,81 | -1 | | 3 | 4 | | 4 | J. | | | | \$57,518,43 |
| \$114,710.00 \$44,884.92 \$116,025.42 \$116,025.42 \$116,025.42 \$110,02 | Revenue vs Expendants | (017,4,710) | | | | | Ì | | | | | | | - | |
| \$116,025.46 \$76,223.51 \$1.00 \$ | From Reserves | \$114,710.00 | | | | | | | | and the same of the same of | V. 2010 | | | - | - A |
| \$116,025,44 \$76,221.67 \$107,322.94 \$131,246.48 \$131,244.48 \$131,24 | Total Expenditures | STATE OF THE PARTY | 54,688.92 | 662,029,61 | | | 3 | J | | å | ۵ | | | | 157,1875 |
| \$500,000,00 5500,000.00 \$500,000.00 \$500,000.00 \$500,000.00 \$ \$1,044,022.22 \$1,043,449.21 \$1,040,477.77 \$1,040,400.04 \$1,040,977.47 \$- \$- \$- | Ending Bank Balance | | \$116,025.46 | \$76,921.67 | 5 te2,382.94 | \$131,246.48 | 8131,746,481 | | | | | | | | |
| \$1,044,022.22 \$1,044,48.21 \$1,046,947.47 \$1,048,400.54 \$1,048,760.99] | CD Investment | - | \$500,000,008 | 3500,000.00 | \$500,000.00 | \$500,000.00 | \$500,000.00 | | | | | | | | |
| 2 C. | Tespeel Balanca | | \$1,064,022.22 | \$1,065,489.21 | \$1,066,967.57 | | \$1,049,760.99 | | | | | | | | |
| | Total Avaitable Funds | 5 | \$1,540,047,64 | 81,641,410,78 | \$1,669,340.63 | \$1,639,647.12 | \$1,700,997,47 | 3 | * | ٨ | 44 | ** | 3 | 3 | |

| Agenda Section | Informational Items |
|------------------------------|---|
| Section Number | V.D |
| Subject | Main Street Board |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | Possible Council Liaison Report |
| 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 | Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action |

| Agenda Section | Informational Items |
|------------------------------|---|
| Section Number | V.E |
| Subject | Planning & Zoning Commission |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | Minutes Possible Council Liaison Report |
| 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 | Motion/second/vote □ Approve □ Approve with Updates □ Disapprove • Motion/second/vote to continue to a later date. □ Approve □ Disapprove • Move item to another agenda. • No motion, no action |



CITY OF FARMERSVILLE PLANNING AND ZONING COMMISSION MINUTES REGULAR SESSION MEETING JANUARY 27, 2020, 6:30 P.M. COUNCIL CHAMBERS, CITY HALL 205 S. Main Street

I. PRELIMINARY MATTERS

- Chairman Michael Hesse presided over the meeting which was called to order at 6:30 p.m. Commissioners Lance Hudson, Luke Ingram, Leaca Caspari, and John Klostermann were in attendance. Brian Brazil and Rachel Crist were not in attendance. Also, in attendance were staff liaison, Sandra Green; City Manager, Ben White; City Attorney, Michael Martin; and Council liaison, Craig Overstreet.
- Craig Overstreet led the prayer and the pledges to the United States and Texas flags.

II. PUBLIC COMMENT ON AGENDA ITEMS (FOR NON-PUBLIC HEARING AGENDA ITEMS)

No one came forward.

III. PUBLIC HEARING

A. Public hearing to consider, discuss and act upon a recommendation to City Council regarding a request to amend Ordinance #2015-1027-001 that established the zoning on approximately 100.81 acres of land in the W. B. Williams Survey, Abstract No. 952, which land is now known as the Camden Park Subdivision (the "Property") to modify the front yard and rear yard setbacks on 18 proposed lots zoned Planned Development District for SF-2 Single Family Dwelling-2 zoning district uses that are situated within Tract 1 of the Property and identified as Lots 14 through 31 of Block G of Camden Park, Phase 3,

(collectively the "Lots") to (a) reduce the minimum front yard setback on the Lots from thirty feet (30') to twenty feet (20') and (b) increase the minimum rear yard setback on the Lots from ten feet (10') to twenty feet (20'), which Lots are situated generally along or near a portion of the northern boundary of the Property. The Property is generally located north of US Highway 380 (W. Audie Murphy Parkway) and west of County Road 611 (Collin Parkway).

- Chairman Hesse opened the public hearing at 6:36 p.m.
- Randy Smith who resides at 508 CR 610 addressed Council and stated he
 lived just north of Camden Park. He stated that he was told the purpose of
 this request was because his brother, Richard Smith, had requested it. He
 stated his brother Richard Smith did not request this. He said his brother was
 worried about his fence row because they tore down several of the trees on
 his brother's property. He does not see the benefit in reducing the setbacks
 because people would be parking over the driveway.
- Joe Passanisi, who represents Camden Park and the owner addressed Council and stated he was confused about Randy Smith's statement about his brother not requesting this rezoning. He stated he spoke with Richard Smith within the past three hours and he was fine with the request. The properties would be moved back and the retaining wall and everything would move forward away from his property. The purpose was to give Richard Smith the ability to keep the trees that are on both his property and on Camden Park's property.
- Jim Foy, who resides at 211 College Street, stated he drives a Ford F150 and stated that it would block the sidewalks if parked in the driveways. He suggested that they deny the zoning request.
- Jeff Crannell stated he was the project engineer for Camden Park. This
 request came because of a conversation with himself, Joe Passanisi, and
 Richard Smith. He agreed that shortening the driveway would allow cars to
 overhang into the sidewalk. He said making the setbacks 20 or 25 feet would
 benefit Mr. Smith, but they were happy with the setbacks they currently have.
 He explained they were just presenting this to help Richard Smith.
- Leaca Caspari asked if the other SF-3 zoned properties had a front yard of 20 feet or 25 feet.
- Jeff Crannell stated most of the lots had a setback of 25 feet in the whole subdivision. He did state that where they are asking for the setback change those houses would not front other houses. They would face the sides of other homes.
- Randy Smith stated he guessed his brother had a change of opinion and he
 does not know what the zoning request would accomplish because some of
 the roots of the trees were already damaged.
- Chairman Hesse asked if anyone else wanted to speak for or against the item.
- No one came forward so he closed the public hearing at 6:47 p.m.
- Leaca Caspari stated she had concerns about the parking issues. She explained the average truck length was 17 feet and it would encroach on the

- sidewalk which would be a safety issue in the neighborhood. She also does not believe that 10 feet more in the rear would be that beneficial regarding privacy. She stated she would suggest the Commission deny the request.
- John Klostermann stated there was going to be unavoidable parking issues.
 He would prefer the sidewalk be blocked instead of parking in the street.
- Chairman Hesse stated he drove out there and the trucks are encroaching on the sidewalks already. He said that he believes it is a safety concern.
- Lance Hudson stated he could see it either way and even granting 25 feet would allow trucks to encroach on the sidewalk.
 - Motion to deny the rezoning request made by Leaca Caspari
 - 2nd made by Luke Ingram
 - All members voted in favor, except Lance Hudson and John Klostermann who voted against the denial.
- Chairman Hesse stated the request was denied.
- B. Public hearing to consider, discuss and act upon a requested change in zoning from SF-2 Single Family Dwelling-2 District uses to SF-2 Single Family Dwelling-2 District uses with a Specific Use Permit ("SUP") for an owner (or operator) occupied bed and breakfast inn located on Block 7, Lot 39 in the Howell Addition, which location is more commonly known as 109 College Street, Farmersville, Texas.
 - Chairman Hesse opened the public 6:53 p.m.
 - Donna Williams who lives at 1985 SH 78 N stated she owns a business on the square and a lot of people ask her all the time if the city has a bed and breakfast or hotel and she has to say no. She stated she believes the bed and breakfast would be a great asset to the city.
 - Mike Goldstein who lives at 1453 Highway 78 North stated he believes it would be a great asset to the city.
 - Billie Goldstein who lives at 1453 Highway 78 North explained she wanted to support the bed and breakfast in the city. She said the Mathers have proven themselves in the city and a bed and breakfast would bring more people into the city.
 - Mary Berry stated that she is a textile artist and her art studio is located at 406 McKinney Street. She explained everything she does is made of cloth, but she is also a teacher. She explained that people come from out of state and all over to attend her classes and they need a place to stay instead of going to McKinney. She stated she was in support of the bed and breakfast.
 - Jim Foy who lives at 211 College Street stated he lives a block down from the proposed bed and breakfast. He believes it would be a great addition to the city. He has people that come to town for training at his office and those people could stay at the bed and breakfast.

- Randy Smith who lives at 508 CR 610 stated he supported the use of a bed and breakfast.
- Martin Paul Garza who lives at 1705 Yale Street stated that he thinks bed and breakfast are great ideas to bring people to the downtown area. He explained it would allow people to stay in town and enjoy Farmersville.
- Bryon Wiebold who resides at 503 FM 2194 stated that Farmersville is becoming more of a destination place. He stated that the bed and breakfast would help the economy. He explained that when he has guests stay at his house in groups of 20 or more he has had people stay at the Mathers house and they loved it. He said the bed and breakfast would be a great asset to Farmersville.
- Chairman Hesse asked if anyone else wanted to speak for or against the item.
- No one came forward so he closed the public hearing at 7:03 p.m.
- Allison Mathers wanted to speak for the item as the property owner.
- Chairman Hesse asked if he needed to reopen the public hearing.
- Michael Martin indicated that Chairman Hesse could recognize her to speak.
- Allison Mathers stated she lives at 109 College Street and they formed A&D Hospitality for the bed and breakfast. She gave a presentation that included a history of the house, gave a tour of the website for the Murchison Honaker House, and a Power Point with slides showing maps of the area. She also discussed the Future Land Use Map and where her land was located in relation to it. She explained the city ordinances required six total parking spaces for the bed and breakfast and she stated that they could park cars in their current driveway successfully. She explained that most people park their vehicles and walk to their destinations anyway. She indicated the economic benefits the city would receive by services they would use by having the bed and breakfast. She said they have used the dry cleaners, lawn care services, housekeeping services, tree trimming services, caterers, baking services, antique purchases and other various services in the city.
- Michael Martin stated for clarify he wanted to point out that they would have needed to be reopen the public hearing so it would need to be closed again.
 He stated the public hearing would have reopened at 7:03 p.m.
- Chairman Hesse stated that he would close the public hearing at 7:18 p.m.
- Leaca Caspari stated it is a beautiful property and it is wonderful for the city.
 She explained that it met the guidelines for the city parking and she did not see any reason not to support the SUP for the property.
- John Klostermann stated that many people always ask if there is a place for people to stay when they are in town. He said it is a good thing and in a great location. He said it would be very convenient.
- Chairman Hesse stated it was a great idea and he had always wanted a bed and breakfast next to the Chaparral Trail so people could utilize it.

- Motion to approve made by Lance Hudson
- o 2nd to approve made by Leaca Caspari
- All members voted in favor

IV. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- A. Consider, discuss and act upon minutes from December 16, 2019.
 - Motion to approve made by John Klostermann
 - 2nd to approve made by Luke Ingram
 - All members voted in favor
- B. Consider, discuss and act upon a recommendation to the City Council regarding the final plat of the Chaparral Trails Estates.
 - Sandra Green stated the Commission and City Council had already approved the preliminary plat and this item was to review the final plat that would actually get filed at the county. She said DBI had reviewed the plat and had recommended approval.
 - Leaca Caspari asked if there were any changes to the document since the preliminary plat.
 - Sandra Green stated there were no changes.
 - Motion to approve made by Lance Hudson
 - 2nd to approve made by John Klostermann
 - All members voted in favor
- C. Consider, discuss and act upon a recommendation to the City Council regarding the development plat for the Farmersville Railyard Addition.
 - Sandra Green stated this is a Development Plat so they have to show what is being built on the property. She said the property is located in the Extra Territorial Jurisdiction (ETJ) of the city and it is off of U.S. Highway 380. She indicated the plat had been reviewed by DBI and they had recommended approval.
 - Leaca Caspari asked if the property was the Martin Marietta site.
 - Sandra Green indicated it was.
 - Leaca Caspari stated she was not sure what all the information shown on the plat was.
 - Sandra Green explained what the site layout was. She stated that if they ever
 moved the site around they would have to come in with a new Development
 Plat. She indicated that the plat complied with the city ordinances. She
 reminded the Commission that the city cannot regulate the use in the ETJ.

- Motion to approve made by Lance Hudson
 2nd to approve made by John Klostermann
 All members voted in favor

V. ADJOURNMENT

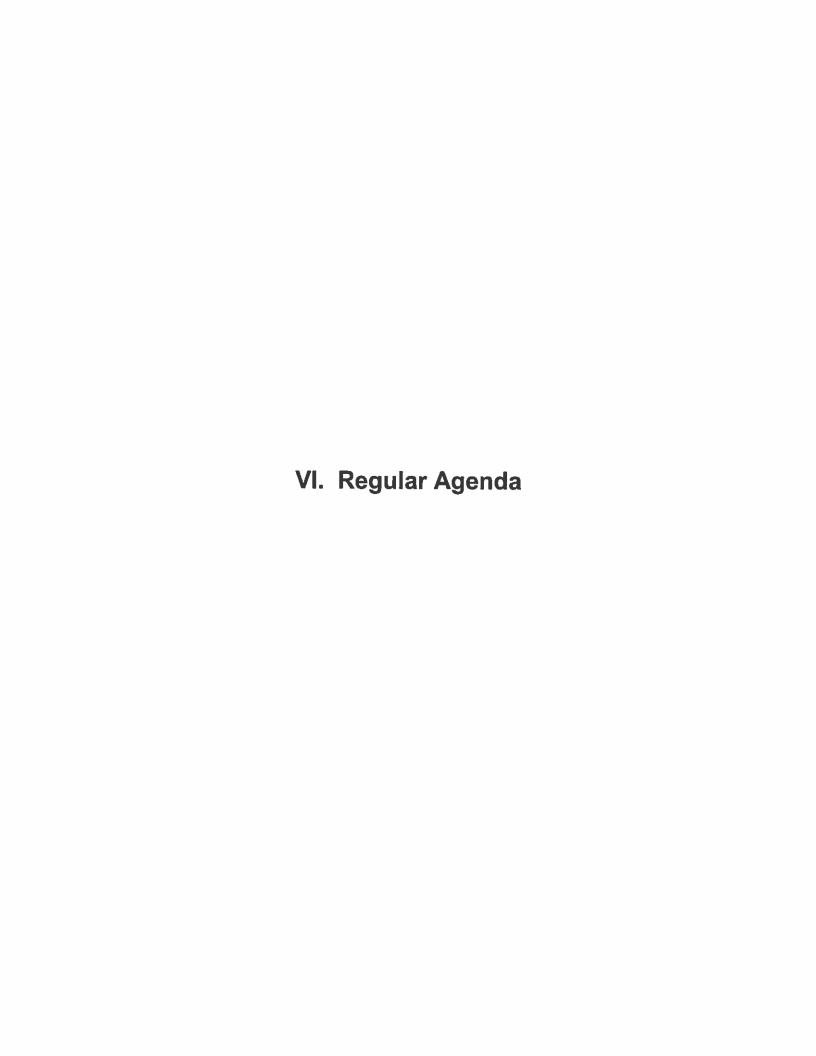
Meeting was adjourned at 7:29 p.m.

ATTEST:

Sandra Green, City Secretary

APPROVE:





| Agenda Section | Regular Agenda |
|------------------------------|---|
| Section Number | VI.A |
| Subject | Consider, discuss, and act upon Resolution #R-2020-0310-001 supporting a grant application for the Police Cruiser Project. |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | R-2020-0310-001 |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php |
| Consideration and Discussion | City Council discussion as required |
| Action | Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action |

CITY OF FARMERSVILLE RESOLUTION #2020-0310-001

A RESOLUTION OF THE CITY OF FARMERSVILLE, TEXAS, IN SUPPORT OF A GRANT APPLICATION FROM THE JUSTICE ASSISTANCE GRANT FOR THE POLICE CRUISER PROJECT.

WHEREAS, the City Council of the City of Farmersville, Texas, finds it in the best interest of the citizens of Farmersville, Texas that a grant application for the Police Cruiser Project for the Farmersville Police Department be submitted to the Office of the Governor for the Justice Assistance Grant for the Police Cruiser Project ("Grant") to be funded during the 2020-2021 budget year; and

WHEREAS, the City Council of the City of Farmersville, Texas, agrees that in the event of loss or misuse of the Office of the Governor Grant funds, an amount equal to the Grant funds will be returned to the Office of the Governor in full; and

WHEREAS, the City of Council of Farmersville, Texas designates the Police Chief of the City of Farmersville, Texas, Michael P. Sullivan, as the grantee's "Authorized Official" for purposes of the Grant; and

WHEREAS, the Authorized Official is given the power to apply for, accept, reject, alter, or terminate the Grant on behalf of the applicant agency.

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 Council of Farmersville, Texas, approves submission of the Grant application for the Police Cruiser Project to the Office of the Governor.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS ON THE 10th DAY OF MARCH, 2020.

| | APPROVED: |
|------------------------------|--------------------------|
| ATTEST: | Jack Randall Rice, Mayor |
| Sandra Green, City Secretary | |

| Agenda Section | Regular Agenda |
|------------------------------|---|
| Section Number | VI.B |
| Subject | Consider, discuss and act upon how other cities handle building of streets and street repairs |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | City of Frisco Roadway Impact Fee Information City of McKinney Roadway Impact Fee Information |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php |
| Consideration and Discussion | City Council discussion as required |
| Action | Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action |

CITY OF FRISCO

ARTICLE V. IMPACT FEES

Sec. 18-394 Purpose

This article is intended to assure the provision of adequate public facilities to serve new development in the city by requiring each such development to pay its share of the costs of such improvements necessitated by and attributable to such new development. (Ordinance 05-07-53, sec. 2, art. 1, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 1, adopted 3/6/12)

Sec. 18-395 Definitions

<u>Area-related facility</u> means a capital improvement or facility expansion which is designated in the impact fee capital improvements plan and which is not a site-related facility. Area-related facility may include a capital improvement which is located off site or within or on the perimeter of the development site.

<u>Capital improvement</u> means any of the following facilities with a life expectancy of three (3) or more years that are owned and operated by or on behalf of the city:

- (1) Water supply, treatment and distribution facilities; wastewater collection and treatment facilities; and stormwater, drainage and flood-control facilities, whether or not they are located within the service area: and
- (2) Roadway facilities.

<u>Capital improvements plan</u> means a plan contemplated by the ordinance that identifies capital improvements or facility expansions for which impact fees may be assessed.

City or Frisco means the City of Frisco, Texas.

City council means the city council of the City of Frisco, Texas.

<u>Facility expansion</u> means the expansion of the capacity of an existing facility that serves the same function as an otherwise necessary new capital improvement, in order that the existing facility may serve new development. The term does not include the repair, maintenance, modernization or expansion of an existing facility to be tter serve existing development.

<u>Final plat or final plat approval or approved final plat</u> means the point at which the applicant has complied with all conditions of approval for any type of plat required by law to be filed with the applicable county, including but not limited to, a final plat, replat, amending plat and vacating plat, and the subject plat has been approved by the city.

<u>Impact fee</u> means a charge or assessment imposed as set forth in this article against new development. The term does not include:

- Required dedications of land for public parks or payments in lieu thereof;
- (2) Dedication of rights-of-way or easements or construction or dedication of on-site or off-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks, or curbs if the dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development;
- (3) Lot or acreage fees or pro-rata fees to be placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water or wastewater mains or lines; or
- (4) Other pro-rata fees for reimbursement of water or wastewater mains or lines extended by the city.

<u>Land use assumptions</u> means a description of the service area and the projections of changes in land uses, densities, intensities, population and employment growth in the service area over at least a ten-year period and adopted by the city, as may be amended from time to time, upon which the capital improvements plans are based.

New development means a project involving the construction, reconstruction, redevelopment, conversion,

structural alteration, relocation or enlargement of any structure, or any use or extension of the use of land, any of which has the effect of increasing the requirements for capital improvements or facility expansions, measured by the number of service units to be generated by such activity, and which requires either the approval of a plat pursuant to the city's subdivision regulations, the issuance of a building permit or connection to the city's water or wastewater system, and which has not been exempted from these regulations by provisions herein or attached hereto. Installation of a larger water meter will constitute new development.

Off site means a facility or expansion that is now a site-related facility, as defined herein.

<u>Plat</u> shall mean any type of plat required by law to be filed with the applicable county, including but not limited to, a final plat, replat, amending plat and vacating plat.

<u>Property owner</u> has the same meaning as the term "subdivider" in the city's subdivision regulations. Property owner includes the developer for the new development.

<u>Recoup</u> means the imposition of an impact fee to reimburse the city for capital improvements which the city has previously oversized to serve new development.

Roadway facilities means arterial or collector streets or roads that have been designated on the city's official adopted roadway plan, together with all necessary appurtenances. The term includes, but is not limited to, the city's share of costs for roadways and associated improvements designated on the federal or state highway system, including but not limited to, local matching funds and costs related to utility line relocation and the establishment of curbs, gutters, sidewalks and drainage appurtenances. The term also includes, but is not limited to, interest in land, traffic lanes, intersection improvements, traffic-control devices and turn lanes associated with the roadway or street lighting.

<u>Service area</u> means the area within the city and/or the city's extraterritorial jurisdiction, as identified in the land use assumptions, to be served by the capital improvements or facilities expansions specified in the capital improvements plan, except for roadway facilities service area means any one of the individual services areas within the city's corporate boundaries as identified in the land use assumptions and the capital improvements plan.

<u>Service unit</u> means the standardized measure of consumption, use, generation or discharge attributable to an individual unit of development, calculated in accordance with generally accepted engineering and/or planning standards, as indicated in the land use equivalency tables located in the study (hereinafter defined).

<u>Single-family residential</u> has the meaning given the term in the city's zoning regulations, as they exist or may be amended.

<u>Site-related facility</u> means an improvement or facility which is for the primary use or benefit of a new development and/or which is for the primary purpose of safe and adequate provision of roadway, water or wastewater facilities to serve the new development, and which is not included in the capital improvements plan and for which the property owner is solely responsible under subdivision or other applicable regulations or which is located at least partially on the plat which is being considered for impact fee assessment. Site-related facility includes that portion of an off-site water or wastewater main, equivalent to a standard size water or wastewater main, which is necessary to connect any new development with the city's water or wastewater system, the cost of which has not been included in the city's impact fee capital improvements plan.

<u>Study</u> means the "Water, Wastewater and Roadway Impact Fee Update" study, dated January 2019 and prepared by Kimley-Horn Associates, Inc. on behalf of the city, a copy of which is located in the office of the city secretary and incorporated by reference herein, as may be amended from time to time.

<u>Utility connection</u> means authorization to install a water meter for connecting a new development to the city's water system or to the city's wastewater system.

<u>Wastewater facility</u> means a wastewater interceptor or main, lift station or other facility or improvement used for providing wastewater collection and treatment included within the city's collection system for wastewater. Wastewater facility includes, but is not limited to, land, easements or structures associated with such facilities. Wastewater facility excludes a site-related facility.

<u>Water facility</u> means a water interceptor or main, pump station, storage tank or other facility or improvement used for providing water supply, treatment and distribution service included within the city's water storage or distribution system. Water facility includes, but is not limited to, land, easements or structures associated with such facilities. Water facility excludes site-related facilities.

<u>Water meter</u> means a device owned by the city for measuring the flow of water to a development, whether for domestic or tor irrigation purposes.

(Ordinance 05-07-53, sec. 2, art. 2, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 2, adopted 3/6/12; Ordinance 19-04-29 adopted 4/2/19)

Sec. 18-396 Applicability

The provisions of this article regarding water and wastewater impact fees apply to all new development within the corporate boundaries of the city and its extraterritorial jurisdiction. The provisions of this article regarding roadway impact fees apply to all new development within the corporate boundaries of the city. (Ordinance 05-07-53, sec. 2, art. 3, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 3, adopted 3/6/12)

Sec. 18-397 Land use assumptions adopted

The previously adopted land use assumptions have been reviewed, evaluated, updated and revised, and the city council finds that the land use assumptions set forth in the 2014 study are hereby adopted and approved. (Ordinance 05-07-53, sec. 2, art. 4, ex. D, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 4, adopted 3/6/12; Ordinance 14-05-29, sec. 5, adopted 5/20/14)

Sec. 18-398 Capital improvements plan adopted

The previously adopted capital improvements plan has been reviewed, evaluated, updated and revised, and the city council finds that the capital improvements plan set forth in the 2014 study is hereby adopted and approved. (Ordinance 05-07-53, sec. 2, art. 5, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 5, adopted 3/6/12; Ordinance 14-05-29, sec. 6, adopted 5/20/14)

Sec. 18-399 Impact fees adopted

The previously adopted impact fees for roadways, water and wastewater have been reviewed, evaluated, updated and revised. The city council finds that:

- (1) The impact fees for roadways set forth in exhibit A, "roadway impact fee schedule," attached to Ordinance 19-04-29 and incorporated for all purposes, representing seventy percent (70%) of the total projected costs for single-family land uses and one hundred percent (100%) of the total projected costs for all other land uses, are hereby adopted and approved;
- (2) The impact fees for water set forth in exhibit B, "water impact fee schedule," attached to Ordinance 19-04-29 and incorporated for all purposes, representing seventy percent (70%) of the total projected costs for single-family land uses and one hundred percent (100%) of the total projected costs for all other land uses, are hereby adopted and approved; and
- (3) The impact fees for wastewater set forth in exhibit C, "wastewater impact fee schedule," attached to Ordinance 19-04-29 and incorporated for all purposes, representing seventy percent (70%) of the total projected costs for singlefamily land uses and one hundred percent (100%) of the total projected costs for all other land uses, are hereby adopted and approved.

(Ordinance 05-07-53, sec. 2, art. 6, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 6, adopted 3/6/12; Ordinance 14-05-29, sec. 7, adopted 5/20/14; Ordinance 19-04-29 adopted 4/2/19)

Sec. 18-400 Impact fee as condition of development approval; permit issuance

No final plat for new development shall be released for filing with the appropriate county, or in the cases for which no plat is submitted to the city, whether the property is located inside or outside the corporate boundaries of the city, no application for a utility connection shall be approved and/or no building permit and/or certificate of occupancy shall be issued, without assessment of an impact fee pursuant to this article. No building permit shall be issued, or in the cases for which no plat is submitted to the city, whether the property is located inside or outside the corporate boundaries of the city, no building permit and/or certificate of occupancy shall be issued and/or utility connection made, for new development, until the property owner has paid the impact fee imposed by and calculated herein or a contract for payment is approved by the city and executed by the parties. (Ordinance 05 -07-53, sec. 2, art. 7, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 7, adopted 3/6/12)

- (a) The assessment of impact fees for any new development shall be calculated and made at the time of final plat approval (as defined in section 18-395 (definitions)); however, for the sole purpose of phasing in the application of this article, final plats that have been approved by the city on or before May 2, 2019, pursuant to the city's subdivision regulations, or for a final plat deemed approved by the city on or before May 2, 2019 due to the city's failure to act, assessment for the new development to which the final plat applies shall be calculated and made in accordance with the impact fees existing on May 1, 2019.
- (b) Following initial assessment of the roadway impact fee for a new development pursuant to subsection (a), the amount of the impact fee per service unit for that development cannot be increased, unless the approved final plat expires or lapses under applicable ordinances or law or the owner proposes to change the approved development by the submission of a new development application or application to increase the number of service units, in which case the impact fee will be reassessed for increased meter size or additional meters or service units at the impact fee rate then in effect.
- (c) Following the lapse or expiration of a final plat that has been approved or a final plat deemed approved due to the city's failure to act, pursuant to the city's subdivision regulations, a new assessment shall be performed at the time of new final plat approval in accordance with this article. (Ordinance 05-07-53, sec. 2, art. 8, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 8, adopted 3/6/12; Ordinance 14-05-29, sec. 9, adopted 5/20/14; Ordinance 19-04-29 adopted 4/2/19)

 Sec. 18-402 Computation and collection of impact fees
- (a) The impact fees due on new development shall be collected at the time of application for a building permit or, in the cases for which no plat is submitted to the city, whether the property is located inside or outside the corporate boundaries of the city, at the time of application for building permit, utility connection or certificate of occupancy, whichever occurs first, unless an agreement between the developer and the city has been executed providing for a different time of payment.
- (b) At the time of final plat approval, or the request for a utility connection for an area in the city's extraterritorial jurisdiction for which a final plat was not submitted to the city, for all new developments, the city shall compute the impact fees due for the new development in the following manner:
- (1) The amount of each type of impact fee due (roadway, water, and/or wastewater) shall be determined by multiplying the number of each type of service units generated by the new development by the impact fee due for each type of service unit in the applicable service area set forth in exhibits A, B and/or C to the ordinance from which this article derives, respectively.
- (2) The amount of each impact fee due shall be reduced by any allowable credits for that category of capital improvements in the manner provided by this article.
- (c) Whenever a property owner proposes to increase the number of service units for a new development, the additional impact fees collected for such new service units shall be determined by using the amount of impact fee per service unit in exhibits A, B and/or C then in effect, and such

additional fee shall be collected at the time of issuance of a new building permit, or for an area in the city's extraterritorial jurisdiction for which a final plat was not required to be submitted to the city, prior to or at the time of enlargement of the connection to the city's water or wastewater system.

(Ordinance 05-07-53, sec. 2, art. 9, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 9, adopted 3/6/12) Sec. 18-403 Credits against impact fees

- (a) Any construction or contributions to or dedications of any area-related facility appearing in the capital improvements plan that is required to be constructed by a property owner as a condition of new development shall be credited against the impact fees otherwise due on that new development from the same category (roadway, water or wastewater) of impact fees assessed on the new development.
- (b) All credits against impact fees shall be subject to the following limitations and shall be granted based on this article and any additional administrative guidelines that may be adopted by the city.
- (1) No credit shall be given for the dedication or construction of site-related facilities.
- (2) No credit shall exceed an amount equal to the assessed impact fee.
- (3) If a credit applicable to a final plat has not been exhausted within ten (10) years from: (i) the acquisition of the first building permit issued; or (ii) in the cases for which no plat is submitted to the city, whether the property is located inside or outside the corporate boundaries of the city, the acquisition of the first building permit issued, the acquisition of the first certificate of occupancy is issued or connection made after the effective date of the adoption of the applicable impact fees, whichever occurs first, or within such period as may otherwise be designated by contract, such credit shall lapse.
- (4) In no event will the city reimburse the property owner or developer for a credit when no impact fees for the new development can be collected pursuant to city ordinance or for any amount exceeding the total impact fees due for the new development for the category of capital improvement, unless otherwise agreed to by the city.
- (c) The available credit associated with new development shall be applied against an impact fee in the following manner:
- (1) For single-family residential lots in a new development consisting only of single-family residential development, such credit shall be prorated equally among such lots, to be applied at the time of application of a building permit for each lot, against impact fees to be collected at the time the building permit is issued.
- (2) For all other types of new development, including those involving mixed uses, the credit applicable to the new development shall be applied to the impact fee due at the time of approval.
- (3) At its sole discretion, the city may authorize alternative credit agreements upon written agreement with the property owner in accordance with the city's administrative guidelines.

(Ordinance 05-07-53, sec. 2, art. 10, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 10, adopted 3/6/12)

Sec. 18-404 Establishment of accounts

- (a) The city shall establish an account to which interest is allocated for each service area for each type of capital facility for which an impact fee is imposed. Each impact fee collected within the service area shall be deposited in such account.
- (b) Interest earned on the account into which the impact fees are deposited shall be considered funds of the account and shall be used only in the same manner as which the underlying funds may be used.
- (c) The city shall establish adequate financial and accounting controls to ensure that impact fees disbursed from the accounts are utilized solely for authorized purposes.
- (d) The city shall maintain and keep financial records for impact fees, which shall show the source and disbursement of all fees collected in or expended within each service area. The records of the account into which impact fees are deposited shall be open for public inspection and copying during ordinary business hours. The city may establish a fee for copying services.

(Ordinance 05-07-53, sec. 2, art. 11, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 11, adopted 3/6/12) Sec. 18-405 Use of proceeds of impact fee accounts

- (a) The impact fees collected for each service area may be used to finance or to recoup the costs of any capital improvements or facility expansion identified in the capital improvements plan for the service area, including but not limited to the construction contract price, surveying and engineering fees, land acquisition costs (including land purchases, court awards and costs, attorney's fees and expert witness fees). Impact fees may also be used to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the city to finance such capital improvements or facility expansion.
- (b) Impact fees collected pursuant to this article shall not be used to pay for any of the following expenses:
- (1) Construction, acquisition or expansion of public facilities or assets other than capital improvements or facility expansions identified in the capital improvements plan;
- (2) Repair, operation or maintenance of existing or new capital improvements or facility expansion;
- (3) Upgrade, update, expansion or replacement of existing capital improvements to provide better service to existing development; or
- (4) Administrative and operating costs of the city.
 (Ordinance 05-07-53, sec. 2, art. 12, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 12, adopted 3/6/12)
 Sec. 18-406 Refunds
- (a) Upon application by an owner of property, any impact fee or portion thereof collected pursuant to city ordinance shall be refunded as specified in this article if:
- (1) [It] has not been expended within the service area within ten (10) years from the date of payment; or
- (2) Existing facilities are available and service is denied; or

- (3) The city has, after collecting the impact fee when service was not available, failed to commence construction within two (2) years or service is not available within a reasonable period considering the type of improvement or expansion, but in no event later than five (5) years from the date of payment.
- (b) Payment shall be refunded to the record owner of the property for which the impact fee was paid or, if the impact fee was paid by another governmental entity, to such governmental entity, together with interest calculated from the date of payment to the date of refund at the statutory rate as set forth in the Texas Finance Code, section 302.002, or its successor statute. The application for refund pursuant to this article shall be submitted within sixty (60) days after the expiration of the ten-year period for expenditure of the fee. An impact fee shall be considered expended on a first-in, first-out basis.
- (c) An impact fee collected pursuant to this article shall also be considered expended if the total expenditures for capital improvements or facility within the service area within ten (10) years following the date of payment exceed the total fees collected within the service area for such improvements or expansions during such period.
- (d) If a refund is due pursuant to subsections (a) and (b), the city shall divide the difference between the amount of expenditures and the amount of the fees collected by the total number of service units assumed within the service area for the period to determine the refund due per service unit. The refund to the record owner shall be calculated by multiplying the refund due per service unit by the number of service units for the development for which the fee was paid, and interest due shall be calculated upon that amount.

(Ordinance 05-07-53, sec. 2, art. 13, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 13, adopted 3/6/12) Sec. 18-407 Updates to plan and revision of fees

- (a) The city shall update its land use assumptions and capital improvements plans at least every five (5) years, commencing from the date of adoption of such plans, and shall recalculate the impact fees based thereon in accordance with the procedures set forth in Texas Local Government Code, chapter 395, or in any successor statute.
- (b) The city may review its land use assumptions, impact fees, capital improvements plans and other factors such as market conditions more frequently than provided in subsection (a) to determine whether the land use assumptions and capital improvements plan should be updated and the impact fee recalculated accordingly, or whether any exhibits hereto should be changed.
- (c) If, at the time an update is required pursuant to subsection (a), the city council determines that no change to the land use assumptions, capital improvements plan or impact fee is needed, it may dispense with such update by following the procedures in Texas Local Government Code, section 395.0575, or its successor statute.
- (d) In addition to the reviews required by this article, the city shall also conduct the reviews required by section 18-399, impact fees adopted, above.

(Ordinance 05-07-53 sec 2 art 14 adopted 7/5/05; Ordinance 12-03-12 sec 2 art 14 adopted 3/6/12)

Sec. 18-408 Use of other financing mechanisms

- (a) The city may finance capital improvements or facility expansion designated in the capital improvements plan through the issuance of bonds, through the formation of public utility districts or other assessment districts, or through any other authorized mechanism, in such manner and subject to such limitations as may be provided by law, in addition to the use of impact fees.
- (b) Except as herein otherwise provided, the assessment and collection of an impact fee shall be additional and supplemental to, and not in substitution of, any other tax, fee, charge or assessment which is lawfully imposed on and due against the property.

(Ordinance 05-07-53, sec. 2, art. 15, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 15, adopted 3/6/12)

Sec. 18-409 Impact fee as additional and supplemental regulation

Impact fees established by this article are additional and supplemental to, and not in substitution of, any other requirements imposed by the city on the development of land or the issuance of building permits or certificates of occupancy. Such fee is intended to be consistent with and to further the policies of the city's comprehensive land use plan, the capital improvements plan, the zoning ordinance, subdivision regulations and other city policies, ordinances, codes and resolutions by which the city seeks to ensure the provision of adequate public facilities in conjunction with the development of land. (Ordinance 05-07-53, sec. 2, art. 16, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 16, adopted 3/6/12)

Sec. 18-410 Relief procedures

Any person who has paid an impact fee or an owner of land upon which an impact fee has been paid may petition the city council to determine whether any duty required by this article has not been performed within the time so prescribed. The petition shall be in writing and shall state the nature of the unperformed duty and request that the duty be performed within sixty (60) days of the request. If the city council determines that the duty is required pursuant to this article and is late in being performed, it shall cause the duty to commence within sixty (60) days of the date of the request and to continue until completion. (Ordinance 05-07-53, sec. 2, art. 17, adopted 7/5/05; Ordinance 12-03-12, sec. 2, art. 17, adopted 3/6/12)

Secs. 18-411-18-420 Reserved

CITY OF MCKINNEY

ARTICLE III. - ROADWAY IMPACT FEES[™]

Footnotes:

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Editor's note— The schedules, exhibited and appendices referred to in this article are not printed herein but are on file in the city secretary's office.

DIVISION 1. - GENERALLY

Sec. 130-103. - Short title.

This article be known and cited as the McKinney Impact Fees Article—Roadways.

(Code 1982, § 37-81; Ord. No. 2000-03-20, § 1, 3-7-2000; Ord. No. 2001-08-091, § 1(3.01), 8-21-2001; Ord. No. 2003-05-055, § 1, 5-20-2003; Ord. No. 2003-07-062, § 1, 7-15-2003; Ord. No. 2005-11-116, § 1, 11-1-2005)

Sec. 130-104. - Purpose.

This article is intended to ensure the provision of adequate roadway facilities to serve new development in the city by requiring each development to pay its share of the costs of such improvements necessitated by and attributable to such new development.

(Code 1982, § 37-82; Ord. No. 2000-03-20, § 1, 3-7-2000; Ord. No. 2001-08-091, § 1(3.02), 8-21-2001; Ord. No. 2003-05-055, § 1, 5-20-2003; Ord. No. 2003-07-062, § 1, 7-15-2003; Ord. No. 2005-11-116, § 1, 11-1-2005)

Sec. 130-105. - Authority.

This article is adopted pursuant to V.T.C.A., Local Government Code ch. 395 and the city Charter. The provisions of this article shall not be construed to limit the power of the city to utilize all powers and procedures authorized under V.T.C.A., Local Government Code ch. 395, or other methods authorized under state law or pursuant to other city powers to accomplish the purposes set forth herein, either in substitution or in conjunction with this article. Guidelines may be developed by ordinance, resolution, or otherwise to implement and administer this article.

(Code 1982, § 37-83; Ord. No. 2000-03-20, § 1, 3-7-2000; Ord. No. 2001-08-091, § 1(3.03), 8-21-2001; Ord. No. 2003-05-055, § 1, 5-20-2003; Ord. No. 2003-07-062, § 1, 7-15-2003; Ord. No. 2005-11-116, § 1, 11-1-2005)

Sec. 130-106. - Definitions.

Assessment means the determination of the amount of the maximum impact fee per service unit which can be imposed on new development pursuant to this article. The amount of the impact fee per service unit is a measure of the traffic impact on system facilities created by the new development.

Capital improvement means a roadway facility with a life expectancy of three or more years, to be owned and operated by or on behalf of the city (including the city's share of costs for roadways and associated improvements designated as a numbered highway on the official federal or state highway

system). "Capital improvement" applies to a newly constructed roadway facility or to the expansion of an existing roadway facility necessary to serve new development.

City means the City of McKinney, Texas.

Credit means:

- (1) When used in the context of determining the maximum assessable impact fee per service unit, an amount equal to:
 - a. That portion of ad valorem tax and utility service revenues generated by new service units during the program period that is used for the payment of improvements, including the payment of debt, that are included in the capital improvements plan; or
 - b. In the alternative, a credit equal to 50 percent of the total projected cost of implementing the capital improvements plan; or
- (2) When used in the context of determining the offset for system facilities, the amount of the reduction of an impact fee designed to fairly reflect the value of any construction of, contributions to, or dedications of a system facility agreed to or required by the city as a condition of development approval, pursuant to rules herein established or pursuant to city council-approved administrative guidelines which value shall be credited on a vehicle mile basis against roadway facilities impact fees otherwise due from the development and which credits are hereinafter referred to as an "offset" or "offsets" to avoid confusion.

Development unit or development units is the expression of the magnitude of the transportation demand created by each land use planned within a particular development and is used to compute the number of service units consumed by each individual land use application.

Final plat approval or approval of a final plat means the point at which the applicant has complied with all conditions of approval and the plat (minor plat or record plat) has been released for filing with the county.

Final plat recordation or recordation of a final plat means the point at which the applicant has complied with all conditions precedent to recording an approved final plat (minor plat or record plat) in the county, including the final completion of and acceptance by the city of any infrastructure or other improvements required by the subdivision ordinance or any other ordinance and the plat is filed for record with the county clerk's office.

Impact fee or roadway impact fee means a charge or assessment imposed by the city, pursuant to this article, against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development. "Impact fees" or "roadway impact fees" do not include road escrow payments for site-related facilities imposed under facility agreements in existence on the effective date of this article. The term also does not include dedication of rights-of-way or easements or construction or dedication of drainage facilities, streets, sidewalks, or curbs if the dedication or construction is required by the subdivision ordinance and is necessitated by and attributable to the new development.

Land use assumptions means and includes a description of the service areas and the projections of population and employment growth and associated changes in land uses, densities and intensities adopted by the city, as may be amended from time to time, in each service area over a ten-year period upon which the roadway improvements plan is based. The land use assumptions are set out in the most recently updated land use assumptions for roadway impact fees adopted by resolution of the city council, and attached to Ord. No. 2013-11-108 as Exhibit 1.

Land use vehicle-mile equivalency tables or LUVMET are tables that provide the standardized measure of consumption or use of roadway facilities attributable to a new development based on the land use category of the development and historical data and trends applicable to the city during the previous ten years. The LUVMET recognizes and expresses the magnitude of the transportation demand created by different land use categories within a particular development and allow different uses of land to more accurately bear the cost and expense of the impacts generated by such uses. The LUVMET expresses

the number of service units consumed by each individual land use application as "vehicle miles (per development unit)."

New development means a project involving the subdivision of land and/or the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure, or any use or extension of the use of land which has the effect of increasing the requirements for capital improvements, measured by an increase in the number of service units to be generated by such activity, and which requires either the approval and filing with the county of a plat pursuant to the city's subdivision ordinance or the issuance of a building permit.

Offset or offsets means the amount of the reduction of an impact fee designed to fairly reflect the value of any construction of, contributions to, or dedications of a system facility agreed to or required by the city as a condition of development approval, pursuant to rules herein established or pursuant to city council-approved administrative guidelines which value shall be credited on a vehicle mile basis against roadway facilities impact fees otherwise due from the development.

Recoup means to reimburse the city for capital improvements which the city has previously installed or caused to be installed.

Roadway means any freeway, expressway or arterial or collector streets or roads designated in the city's adopted master thoroughfare plan, as may be amended from time to time. The term includes the city's share of costs for roadways designated as a numbered highway on the official federal or state highway system.

Roadway facility means an improvement or appurtenance to a roadway which includes, but is not limited to, rights-of-way, whether conveyed by deed or easement; intersection improvements; traffic signals; turn lanes; drainage facilities associated with the roadway; street lighting or curbs. "Roadway facility" also includes any improvement or appurtenance to an intersection with a roadway officially enumerated in the federal or state highway system. "Roadway facility" includes the city's share of costs for roadways and associated improvements designated as a numbered highway on the official federal or state highway system, including local matching funds and costs related to utility line relocation and the establishment of curbs, gutters, drainage appurtenances, and rights-of-way. "Roadway facility" excludes those improvements or appurtenances to a roadway which are site-related facilities.

Roadway improvements plan or capital improvements plan for roadway impact fees identifies the capital improvements or facility expansions and associated costs for each roadway s ervice area that are necessitated by and which are attributable to new development within the service area, for a period not to exceed ten years, which capital improvements are to be financed in whole or in part through the imposition of roadway impact fees pursuant to this article. The roadway improvements plan or capital improvements plan for roadway impact fees land use assumptions is set out in the most recently updated roadway impact fee update ("roadway improvements plan") adopted by resolution of the city council, and attached to Ord. No. 2013-11-108 as exhibit 2."

Roadway service area or roadway benefits area means the geographic area(s) within the city's corporate limits, which do not exceed six miles and within which geographic area(s) roadway impact fees for capital improvements will be collected for new development occurring within such area, and within which fees so collected will be expended for those capital improvements identified in the roadway improvements plan to be located within the roadway service area. "Roadway service area" does not include any land outside the city limits.

Service unit means one vehicle mile of travel in the afternoon peak hour of traffic and is also referred to as a "vehicle mile."

Service unit equivalent means the amount of capacity created by contribution of a capital improvement on behalf of a new development, expressed in vehicle miles.

Single family residential lot means a lot platted to accommodate a single family or a duplex dwelling unit, as authorized under the city's zoning regulations.

Site-related facility means an improvement or facility which is constructed for the primary use or benefit of a new development and/or which is for the primary purpose of safe and adequate provision of

roadway facilities to serve the new development and which is not included in the roadway improvements plan and for which the developer or property owner is solely responsible under the subdivision, and/or other applicable, regulations.

System facility means a capital improvement which is designated in the roadway improvements plan and which is not a site-related facility. A system facility may include a capital improvement which is located off-site, within, or on and along the perimeter of the new development site.

(Code 1982, § 37-84; Ord. No. 2000-03-20, § 1, 3-7-2000; Ord. No. 2001-08-091, § 1(3.04), 8-21-2001; Ord. No. 2003-05-055, § 1, 5-20-2003; Ord. No. 2003-07-062, § 1, 7-15-2003; Ord. No. 2005-11-116, § 1, 11-1-2005; Ord. No. 2008-11-102, § 2, 11-4-2008; Ord. No. 2013-11-108, § § 2, 3, 11-19-2013)

Sec. 130-107. - Applicability.

The provisions of this article apply to all new developments within the corporate boundaries of the city. The provisions of this article apply uniformly within each roadway benefit area.

(Code 1982, § 37-85; Ord. No. 2000-03-20, § 1, 3-7-2000; Ord. No. 2001-08-091, § 1(3.05), 8-21-2001; Ord. No. 2003-05-055, § 1, 5-20-2003; Ord. No. 2003-07-062, § 1, 7-15-2003; Ord. No. 2005-11-116, § 1, 11-1-2005)

Sec. 130-108. - Impact fees per service unit.

- (a) The maximum impact fee per service unit (pre-credit) and the maximum assessable impact fee per service unit (post-credit) for each roadway service area shall be as set forth in:
 - Schedule 1, table A, if the date of final plat recording is prior to September 1, 2003 and replatting is not necessary;
 - (2) Schedule 1, table B, if the date of final plat recording is on or after September 1, 2003 through and including November 9, 2008 and replatting is not necessary;
 - (3) Schedule 1, table C, if the date of final plat recording is on or after November 10, 2008 through and including November 19, 2013 and replatting is not necessary.
 - (4) Schedule 1, table D, if the date of final plat recording or replat recording is on or after November 20, 2013.

Schedule 1, tables A through D (sometimes hereinafter referred to collectively as "schedule 1") are attached to Ord. No. 2013-11-108 and hereby incorporated into and made a part of this article by reference.

- (b) The number of vehicle miles attributable to each land use category per development unit in each new development within a roadway service area shall be as set forth in:
 - (1) Schedule 1, table A, as designated for each particular roadway service areas 1 through 27 if the date of final plat recording is prior to September 1, 2003 and replatting is not necessary;
 - (2) Schedule 1, table B as designated for each particular roadway service area, roadway service areas A through M, if the date of final plat recording is on or after September 1, 2003 through and including November 9, 2008 and replatting is not necessary;
 - (3) Schedule 1, table C as designated for each particular roadway service area, roadway service areas A through M, if the date of final plat recording is on or after November 10, 2008 through and including November 19, 2013 and replatting is not necessary.

(4) Schedule 1, Table D as designated for each roadway service area, roadway service areas A through M, if the date of final plat recording or replat recording is on or after November 20, 2013.

Schedule 1 is attached to Ord. No. 2013-11-108 and hereby incorporated into and made a part of this article by reference.

- (c) Impact fee Schedule 1, and/or its various tables, may be amended from time to time by ordinance.
- (d) The maximum assessable impact fee per service unit (post-credit) set forth in Schedule 1 that is assessed to new development, as may be amended from time to time, is declared to be the roughly proportionate measure of the impact(s) generated by a new unit of development on the city's transportation system. To the extent that the impact fee per service unit collected is less than the maximum assessable impact fee per service unit, such difference is hereby declared to be founded on policies unrelated to the measurement of the actual impacts of the development on the city's transportation system. The maximum assessable impact fee per service unit may be used in evaluating any claim by an applicant, developer, or property owner that the dedication, construction, or contribution of a capital improvement imposed as a condition of development approval pursuant to the city's regulations is not roughly proportionate to the impact(s) of the new development on the city's transportation system.

(Code 1982, § 37-86; Ord. No. 2000-03-20, § 1, 3-7-2000; Ord. No. 2001-08-091, § 1(3.06), 8-21-2001; Ord. No. 2003-05-055, § 1, 5-20-2003; Ord. No. 2003-07-062, § 1, 7-15-2003; Ord. No. 2005-11-116, § 1, 11-1-2005; Ord. No. 2008-11-102, § 3, 11-4-2008; Ord. No. 2013-11-108, § 4, 11-19-2013)

Sec. 130-109. - Assessment of impact fees.

- (a) Assessment of the impact fee per service unit for any new development shall be made as follows:
 - (1) For a new development for which a final plat was recorded prior to September 1, 2003 and for which no replatting is necessary pursuant to the city's subdivision regulations prior to development or for a new development for which no plat is necessary pursuant to the city's zoning ordinance because the property in question is a lot of record, assessment of impact fees shall occur at the time application is made for the building permit, and shall be the amount of the maximum assessable impact fee per service unit as set forth in schedule 1, table A, for the particular roadway service area in which the development is situated as reflected in map A, attached to Ord. No. 2013-11-108 and incorporated herein by reference, multiplied by the number of vehicle miles (per development unit) for each proposed development unit in each proposed land use category as set forth in schedule 1, table A.
 - (2) For a new development for which recordation of the final plat occurred on or after September 1, 2003 through and including November 9, 2008 and for which no replatting is necessary, assessment of impact fees shall be at the time of final plat recordation and shall not exceed the amount of the maximum assessable impact fee per service unit as set forth in Schedule 1, Table B for the particular roadway service area in which the development is situated as reflected in map B, attached to Ord. No. 2013-11-108 and incorporated herein by reference, multiplied by the number of vehicle miles (per development unit) for each proposed development unit in each proposed land use category as set forth in schedule 1, table B.
 - (3) For a new development for which recordation of the final plat occurred on or after November 10, 2008 through and including November 19, 2013 and for which no replatting is necessary, assessment of impact fees shall be at the time of final plat recordation and shall not exceed the amount of the maximum assessable impact fee per service unit as set forth in schedule 1, table C for the particular roadway service area in which the development is situated as reflected in map C, attached to Ord. No. 2013-11-108 and incorporated herein by reference, multiplied by

- the number of vehicle miles (per development unit) for each proposed development unit in each proposed land use category as set forth in schedule 1, table C.
- (4) For a new development for which recordation of the final plat occurred on or after November 20, 2013, assessment of impact fees shall be at the time of final plat recordation and shall not exceed the amount of the maximum assessable impact fee per service unit as set forth in schedule 1, table D for the particular roadway service area in which the development is situated as reflected in map D, attached to Ord. No. 2013-11-108 and incorporated herein by reference, multiplied by the number of vehicle miles (per development unit) for each proposed development unit in each proposed land use category as set forth in schedule 1, table D.
- (5) For land on which new development occurs or is proposed to occur without platting, assessment of impact fees shall occur at the time application is made for the building permit, and shall not exceed the amount of the maximum assessable impact fee per service unit as set forth in schedule 1, table D for the particular roadway service area in which the development is situated as reflected in map D multiplied by the number of vehicle miles (per development unit) for each proposed development unit in each proposed land use category as set forth in schedule 1, table D.
- (b) Following assessment of the impact fee pursuant to subsection (A), the amount of the impact fee assessed per service unit for that new development cannot be increased, unless the owner proposes to change the approved development by the submission of a new application for final plat approval or replat approval, in which case new assessment shall occur at the maximum assessable Schedule 1 rate then in effect.
- (c) Following the vacating of any plat or submittal of any replat, a new assessment must be made in accordance with section 130-109(a)(4).
- (d) Approval of an amending plat pursuant to Texas Local Government Code § 212.016 and the Subdivision Ordinance section 142-79 is not subject to reassessment of an Impact Fee hereunder provided that the use of the property remains the same.

(Code 1982, § 37-87; Ord. No. 2000-03-20, § 1, 3-7-2000; Ord. No. 2001-08-091, § 1(3.07), 8-21-2001; Ord. No. 2003-05-055, § 1, 5-20-2003; Ord. No. 2003-07-062, § 1, 7-15-2003; Ord. No. 2005-11-116, § 1, 11-1-2005; Ord. No. 2008-11-102, § 4, 11-4-08; Ord. No. 2013-11-108, § 5, 11-19-2013)

Sec. 130-110. - Payment and collection of impact fees.

- (a) For all new developments, impact fees shall be collected at the time of application for and in conjunction with the issuance of a building permit. The impact fees to be paid and collected are listed in schedule 1. The city reserves the right to enter into an agreement with a developer for a different time and manner of payment of impact fees in which case the agreement shall determine the time and manner of payment.
- (b) The city shall compute the impact fees to be paid and collected for the new development in the following manner:
 - (1) Determine the number of development units for each land use category in the new development using schedule 1 then in effect pursuant to section 130-109.
 - (2) Multiply the number of development units for each land use category in the new development by the vehicle miles (per development unit) for each such land use category also found in schedule 1 then in effect pursuant to section 130-109 to determine the number of service units attributable to the new development.
 - (3) If an offset agreement providing for offsets and credits against impact fees exists, the number of service units attributable to the new development shall be reduced by subtracting available service unit equivalents as provided in section 130-111. If adequate service unit equivalents for

- offsets and credits are available in an amount equal to or greater than the number of service units generated (required) by this new development, no fee is paid, but the pool of available service unit equivalents shall be reduced accordingly.
- (4) The amount of impact fees to be collected shall be determined by multiplying the number of service units for the new development by the impact fee per service unit for the applicable roadway service area using schedule 1 and shall be calculated at the time of application for and in conjunction with the issuance of a building permit.
- (e) If the building permit for which an impact fee has been paid has expired, and a new application is thereafter filed, the impact fees shall be computed using the LUVMET and schedule 1 then in effect with credits for previous payment of fees being applied against any new fees due.
- (f) Whenever the property owner proposes to increase the number of service units for a development, the additional impact fees collected for such new service units shall be determined by using the LUVMET and schedule 1 then in effect, and such additional fees shall be collected at the times prescribed by this section.

(Code 1982, § 37-88; Ord. No. 2000-03-20, § 1, 3-7-2000; Ord. No. 2001-08-091, § 1(3.08), 8-21-2001; Ord. No. 2003-05-055, § 1, 5-20-2003; Ord. No. 2003-07-062, § 1, 7-15-2003; Ord. No. 2005-11-116, § 1, 11-1-2005; Ord. No. 2008-11-103, § 5, 11-4-2008)

Sec. 130-111. - Offsets and credits against impact fees.

- (a) The city shall offset the reasonable value of any system facility which has been dedicated to and has been accepted by the city on or after May 18, 1982, or offset the amount of any monetary contributions to such facility, against the amount of the roadway impact fees due, in accordance with the rules set forth in this section. The value of an offset may be stated in dollars or service units.
- (b) This subsection applies only to an offset associated with a capital improvement on the roadway improvement plan contributed to the city after the effective date of Ordinance No. 97-10-54 (October 7, 1997). Offsets associated with a system facility contributed to the city prior to the effective date of Ordinance No. 97-10-54 (October 7, 1997) are addressed in subsection (c).
 - (1) For purposes of this subsection (b), an offset associated with a capital improvement on the roadway improvement plan contributed to the city after the effective date of Ordinance No. 97-10-54 (October 7, 1997) is created at the time that the city accepts the system facility for dedication or as may be otherwise stipulated in a binding facilities agreement for the facility pursuant to the city's subdivision regulations.
 - (2) At the time the offset is created, if no offset agreement exists, the developer shall apply for an offset agreement, and the agreement thereafter shall be enforced in accordance with the following terms, providing:
 - a. Identification of the plat with which the offset is to be associated;
 - b. The amount of the capacity created by the system facility, expressed in service unit equivalents;
 - A provision stating that the offset may be used to reduce impact fees imposed on new developments contained within the land subject to the associated plat after the effective date of the agreement; and
 - d. A provision that the amount of the offset shall be determined by estimating the number of service unit equivalents of capacity supplied by the system facility, reduced by:
 - The number of service units developed within the plat since the contribution of the system facility, using the LUVMET;

- 2. The amount of the city's participation in the excess costs of the system facility (expressed in service unit equivalents); and
- The amount of any payments received from other new developments utilizing the system facility (expressed in service unit equivalents); and
- A provision for reimbursement of any unused offsets consistent with subsection (b)(4) of this section 130-111.
- f. A provision stating that the city may elect to buy back outstanding offsets in accordance with subsection 130-111(f).
- g. A provision stating that in those instances where the city determines the unique characteristics of a roadway segment (such as drainage, topography, easements required, absence of roadway segments remaining in service area) and the projected cost to construct a section of roadway is not roughly proportionate to the dollar value of the vehicle mile credits which may be awarded for that roadway section, the city may consider, upon request of the developer, awarding impact fee credits based upon the developer's verified, actual costs of said roadway section.

The developer may assign the offset agreement with the city's consent, but in no event shall the offsets provided for in the agreement be transferred to any development not subject to the plat associated with such offsets.

- (3) The developer may petition the city council for offsets for contribution of a capital improvement, including road right-of-way, which is not identified in the roadway improvements plan, if the improvement will supply capacity to new developments other than to the development seeking the offset, at the time the facility is accepted by the city or a binding facilities agreement for the facility is executed pursuant to the city's subdivision regulations. In no event, however, may offsets attributable to such facility be used to reduce impact fees until the roadway improvements plan has been amended to include the capital improvement for which the offset was granted. If the petition is granted, the terms shall be incorporated into an offset agreement as provided in subsection (b)(2) hereof. The agreement shall also provide that the amount of the offset shall not exceed the capacity of the capital improvement that is included in the roadway improvements plan.
- (4) As provided in the offset agreement required by subsection (b)(2), hereof, the developer may apply for reimbursement of excess offsets following either completion of all development subject to the plat with which the offsets are associated or after ten years following execution of the offset agreement. The following rules apply to such reimbursement, and shall be incorporated into the offset agreement.
 - a. The developer must apply for reimbursement within six months following either:
 - Completion of all development subject to the plat with which the offsets are associated; or
 - 2. Ten years after the date of execution of the offset agreement.
 - b. The following terms shall be incorporated into the reimbursement agreement and the agreement shall be enforced in accordance with such terms:
 - 1. A provision stating that the amount to be reimbursed shall be equal to the number of unused offsets (expressed as a number of service units) multiplied by a fraction equal to the impact fee per service unit to be collected, as set forth in schedule 1 in effect on the date of execution of the offset agreement, divided by the maximum assessable impact fee per service unit, as set forth in schedule 1 in effect on the date of execution of the offset agreement;
 - A provision stating that the amount to be reimbursed may be further equitably reduced, if fewer than 50 percent of the number of service units in the plat with which

- the system facility giving rise to the offset have been developed on the date of application for reimbursement;
- 3. A provision stating that repayment shall be made within five years from the date of execution of the reimbursement agreement, from roadway impact fees collected within the same roadway service area in which the property in question is located, subject to the availability of such funds:
- 4. A provision that termination or reduction of the city's authority under state law to impose impact fees for roadway facilities shall terminate or correspondingly reduce any obligation of the city to make payments under the offset agreement; and
- A provision stating that, in converting the offsets from service unit equivalents to a
 dollar value, the number of service unit equivalents shall be multiplied by the value of
 a service unit expressed in dollars using schedule 1 in effect at the time the offset
 agreement was executed.
- c. Execution of a reimbursement agreement shall automatically terminate any offsets associated with a plat pursuant to an offset agreement. Thereafter, new development within the area subject to the plat shall pay roadway impact fees in accordance with schedule 1 then in effect.
- (c) This subsection applies only to offsets associated with a system facility contributed to the city after May 18, 1982, but prior to the effective date of Ordinance No. 97-10-54 (October 7, 1997) for which no development agreement exists providing for dedication or construction of system facilities and for offsets against impact fees in proportion thereto. Any person who dedicated a system facility to the city or financed such system facility prior to the effective date of Ordinance No. 97-10-54 (October 7, 1997), or any person who is subject to an impact fee for a new development in a plat associated with the system facility, may create offsets for such system facility by entering into an offset agreement within two years of the effective date of Ordinance No. 2000-03-20 (March 7, 2000). The agreement shall be enforced in accordance with the following terms, providing:
 - (1) Identification of the plat with which the offset is to be associated:
 - (2) The amount of the capacity created by the capital improvement, expressed in service units equivalents:
 - (3) A provision stating that the offset may be used to reduce impact fees imposed on new developments contained within the land subject to the associated plat after the effective date of the agreement;
 - (4) A provision stating that the amount of the offset shall be determined by estimating the number of service units of capacity supplied by the system facility, reduced by:
 - The number of service units developed within the plat since the contribution of the system facility, using the LUVMET;
 - The amount of the city's participation in the excess costs of the system facility (expressed in service unit equivalents); and
 - The amount of any payments received from other new developments utilizing the system facility (expressed in service unit equivalents);
 - (5) A provision stating that offsets created pursuant to the offset agreement shall expire at the time that development subject to the associated plat is completed; and
 - (6) A provision stating that once the offset has expired, no reimbursement for unused offsets shall be due.
 - (7) A provision stating that, in converting offsets from service unit equivalents to a dollar value, the number of service unit equivalents shall be multiplied by the value of a service unit expressed in dollars using schedule 1 in effect at the time the offset agreement was executed.

(8) A provision stating that the city may elect to buy back outstanding offsets in accordance with subsection 130-111(f).

The developer may assign the offset agreement with the city's consent, but in no event shall the offsets provided for in the agreement be transferred to any development not subject to the plat associated with such offsets.

- (d) All offsets against roadway impact fees shall be subject to the following limitations and shall be granted based on this article and additional standards promulgated by the city council, which may be adopted as city council-approved administrative guidelines.
 - No offset shall be given for the dedication of land or easements for or the construction of siterelated facilities.
 - (2) No offset shall exceed the documented and city-approved costs to the developer of the system facility which was dedicated to and accepted by the city, or the amount of the monetary contribution actually made.
 - (3) The costs or service unit equivalents used to calculate the offsets shall not exceed those assumed for the specific capital improvement included in the capital improvements plan for roadway impact fees or the actual cost of that improvement, whichever amount is less.
- (e) Offsets shall be associated with the approved preliminary plat for the new development and shall apply to the development of all land subject to such plat. For new developments that are to be developed in phases, offsets may be created sequentially and may be applied to any undeveloped portions of the plat with which the offset is associated. The offset shall be expressed in service unit equivalents. The available offset associated with the plat shall be applied against an impact fee in the following manner:
 - (1) For single-family residential lots which have received final plat approval, the offset or credit shall be applied to reduce the impact fee equally for all such lots within the final plat at the time of final plat recordation.
 - (2) For all other types of new developments, the offset shall be applied to reduce the impact fee at the time of issuance of the first building permit, and thereafter to all subsequently issued building permits for each new development within the associated plat, until the offset has been exhausted, unless stipulated otherwise in a binding facilities agreement or a binding impact fee credit agreement.
- (f) Notwithstanding any other provisions of this section relating to offsets, the city in its sole discretion may choose to acquire all or a portion of any outstanding offsets associated with a new development by giving the property owner 60 days written notice of such intent and by tendering the dollar value of such offsets using schedule 1 in effect at the time the applicable offset agreement was executed.
- (g) Notwithstanding any other provision of this article to the contrary, for new developments subject to a development agreement predating the effective date of Ordinance No. 97-10-54 (October 7, 1997), which agreement provides for dedication or construction of system facilities and for offsets against roadway impact fees in proportion thereto, offsets shall apply to the amount of impact fees to be collected for each service unit pursuant to schedule 1 then in effect in accordance with the terms of such development agreement.

(Code 1982, § 37-89; Ord. No. 2000-03-20, § 1, 3-7-2000; Ord. No. 2001-08-091, § 1(3.09), 8-21-2001; Ord. No. 2003-05-055, § 1, 5-20-2003; Ord. No. 2003-07-062, § 1, 7-15-2003; Ord. No. 2005-11-116, § 1, 11-1-2005; Ord. No. 2008-11-102, § 6, 11-4-2008; Ord. No. 2013-11-108, § 6, 11-19-2013)

Sec. 130-112. - Use of proceeds of roadway impact fees.

- (a) The impact fees collected within each roadway benefit area may be used to finance, pay for or to recoup the costs of any roadway facility identified in the roadway improvements plan for the roadway benefit area, including the construction contract price, surveying and engineering fees, land acquisition costs (including land purchases, court awards and costs, attorney's fees, and expert witness fees), and amounts designated in any reimbursement agreements executed pursuant to section 130-111.
- (b) Impact fees may be used to pay for the contract services of an independent qualified engineer or financial consultant preparing or updating the roadway improvements plan who is not an employee of the political subdivision.
- (c) Impact fees also may be used to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the city to finance such capital improvement.

(Code 1982, § 37-90; Ord. No. 2000-03-20, § 1, 3-7-2000; Ord. No. 2001-08-091, § 1(3.10), 8-21-2001; Ord. No. 2003-05-055, § 1, 5-20-2003; Ord. No. 2003-07-062, § 1, 7-15-2003; Ord. No. 2005-11-116, § 1, 11-1-2005)

Sec. 130-113. - Appeals.

- (a) The property owner or applicant for a new development may appeal the following administrative decisions to the city council:
 - (1) The applicability of an impact fee to the new development;
 - (2) The amount of the impact fee due;
 - (3) The availability of, the amount of, or the expiration of an offset or a credit;
 - (4) The application of an offset against an impact fee due;
 - (5) The amount of the impact fee in proportion to the benefit received by the new development; or
 - (6) The amount of a refund due, if any.
- (b) The appellant shall state the basis for the appeal in writing with particularity. The burden of proof shall be on the appellant to demonstrate that the amount of the fee or the amount of the offset was not calculated according to the rules set forth in this ordinance or by administrative guideline adopted by the city council. The appellant shall submit any traffic study or other documents upon which he relies to the city with the request for appeal.
- (c) The appellant must file a notice of appeal with the city secretary within 30 days following the decision. If the notice of appeal is accompanied by a bond or other sufficient surety with offices for local presentment in a form satisfactory to the city attorney in an amount equal to the original determination of the impact fee due, the development application may be processed while the appeal is pending.
- (d) The appellant shall promptly pay to the city the full amount of the impact fee determined to be due by the city council regarding such appeal. Failure to promptly pay such impact fee within five business days after the city council's determination on the appeal shall serve as authority for the city to present the bond or other surety to the bonding company or financial institution for performance with no other or further notice or contact with the appellant.
- (e) Any appellant whose appeal has not been decided under Ordinance No. 97-10-54 on the effective date of this article may elect either to:
 - (1) Have the appeal decided under such ordinance; or
 - (2) Waive the appeal and pay impact fees under schedule 1 under rules established in this ordinance.

(Code 1982, § 37-91; Ord. No. 2000-03-20, § 1, 3-7-2000; Ord. No. 2001-08-091, § 1(3.11), 8-21-2001; Ord. No. 2003-05-055, § 1, 5-20-2003; Ord. No. 2003-07-062, § 1, 7-15-2003; Ord. No. 2005-11-116, § 1, 11-1-2005; Ord. No. 2008-11-102, § 7, 11-4-2008)

Sec. 130-114. - Refunds.

- (a) Any impact fee or portion thereof collected pursuant to this article which has not been expended within the applicable roadway service area for an authorized purpose within ten years from the date of payment shall be refunded, upon application, to the record owner of the property at the time the refund is paid or, if the impact fee, was paid by another governmental entity, to such governmental entity, together with interest calculated from the date of collection to the date of refund at the statutory rate as set forth in § 302.002 of the Texas Finance Code or its successor statute. The application for refund pursuant to this section shall be submitted in writing within 60 days after the expiration of the ten-year period for expenditure of the fee. An impact fee shall be considered expended on a first-in, first-out basis.
- (b) An impact fee collected pursuant to this article shall be considered expended if the total expenditures for capital improvements authorized in section 130-112 within the roadway service area within ten years following the date of payment exceed the total fees collected for such improvements during that time period.
- (c) If a refund is due pursuant to subsections (a) or (b), the city shall prorate the refund by dividing the difference between the amount of expenditures and the amount of the fees collected by the total number of service units assumed within the roadway service area for the period to determine the refund due per service unit. The refund to the record owner shall be calculated by multiplying the refund due per service unit by the number of service units for the new development for which the fee was paid, and interest due shall be calculated upon that amount.
- (d) If the building permit for a new development for which an impact fee has been paid has expired and a modified or new application has not been filed within six (6) months of such expiration, the city shall, upon written application, refund the amount of the impact fee to the applicant. The city may establish guidelines for refunding of impact fees collected for which construction plans have been abandoned.
- (e) The city shall refund an impact fee to any person who has paid such fee after the effective date of Ordinance No. 97-10-54 but before the effective date of Ordinance No. 2000-03-20 (March 7, 2000), together with interest accruing from the date of collection of the fee, under the following circumstances:
 - (1) A written request for refund is filed within two years from the effective date of Ordinance No. 2000-03-20 (March 7, 2000);
 - (2) The new development for which the fee was charged is contained within a plat associated with a system facility contributed to the City after May 18, 1982 but before the effective date of Ordinance No. 97-10-54 (October 7, 1997); and
 - (3) An offset agreement for such facility has been executed pursuant to Section 130-111.

This subsection does not apply to any new development in an area subject to a development agreement predating the effective date of Ordinance No. 97-10-54 (October 7, 1997), which agreement provides for dedication or construction of system facilities and for offsets against impact fees in proportion thereto.

(Code 1982, § 37-92; Ord. No. 2000-03-20, § 1, 3-7-2000; Ord. No. 2001-08-091, § 1(3.12), 8-21-2001; Ord. No. 2003-05-055, § 1, 5-20-2003; Ord. No. 2003-07-062, § 1, 7-15-2003; Ord. No. 2005-11-116, § 1, 11-1-2005; Ord. No. 2008-11-103, § 8, 11-4-2008; Ord. No. 2013-11-108, § 7, 11-19-2013)

Sec. 130-115. - Relief procedures.

- (a) Any person who has paid an impact fee or an owner of land upon which an impact fee has been paid may petition the city council to determine whether any duty required by this article has not been performed within the time so prescribed. The petition shall be in writing and shall state the nature of the unperformed duty and request that the act be performed within 60 days of the request. If the city council determines that the duty is required, pursuant to the ordinance and is late in being performed, it shall cause the duty to commence within 60 days of the date of the request and to continue until completion.
- (b) The city council may grant a variance or waiver from any requirement of this article, upon written request by a developer or owner of property subject to the ordinance, following a public hearing, and only upon finding that a strict application of such requirement would when regarded as a whole result in confiscation of the property.
- (c) If the city council grants a variance or waiver to the amount of the impact fee due for a new development under this section, it may cause to be appropriated from other city funds the amount of the reduction in the impact fee to the account, for the roadway benefit area, in which the property is located.

(Code 1982, § 37-93; Ord. No. 2000-03-20, § 1, 3-7-2000; Ord. No. 2001-08-091, § 1(3.13), 8-21-2001; Ord. No. 2003-05-055, § 1, 5-20-2003; Ord. No. 2003-07-062, § 1, 7-15-2003; Ord. No. 2005-11-116, § 1, 11-1-2005)

Secs. 130-116-130-143. - Reserved.

DIVISION 2. - ROADWAY FACILITIES FEES^[5]

Footnotes:

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Editor's note— Ord. No. 2008-11-103, §§ 9—11, adopted November 4, 2008, amended the Code by, in effect, repealing former div. 2, §§ 130-144—130-146, and adding a new div. 2. Former div. 2 pertained to similar subject matter, and derived from the Code of 1982, §§ 37-96—37-98; Ord. No. 2000-03-20, adopted March 7, 2000, Ord. No. 2001-08-091, adopted August 21, 2001; Ord. No. 2003-05-055, adopted May 20, 2003, Ord. No. 2003-07-062, adopted July 15, 2003, Ord. No. 2005-11-116, adopted November 1, 2005.

Sec. 130-144. - Roadway service areas.

- (a) There are hereby established 13 roadway service areas, as depicted in Exhibit 3.
- (b) The boundaries of the roadway service areas may be amended from time to time or new roadway service areas may be delineated.

(Ord. No. 2008-11-103, § 9, 11-4-2008; Ord. No. 2013-11-108, § 8, 11-19-2013)

Sec. 130-145. - Roadway improvements plan.

(a) The roadway impact fee RIP, depicted as exhibit 2 on unmarked page 15 of the 2012—2013 roadway impact fee update, dated November 2013, together with tables 2(A) through 2(M) on pages

7 through 14 of the 2012—2013 roadway impact fee update, attached to Ord. No. 2013-11-108 and incorporated by reference herein as a part of exhibit 2 are hereby adopted as the roadway improvements plan for the city.

(b) The roadway improvement plan may be amended from time to time.

(Ord. No. 2008-11-103, § 10, 11-4-2008; Ord. No. 2013-11-108, § 9, 11-19-2013)

Sec. 130-146. - Roadway impact fees.

- (a) The impact fees per service unit for roadway facilities set out in schedule 1 attached to Ord, No. 2008-11-102 and made a part hereof by reference is hereby adopted and incorporated into this division.
- (b) The impact fees per development unit for roadway facilities, which are to be paid by each new development, set out in schedule 1 attached to ord. No. 2008-11-102 and made a part hereof by reference is hereby adopted and incorporated into this division.
- (c) The impact fees per service unit for roadway facilities may be amended from time to time.

(Ord. No. 2008-11-103, § 11, 11-4-2008)

Secs. 130-147—130-175. - Reserved.

| Agenda Section | Regular Agenda |
|------------------------------|---|
| Section Number | VI.C |
| Subject | Update regarding the construction of County Road 699. |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | None |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | Motion/second/vote ☐ Approve ☐ Disapprove Motion/second/vote to continue to a later date. ☐ Approve ☐ Disapprove Move item to another agenda. No motion, no action |

| Agenda Section | Regular Agenda |
|------------------------------|---|
| Section Number | VI.D |
| Subject | Update on the city's contract with the North Texas Municipal Water District (NTMWD). |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | None |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | Motion/second/vote Approve Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action |

| Agenda Section | Regular Agenda |
|------------------------------|---|
| Section Number | VI.E |
| Subject | Consider, discuss and act upon Farmersville Parkway possible grant. |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | None |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to another agenda. No motion, no action |

| Agenda Section | Regular Agenda |
|------------------------------|--|
| Section Number | VI.F |
| Subject | Consider, discuss and act upon boundary agreement with the City of Blue Ridge. |
| То | Mayor and Council Members |
| From | Ben White, City Manager |
| Date | March 10, 2020 |
| Attachment(s) | City of Farmersville Annexation Ordinance 2-11-1975 City of Blue Ridge Annexation Ordinance 6-11-1987 Local Government Code Excerpt Maps |
| Related Link(s) | http://www.farmersvilletx.com/government/agendas and minutes/city council meetings.php |
| Consideration and Discussion | City Council discussion as required. |
| Action | Motion/second/vote Approve Approve with Updates Disapprove Motion/second/vote to continue to a later date. Approve Disapprove Move item to a future agenda. No motion, no action |

Ordinance No. 75-3

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF THE CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED TERRITORY WITHIN THE CITY LIMITS, AND GRANTING THE FUTURE INHABITANTS OF SAID TERRITORY ALL THE RIGHTS AND PRIVILEDGES OF OTHER CITIZENS OF THE CITY OF FARMERSVILLE, AND BINDING SAID FUTURE INHABITANTS BY ALL THE ACTS AND ORDINANCES OF CITY OF FARMERSVILLE.

WHEREAS, a recommendation has been made to the City Council to annexation of a portion of public highways U.S. 380 and S.H. 78 to the City of Farmersville; and

WHEREAS, the herein described territory is entirely owned by the State of Texas and used exclusively for public road right-of-way purposes; and

WHEREAS, said territory is contiguous and adjacent to the City of Farmersville, Texas, and is not more than one-half mile in width, and whereas, such recommendation was presented to the City Council for argument for and against same, and the City Council has voted to annex the hereinbelow territory to the City of Farmersville, Texas;

NOW, THEREFORE, BE IT ORDAINED by the City Council of City of Farmersville, Collin County, Texas, that the following described territory, to wit:

Situated in Collin County, Texas, and beginning at the present easterly City Limit of the City of Farmersville, Texas:

THENCE in an Easterly direction, annexing all of the U.S. Highway 380 right-of-way to the point of intersection with the present County Line of Collin County, Texas; said U.S. Highway 380 right-of-way is more particularly described in the Deed Records of Collin County, Texas, to which reference is made for full description of said right-of-way.

Situated in Collin County, Texas, and beginning at the present westerly City Limit of the City of Farmersville, Texas:

THENCE in an Westerly direction, annexing all of the U.S. Highway 380 right-of-way to the point of intersection with the Center Line of the Pilot Grove Creek, Collin County, Texas; said U.S. Highway 380 right-of-way is more particularly described in the Deed Records of Collin County, Texas, to which reference is made for full description of said right-of-way.

Situated in Collin County, Texas, and beginning at the present northerly City Limit of the City of Farmersville, Texas;

THENCE in an Northerly direction, annexing all of the S.H. Highway 78 right-of-way to the point of intersention with the Center Line of the Indian Creek, Collin County, Texas; said S.H. 78 right-of-way is more particularly described in the Deed Records of Collin County, Texas, to which reference is made for full description of said right-of-way.

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Ordinance No. 73-3 (Continue)

Situated in Collin County, Texas, and beginning at the present southerly City Limit of the City of Farmersville, Texas;

THENCE in a Southerly direction, annexing all of the S.H. Highway 78 right-of-way to the point of intersection with the Center Line of Elm Creek, Collin County, Texas; said S.H. Highway 78 right-of-way is more particularly described in the Deed Records of Collin County, Texas, to which the reference is made for full description of said right-of-way.

BE, and the same is hereby annexed to the City of Farmersville, Collin County, Texas, and that the boundary limits of the City of Farmersville, Texas, be, and the same are hereby extended to include the above described territory within the City Limits of the City of Farmersville, Texas and the same shall hereafter be included within the territorial limits of said City; and the said land and all future inhabitants thereof shall hereafter be entitled to all the rights and priviledge of other citizens of the City of Farmersville, Texas, and shall be bound by the acts and ordinances of said City.

The City Secretary is hereby directed to file with the County Clerk of Collin County, Texas, a certified copy of this ordinance.

PASSED by an affirmitive vote of the majority of the City Council this 1; th day of FEBRUARY, A.D. 1975.

John E. Pollard, Mayor Pro-Tem

ATTEST:

AnnuBridges, City Secretary

2661 755

CERTIFICATION

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I HEREBY CERTIFY THAT THE ATTACHED DOCUMENT IS THE TRUE AND ORIGINAL ORDINANCE 5-11-87
AS PASSED BY THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, TEXAS, ON THE 11 DAY OF JUNE, 1987.



ORDINANCE NO. ________ 7

AN ORDINANCE ANNEXING THE HERBIHAFTER DESCRIBED TERRITORY TO THE CITY OF BLUE RIDGE, COLLIN COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS.

WHERRAS, public hearings before the governing body of the City of Blue Ridge, Texas, where all interested persons were provided with an opportunity to be heard on the proposed annexation of the above described property were held at the City Hall, Blue Ridge, Texas, on the 4th day of June, 1987, and at the City Hall, Blue Ridge, Texas, on the 5th day of June, 1987, which dates are not more than forty (40) nor less than twenty (20) days prior to the institution of annexation proceedings; and

WHEREAS, after hearing the arguments for and against the annexation the city council has voted to annex said territory to the City of Blue Ridge, Texas; and

WHEREAS, the territory lies adjacent to and adjoins the present boundaries of the City of Blue Ridge, Texas; and

WHEREAS, the territory above described contains 352.2 acres, more or less; now therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, TEXAS:

Section 1. The following described land and territory lying adjacent to and adjoining the present boundaries of the City of Blue Ridge, Texas, is hereby added and annexed to the City of Blue Ridge, Texas, and said territory hereinafter described shall hereafter be included within the boundary limits of the City of Blue Ridge, Texas, and the present boundary limits of such city at the various points contiguous to the area hereinafter described are altered and amended so as to richly said area within the corporate limits of the City of Blue Ridge, Texas, to-wit;

TRACT 1

All that certain tract of land situated adjacent to the north boundary of the City of Blue Ridge, Texas, with the point of beginning being the most northerly point in the existing city limits in the west boundary of State Highway 78;

THENCE northerly along the west right-of-way line of State Highway 78 a distance of 4,437.48 feat, more or less, to a point in the north line of the Green Johnson Survey, Abstract N. 478, also being the south line of the Lonson Moore Survey, Abstract No. 555;"

THENCE westerly along the south line of said L. Moore Survey a distance of 142 feet, more or less, to a point in the west right-of-way line of U.S. Highway 78 Business Route;

THENCE southerly along the east right-of-way line of U.S. Highway 78 Business Route, following said right-of-way line on all courses, to a point in the north city limits of the City of Blue Ridge;

THENCE westerly along the north city limits line of the City of Blue Ridge to a point in the west line of U.S. Highway 78 Business Route;

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THENCE northerly along the west right-of-way line of U.S. Highway Business Route, following said right-of-way on all courses, continuing northerly along the west right-of-way line of State Highway 78, following said right-of-way line on all courses, continuing along the west right-of-way line of State Highway 160, following said right-of-way line on all courses, to the point of intersection with the south right-of-way line of State Highway 121;

THENCE easterly along a line perpendicular to the center line of State Highway 160 to the point of intersection with the east right-of-way line of State Highway 160;

THENCE, southerly along the east right-of-way line of State Highway 160, following said right-of-way line on all courses, continuing along the east right-of-way line to the point of intersection with the north line of State Highway 78, continuing on the same course acrose State Highway 78 to a point in the east line of State Highway 78, continuing along the east line of State Highway 78, following the right-of-way line on all courses to the point of intersection with the north city limits line of the City of Blue Ridge;

THENCE westerly along the north city limits line of the City of Blue Ridge to the place of beginning, said tract containing 67.9 scree, more or less.

TRACT 2

All that certain tract of land situated adjacent to the mouth boundary of the City of Blue Ridge, Texas, with the point of beginning being the most southerly point in the existing city limits in the west boundary of State Highway 78;

THENCE southerly along the west right-of-way line of State Highway 78, following said right-of-way line on all courses, to the point of intersection with State Highway 78 Business Route;

THENCE northerly and northwesterly along the north line of State Highway 78 Business Route to the point of intersection with the south city limits line of the City of Blue Ridge;

THENCE westerly along the south city limits line of the City of Blue Ridge to the point of intersection with the west line of State Highway 78 Business Route;

THENCE southerly and southeasterly along the west right-of-way line of State Highway 78 Business Route, following said right-of-way on all courses, continuing southerly along the west right-of-way of State Highway 78, following said right-of-way line on all courses, to the point of intersection with the center line of Indian Creek;

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THENCE easterly along the center line of Indian Creek to the point of intersection with the east right-of-way line of State Highway 78;

THENCE northerly along the east right-of-way line of State Highway 78, following said east right-of-way line on all courses, to the point of intersection with the south city limits line of the City of Blue Ridge;

THENCE westerly along the south city limits line of the City of Blue Ridge to the place of beginning, said tract containing a total of 68.8 acres, more or less.

TRACT 3

All that tract of land situated adjacent to the east boundary of the City of Blue Ridge, Texas, with the point of beginning being the most easterly point in the existing city limits in the south boundary of Parm-to-Market Highway 981;

THENCE easterly along the south right-of-way line of FM Highway 981, following said right-of-way line on all courses, continuing easterly along the south right-of-way line of FM Highway 1562, following said south right-of-way line on all courses, to the center line of Lee Creek;

THENCE northerly along the center line of Lee Creek to the point of intersection with the north right-of-way line of FM Highway 1562:

THENCE westerly along the north right-of-way line of FM Highway 1562, following said right-of-way line on all courses, to the point of intersection with the most right-of-way line of FM Highway 981;

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THENCE northerly along the east right-of-way line of PM Highway 981, following said right-of-way line on all courses, to the point of intersection with the Collin County-Pannin County line;

THENCE westerly along the Collin County-Pannin County line to the point of intersection with the west right-of-way line of FM Highway 981;

THENCE southerly along the west right-of-way line of FM Highway 981, following said right-of-way line on all courses, continuing westerly along the north right-of-way line of said FM Highway 981, following said right-of-way line on all courses to the point of intersection with the east city limits line of the City of Blue Ridge;

THENCE southerly along the east city limits line of the City of Blue Ridge to the place of beginning, and containing \$2.3 acres, more or less.

TRACT 4

ALL that certain tract of land situated adjacent to the west boundary of the City of Blue Ridge, Texas, with the point of beginning being the most westerly point in the west city limits line of the City of Blue Ridge in the south right-of-way line of Farm-to-Market Highway 545;

THENCE westerly along the south right-of-way line of PH Highway 545 to the point of intersection with the east right-of-way line of Farm-to-Market Highway 1377;

THENCE southerly and westerly along the east and south right-of-way line of FM Highway 1377, following said right-of-way line on all courses, to the point of intersection with the north right-of-way line of Farm-to-Market Highway 2756;

THENCE easterly along the north right-of-way line of FM Highway 2756, following said right-of-way line on all courses, to a point 2,640 feet from the point of intersection with the west right-of-way line of State Highway 78;

THENCE southerly along a line parallel to and 2,640 feet west of the west right-of-way line of State Highway 78 to the point of intersection with the south right-of-way line of FM Highway 2756;

THENCE westerly along the south right-of-way line of FM Highway 2756, following said right-of-way line on all courses, to the point of intersection with the east right-of-way line of FM 1377, continuing westerly along a line perpendicular to the center line of FM Highway 1377 to a point in the west right-of-way line of FM Highway 1377;

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THENCE northerly along the west right-of-way line of FM Highway 1377, following said right-of-way line on all courses, to the point of intersection with the south right-of-way of FM Highway 545;

: .

THENCE westerly along the south right-of-way line of FM Highway 545, continuing along said right-of-way line on all courses, to a point being 2,640 feet east of the southeast corner of the intersection of FM Highway 545 and Farm-to-Market Highway 2862;

THENCE northerly along a line perpendicular to the center line of FM Highway 545 to a point in the north right-of-way line of said FM Highway 545;

THENCE easterly along the morth right-of-way line of FM Highway 545, following said right-of-way line on all courses, to the point of intersection with the west city limits line of the City of Blue Ridge;

THENCE southerly along the west city limits line of the City of Blue Ridge to the place of beginning, containing a total of 133.2 acres, more or less.

Section 2: The above described territory and the area so annaxed shall be a part of the City of Blue Ridge, Texas, and the inhabitants thereof, if any, shall be entitled to all of the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions and regulations of the City of Blue Ridge, Texas.

The City Clerk is hereby directed to file with the County Clerk of Collin County, Texas, a certified copy of this ordinance.

PASSED by an affirmative vote of all members of the City Council, this the 1 day of 1987.

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, REITAL OR USE OF THE DESCRIBED REAL PROPERTY CTCAUSE OF COLOR OR RACE IS INVALID AND UNEM-FOLETATIE UNDER FEDERAL LAW. APPROVED:

Hayot Sagely

ATTEST:

Vickie & Bush

FILED FOR RECORD 2. DAY OF AD. 19 87. at /4:33 PM
DULY RECORDED 3. DAY OF HELEN STARNES, County Clerk
BY: Collin County, Texas

LOCAL GOVERNMENT CODE

TITLE 2. ORGANIZATION OF MUNICIPAL GOVERNMENT

SUBTITLE C. MUNICIPAL BOUNDARIES AND ANNEXATION

CHAPTER 43. MUNICIPAL ANNEXATION

SUBCHAPTER A. GENERAL PROVISIONS

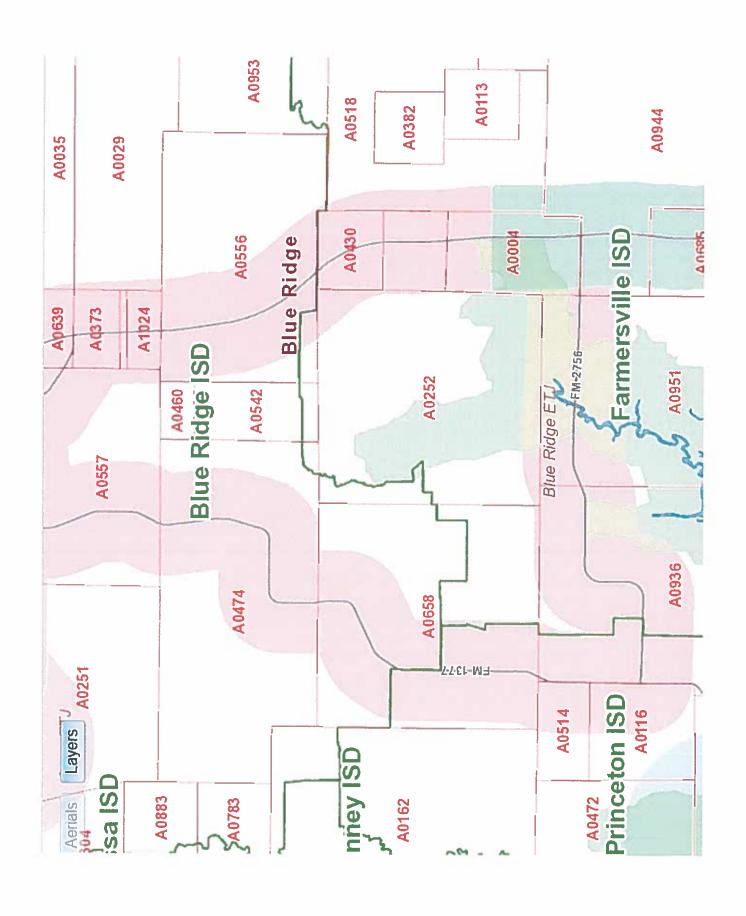
Sec. 43.054. WIDTH REQUIREMENTS. (a) A municipality may not annex a publicly or privately owned area, including a strip of area following the course of a road, highway, river, stream, or creek, unless the width of the area at its narrowest point is at least 1,000 feet.

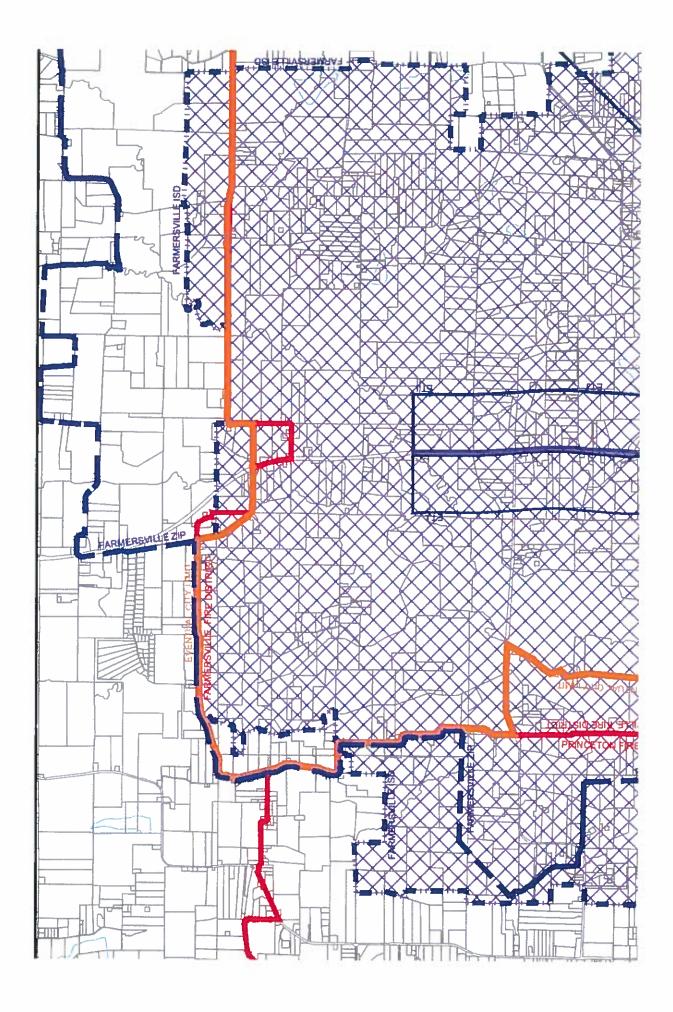
- (b) The prohibition established by Subsection (a) does not apply if:
- (1) the boundaries of the municipality are contiguous to the area on at least two sides;
- (2) the annexation is initiated on the written petition of the owners or of a majority of the qualified voters of the area; or
- (3) the area abuts or is contiguous to another jurisdictional boundary.
- (c) Notwithstanding Subsection (a), a municipality with a population of 21,000 or more located in a county with a population of 100,000 or more may annex a publicly owned strip or similar area following the course of a road or highway for the purpose of annexing territory contiguous to the strip or area if the territory contiguous to the strip or area was formerly used or was to be used in connection with or by a superconducting super collider high-energy research facility.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, Sec. 3(d), eff. Aug. 28, 1989; Acts 1999, 76th Leg., ch. 1167, Sec. 5, eff. Sept. 1, 1999; Acts 2003, 78th Leg., ch. 768, Sec. 1, eff. June 20, 2003.

Amended by:

Acts 2017, 85th Leg., 1st C.S., Ch. 6 (S.B. 6), Sec. 16, eff. December 1, 2017.









IX. Requests to be Placed on Future Agendas

